



Orange County Transportation Authority

Board Agenda

Monday, May 13, 2024 at 9:00 a.m.

550 South Main Street, Orange, California

Board Members

Tam T. Nguyen, Chair
Doug Chaffee, Vice Chair
Ashleigh Aitken
Valerie Amezcua
Andrew Do
Jon Dumitru
Jamey Federico
Katrina Foley
Patrick Harper
Michael Hennessey
Fred Jung
Farrah N. Khan
Stephanie Klopfenstein
Vicente Sarmiento
John Stephens
Donald P. Wagner
Vacant, Ex-Officio

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the Orange County Transportation Authority (OCTA) Clerk of the Board's office at (714) 560-5676, no less than two business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Agenda Descriptions

Agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Committee may take any action which it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

Public Availability of Agenda Materials

All documents relative to the items referenced in this agenda are available for public inspection at www.octa.net or through the Clerk of the Board's office at the OCTA Headquarters, 600 South Main Street, Orange, California.

Meeting Access and Public Comments on Agenda Items

Members of the public can either attend in-person or listen to audio live streaming of the Board and Committee meetings by clicking this link: <https://octa.legistar.com/Calendar.aspx>

BOARD MEETING AGENDA

In-Person Comment

Members of the public may attend in-person and address the Board regarding any item within the subject matter jurisdiction of the Orange County Transportation Authority. Please complete a speaker's card and submit it to the Clerk of the Board and notify the Clerk regarding the agenda item number on which you wish to speak. Speakers will be recognized by the Chair at the time of the agenda item is to be considered by the Board. Comments will be limited to three minutes. The Brown Act prohibits the Board from either discussing or taking action on any non-agendized items.

Written Comment

Written public comments may also be submitted by emailing them to ClerkOffice@octa.net, and must be sent by 5:00 p.m. the day prior to the meeting. If you wish to comment on a specific agenda item, please identify the item number in your email. All public comments that are timely received will be part of the public record and distributed to the Board. Public comments will be made available to the public upon request.

Call to Order

Invocation

Director Wagner

Pledge of Allegiance

Director Aitken

Special Calendar

Orange County Transportation Authority Special Calendar Matters

1. Administration of the Oath of Office to New Orange County Transportation Authority Board of Directors

Clerk of the Board

Overview

Oath of Office will be administered to new Board Member.

2. Closed Session

Overview

A Closed Session will be held as follows:

- A. Pursuant to Government Code Section 54957.6 to discuss negotiations with Teamsters Local 952 regarding the coach operators. The lead negotiator for the Orange County Transportation Authority is Maggie McJilton, Executive Director of People and Community Engagement and Teamsters Local 952 representative.
- B. Pursuant to Government Code Section 54956.9(d) - Conference with General Counsel - Potential Litigation - one item.

BOARD MEETING AGENDA

Orange County Transit District Special Calendar Matters

3. Proposed Fiscal Year 2024-25 Southern California Regional Rail Authority Budget

Megan Taylor/Johnny Dunning, Jr.

Overview

Metrolink staff will present an overview (with presentation) of the draft Southern California Regional Rail Authority Fiscal Year 2024-25 Budget, including the Orange County Transportation Authority's proposed share of operating, rehabilitation, and capital expenses for Metrolink commuter rail service.

Attachments:

[Presentation](#)

Consent Calendar (Items 4 through 20)

All matters on the Consent Calendar are to be approved in one motion unless a Board Member or a member of the public requests separate action on a specific item.

Orange County Transportation Authority Consent Calendar Matters

4. Approval of Minutes

Clerk of the Board

Recommendation(s)

Approve the minutes of the April 22, 2024 Orange County Transportation Authority and affiliated agencies' regular meeting.

Attachments:

[Minutes](#)

5. Fiscal Year 2023-24 Internal Audit Plan, Third Quarter Update

Janet Sutter

Overview

The Orange County Transportation Authority Board of Directors adopted the Orange County Transportation Authority Internal Audit Department Fiscal Year 2023-24 Internal Audit Plan on July 24, 2023. This report provides an update on activities for the third quarter of the fiscal year.

Recommendation(s)

Receive and file the third quarter update to the Orange County Transportation Authority Internal Audit Department Fiscal Year 2023-24 Internal Audit Plan as an information item.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

BOARD MEETING AGENDA

6. 2024 Board of Directors and Chief Executive Officer Initiatives and Action Plan - First Quarter Progress Report

Lauren Sato/Kia Mortazavi

Overview

On February 12, 2024, the Orange County Transportation Authority Board of Directors approved the 2024 Board and Chief Executive Officer Initiatives and Action Plan. The Action Plan consists of three Board initiatives and nine Chief Executive Officer initiatives monitored through 107 milestones throughout the calendar year. Reports detailing the progress on these milestones are provided on a quarterly basis for Board review. This report provides a summary of progress on first quarter milestones from January 1, 2024, through March 31, 2024. At the conclusion of the first quarter, nine of the 107 milestones have been completed.

Recommendation(s)

Receive and file as an information item.

Attachments:

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

7. Acceptance of Grant Awards from the California Department of Toxic Substances Control and the California Transportation Commission

Roslyn Lau/Kia Mortazavi

Overview

The Orange County Transportation Authority has been awarded \$12.35 million in two state grants for projects that support inter-county transit, active transportation, sustainability, and resiliency goals. Recommendations to accept these grants are presented for the Board of Directors' review and approval.

Recommendation(s)

- A. Authorize the Chief Executive Officer, or designee, to accept the award of \$350,000 in Equitable Community Revitalization Grant funding for the OC Connect Garden Grove Santa Ana Rails to Trails Environmental Assessment and to negotiate and execute grant-related agreements and documents with the California Department of Toxic Substances Control.
- B. Adopt Orange County Transportation Authority Resolution No. 2024-025 and authorize the Chief Executive Officer, or designee, to accept the award of \$12 million in Local Transportation Climate Adaptation Program funding for the Coastal Rail Infrastructure Corridor Resiliency Project and to negotiate and execute required grant-related agreements and documents with the California Transportation Commission.

BOARD MEETING AGENDA

- C. Authorize the use of \$3 million in Measure M2 funds to match the Local Transportation Climate Adaptation Program funding for the Coastal Rail Infrastructure Corridor Resiliency Project.
- D. Authorize staff to make all necessary amendments to the Federal Transportation Improvement Program, as well as execute any necessary agreements to facilitate the recommendations above.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

[Attachment E](#)

Orange County Transit District Consent Calendar Matters

8. Agreement for Fence Installation at the Pacific Electric Right-of-Way in the City of Anaheim

George Olivo/James G. Beil

Overview

The Pacific Electric Right-of-Way in the City of Anaheim needs a fence installed to secure the right-of-way property. An invitation for bids was released on February 12, 2024. Bids were received in accordance with Board of Directors' procurement procedures for public works projects. Board of Directors' approval is requested to execute the agreement.

Recommendation(s)

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2095 between the Orange County Transportation Authority and Izurieta Fence Company, Inc., the lowest responsive, responsible bidder, in the amount of \$143,340, for the fence installation at Pacific Electric Right-of-Way in the City of Anaheim.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

BOARD MEETING AGENDA

9. Agreement for Painting, Coating, and Roof Replacement at the Laguna Hills Transportation Center

George Olivo/James G. Beil

Overview

The Laguna Hills Transportation Center needs painting, coating, and roof replacement to maintain a state of good repair. An invitation for bids was released on February 9, 2024. Bids were received in accordance with procurement procedures for public works projects. Board of Directors' approval is requested to execute the agreement.

Recommendation(s)

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2073 between the Orange County Transportation Authority and Ankor Associates, Inc., the lowest responsive, responsible bidder, in the amount of \$358,000, for painting, coating, and roof replacement at the Laguna Hills Transportation Center.

Attachments:

[Transmittal](#)

[Staff Report](#)

10. Agreement for Bus Hoist Replacement at the Irvine Sand Canyon Bus Base

George Olivo/James G. Beil

Overview

The bus hoist in the bus chassis wash bay at the Irvine Sand Canyon Bus Base is in need of replacement to maintain a state of good repair. An invitation for bids was released on February 12, 2024. Bids were received in accordance with procurement procedures for public works projects. Board of Directors' approval is requested to execute the agreement.

Recommendation(s)

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2092 between the Orange County Transportation Authority and Autolift Services, Inc., the lowest responsive, responsible bidder, in the amount of \$219,757, for bus hoist replacement at the Irvine Sand Canyon Bus Base.

Attachments:

[Transmittal](#)

[Staff Report](#)

11. Approval of the Fiscal Year 2024-25 Local Transportation Fund Claim for Public Transportation and Community Transit Services

Sam Kaur/Andrew Oftelie

Overview

The Orange County Transit District is eligible to receive funding from the Local Transportation Fund for providing public transportation and community transit services throughout Orange County. To receive the funds, the Orange County Transit District must file a claim against the Local Transportation Fund with the Orange County Transportation Authority.

BOARD MEETING AGENDA

Recommendation(s)

- A. Approve the Orange County Transit District Fiscal Year 2024-25 Local Transportation Fund claim for public transportation services in the amount of \$212,667,523.41, and for community transit services in the amount of \$11,273,685.71 for a total claim amount of \$223,941,209.12.
- B. Authorize the Chief Executive Officer to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the full amount of the claims.

Attachments:

[Transmittal](#)

[Staff Report](#)

12. Approval of the Fiscal Year 2024-25 Local Transportation Fund Claim for Laguna Beach Public Transportation Services

Sam Kaur/Andrew Oftelie

Overview

The Laguna Beach Municipal Transit Lines, a department within the City of Laguna Beach, is eligible to receive funding from the Local Transportation Fund in Orange County for providing public transportation services throughout the city. To receive the funds, the Laguna Beach Municipal Transit Lines must file a claim against the Local Transportation Fund with the Orange County Transportation Authority.

Recommendation(s)

- A. Approve the Laguna Beach Municipal Transit Lines Fiscal Year 2024-25 Local Transportation Fund claim for public transportation services, in the amount of \$1,532,505.
- B. Authorize the Chief Executive Officer of the Orange County Transportation Authority to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the amount of the claim.

Attachments:

[Transmittal](#)

[Staff Report](#)

BOARD MEETING AGENDA

Orange County Local Transportation Authority Consent Calendar Matters

13. Review of Interstate 405 Improvement Project: Design-Build Contract, Internal Audit Report No. 24-507

Serena Ng/Janet Sutter

Overview

The Internal Audit Department of the Orange County Transportation Authority has completed an audit of the design-build contract for the Interstate 405 Improvement Project. Based on the audit, oversight and invoice review controls were in place and invoices complied with contract provisions. One recommendation was made to improve documentation in the Orange County Transportation Authority's files.

Recommendation(s)

Direct staff to implement the recommendation provided in the Review of Interstate 405 Improvement Project: Design-Build Contract, Internal Audit Report No. 24-507.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

14. Orange County Local Transportation Authority Report on Compliance with the Measure M2 Ordinance, Year Ended June 30, 2023

Janet Sutter

Overview

Crowe LLP, an independent accounting firm, has issued results of its audit of the Orange County Local Transportation Authority's compliance with the Measure M2 Ordinance for the year ended June 30, 2023. Crowe LLP found that the Orange County Local Transportation Authority complied, in all material respects, with the compliance requirements of the Measure M2 Ordinance for the year ended June 30, 2023. In addition, no deficiencies in internal control over compliance were reported.

