

Memorandum

Date: January 31, 2011
To: ACTAC
From: Matt Todd, Manager of Programming
Subject: **STIP Extension Request – Approve Allocation Deadline for the City of Dublin Alamo Canal Regional Trail, I-580 Undercrossing Project**

Action Requested

ACTAC is requested to recommend Board approval of the Request for Time Extension to the June 30, 2011 allocation deadline for the City of Dublin Alamo Canal Regional Trail, I-580 Undercrossing Project.

Discussion

The City of Dublin requests an 18-month time extension to the allocation deadline from June 30, 2011 to December 31, 2012 for the \$1,021,000 of STIP-TE programmed for the Construction phase.

The timely use of funds provisions enacted by SB 45 are intended to encourage local and regional agencies to accurately program, monitor and deliver STIP projects in a timely manner. Per the STIP Guidelines, the CTC may grant a one-time extension to each of the allocation, expenditure, award, and completion deadlines only if it finds that an unforeseen and extraordinary circumstance beyond the control of the responsible agency has occurred that justifies the extension. The extension will not exceed the period of delay directly attributed to the extraordinary circumstance and will in no event be for more than 20 months.

The current, ongoing delay to project delivery is based primarily on the scope of the environmental studies required for NEPA approval, which in turn has delayed subsequent project delivery milestones related to right of way certification and PS&E. Originally, the City expected to have the required NEPA approval by the end of December 2010, which would have allowed adequate time to secure the right of way certification, prepare the final PS&E, and submit a request for CTC allocation in time for a CTC vote before June 2011. The scope of the environmental studies required for Caltrans approval has expanded significantly from what the City originally envisioned due to Caltrans requiring that the City consult formally with the US Fish & Wildlife Service (USFWS) related to the project impact(s) on the habitat of the California Red-Legged Frog as well as prepare other studies. The Biological Opinion appears to be the critical path item on the current project schedule.

Based on the assumption that the USFWS will issue the Biological Opinion by the end of March 2012, we estimate we can secure NEPA approval by the end of June 2012. With NEPA approval in hand on July 1, 2012, we can secure the right of way certification and finalize the PS&E by September 2012 and submit our request for allocation package for a CTC allocation vote in December 2012.

Next Steps

Upon Alameda CTC Board approval, MTC concurrence will be requested. If received, the request will be forwarded on to Local Assistance for signature and placement on the May CTC agenda.

Attachment

Attachment A - STIP Time Extension Request



CITY OF DUBLIN

100 Civic Plaza, Dublin, California 94568

Website: <http://www.ci.dublin.ca.us>

January 21, 2011

Mr. Nam Nguyen
District Local Assistance Engineer
Caltrans, Office of Local Assistance
P. O. Box 23660, Oakland, CA 94623-0660

PPNO: _____
Project #: RPSTPLE-5432(014)
EA: 04-9258431
Alamo Canal Trail Project
City of Dublin
Alameda County
Assembly District: 18th
Senate District: 9th

RE: Request for Time Extension for Allocation of STIP funds

Dear Mr. Nguyen:

We request that the California Transportation Commission (CTC) approve our request for a time extension for the allocation of STIP funds for the abovementioned project. The Alamo Canal Trail project was adopted into the 2010 STIP in June 2010 and construction funds are currently programmed in Year 2011.

The current, ongoing delay to project delivery is based primarily on the scope of the environmental studies required for NEPA approval, which in turn has delayed subsequent project delivery milestones related to right of way certification and PS&E. Initially, we were unable to begin the NEPA process through Caltrans Local Assistance until the federal funding got approved in June 2010. We expected to have the required NEPA approval by the end of December 2010, which would have allowed us to submit our request for CTC allocation vote before the deadline of June 2011. However, the scope of environmental studies required for Caltrans approval has expanded significantly from what we envisioned initially, and the City does not have any control over the level of effort that Caltrans requires for NEPA approval. Most notably, Caltrans has required that the City consult formally with the US Fish & Wildlife Service related to the project impact(s) on the habitat of the California Red-Legged Frog. That consultation is continuing today, and predicting the timeframe for USFWS to issue the Biological Opinion is the basis of the extension being requested at this time. Other studies required by Caltrans that were not envisioned include a Historic Property Survey Report and Archeological Survey Report, but the Biological Opinion appears to be the critical path item on the current project schedule.

