



Meeting Date: 6/14/2011

| ACTION | TYPE OF ITEM |
|--|--|
| <input type="checkbox"/> Approved Recommendation | <input checked="" type="checkbox"/> Info/Consent |
| <input type="checkbox"/> Ord. No(s). _____ | <input type="checkbox"/> Report |
| <input type="checkbox"/> Res. No(s). _____ | <input type="checkbox"/> Public Hearing (Info/consent) |
| <input type="checkbox"/> Other _____ | <input type="checkbox"/> Other _____ |

Prepared By: Cynthia Daniels *Cd* Agenda Item No. I-13
 Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *[Signature]* Other (Specify) None

DATE: June 6, 2011

TO: City Council

FROM: Cynthia Daniels, Project Manager *Cynthia Daniels*
Development Services Department

SUBJECT: Maintenance of Highway 101 Shoulders at Rice Ave/Santa Clara Ave Interchange

RECOMMENDATION

That City Council authorize the City to accept, in concept, the responsibility for pavement maintenance of five roadway shoulder areas on Highway 101 for 13 years within the Rice Avenue/Santa Clara Avenue interchange project.

DISCUSSION

The specifications Sec. 1800 for Public Works Project Specification No. PW03-19 has incorrect information about which jurisdiction's paving standard should be used to construct the Rice Avenue/Santa Clara Avenue interchange improvements at Highway 101. The specification inadequately distinguished between the City's standards and Caltrans standards. The result was the contractor using hot mix asphalt (HMA) pavement within the Caltrans right-of-way that did not conform to the Caltrans specifications. When City staff realized the mistake, all paving in the shoulder areas was stopped until we resolved the issue with Caltrans. The contractor will use the Caltrans formula for HMA in all subsequent paving in the Caltrans right-of-way. The specification will be revised to clarify the intent, which is the City's specifications apply within the City's right-of-way and jurisdiction, and the Caltrans specifications apply within the existing and future Caltrans right-of-way.

Caltrans requires a formula for HMA that repels water, which is intended to extend the life of the paving. The Caltrans pavement design standard is for a 20-year life, with or without the additive (called an anti-stripping agent). The City does not use a similar asphalt formula. The design of the non-conforming pavement meets the Caltrans *Highway Design Manual* standard for a 20-year life, but Caltrans will not accept the pavement in place because it lacks the additive. Caltrans indicated it will not accept the project at the end of construction unless the City maintains the non-conforming pavement. Caltrans has not allowed the City's contractor to continue paving over the non-conforming pavement until the maintenance issue is resolved. Caltrans requested the City Council approve the concept of accepting the maintenance before Caltrans will allow paving to continue over the non-

conforming pavement. While the contractor has not claimed delay as a result of this event, the contractor may claim delays in the future; however, the pavement is not on the critical path for the project.

Caltrans believes the missing additive will reduce the life of the pavement below the design period of 20 years. Caltrans estimates the non-conforming pavement will remain in acceptable condition for 7 years. Initially Caltrans demanded the City either accept maintenance of the non-conforming pavement for 20 years, or remove and replace the pavement. The cost of removing and replacing new pavement was prohibitive and wasteful, and Caltrans eventually agreed to drop the requirement to remove the non-conforming pavement. In the compromise proposed by staff, the City accepts responsibility for pavement maintenance for the first 13 years of the design life, and Caltrans assumes maintenance in the final 7 years. Caltrans would not require the City to maintain the shoulders for trash removal, barrier railing, graffiti cleanup, or pavement replacement caused by extraordinary circumstances like a fire. The maintenance period begins when the contractor is relieved of maintenance.

The City's construction manager, AECOM, believes the pavement is likely to need little or no maintenance during the design life. Nevertheless, they provided an estimate of \$25,000 to \$55,000 for one-time maintenance if Caltrans determines maintenance is needed during the first 13 years. Integral to the concept is Caltrans using its own standards for maintaining the shoulders when it evaluates the performance of the non-conforming pavement. The City expects Caltrans to not impose a more stringent requirement on the City to maintain the pavement than Caltrans uses in its routine maintenance procedures.

If City Council approves the concept, Caltrans will prepare an amendment to the maintenance agreement (Agreement No. A- 7163) to incorporate the terms for maintaining the non-conforming pavement.

FINANCIAL IMPACT

There is no impact at this time; however, if pavement maintenance is required during the first 13 years, those costs would be eligible for street maintenance funds such as Gas Tax funds.

CD

Attachment #1 - Section 1800, Specification No. PW03-19

CITY OF OXNARD
SPECIFICATION NUMBER PW03-19
STPLN 5129 (012), HPLUL-5129(051/056), TILUL-5129(057), ESPL-5129(058)

1800 Conflict Between City's and Caltrans's Standard Special Provisions

If any section or contents of Caltrans' Specifications conflict with the City of Oxnard's Specifications, comply with the City of Oxnard Specifications.