Recommendation(s)

Receive and file the Independent Auditor's Report on Compliance with the Measure M2 Ordinance and Report on Internal Control over Compliance for the year ended June 30, 2023, as an information item.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

BOARD MEETING AGENDA

15. Orange County Local Transportation Authority Measure M2 Maintenance of Effort, Agreed-Upon Procedures Report, City of Cypress, Year Ended June 30, 2023

Janet Sutter

Overview

BCA Watson Rice LLP, an independent accounting firm, has applied agreed-upon procedures related to Measure M2 maintenance of effort expenditures by the City of Cypress for the fiscal year ended June 30, 2023. Based on the procedures performed, the City of Cypress spent sufficient funds to meet the required minimum expenditures as outlined in a settlement agreement between the City of Cypress and the Orange County Transportation Authority.

Recommendation(s)

Direct staff to develop recommendation(s) for Board of Directors' action related to the status of the City of Cypress' Measure M2 eligibility.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

16. Orange County Local Transportation Authority Measure M2 Agreed-Upon Procedures Reports, Year Ended June 30, 2023

Janet Sutter

Overview

Crowe LLP, an independent accounting firm, has applied agreed-upon procedures related to Measure M2 Local Fair Share funds provided to seven cities, and Senior Mobility Program funds provided to six cities, for the fiscal year ended June 30, 2023. Local Fair Share program reports include observations of indirect charges lacking a reasonable methodology, indirect charges allocated based on an aged allocation plan, and reporting errors. Senior Mobility Program audits include observations relating to failure to meet the program match requirement, late submission of a monthly report, reporting errors, failure to allocate interest, and third-party contract language.

Recommendation(s)

- A. Direct staff to monitor implementation of corrective actions by cities.
- B. Direct staff to review with legal counsel the results of agreed-upon procedures applied to the cities of Buena Park and Orange and develop recommendations for Board of Directors' consideration to address the exceptions related to Local Fair Share expenditures by the City of Buena Park and maintenance of effort expenditures by the City of Orange.
- C. Direct staff to withhold funds from a future payment to the City of Mission Viejo to address the shortfall in match funds in accordance with the Senior Mobility Program Guidelines.

BOARD MEETING AGENDA

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

17. Third Quarter Fiscal Year 2023-24 Capital Action Plan Performance Metrics

James G. Beil

Overview

Staff has prepared a quarterly progress report on capital project delivery covering the period of January 2024 through March 2024, for review by the Orange County Transportation Authority Board of Directors. This report highlights the Capital Action Plan for project delivery, which is used as a performance metric to assess delivery progress on highway and transit capital improvement projects.

Recommendation(s)

Receive and file as an information item.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

18. Cooperative Agreements with the California Department of Transportation for the State Route 91 Improvement Project Between State Route 57 and State Route 55 for Right-of-Way Capital and Support Services

Jeannie Lee/James G. Beil

Overview

On October 12, 2020, the Orange County Transportation Authority Board of Directors approved a cooperative agreement between the Orange County Transportation Authority and the California Department of Transportation for right-of-way support services, right-of-way engineering, right-of-way acquisition, and utility relocation for the State Route 91 Improvement Project between State Route 57 and State Route 55. Board of Directors' approval is requested to negotiate and execute three new project segment cooperative agreements to replace the original cooperative agreement.

Recommendation(s)

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2212, between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$5,926,000, for right-of-way support services, right-of-way engineering, right-of-way acquisition, and

BOARD MEETING AGENDA

utility relocation costs for the State Route 91 Improvement Project between State Route 55 and Lakeview Avenue.

- B. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2213, between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$28,166,000, for right-of-way support services, right-of-way engineering, right-of-way acquisition, right-of-way decertification of excess land, and utility relocation costs for the State Route 91 Improvement Project between State Route 55 and La Palma Avenue.
- C. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2214, between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$5,510,000, for right-of-way support services, right-of-way engineering, right-of-way acquisition, and utility relocation costs for the State Route 91 Improvement Project between La Palma Avenue and Acacia Street.

Attachments:

[Transmittal](#)

[Staff Report](#)

- 19. Measure M2 Comprehensive Transportation Funding Programs - Proposed Off-Cycle Guidelines Revisions**
Cynthia Morales/Kia Mortazavi

Overview

The Measure M2 Comprehensive Transportation Funding Programs guidelines provide the mechanism for administration of Measure M2 competitive funding programs. Staff has updated the Comprehensive Transportation Funding Programs guidelines to comply with recent recommendations by the Orange County Transportation Authority Internal Audit department to incorporate requested changes from local jurisdictions, and to clarify and streamline requirements. Updates to the guidelines are presented for the Board of Directors' consideration and approval.

Recommendation(s)

Approve revisions to the Comprehensive Transportation Funding Programs guidelines.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

BOARD MEETING AGENDA

20. Comprehensive Transportation Funding Programs - 2024 Call for Projects Programming Recommendations

Adrian Salazar/Kia Mortazavi

Overview

The Orange County Transportation Authority issued the 2024 Measure M2 Comprehensive Transportation Funding Programs Regional Capacity Program and Regional Traffic Signal Synchronization Program call for projects in August 2023. Project Applications were due in October 2023. A list of projects recommended for funding is presented for Board of Directors' review and approval.

Recommendation(s)

- A. Approve the award of \$18.72 million in 2024 Regional Capacity Program (Project O) funds to six local jurisdiction projects.
- B. Approve the award of \$12.89 million in 2024 Regional Traffic Signal Synchronization Program (Project P) funds to five local jurisdiction projects.

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

[Presentation](#)

Regular Calendar

Orange County Transportation Authority Regular Calendar Matters

21. Coastal Rail Resiliency Study Updates

Dan Phu/Kia Mortazavi

Overview

On March 11, 2024, staff provided an update on coastal rail emergencies in south San Clemente as well as a progress report on planning for short and mid-term railroad protection measures through the Coastal Rail Resiliency Study. As part of this effort, an Initial Assessment was conducted to identify areas where the railroad tracks were under immediate threat of being undermined leading to passenger rail service disruptions. Based on the Board of Directors, public, and other stakeholders' input, staff has updates to the initial conceptual solutions for consideration and direction on next steps.

Recommendation(s)

Direct staff to further develop the updated concepts in the Initial Assessment and return to the Board of Directors with a comprehensive plan to integrate both engineering and sand nourishment solutions to help protect the rail corridor in the immediate timeframe.

BOARD MEETING AGENDA

Attachments:

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

[Presentation](#)

Discussion Items

22. Public Comments

23. Chief Executive Officer's Report

24. Directors' Reports

25. Orange County Transportation Authority Fiscal Year 2024-25 Budget Workshop

Victor Velasquez/Andrew Oftelie

Overview

The Orange County Transportation Authority is developing the fiscal year 2024-25 budget, which identifies available revenues and costs associated with providing transportation services and programs for Orange County. The proposed budget will be reviewed in detail in an informal workshop following the May 13, 2024, Orange County Transportation Authority Board of Directors meeting.

Recommendation(s)

Review the fiscal year 2024-25 proposed budget in a workshop setting following the regularly scheduled Orange County Transportation Authority Board of Directors meeting on May 13, 2024.

Attachments:

[Presentation](#)

[Supplemental Information](#)

26. Adjournment

The next regularly scheduled meeting of this Board will be held:

9:00 a.m., on TUESDAY, May 28, 2024

OCTA Headquarters

Board Room

550 South Main Street

Orange, California



METROLINK

Revised Proposed FY25 Budget – Hybrid Optimized Service Level for OCTA

Agenda

- Budget Challenges
- FY25 Budget Assumptions
- Proposed FY25 Operating Budget
- Proposed FY25 Capital Program Budget
- Summary

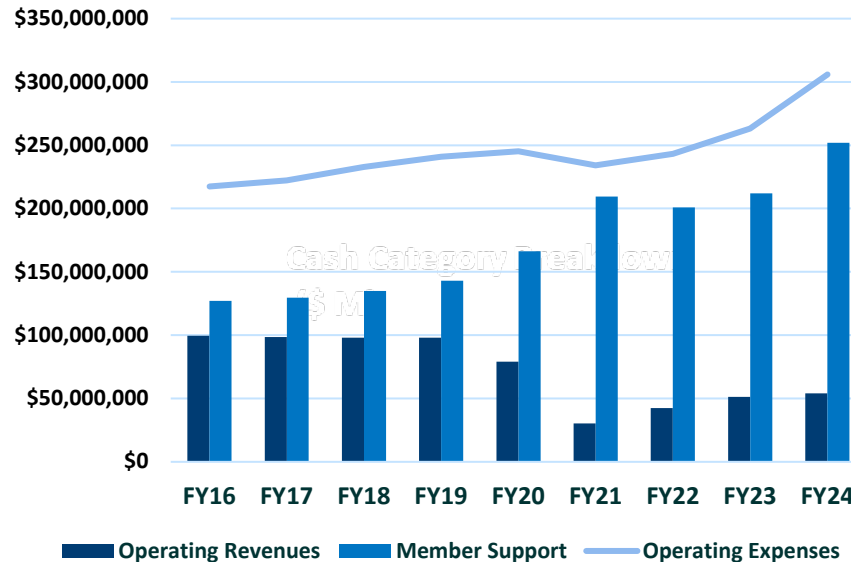
Our Operating Budget Challenges

- Both Ridership and Revenue are growing slowly but continues to lag pre-COVID numbers.
- Operating expenses are increasing Year-over-Year
 - ~60% of the Operational costs are fixed.
- Member Agencies are currently providing 80% of the funding for operating expenses.
- Financial challenges continue to place a burden on Member Agencies.

Cash Category Breakdown
Q1-2023

Operating Budget Challenges

Revenues, Support, and Expenses by Year



- Revenues:
 - Pre-Pandemic Revenues roughly flat (FY16 – FY19)
 - Post-Pandemic revenues are slowly increasing
- Expenses
 - Pre-Pandemic Operating Expenses increasing YOY
- Required Member Agency support increasing YOY

Notes:

- FY16 - FY23 Actuals
- FY24 Budgets

Proposed FY25 Operating Budget Assumptions

Service Level:

- Hybrid Optimized Service Level – Current Service Start on July 1, 2024 with Optimized Start October 2024
 - This new Optimized Service schedule will fill in service gaps and make the most efficient utilization of equipment and crews.
 - It includes the addition of 36 trains to allow for pulse departures and fill in mid-day service gaps.
 - It also reduces wasted crew hours, layovers, hoteling and crew transportation.
 - Equipment is fully utilized, while mechanical service costs are reduced.

