



February 6, 2023

A handwritten signature in blue ink, appearing to read "Darrell E. Johnson", is positioned in the upper right area of the page.

To: Regional Transportation Planning Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Amendment to Cooperative Agreement with the California Department of Transportation for the Interstate 5 Improvement Project from Oso Parkway to Alicia Parkway

Overview

On February 12, 2018, the Orange County Transportation Authority Board of Directors approved a cooperative agreement between the Orange County Transportation Authority and the California Department of Transportation to provide construction capital and construction support services for the Interstate 5 Improvement Project from Oso Parkway to Alicia Parkway as part of the Interstate 5 Improvement Project between State Route 73 and El Toro Road. Board of Directors' approval is requested to amend the cooperative agreement for additional funding for construction capital and construction support services.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Cooperative Agreement No. C-8-1426 between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$23,660,000, for additional construction capital and construction support services for the Interstate 5 Improvement Project from Oso Parkway to Alicia Parkway. This will increase the maximum cumulative obligation of the cooperative agreement to a total contract value of \$196,456,000.
- B. Authorize the use of up to \$23,660,000 in Measure M2 funds for the construction phase of the Interstate 5 Improvement Project from Oso Parkway to Alicia Parkway.
- C. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above actions.

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Discussion

The Orange County Transportation Authority (OCTA), in cooperation with the California Department of Transportation (Caltrans), is implementing the Interstate 5 (I-5) Improvement Project between State Route 73 (SR-73) and El Toro Road (Project). The Project is part of projects C and D in the Measure M2 (M2) freeway program and is being advanced through the updated Next 10 Delivery Plan approved by the OCTA Board of Directors (Board) in November 2022.

The Project will add one general purpose lane in each direction on I-5 between Avery Parkway and Alicia Parkway, extend the second high-occupancy vehicle lane from El Toro Road to Alicia Parkway, re-establish auxiliary lanes, and construct new auxiliary lanes at various locations. In addition, the Project will reconstruct the Avery Parkway and La Paz Road interchanges, improve several existing on- and off-ramps, and convert existing and proposed carpool lanes to continuous access.

Construction is underway in three segments with the following Project limits:

- Segment 1 extends from SR-73 to south of Oso Parkway
- Segment 2 extends from south of Oso Parkway to south of Alicia Parkway
- Segment 3 extends from south of Alicia Parkway to El Toro Road

On February 12, 2018, the Board authorized Cooperative Agreement No. C-8-1426 with Caltrans to provide the construction capital and construction support services for Segment 2, between Oso Parkway and Alicia Parkway.

Additional construction funding for capital costs is required at this time due to various factors, including different site conditions, revisions to railroad safety requirements, lack of third-party as-built foundation and utility information, and repair of existing bridge decks and bearings, all within the limits of Segment 2 of the Project. These factors have impacted the contractor's construction completion date. These impacts and construction progress are being monitored and managed with the intent to minimize delay to the completion date. The following describes the specific construction issues which have been encountered and which require additional funding to address:

- Contaminated soil and water continue to be encountered during multiple stages of construction near the La Paz interchange. Large quantities of the contaminated soil have required testing, handling, and offsite disposal, and this is anticipated to continue into the next stage of construction.

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- Soil caving occurred at the location of Retaining Wall 110 near the I-5 northbound on-ramp from La Paz Road. The geotechnical analysis and recommendation for additional soil nails was approved so that this work could proceed without delay to the Project.
- Inadequate existing concrete mainline pavement and asphalt shoulders were not shown on the as-built plans and had to be reconstructed to handle additional traffic as part of the traffic staging for the Project.
- Updated Southern California Regional Rail Authority (SCRRA) safety requirements significantly increased the level of SCRRA management, inspection, and flagging for work within the railroad right-of-way. In addition, SCRRA issued new engineering and safety standard requirements for construction of a temporary railroad crossing, which increased the scope of work for the contractor.
- There are existing crash wall barriers in the SCRRA right-of-way. The foundations of these crash wall barriers were not included in the construction contract documents because the as-built drawings could not be located. These crash wall foundations required partial demolition, removal, and reconstruction of new crash walls and foundations as part of the mainline and northbound La Paz Road off-ramp reconstruction, as well as a change in the foundations for the off-ramp bridge.
- A fiber optic line and a sewer line were shown on the contract documents to remain in place, but upon excavation for the northbound La Paz Road bridge and excavation for Retaining Wall 102, these utilities were determined to be in conflict with the foundation construction and were required to be relocated. The relocation of these utilities required the contractor to perform dewatering at the location of the bridge and impacted construction of the retaining wall.
- It was discovered that there was the need to replace the bridge deck under the median barrier, as the existing deck was insufficient to carry traffic loading due to the westerly shift of the I-5 centerline. In addition, the existing bridge bearings under the I-5 south of La Paz Road were found to have failed, necessitating replacement.

The increased construction capital costs have also led to increased construction management costs. The increased work associated with the removal and disposal of the contaminated soil in the vicinity of La Paz Road and SCRRA construction safety requirements have increased construction management costs and extended the duration of the construction contract by 115 working days. Another 135 non-working was days granted to the contractor due to

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weather conditions, an incorrectly as-built shown third-party sewer line, traffic maintenance, and lane closure coordination with neighboring Segments 1 and 3. At this time, Segment 2 construction is scheduled to be completed in May 2024, which is ahead of Segment 1 (August 2024) and Segment 3 (July 2024). Additional construction scope of work also requires additional collecting, processing, and maintaining of Project communications and records, managing of contractor progress payments, and processing of change orders and claims.

Fiscal Impact

The Project is included in OCTA's Fiscal Year 2022-23 Budget, Capital Programs Division, Account No. 0017-9084-FC105-06W. Funding for this amendment will be local Measure M2. This is Project C in the Next 10 Delivery Plan, and the use of Measure M2 for this Project is consistent with the Board-approved Capital Programming Policies. Attachment B provides the Capital Funding Program which provides summary funding information for all the freeway projects, including the programming actions that are included in this report.

Summary

Staff requests Board approval to authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Cooperative Agreement No. C-8-1426 between OCTA and Caltrans, in the amount of \$23,660,000, for additional construction capital and construction support services for the Project. This will increase the maximum obligation of the cooperative agreement to a total contract value of \$196,456,000, comprised of a construction capital share of \$167,272,000 and a construction support share of \$29,184,000. Additionally, staff is requesting authorization for the use of up to \$23,660,000 in Measure M2 funds for the Project.

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Attachments

- A. California Department of Transportation, Cooperative Agreement No. C-8-1426 Fact Sheet
- B. Capital Funding Program Report

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