

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: August 6, 2013

Reference No.: 2.8d.(1)
Action Item

From: STEVEN KECK
Acting Chief Financial Officer

Prepared by: Jane Perez
Division Chief
Mass Transportation

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT DEVELOPMENT EXPENDITURES PER RESOLUTION G-99-25, GUIDELINES FOR ALLOCATING, MONITORING, AND AUDITING OF FUNDS FOR LOCAL ASSISTANCE PROJECTS WAIVER 13-39**

RECOMMENDATION:

The California Department of Transportation recommends the California Transportation Commission (Commission) approve a six-month extension for the period of project development expenditures, to December 31, 2013, for the Lathrop Road Westerly Grade Separation project in San Joaquin County.

ISSUE:

In November 2010, the Commission approved Resolution MFP-10-09 allocating \$3,032,000 to the City of Lathrop (City) for the Lathrop Road Westerly Grade Separation project. Completion of the Right of Way acquisition has been delayed due to additional easements and pending acquisition of two remaining properties needed in order to complete the final utilities relocation alignment. The first property requires ratification of the sales agreement by the City Council and completion of escrow. The second acquisition requires entering into a purchase and sales agreement with the property owner prior to transfer of ownership. The City has hired a private firm to administer and handle all land and Right of Way acquisition services.

As of March 2013, plans, specifications and estimates are 100 percent complete while Right of Way acquisition is 90 percent complete. The remaining balance of \$978,906 will be expended over the next six months.

BACKGROUND:

Resolution G-99-25, Guidelines for Allocating, Monitoring, and Auditing of Funds for Local Assistance Projects, adopted by the Commission on August 18, 1999, stipulates that funds allocated for local project development or Right of Way costs must be expended by the end of the second fiscal year following the fiscal year in which the funds were allocated. The Commission may approve a waiver to the timely use of funds deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.