Revenue:

- Revenue / Ridership based on Updated Sperry Capital / KPMG Forecast
- No Fare Increases
- New Fare Promotions

Expenses:

- Contractor Increases only as Mandated by Agreements
- No New FTE Headcount
- 3.0% Merit Pool
- 3.0% COLA
- Mini-Bundle Mobilization estimated at \$10.33M
- Includes Student Adventure Pass Support

Operating Budget





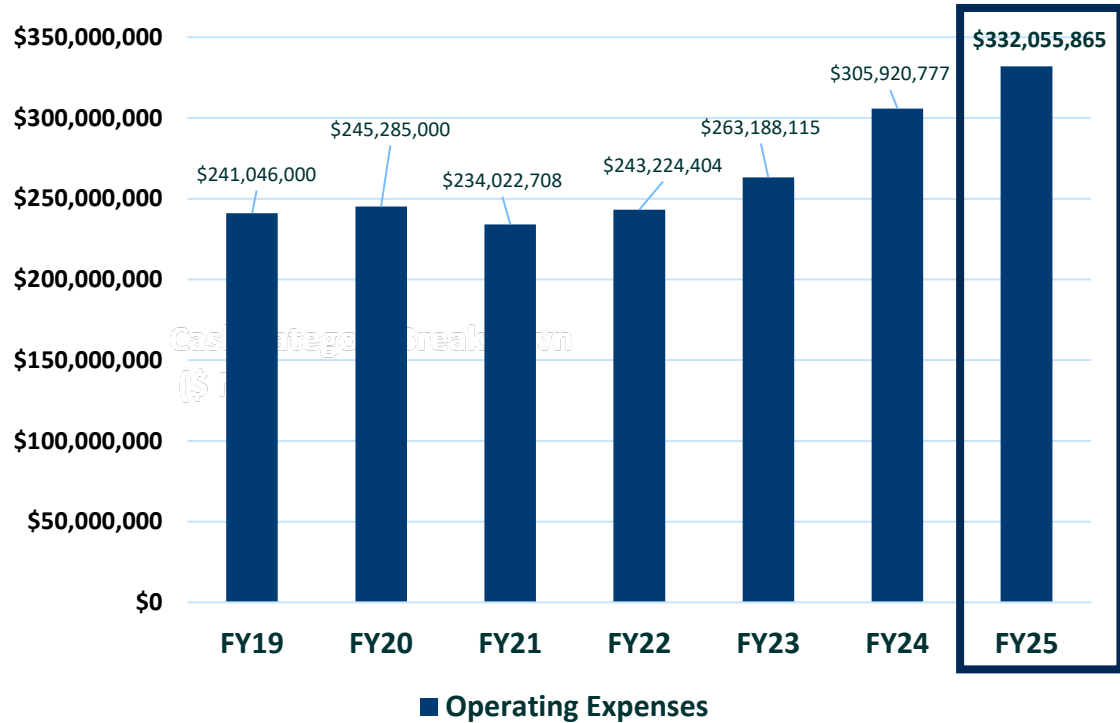
METROLINK

Proposed FY25 Operating Budget Summary

- Operating Revenue - **\$68.0M**
 - Increase from FY24 of **\$14.0M** or **26.0%**
- Total Expenses - **\$332.1M**
 - Increase from FY24 of **\$26.1M** or **8.5%**
 - Including Hybrid Optimized Service
 - Including one-time Mini-Bundle Mobilization expense
 - Includes Student Adventure Pass Support
- Member Agency Support - **\$264.0M**
 - Increase from FY24 of **\$12.2M** or **4.8%**

Operating Expenses FY19 – FY25

Operating Expenses FY19 – FY25

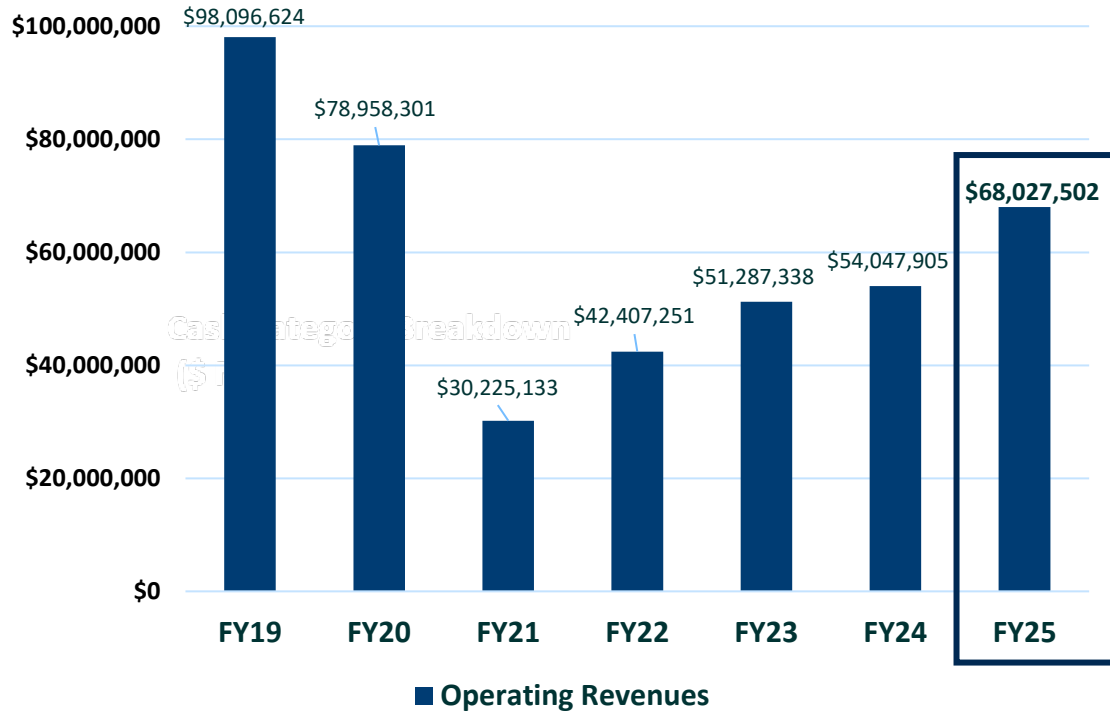


Notes:

- FY19, FY20, FY21, FY22, & FY23 Actuals
- FY24 & FY25 (Hybrid Optimized Service) Budgets not Actuals
- FY25 includes Mini-Bundle Mobilization
- Includes Student Adventure Pass Support

Operating Revenues FY19 – FY25

Operating Revenues

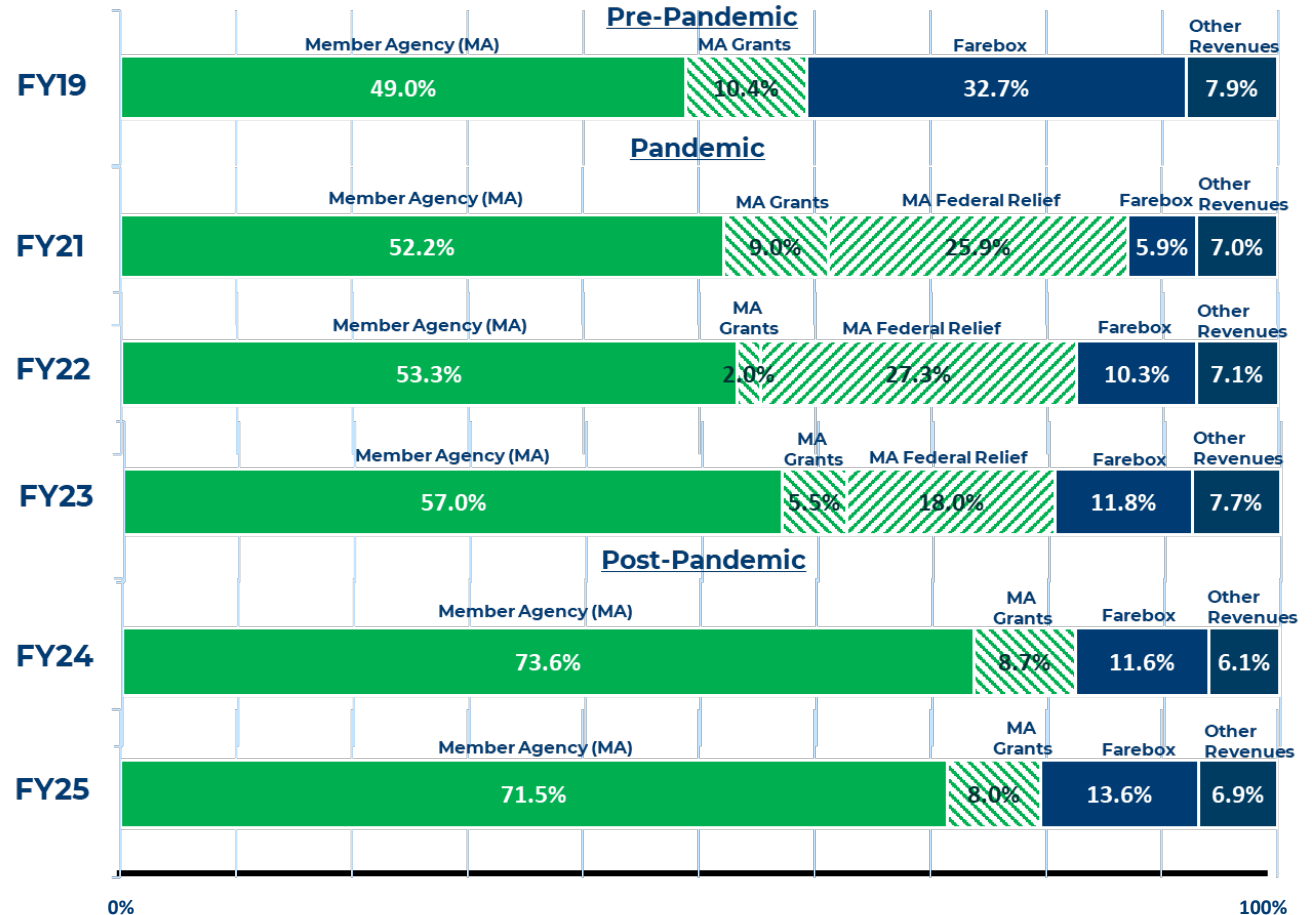


Note:

- FY19, FY20, FY21, FY22, & FY23 Actuals
- FY24 & FY25 (Hybrid Optimized Service) Budgets not Actuals (does not include Student Adventure Pass)

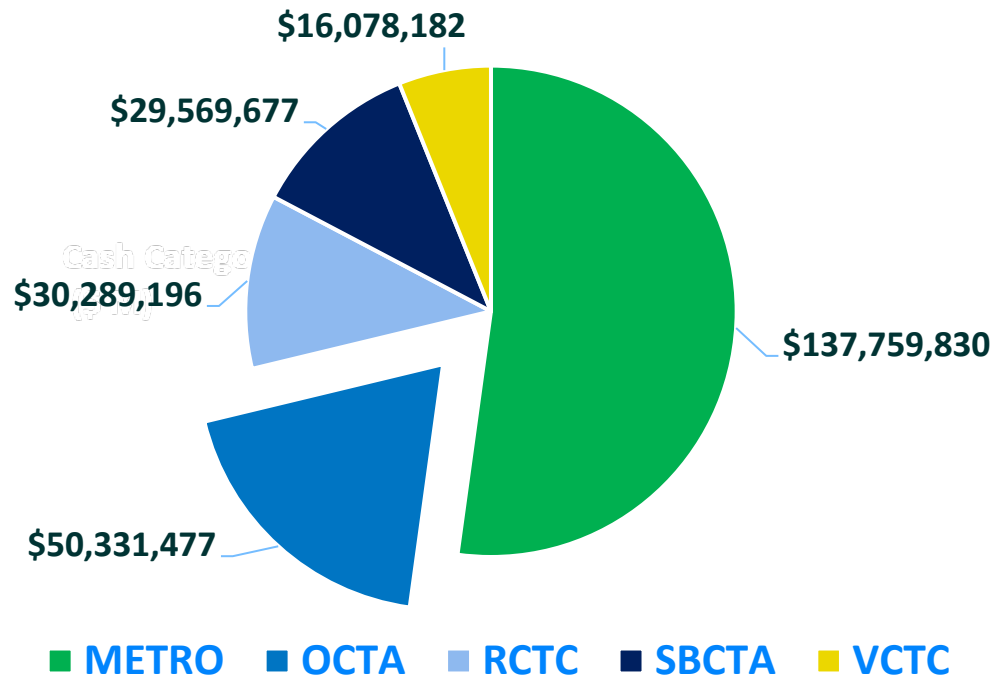
Metrolink's Operating Budget Funds

Metrolink Operating Funding Sources



Proposed FY25 Operating Support Required by Member Agency

Operating Support Required (\$264.0M)




Notes:

- Hybrid Service Level – Current Service Start on July 1, 2024 with Optimized Start October 2024
- Total includes Mini-Bundle Mobilization
- Total include Student Adventure Pass Support

Revised New Capital Program Budget



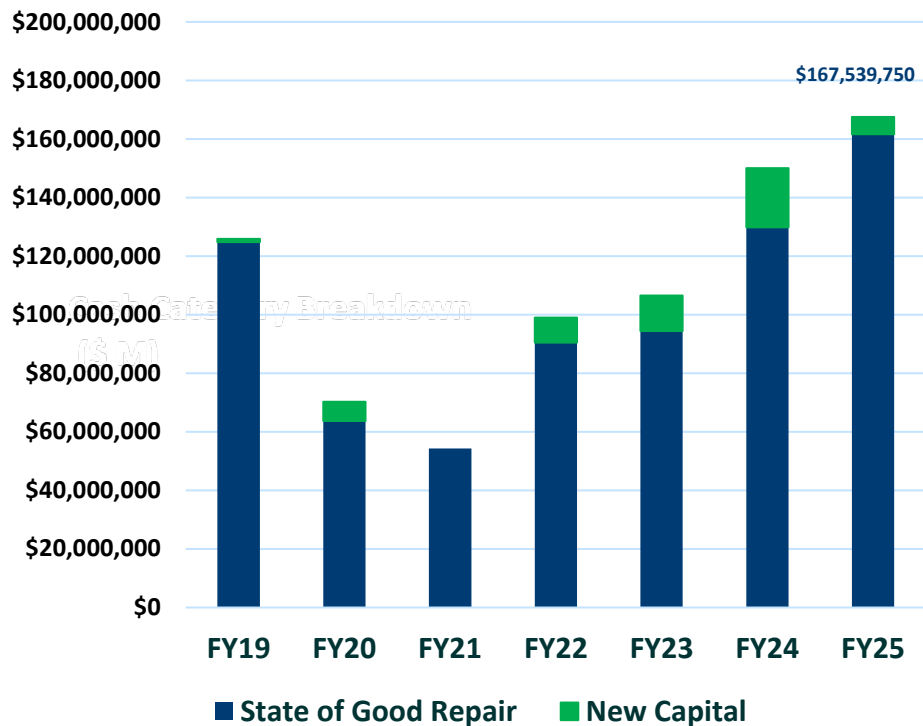


Revised Proposed FY25 System Capital Program Overview

- State of Good Repair - **\$161.6M**
 - Increase from FY24 of **\$31.8M** or **24.5%**
- New Capital - **\$5.9M**
 - Decrease from FY24 of **(\$14.3M)** or **(70.0%)**

Revised Proposed FY25 Capital Program FY19 – FY25 State of Good Repair & New Capital

**FY25 Capital Program
FY19 – FY25**
- SGR
- New Capital



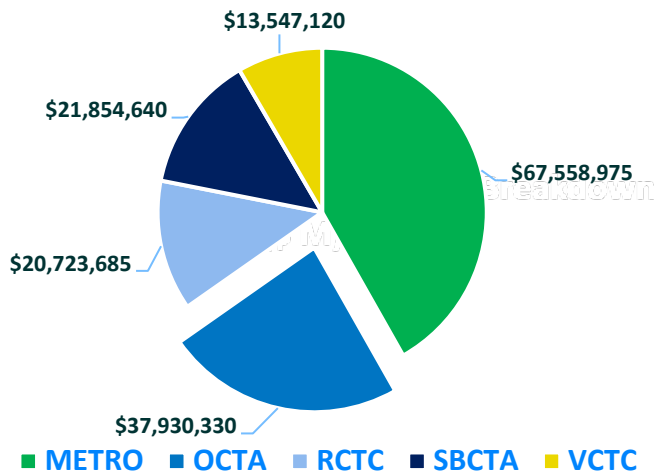
Note:

- FY23 data does not include New Capital Tier 4 Locomotive Purchase

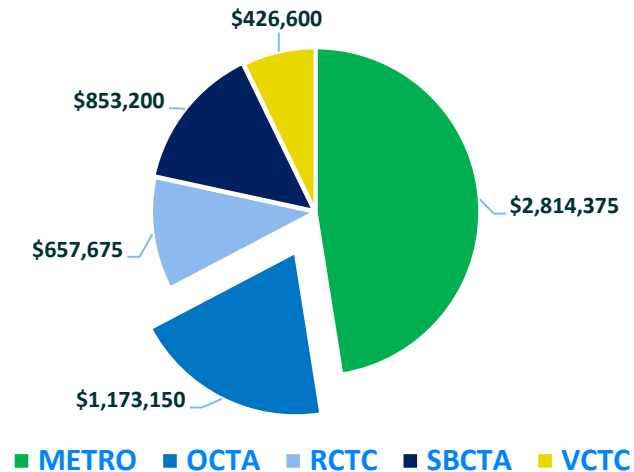
Proposed FY25 Capital Program By Member Agency

FY25 Capital Program
By Member Agency
- SGR
- New Capital

State of Good Repair



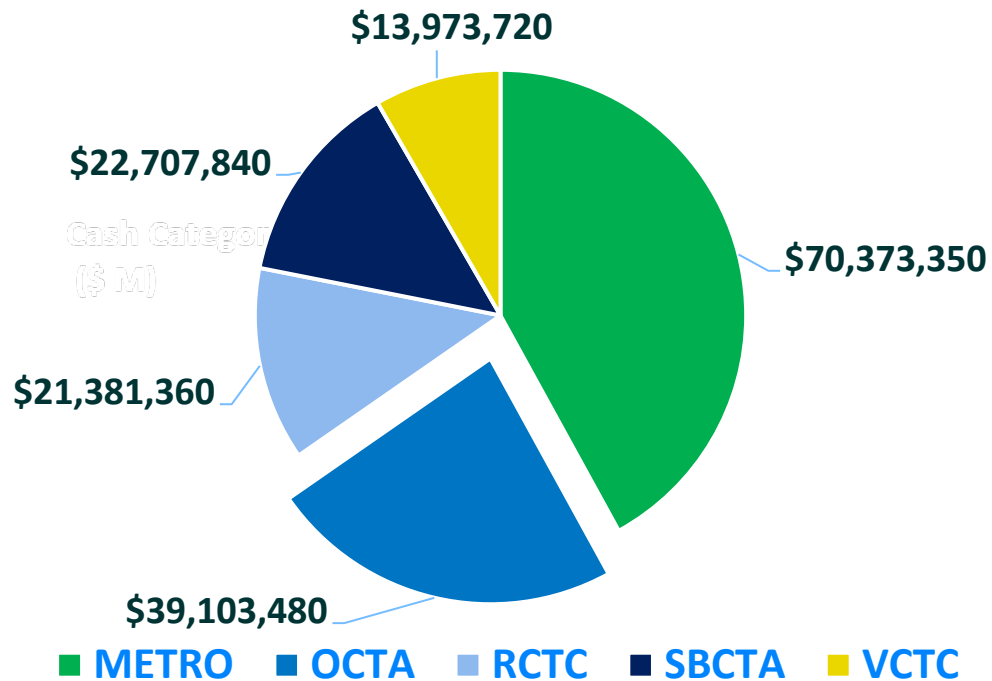
New Capital



Notes:

Proposed FY25 Capital Program By Member Agency

Capital Support Required (\$167.5M)



Notes:

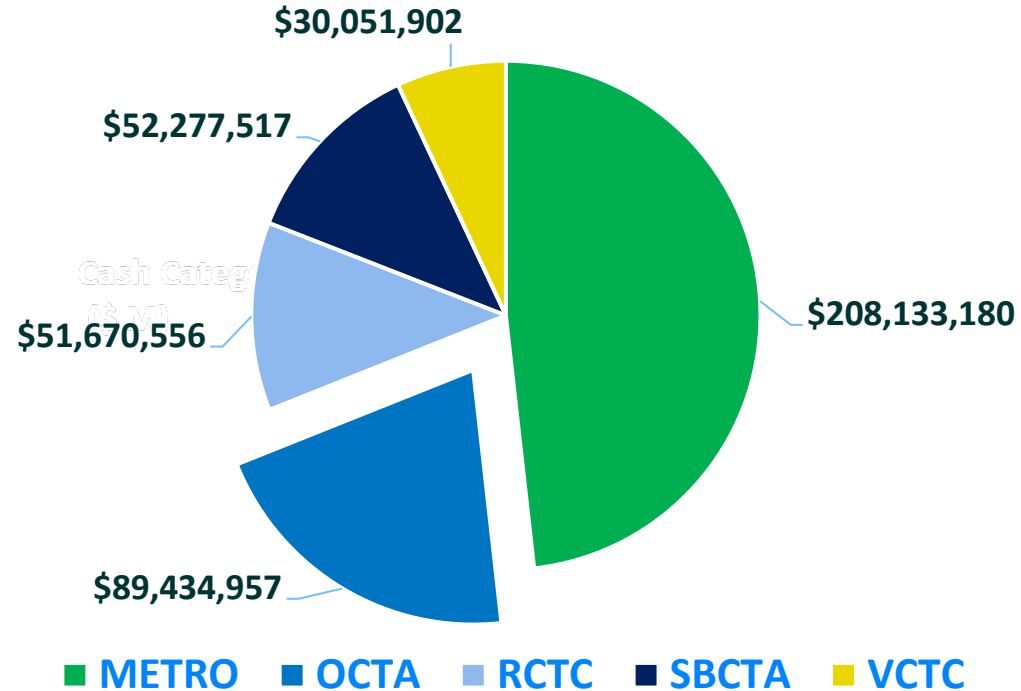
Summary

- This budget will help Metrolink transition from Commuter Rail to Regional Rail.



Proposed FY25 Budget Support Required by Member Agency

Total Support Required (\$431.6M)



Notes:

- Hybrid Service Level – Current Service Start in July with Optimized Start October 2024
- Total includes Mini-Bundle Mobilization
- Includes Student Adventure Pass Support

Proposed FY25 Budget

Summary of Support by Member Agency

FY25 Budget Summary of Support by Member Agencies

FY25 Proposed Budget						
Hybrid Scenario (includes mobilization)						
	METRO	OCTA	RCTC	SBCTA	VCTC	TOTAL
Total Operating Support	137,759,830	50,331,477	30,289,196	29,569,677	16,078,182	264,028,362
Total Capital Support	70,373,350	39,103,480	21,381,360	22,707,840	13,973,720	167,539,750
Total	208,133,180	89,434,957	51,670,556	52,277,517	30,051,902	431,568,112

Cash Category Breakdown
(\$ mil)

FY24 Amended Budget						
	METRO	OCTA	RCTC	SBCTA	VCTC	TOTAL
Total Operating Support	128,093,315	50,557,390	28,141,155	28,754,730	16,326,283	251,872,872
Total Capital Support	72,989,847	29,554,225	15,624,704	17,967,472	13,923,752	150,060,000
Total	201,083,162	80,111,615	43,765,859	46,722,202	30,250,035	401,932,872

Year-Over-Year Variance						
	METRO	OCTA	RCTC	SBCTA	VCTC	TOTAL
Total Support	7,050,018	9,323,343	7,904,697	5,555,316	(198,133)	29,635,240
% variance	3.5%	11.6%	18.1%	11.9%	-0.7%	7.4%



Thank you! Questions?



Call to Order

The April 22, 2024, regular meeting of the Orange County Transportation Authority (OCTA) Board of Directors and affiliated agencies was called to order by Chair Nguyen at 9:00 a.m. at the OCTA Headquarters, 550 South Main Street, Orange, California.