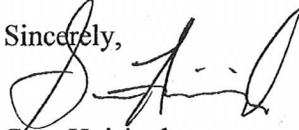
Based on the assumption that the USFWS will issue the Biological Opinion by the end of March 2012, we estimate we can secure NEPA approval by the end of June 2012. Following NEPA approval in June 2012, we can secure the right of way certification and finalize the PS&E by September 2012, and submit our request for CTC allocation vote in December 2012.

Area Code (925) • City Manager 833-6650 • City Council 833-6650 • Personnel 833-6605 • Economic Development 833-6650
Finance 833-6640 • Public Works/Engineering 833-6630 • Parks & Community Services 833-6645 • Police 833-6670
Planning/Code Enforcement 833-6610 • Building Inspection 833-6620 • Fire Prevention Bureau 833-6606

The eighteen month extension being requested represents the difference between the original target date for NEPA of December 2010 and the current estimated NEPA date (based on the assumption described above) of June 2012, and the correlating delay to the required allocation vote from June 2011 until December 2012.

An application for extension has been completed and attached to this letter. Please call Ferd Del Rosario at (925) 833-6637 if you have any questions regarding this request.

Sincerely,



Gary Huisingsh
Public Works Director

Copy: Jacki Taylor, ACTC
Attachment

G:\CIP\Alamo Canal Trail under I-580\CMA-TE Application\Request for Extension Cover Letter



CITY OF DUBLIN

100 Civic Plaza, Dublin, California 94568

Website: <http://www.ci.dublin.ca.us>

REQUEST FOR TIME EXTENSION LOCAL STIP PROJECTS

To: Mr. Nam Nguyen
District Local Assistance Engineer
Caltrans, Office of Local Assistance
P. O. Box 23660, Oakland, CA 94623-0660

Date : January 21, 2011

PPNO: _____
PROJECT #: RPSTPLE-5432(014)
EA: 04-925843I
Alamo Canal Trail Project
City of Dublin
Alameda County
Assembly District: 18th
Senate District: 9th

Dear Mr. Nguyen:

We request that the California Transportation Commission (CTC) approve a request for a time extension for this project.

A. Project description:

In Dublin and Pleasanton: This project will construct a segment of the Alamo Canal Trail underneath Interstate 580 to close a gap between the section of the Alamo Canal Trail located in Dublin and Centennial Trail located in Pleasanton south of I-580. Also included in the project is a 542-foot reinforced concrete retaining wall along the east side of the trail, and a cut-off wall below the pavement of the trail structural section. The project also includes installation of a trail lighting system and fencing. The following is a summary of the programmed amount by phase:

- Construction - \$1,021,000

B. Project element for which extension requested: (check appropriate box)

Allocation* Expenditure Award Completion
(contract acceptance)

C. Phase (component) of project: (check appropriate box or boxes)

Environmental Studies & Permits Plans, Specs. & Estimate Right of Way Construction*

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Finance 833-6640 • Public Works/Engineering 833-6630 • Parks & Community Services 833-6645 • Police 833-6670
Planning/Code Enforcement 833-6610 • Building Inspection 833-6620 • Fire Prevention Bureau 833-6606

D. Allocation and deadline summary

Allocation Date By Phase (if applicable)	Allocated Amount By Phase (if applicable)	Original Deadline	Number of Months of Extension Requested	Extended Deadline
	\$1,021,000	June 30, 2011	18 months	Dec. 30, 2012

E. Reason for project delay

The current, ongoing delay to project delivery is based primarily on the scope of the environmental studies required for NEPA approval, which in turn has delayed subsequent project delivery milestones related to right of way certification and PS&E. In addition to the expanded scope of the environmental studies, the initiation of the NEPA process was delayed. The RIP-TE funds were the first federal funds programmed to the project. We were unable to begin the NEPA process through Caltrans Local Assistance until the federal funding was approved in the TIP. The TIP amendment for the federal funding was not approved until June 2010. We were ready to begin the NEPA process (notwithstanding the Local Assistance requirement that the federal funds be approved in the TIP) at the time we submitted the application for the 2010 STIP development, i.e. late 2009.