Directors Present: Tam T. Nguyen, Chair
Doug Chaffee, Vice Chair
Valerie Amezcua
Andrew Do
Jon Dumitru
Jamey Federico
Katrina Foley
Patrick Harper
Michael Hennessey
Fred Jung -Via Teleconference
Farrah N. Khan
Stephanie Klopfenstein
Vicente Sarmiento
John Stephens
Donald P. Wagner

Directors Absent: Ashleigh Aitken

Staff Present: Darrell E. Johnson, Chief Executive Officer
Andrea West, Clerk of the Board
Gina Ramirez, Assistant Clerk of the Board
Allison Cheshire, Clerk of the Board, Senior
James Donich, General Counsel

1. Closed Session

A Closed Session was held as follows:

- A. Pursuant to Government Code Section 54957.6 to discuss negotiations with Teamsters Local 952 regarding the coach operators.
- B. Pursuant to Government Code Section 54956.8 - Conference with real property negotiators for the following properties:
 - 1. 2677 North Main Street, Santa Ana CA 92705.
 - 2. 550 & 600 South Main Street, Orange CA 92868.
 - 3. Parcel No. APN 253-532-07.

All members were present except Director Aitken.

There was no report out on this item.

Special Calendar

2. Presentation of Resolutions of Appreciation for Employees of the Month

Resolutions of Appreciation were presented to Shernea Tennison, Coach Operator; Antonio Gallegos, Maintenance; Megan Bornman, Administration, as Employees of the Month for April 2024.

Consent Calendar (Items 3 through 11)

3. Approval of Minutes

A motion was made by Director Jung, seconded by Vice Chair Chaffee, and following a roll call vote, passed 14-0 to approve the minutes of the April 8, 2024 Orange County Transportation Authority and affiliated agencies' regular meeting.

Director Amezcua was not present to vote on this item.

4. Orange County Transportation Authority Investment and Debt Programs Report - February 2024

A motion was made by Director Jung, seconded by Vice Chair Chaffee, and following a roll call vote, passed 14-0 to receive and file as an information item.

Director Amezcua was not present to vote on this item.

5. Approval to Release Request for Proposals for Board of Directors' Meeting Video Streaming Services

A motion was made by Director Jung, seconded by Vice Chair Chaffee, and following a roll call vote, passed 14-0 to:

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 4-2221 to select a firm to provide video streaming services for Board of Directors' meetings.
- B. Approve the release of Request for Proposals 4-2221 to select a firm to provide video streaming services for Board of Directors' meetings for a three-year term with two, one-year option terms.

Director Amezcua was not present to vote on this item.

6. State Legislative Status Report

A motion was made by Director Jung, seconded by Vice Chair Chaffee, and following a roll call vote, passed 13-1 to:

- A. Adopt an OPPOSE position on AB 2535 (Bonta, D-Oakland), which would prohibit the California Transportation Commission from allocating Trade Corridor Enhancement Program funding to a project that expands the highway footprint in certain communities.
- B. Adopt a SUPPORT position on AB 2824 (McCarty, D-Sacramento), which would expand the application of enhanced penalties for battery against a transit operator or ticketing agent to also apply to transit employees and contractors of a public transportation provider.

Director Sarmiento voted in opposition to this item.

Director Amezcua was not present to vote on this item.

Public comment was received via email from Jenn Tanaka.

7. Federal Legislative Status Report

A motion was made by Director Jung, seconded by Vice Chair Chaffee, and following a roll call vote, passed 14-0 to receive and file as an information item.

Director Amezcua was not present to vote on this item.

8. Low Carbon Transit Operations Program Recommendations for OC Bus Transit Projects

A motion was made by Director Jung, seconded by Vice Chair Chaffee, and following a roll call vote, passed 14-0 to:

- A. Approve Resolution No. 2024-016 to authorize the use of \$10,349,538 in fiscal year 2023-24 Low Carbon Transit Operations Program funds for the 40 Hydrogen Fuel Cell Buses Project.
- B. Approve Resolution No. 2024-017 to authorize the use of prior year funds and interest earnings totaling \$3,171,997 for new or expanded Bravo!/Rapid bus services and the Youth Ride Free Program.
- C. Authorize staff to make all necessary amendments to the Federal Transportation Improvement Program as well as negotiate and execute any necessary agreements with regional, state, or federal agencies to facilitate the recommendations above.

Director Amezcua was not present to vote on this item.

9. Approval to Release Request for Proposals for the Replacement of Fareboxes and Related Fare Collection Equipment

A motion was made by Director Jung, seconded by Vice Chair Chaffee, and following a roll call vote, passed 14-0 to:

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 4-2110 to select a firm for the development and implementation of replacement fareboxes and related fare collection equipment for the fixed-route bus system.
- B. Approve the release of Request for Proposals 4-2110 for the development and implementation of replacement fareboxes and related fare collection equipment for the fixed-route bus system.

Director Amezcua was not present to vote on this item.

10. Amendment to Agreement for Customer Information Center

A motion was made by Director Jung, seconded by Vice Chair Chaffee, and following a roll call vote, passed 14-0 to authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-0-2698 between the Orange County Transportation Authority and Alta Resources to exercise the first option term, in the amount of \$2,049,987, to continue providing customer information center call services, effective July 1, 2024 through June 30, 2026. This will increase the maximum obligation of the agreement to a total contract value of \$5,030,427.

Director Amezcua was not present to vote on this item.

11. OC Streetcar Project Quarterly Update

A motion was made by Director Jung, seconded by Vice Chair Chaffee, and following a roll call vote, passed 14-0 to receive and file as an information item.

Director Amezcua was not present to vote on this item.

Regular Calendar

12. Agreement for Independent Annual Financial Auditing Services

Janet Sutter, Executive Director of Internal Audit, provided a verbal report on this item.

A motion was made by Director Dumitru, seconded by Director Do, and following a roll call vote, passed 13-0 to:

- A. Approve the selection of Crowe LLP, as the firm to provide independent annual financial auditing services.

- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-3-2931 between the Orange County Transportation Authority and Crowe LLP, in the amount of \$1,785,500, to provide independent annual financial auditing services for a three-year initial term with one, two-year option term.

Directors Amezcua and Wagner were not present to vote on this item.

13. Award the Purchase of Vehicles for OC ACCESS

Cliff Thorne, Director of Maintenance, verbally reported this item.

A motion was made by Director Hennessey, seconded by Director Klopfenstein, and following a roll call vote, passed 13-0 to:

- A. Approve the selection of Model 1 Commercial Vehicles, Inc., doing business as Creative Bus Sales, Inc. as the firm to provide up to 108 vans for OC ACCESS, with an option for up to 19 additional vehicles.
- B. Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. C-3-2510 between the Orange County Transportation Authority and Model 1 Commercial Vehicles, Inc., doing business as Creative Bus Sales, Inc. in the amount of \$20,315,700, for the initial purchase of up to 108 vans for OC ACCESS.
- C. Approve the selection of Model 1 Commercial Vehicles, Inc., doing business as Creative Bus Sales, Inc. as the firm to provide up to 13 gasoline-powered cutaway buses for OC ACCESS, with an option for up to ten additional vehicles.
- D. Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. C-3-2511 between the Orange County Transportation Authority and Model 1 Commercial Vehicles, Inc., doing business as Creative Bus Sales, Inc., in the amount of \$3,028,918 for the initial purchase of up to 13 gasoline-powered cutaways for OC ACCESS.

Directors Amezcua and Wagner were not present to vote on this item.

14. Award the Purchase of Driver Protection Systems

Cliff Thorne, Director of Maintenance, verbally reported this item.

A motion was made by Vice Chair Chaffee, seconded by Director Sarmiento, and following a roll call vote, passed 13-0 to authorize the Chief Executive Officer to negotiate and execute Purchase Order No. C-3-2843 between the Orange County Transportation Authority and Complete Coach Works, in the amount of \$2,081,120 for the purchase of up to 204 driver protection systems for fixed-route buses.

Directors Amezcua and Wagner were not present to vote on this item.



Discussion Items

15. Public Comments

The clerk's office received a public comment via email from Suzie Whitelaw.

16. Chief Executive Officer's Report

Darrell E. Johnson, Chief Executive Officer, provided a report on the following:

- Earth Day
- Climate Adaptation and Sustainability Plan

17. Directors' Reports

There were no Directors' Reports.

18. Adjournment

The meeting adjourned at 10:02 a.m.

The next regularly scheduled meeting of this Board will be held:

9:00 a.m., on Monday, May 13, 2024

OCTA Headquarters
Board Room
550 South Main Street
Orange, California

ATTEST:

Gina Ramirez
Assistant Clerk of the Board



COMMITTEE TRANSMITTAL

May 13, 2024

To: Members of the Board of Directors
From: Andrea West, Clerk of the Board *Andrea West*
Subject: Fiscal Year 2023-24 Internal Audit Plan, Third Quarter Update

Finance and Administration Committee Meeting of April 24, 2024

Present: Directors Do, Federico, Harper, Hennessey, Klopfenstein, and Nguyen
Absent: Director Sarmiento

Committee Vote

This item was passed by the Members present.

Committee Recommendation

Receive and file the third quarter update to the Orange County Transportation Authority Internal Audit Department Fiscal Year 2023-24 Internal Audit Plan as an information item.



April 24, 2024

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Janet Sutter, Executive Director
Internal Audit Department

Subject: Fiscal Year 2023-24 Internal Audit Plan, Third Quarter Update

Overview

The Orange County Transportation Authority Board of Directors adopted the Orange County Transportation Authority Internal Audit Department Fiscal Year 2023-24 Internal Audit Plan on July 24, 2023. This report provides an update on activities for the third quarter of the fiscal year.

Recommendation

Receive and file the third quarter update to the Orange County Transportation Authority Internal Audit Department Fiscal Year 2023-24 Internal Audit Plan as an information item.

Background

The Internal Audit Department (Internal Audit) is an independent appraisal function, the purpose of which is to examine and evaluate the Orange County Transportation Authority's (OCTA) operations and activities to assist management in the discharge of its duties and responsibilities.

Internal Audit performs a wide range of auditing services that include overseeing the annual financial and compliance audits, conducting operational and contract compliance reviews, investigations, pre-award price reviews, and Buy America reviews. In addition, audits initiated by entities outside of OCTA are coordinated through Internal Audit.

Discussion

The OCTA Internal Audit Department (Internal Audit) Fiscal Year (FY) 2023-24 Internal Audit Plan (Plan) (Attachment A) reflects the status of each project.

During the third quarter of the FY, Internal Audit presented the results of an audit of Accounts Payable operations. Based on the audit, controls to ensure payments are processed in compliance with policies and procedures are generally adequate; however, two recommendations were made to improve system controls and to ensure consistent enforcement of the Payment Request Policy. Management agreed to implement the recommendations.

In addition, an audit of the OC Vanpool Program found that controls are adequate and operating. OC Vanpool Program staff have developed, documented, and implemented standard operating procedures to ensure program requirements are met and vanpool providers comply with their agreements. No recommendations for improvement were made.

An audit of the College Pass Program was issued and concluded that grant compliance controls are adequate; however, two recommendations were made to improve contract language, establish invoice and collection controls, and develop and enforce controls over paper passes. Management concurred and will amend contracts and implement controls as recommended.

Internal Audit also issued results of the semi-annual audit of investments for the period July 1 through December 31, 2023. Based on the audit, OCTA generally complied with its debt, investment, and reporting policies and procedures; however, two recommendations were made to improve monthly investment and Clearwater system reporting. Management agreed to implement the recommendations.

The primary focus of Internal Audit during the quarter was to provide coordination of the Measure M2 limited compliance audit and agreed-upon procedures reviews conducted by OCTA's independent auditor, Crowe, LLP.

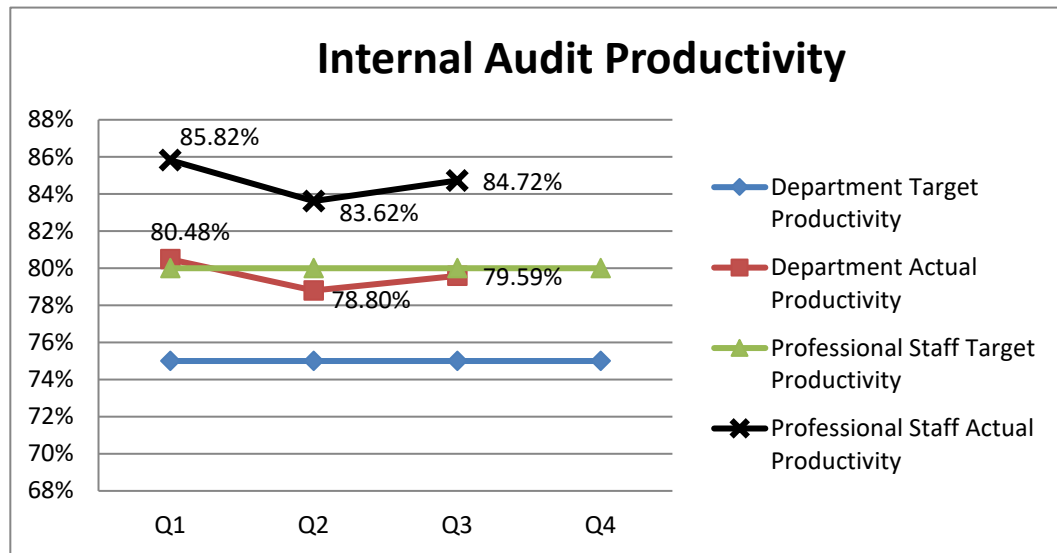
Also, during the quarter, the Federal Transit Administration notified OCTA of its intention to perform an audit of drug and alcohol testing program in place for OCTA employees and its contractors. Staff is in the process of collecting and submitting documentation ahead of the on-site audit that will occur in late April.

Internal Audit Productivity

Internal Audit measures the productivity of the department by calculating a productivity ratio. The ratio, used broadly throughout the audit industry, measures the amount of time auditors spend on audit projects versus time spent on administrative duties. Productivity goals are established for both the professional staff and for the department as a whole. Because the executive director regularly participates in non-audit management activities such as planning and committee meetings, the department-wide target is set at

75 percent. The target for internal audit professional staff, not including the executive director, is 80 percent.

For the third quarter ended March 31, 2024, Internal Audit achieved cumulative productivity of 80 percent, and professional staff productivity of 85 percent.



Price Reviews

At the request of the Contracts Administration and Materials Management (CAMM) Department, and consistent with OCTA's procurement policy, Internal Audit conducts reviews of single bid procurements to ensure that CAMM handled the procurement in a fair and competitive manner. Internal Audit also reviews prices proposed by architectural and engineering firms and sole source contractors to ensure that the prices are fair and reasonable. Internal Audit makes recommendations to adjust proposed rates where they exceed the rates per review. During the third quarter, Internal Audit issued results of three price reviews.

Fraud Hotline

During the quarter ended March 31, 2024, Internal Audit received two reports through OCTA's Fraud Hotline, www.ethicspoint.com. One complaint was referred to customer service for follow-up. The second complaint was investigated and partially substantiated and was referred to Human Resources for additional investigation. As part of the administration of the hotline, Internal Audit maintains documentation of each complaint and its disposition.

Internal Audit is committed to responding to all hotline complaints within eight business days. During the quarter ended March 31, 2024, Internal Audit made initial contact within two business days.

Findings and Recommendations Tracking

At the request of the Finance and Administration Committee, unresolved audit recommendations are included with the quarterly updates to the Plan (Attachment B).

During the quarter ended March 31, 2024, Internal Audit completed follow-up reviews of 23 outstanding audit recommendations and closed nine. Follow-up reviews of 14 outstanding recommendations related to audits of physical access security, facilities maintenance, Comprehensive Transportation Funding Program projects, cybersecurity, life insurance benefits, and bus advertising had not been fully implemented and will be reviewed again in six months.

Six recommendations were added to the listing resulting from reports issued during the third quarter, as summarized above.

Summary

Internal Audit will continue to implement the Plan, report on performance metrics, follow up on outstanding audit recommendations, and report progress on a quarterly basis.

Attachments

- A. Orange County Transportation Authority Internal Audit Department
Fiscal Year 2023-24 Internal Audit Plan, Third Quarter Update
- B. Outstanding Audit Recommendations, Audit Reports Issued Through
March 31, 2024
- C. Audit Recommendations Closed During Third Quarter,
Fiscal Year 2023-24

Approved by:



Janet Sutter
Executive Director, Internal Audit
714-560-5591

**Orange County Transportation Authority
Internal Audit Department
Fiscal Year 2023-24 Internal Audit Plan
Third Quarter Update**

ATTACHMENT A

Audit Activity	Project Number	Description	Primary Audit Type	Planned Staff Hours	Staff Hours To Date	Under (Over)	Status (Date Issued)
Mandatory External Independent Audits							
Annual Financial Audits and Agreed-Upon Procedures (AUP) Reviews	FY24-001 through FY24-004	Develop and issue a request for proposals and scope of work for an independent audit firm to conduct audits of the Orange County Transportation Authority (OCTA) and related entities. Coordinate and report on annual financial and AUP reviews for fiscal year (FY) 2022-23.	Financial	470	317	153	In Process
External Regulatory Audits	FY24-005	Coordinate and report on external audits by regulatory or funding agencies.	Compliance	40	18	22	In Process
Internal Audit Department Projects							
Risk Assessment and Annual Audit Plan	FY24-100	Preparation of the annual audit plan, quarterly updates to the audit plan, and periodic assessment of risk throughout the year, including monitoring the audit results of related entities.	Audit Plan and Updates	180	75	105	
Quality Assurance and Self-Assessment	FY24-101	Update of Internal Audit Policies & Procedures. Annual self-assessment of the Internal Audit Department's (Internal Audit) compliance with Generally Accepted Government Auditing Standards.	Quality Assurance	180	68	112	
Fraud Hotline Activities	FY24-102	Administrative duties related to maintenance of the OCTA Fraud Hotline and work related to investigations of reports of fraud, waste, or abuse.	Fraud Hotline	120	166	(46)	8 Reports Received
Automated Workpaper Solution	FY24-103	System updates/training related to automated workpaper solution.	Workpaper System	40	8	32	
Internal Audits							
Express Lanes Program							
Operations and Management	FY24-508	Assess and test selected oversight, contract compliance, and/or invoice review controls related to the provision of services by Cofiroute USA, LLP.	Operational/ Compliance	340	180	160	In Process
Security and Emergency Preparedness							
Transit Police Services	FY24-503	Assess and test selected oversight, contract compliance, performance reporting, and/or invoice review controls related to the agreement for provision of Transit Police Services.	Operational/ Compliance	280	297	(17)	Complete 12-5-23

**Orange County Transportation Authority
Internal Audit Department
Fiscal Year 2023-24 Internal Audit Plan
Third Quarter Update**

Audit Activity	Project Number	Description	Primary Audit Type	Planned Staff Hours	Staff Hours To Date	Under (Over)	Status (Date Issued)
People and Community Engagement							
Life Insurance Benefits	FY23-505	Assess and test policies, procedures, and controls over administration of employee life insurance benefits.	Operational	26	12	14	Complete 8-7-23
Bus Advertising Revenue	FY23-516	Assess and test oversight and contract compliance controls related to the agreement for bus advertising.	Operational/ Compliance	120	149	(29)	Complete 8-31-23
Liability Claims Management	FY24-510	Assess and test controls related to administration and management of liability claims.	Operational	320	137	184	In Process
Flexible Spending Accounts	FY24-511	Assess and test controls over the administration of employee flexible spending accounts.	Internal Control/ Compliance	200	179	21	In Process
College Pass Program	FY24-506	Assess and test oversight, compliance, and performance of the College Pass Program.	Operational	220	367	(147)	Complete 3-11-24
Capital Programs							
Anaheim Canyon Station Improvements	FY23-515	Assess and test oversight controls, contract compliance, and invoice review controls related to the Anaheim Canyon Station Improvements Project.	Internal Control/ Compliance	80	93	(13)	Complete 8-31-23
OC 405 Partners	FY24-507	Assess and test oversight controls, contract compliance, and invoice review controls related to the OC 405 design-build project.	Internal Control/ Compliance	360	461	(101)	In Process
Operations							
OC ACCESS Service	FY24-512	Assess adequacy of oversight controls and test oversight, contract compliance, and invoice review controls related to the agreement with First Transit/TransDev for OC ACCESS transportation services.	Operational/ Compliance	320	35	285	In Process
Regional Center of Orange County	FY24-502	Assess and test controls related to administration and operation of the agreements with Regional Center of Orange County and My Day Counts relating to transportation services.	Internal Control/ Operational	280	274	6	Complete 11-14-23
OC Vanpool Program	FY24-505	Assess and test controls and compliance related to the administration of the OC Vanpool Program.	Operational/ Compliance	180	236	(56)	Complete 1-18-24

**Orange County Transportation Authority
Internal Audit Department
Fiscal Year 2023-24 Internal Audit Plan
Third Quarter Update**

Audit Activity	Project Number	Description	Primary Audit Type	Planned Staff Hours	Staff Hours To Date	Under (Over)	Status (Date Issued)
Finance and Administration							
Treasury	FY24-501, FY24-509	Semi-annual review of investments: compliance, controls, and reporting.	Compliance	250	446	(196)	2 Reports Issued
Accounts Payable	FY23-504	Assess and test controls over accounts payable operations.	Operational	320	513	(193)	Complete 1-15-24
Revenue Agreements	FY24-5XX	Assess and test controls over identification, tracking, and reporting of external revenue agreements.	Operational	280		280	
Cybersecurity	FY23-509	Design a scope of work and procure an audit consultant to evaluate OCTA's Cybersecurity program.	Internal Control/Operational	8		8	Complete 5-31-23
OCTA Store Operations	FY24-504	Assess and test OCTA Store operations to ensure adequate controls are in place to safeguard assets.	Internal Control/Operational	280	164	116	Complete 10-26-23
Price Reviews	PR24-XXX	As requested by the Contracts Administration and Materials Management (CAMM) Department, apply AUP to sole source, single bid, and architectural and engineering firm proposals.	Price Review	800	547	254	13 Reports Issued
Buy America	FY24-5XX	As requested by the CAMM Department, apply AUP to determine compliance with Buy America requirements.	Buy America	300		300	
Unscheduled Reviews and Special Requests							
Unscheduled Reviews and Special Requests	FY24-800	Time allowed for unplanned audits and requests from the Board of Directors (Board) or management.	Varies	200	4	196	

**Orange County Transportation Authority
Internal Audit Department
Fiscal Year 2023-24 Internal Audit Plan
Third Quarter Update**

Audit Activity	Project Number	Description	Primary Audit Type	Planned Staff Hours	Staff Hours To Date	Under (Over)	Status (Date Issued)
Monitoring Activities							
Measure M2 Taxpayer Oversight Committee (TOC)	FY24-601	Coordination of audit activities on behalf of the Audit Subcommittee of the TOC.	Administrative Support	60	77	(17)	
Metrolink Audit Activities	FY24-602	Review/monitor audit results of Metrolink activities. Participate in selection of independent auditing firm.	Non-Audit Service	10	26	(16)	
Bus Base Inspections	FY24-603	At the request of the Operations Division, participate in annual base inspections.	Non-Audit Service	80	43	37	Complete
Capital Asset Inventory Observation	FY24-604	At the request of the Finance and Administration Department, observe and apply limited procedures related to the bi-annual capital asset inventory counts.	Non-Audit Service	60		60	
Follow-Up Reviews							
Follow-Up Reviews and Reporting	FY24-700	Follow-up on the status of management's implementation of audit recommendations.	Follow-Up	280	448	(168)	
Total Audit Project Planned Hours (A)				6,684	5337	1,347	

**Orange County Transportation Authority
Internal Audit Department
Fiscal Year 2023-24 Internal Audit Plan
Third Quarter Update**

Audit Activity	Project Number	Description	Primary Audit Type	Planned Staff Hours	Staff Hours To Date	Under (Over)	Status (Date Issued)
Internal Audit Administration							
Board and Committee Meetings				180	100		
Executive Steering and Agenda Setting Meetings				170	93		
Internal Audit Staff Meetings				150	73		
Other Administration				1,500	1103		
Total Hours (B)				8,684	6706		
Department Target Efficiency (A/B)				75%	80%		
Target Efficiency - Professional Staff				80%	85%		
Contingency: Internal Audit							
Project Controls	FY24-5XX	Assess the adequacy and effectiveness of internal controls over payment processing and project oversight exercised by the Project Controls section of Capital Programs.					