Originally, we expected to have the required NEPA approval by the end of December 2010, which would have allowed adequate time to secure our right of way certification, prepare the final PS&E, and submit our request for CTC allocation package in the March-April 2011 timeframe for a CTC vote before the deadline of June 2011.

The scope of the environmental studies required for Caltrans approval has expanded significantly from what we envisioned originally, and the City does not have any control over the level of effort that Caltrans requires for NEPA approval. Most notably, Caltrans has required that the City consult formally with the US Fish & Wildlife Service related to the project impact(s) on the habitat of the California Red-Legged Frog. That consultation is continuing today, and predicting the timeframe for USFWS to issue the Biological Opinion is the basis of the extension being requested at this time. Other studies required by Caltrans that were not envisioned include a Historic Property Survey Report and Archeological Survey Report, but the Biological Opinion appears to be the critical path item on the current project schedule.

The City has continued to work diligently on as many activities as possible concurrent with the environmental studies, but the NEPA approval is a prerequisite to both right of way certification and final PS&E. Based on the assumption that the USFWS will issue the Biological Opinion by the end of March 2012, we estimate we can secure NEPA approval by the end of June 2012. With NEPA approval in hand on July 1, 2012, we can secure the right of way certification and finalize the PS&E by September 2012 and submit our request for allocation package for a CTC allocation vote in December 2012.

The eighteen month extension being requested represents the difference between the original target date for NEPA of December 2010 and the current estimated NEPA date (based on the assumption described above) of June 2012, and the correlating delay to the required allocation vote from June 2011 until December 2012.

The abovementioned tasks cost approximately \$15,000 and are being paid with local funds. Construction cost is anticipated to increase 2 to 4% and the extra cost will come from the construction contingency fund. The Alamo Canal Trail project was adopted into the 2010 STIP and construction funds are currently programmed in Year 2011.

F. Status of project milestones/revised project milestones

1) Completion of Environmental Document:

CEQA – Categorical Exemption approve on November 14, 2006

NEPA – Categorical Exclusion with required Technical Studies:

-Original target date of approval: December 2010

-Revised target date of approval: June 2012 (assumed issuance of Biological Opinion by the USFWS in March 2012)

2) Right of Way Certification:

Original target date of approval by Caltrans: January 2011

Revised target date of approval by Caltrans: September 2012.

3) Construction:

Original target date of advertisement: March 2011

Revised target date of advertisement: February 2013

G. Timely Use of Funds

We request that the CTC approve this request at the May 2011 meeting, *or* by _____.

H. Local Agency Certification:

This Request for Time Extension has been prepared in accordance with the *Procedures for Administering Local Grant Projects in the State Transportation Improvement Program (STIP)*. I certify that the information provided in the document is accurate and correct. I understand that if the required information has not been provided this form will be returned and the request may be delayed. Please advise us as soon as the time extension has been approved. You may direct any questions to Ferd Del Rosario at (925) 833-6637.

Signature _____ Title: Public Works Director Date: January 21, 2011

Agency/Commission: _____

I. Regional Transportation Planning Agency/County Transportation Commission Concurrence:

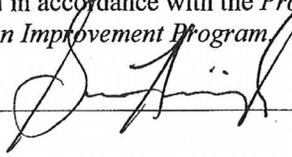
Concurred

Signature _____ Title: _____ Date: _____

Agency/CTC _____

J. Caltrans District Local Assistance Engineer Acceptance:

I have reviewed the information submitted on the Request for Time Extension and agree it is complete and has been prepared in accordance with the *Procedures for Administering Local Grant Projects in the State Transportation Improvement Program*.

Signature  Title: Public Works Director Date: 1/21/11

Attachments:

Distribution: (1) Original -DLAE (2) Copy- Division of Local Assistance, STIP Coordinator
(3) Copy - RTPA/County Transportation Commission