**Outstanding Audit Recommendations
Audit Reports Issued Through
March 31, 2024**

ATTACHMENT B

Audit Issue Date	Report Number	Division/ Department/ Agency	Audit Name	Recommendation	Initiate Next Update	Management Response	Internal Audit Status
1/26/22	21-511	Executive Office	Physical Access Security	The Internal Audit Department (Internal Audit) recommends the Security and Emergency Preparedness (SEP) Department management develop, maintain, and test a comprehensive, appropriate, and up-to-date set of physical security plans, policies, and procedures. A written Access Control Policy and related procedures should be developed and published, and management should address requirements included in the Physical Security Policy for implementing gate controls at all facilities. Finally, management should implement a regular training program to inform employees as to security policies, procedures, and protocols.	Jul-24	Management will work to document all processes and review assigned policies. SEP will make updates to the Physical Security Policy to address gate controls and create a Physical Access Control Policy. These updates will be completed by June 30, 2022. A "Record of Changes" section has been added to security plans to document reviews and updates. Management has hired a consultant to review the Orange County Transportation Authority's (OCTA) policies, procedures, and security plans. The consultant will provide recommendations on program improvements, conduct a new Threat and Vulnerability Assessment, provide a new written security plan, and create a security training program to include curriculums for all employees. Management will implement a training program within 12 months.	<u>Update August 2022:</u> Updates to security plans, policies, and procedures have not yet been prepared and are expected to be completed between August and December 2022. <u>Update March 2023:</u> Certain policy updates are in process. Development of an updated Master Security Plan (MSP) has been delayed and is now expected to be complete by the end of 2023. <u>Update September 2023:</u> Significant progress has been made; however, development of a Master Security Plan and a physical security training program are not yet complete. The contractor has experienced delays in producing these deliverables. <u>Update March 2024:</u> A final draft of the MSP was delivered in November 2023 but has not been finalized, and signed/accepted by the Chief Executive Officer. A training program has been implemented starting in the first quarter of 2024.
1/26/22	21-511	Executive Office	Physical Access Security	Internal Audit recommends management develop and implement written policies, procedures, and protocols that address the timely issuance, termination, and use of badges. These procedures should be referenced in contracts with Contracted Transportation Services (CTS) providers and be communicated to OCTA staff. Management should also ensure secondary controls are operating as intended.	Jul-24	Management is reviewing the issuance and termination of access badges in order to document processes. Management will work with other departments, including CTS, to advise of procedures for issuing and terminating access badges and encourage those departments to include procedures in their contracts, as appropriate. Additionally, management is currently reviewing and documenting procedures to ensure secondary controls are being utilized. Review and updating of procedures will conclude with the creation of a new Physical Access Policy to be completed by June 30, 2022.	<u>Update August 2022:</u> Management has not yet developed policies, procedures, and protocols to address timely issuance, termination, and use of access badges coordinated through OCTA. An Access Control Policy was originally expected to be completed by June 30, 2022, but has taken longer than expected due to the need to update the Physical Security Policy first. <u>Update March 2023:</u> Management expects an updated Access Control Policy (Policy) to be completed soon, and updates to agreements with CTS providers are in process. <u>September 2023:</u> Significant progress has been made; however, monitoring controls outlined in the newly-developed Policy have not yet been implemented. <u>Update March 2024:</u> Monitoring controls related to access control have been implemented; however, improvement is needed.

Outstanding Audit Recommendations
Audit Reports Issued Through
March 31, 2024

Audit Issue Date	Report Number	Division/ Department/ Agency	Audit Name	Recommendation	Initiate Next Update	Management Response	Internal Audit Status
2/9/22	21-507	Operations Division (Operations)	Facilities Maintenance (FM) Operations	Internal Audit recommends management implement a perpetual inventory system to track purchasing activity and maintain inventory of all parts and supplies. Purchasing, storage, issuance, and disposal activities should be centralized and include controls to ensure proper authorization for purchases, physical security of inventory items, and proper assignment of costs to work orders.	Aug-24	FM contracts for parts and supplies will be transferred to the Contracts Administration and Materials Management (CAMM) Department by July 2022. By February 2023, FM parts and supplies stored outside of CAMM's control will be brought into the inventory system for proper storage and issuance. The current Enterprise Asset Management (EAM) system is not capable of assigning all costs to FM work orders; however, a new EAM system is being implemented and should be capable of properly assigning costs to work orders. The new EAM system is estimated to be fully implemented in mid-2023.	<u>Update September 2022:</u> Management has completed transferring contracts to CAMM and a process to bring FM parts inventory into CAMM for proper storage and issuance has been established and is on track to be completed by February 2023. As stated in the original response, the current asset management system is not capable of assigning all costs to work orders. A new system will be implemented in mid-2023. <u>Update March 2023:</u> Management is still in the process of implementing a centralized inventory system and expects that physical transfer of all inventory may take up to two years. <u>Updated August 2023:</u> Management is still in the process of transferring parts inventory to centralized CAMM control. <u>Update March 2024:</u> FM inventory for three bases has been transferred to centralized inventory. Transfer of inventory from the remaining two bases is expected to take six months to a year.
2/9/22	21-507	Operations and Finance and Administration (F&A) Division	FM Operations	Management should enhance its invoice review process to ensure compliance with OCTA's Vendor Payment Policy and contract payment terms. Vendor mark-ups should be discontinued from time-and-expense contracts. For contracts related to the purchase of parts and materials only, any items not listed on the price summary sheet should include supporting cost documentation. If mark-ups are to be allowed on parts-and-materials contracts, the proposed mark-ups should be incorporated into the evaluation of costs during the vendor selection process.	Aug-24	Management will immediately begin working on enhancing the current invoice cover page to include a checklist that will require acknowledgement of review for sufficient detail as to quantity and rates of costs and justification. To address the issue of providing sufficient detail and complying with contract terms, the checklist being developed will improve oversight. In terms of discontinuing vendor mark-ups in time-and-expense contracts, management will work with CAMM to develop a solution that will address the issue of vendor mark-ups as well as incorporating an evaluation of cost, if mark-ups are allowed, during the vendor selection process.	<u>Update September 2022:</u> Management has enhanced the invoice checklist to include review for sufficient detail as to quantity and rates. CAMM has implemented an evaluation methodology to assign a percentage of the cost score for items not listed on the price summary sheet. Management and CAMM continue to explore options including discounts from price sheets and using fair market values to justify and validate price mark-ups. <u>Update March 2023:</u> FM has enhanced its invoice review; however, CAMM staff needs to enhance its review of invoices for contracts that have been transferred to their control. <u>Update August 2023:</u> CAMM staff has implemented an invoice review checklist; however, Internal Audit identified some payments that do not comply with contract terms and some vendors that do not have published list prices, required in order to validate discounts. <u>Update March 2024:</u> CAMM has hired a contract analyst to manage and review invoices and implement enhancements to invoice review.

Outstanding Audit Recommendations
Audit Reports Issued Through
March 31, 2024

Audit Issue Date	Report Number	Division/ Department/ Agency	Audit Name	Recommendation	Initiate Next Update	Management Response	Internal Audit Status
5/8/23	23-508	Planning Division (Planning)	Measure M2 Comprehensive Transportation Funding Programs (CTFP) Project Audits	Management should enforce timely use of funds requirements or obtain Board of Directors' (Board) approval for exceptions to CTFP guidelines.	May-24	Management will consider either clarifying guidelines or seeking Board action on a case-by-case basis.	<u>Update February 2024:</u> Management's response indicated that staff is currently conducting an off-cycle review to update timely use of funds requirements and contract award verbiage, and that presentation of the revisions to the Board has been delayed to spring 2024.
5/8/23	23-508	Planning	Measure M2 CTFP Project Audits	Management should perform follow-up with the County of Orange (County) and the cities of Costa Mesa, Laguna Beach, and San Clemente on actions taken to address recommendations, including repayment of overcharges and duplicate charges by the City of Laguna Beach.	May-24	Direction to management provided in staff report. Management written response not required.	<u>Update February 2024:</u> Management response indicated staff was in communication with the City of Laguna Beach to recover amounts due related to overcharges and indirect cost charges and to recalculate indirect costs; however, no evidence of communication was provided and city staff indicated no communication have occurred. Follow-up with the County and other cities has been performed.
6/5/23	23-513	F&A	Lost and Found Operations	Management should enhance controls to ensure found cash and checks/money orders received are properly recorded and reconciled to deposits and general ledger entries.	Jun-24	Management will enhance controls of found cash and checks/money orders received for auctioned items and will do so by improving tracking procedures through the internal database application. Management will also ensure staff works in collaboration with the Accounting and Financial Reporting Department to ensure accurate recording and reconciliation of deposits to the general ledger.	<u>Update December 2023:</u> Management has updated its internal database application to include an auction funds section and has enhanced tracking procedures; however, evidence of deposit to the general ledger was not on file for all deposits since implementation of the verification procedures.
5/31/23	22-513	F&A	OCTA's Cybersecurity Program	Management should adopt and implement a policy that governs asset management and associated activities.	Jul-24	Management agreed to develop and implement a policy.	<u>Update February 2024:</u> Management has drafted requirements of an asset management system and plans to utilize a module of the FreshService system which is currently being implemented. Once implemented, an Asset Management Policy should be developed and implemented by October 2025.
5/31/23	22-514	F&A	OCTA's Cybersecurity Program	Management should implement a comprehensive vulnerability management program that includes identifying, assessing, prioritizing, remediating, and/or documenting vulnerabilities as "accepted risks" in a timely manner.	Jul-24	Management agreed and indicated that the current Vulnerability Policy will be enhanced and all issues will be remediated or documented as "accepted risks" in a timely manner going forward.	<u>Update February 2024:</u> Management is working to build dashboards to identify vulnerabilities and a reporting system to monitor remediation efforts. Management estimates full implementation of this recommendation by June 2024.

Outstanding Audit Recommendations
Audit Reports Issued Through
March 31, 2024

Audit Issue Date	Report Number	Division/ Department/ Agency	Audit Name	Recommendation	Initiate Next Update	Management Response	Internal Audit Status
5/31/23	22-515	F&A	OCTA's Cybersecurity Program	Management should update OCTA's Business Impact Analysis with direct input from the Cybersecurity Office and use results to inform the development, implementation, and maintenance of an updated Continuity of Operations Plan (COOP) and Disaster Recovery Plan (DRP), and test the DRP annually.	Jul-24	Management responded they are currently working with the SEP Department to review and update the COOP. Management plans to create playbooks to further improve the business continuity and disaster recovery processes to ensure business requirements are met.	<u>Update February 2024:</u> Management indicated that an initial portion of the disaster recovery runbook of core infrastructure applications has been completed and that a tabletop exercise of the incident response plan is planned for June 2024. Management will obtain an updated COOP and update its disaster systems recovery plans accordingly and implement annual testing of data and critical systems recovery by July 2024.
5/31/23	22-514	F&A	OCTA's Cybersecurity Program	Management should strengthen the data protection and privacy program by adopting a comprehensive policy, designating an individual to define and communicate data and privacy requirements, and perform user access reviews at least every 90 days for all internal employees and third party contractors that have OCTA user accounts and/or access to internal resources.	Jul-24	Management committed to implementing a comprehensive data protection and privacy program for all protected data and to designate the cybersecurity manager as the individual responsible to define and communicate data and privacy requirements. In addition, management agreed to implement user access reviews at least every 90 days.	<u>Update February 2024:</u> Management indicated they have begun, and will continue, to meet with departments that handle protected data to identify where the data is stored and who has access. Once completed, management plans to develop policies and processes to properly secure such data. In addition, management is working with Microsoft to implement a governance platform to control user access during the entire employment life cycle. Management estimates five percent progress to-date, with full implementation by April 30, 2025
5/31/23	22-514	F&A	OCTA's Cybersecurity Program	Management should strengthen third-party security management by requiring third-party consultants working with OCTA data to be subject to the same training as OCTA employees and be required to acknowledge OCTA information technology and cybersecurity policies. In addition access reviews of these third-party consultants should be conducted.	Jul-24	Management agreed and proposed additional security queries of vendors on a periodic basis, as well as development and implementation of a process to ensure all consultants working with OCTA data receive cybersecurity training and follow the same policy requirements as OCTA employees.	<u>Update February 2024:</u> Management has compiled a list of third-party vendors, along with contact information for each, and has developed a questionnaire for distribution to vendors. The Information Systems (IS) cybersecurity team will review responses and follow-up accordingly. This process will be repeated annually. In addition, IS has implemented a process to ensure all consultants/vendors receive and acknowledge cybersecurity training prior to being granted credentials in OCTA. Management estimates 75 percent progress to-date and full completion by March 2024.

Outstanding Audit Recommendations
Audit Reports Issued Through
March 31, 2024

Audit Issue Date	Report Number	Division/ Department/ Agency	Audit Name	Recommendation	Initiate Next Update	Management Response	Internal Audit Status
8/7/23	23-505	People and Community Engagement (PACE)	Life Insurance Benefits	Management should develop procedures to ensure that benefit entries into the payroll system are reviewed for accuracy and the monthly invoice process be enhanced to include reconciliation of premiums collected versus premiums paid.	Aug-24	Management agreed to enhance procedures to include the review of benefit entries and reconciliation of premiums collected versus premiums paid and investigate variances.	<u>Update February 2024:</u> Management responded that enhanced procedures have been implemented; however, since VOYA has not provided invoices for January and February 2024, Internal Audit was unable to confirm new procedures are being performed. As such, Internal Audit will follow up again in August 2024.
8/7/23	23-505	PACE	Life Insurance Benefits	Management should implement controls to properly coordinate the timing of annual premium updates and calculation and processing of invoices to ensure accuracy. Additionally, management should reconcile the employee payroll deductions for supplemental life insurance with the payroll system data detailing premiums paid to VOYA and investigate any variances	Aug-24	Management indicated they would implement controls for timely annual premium updates and reconcile payroll deductions to premiums paid.	<u>Update February 2024:</u> Management responded that controls to ensure timely system updates have been implemented and will reconcile premiums to payroll deductions; however, since VOYA has not provided invoices for January and February 2024, Internal Audit was unable to confirm new control procedures are being performed. As such, Internal Audit will follow up again in August 2024.
8/31/23	23-516	PACE	Bus Advertising Revenue Program	Management should implement controls to verify accurate and complete reporting of revenues, enforce reporting requirements, monitor free advertisements, and require the contractor to certify statements and the project manager to document reviews.	Aug-24	Management agreed to implement oversight procedures effective December 1, 2023.	<u>Update March 2024:</u> The project manager now verifies that remittances include required certification language and details as to bonuses. Also, management has documented procedures for a semi-annual verification of a sample of underlying advertising contracts. However, since these procedures have not yet been implemented, Internal Audit will follow-up again in six months to confirm procedures.
11/14/23	24-502	Operations and F&A	Cooperative Agreements with Regional Center of Orange County (RCOC) and My Day Counts (MDC)	Management should implement procedures to investigate and take action to address RCOC disputed trips and ensure timely submission and receipt of payments and related credit memos. Accounts Receivable (AR) staff should communicate with RCOC to obtain sufficient information to ensure payments are accurately recorded, remaining errors are corrected, and input a due date on invoices. AR staff should also establish a process to monitor and collect overdue balances.	May-24	RCOC billing procedures have been improved and disputed trips are now investigated and reconciled. The new process includes a tracking log to ensure timely submission of invoice requests. The new process should eliminate the need for credit memos. AR staff will communicate directly with RCOC to correct remaining errors and ensure due dates are included on all future invoices. Staff has also established a process for monitoring overdue balances and notifying project managers accordingly.	

Outstanding Audit Recommendations
Audit Reports Issued Through
March 31, 2024

Audit Issue Date	Report Number	Division/ Department/ Agency	Audit Name	Recommendation	Initiate Next Update	Management Response	Internal Audit Status
11/14/23	24-502	Operations	Cooperative Agreements with RCOC and MDC	Management should reconsider the current arrangement with MDC and, if continued, should amend contracts with RCOC and MDC to obligate RCOC to pay OCTA for pass-through amounts and to ensure disputed amounts are charged to MDC. Evaluation of per-trip subsidy amounts should include consideration of the pass-through payments going forward. Also, pass-through payment arrangements should be approved by the Board going forward. Management should also consider recovering from MDC amounts paid by OCTA for which RCOC reimbursement was not obtained.	May-24	The agreement with MDC will expire in June 2024 and staff will reconsider the pass-through arrangement at that time, as well as, ensure pass-through payments, if continued, are considered when evaluating the subsidy amount provided by OCTA. The new agreement will be subject to Board approval. Management has also revised billing procedures for pass-through trips to ensure disputed trips are deducted from payments to MDC; however, management has determined there is no contractual support to recover from MDC amounts for pass-through trips paid for by OCTA and disputed by RCOC.	
11/14/23	24-502	Operations and F&A	Cooperative Agreements with RCOC and MDC	Accounts Payable (AP) staff should ensure that invoices are properly authorized and verify that invoices are applied to the current agreement, and AR staff should ensure invoices are created against the current agreement. Operations should review invoices from MDC and reconcile trips before submitting invoices for payment.	May-24	AP staff will be provided refresher training to ensure invoices processed include the required signature authority and are applied to active agreements and a system control has been implemented to warn staff if an invoice is posted to an expired agreement. Going forward, AR staff will ensure invoices are created against the correct agreement. Operations staff have improved billing procedures for MDC to ensure full reconciliation prior to invoicing.	
11/20/23	Not Applicable	Planning	Investigation and Limited Scope Review of CTFP Scope Change for Project No. 20-HBCH-CBT-3960	Management should revise CTFP guidelines, with Board approval, to add guidance as to acceptable scope and/or programming changes to Project V projects, and include criteria to be used in evaluating changes. Staff should conduct and document evaluation of scope changes prior to seeking Board approval, and ensure that defined requirements are met. Reprogrammed projects should be evaluated against projects as originally scored when funding was approved.	May-24	Management will update operating procedures and implement standardized forms for documenting Project V scope change requests, including evaluation criteria and analysis. Scope changes will be reviewed against original project scoring criteria. Staff will also improve communication of scope changes in reports to the Board. Finally, management will review CTFP guidelines and consider changes to address scope changes by June 30, 2024.	

Outstanding Audit Recommendations
Audit Reports Issued Through
March 31, 2024

Audit Issue Date	Report Number	Division/ Department/ Agency	Audit Name	Recommendation	Initiate Next Update	Management Response	Internal Audit Status
11/20/23	Not Applicable	Planning	Investigation and Limited Scope Review of CTFP Scope Change for Project No. 20-HBCH-CBT-3960	Management should return to the Board with a clear description of the scope change action and its impact on future funding decisions, and request consideration of approval. Going forward, management should ensure accurate and complete communications with the Board.	May-24	Management will bring forward a more detailed description of the scope change in an upcoming staff report. This will clearly outline the timing, nature of changes, and draft recommendations that the change aligns with the intent and benefits of the original grant award. Moving forward, management will ensure scope changes are communicated openly with all relevant details.	
12/5/23	24-503	Executive Office	Transit Police Services (TPS)	Management should ensure annual work plans are developed and documented as required by the contract.	Jun-24	Management has begun compiling the annual work plan in conjunction with TPS and expects the plan to be published in March 2024.	
12/5/23	24-503	Executive Office	TPS	Management should implement a process to evaluate, estimate, and document the methodology of assigning TPS costs on an annual basis. Management should also consider implementing a process to accumulate and report all costs of providing transit security.	Jun-24	Management will collaborate with the Orange County Sheriff-Coroner Department to estimate and document contract costs on an annual basis. In addition, management will work with the Financial Planning and Analysis Department to ensure the ability for each department responsible for an aspect of providing or supporting TPS, to accumulate and consolidate transit security costs for a better understanding of the overall cost of transit security. Management will work with Financial Planning and Analysis to consolidate TPS associated costs and reporting by July 2024.	
12/5/23	24-503	Executive Office	TPS	Management should implement procedures to document agreements for enhanced services, including the type, time, and place of services, and obtain a cost estimate for services. Management should reconcile invoices for special services to these documents and obtain support, or include in the contract, the rates to be charged prior to authorizing payment.	Jun-24	Management will establish procedures to better document the estimates, agreed cost, and occurrence of special services performed. Management will also seek rates for services to be documented in annual contract amendments moving forward with the 2024-2025 TPS contract amendment. Work should conclude by May 2024.	

Outstanding Audit Recommendations
Audit Reports Issued Through
March 31, 2024

Audit Issue Date	Report Number	Division/ Department/ Agency	Audit Name	Recommendation	Initiate Next Update	Management Response	Internal Audit Status
12/5/23	24-503	Executive Office	TPS	Management should strengthen controls over canine-related expense tracking and ensure all eligible costs are identified and submitted for grant reimbursement. Management should also review fiscal year (FY) 2022-23 eligible expenses that were not submitted and request reimbursement.	Jun-24	Management has begun improvements to canine-related expense tracking and to establish an enhanced invoice review process. Once established, the process will improve oversight to ensure eligible costs are identified and submitted for grant reimbursement. Starting immediately, and to be completed by the end of February 2024, management will work with the grants team to review eligible expenses and attempt to recover expenses of \$13,129.29 for FY 2022-23.	
1/15/24	23-504	F&A	Accounts Payable Operations (A/P)	Management should separate the ability to create or edit vendors from the ability to process payments, require a Computer Access Request form for all user access requests, enhance the annual accounting system access review, and restrict the number of users granted administrative rights in the accounting system.	Jul-24	Management will separate the ability to create or edit vendors from the ability to process payments and will collaborate with the IS Department and create a new policy to strengthen controls over accounting system access.	
1/15/24	23-504	F&A	A/P	Management should review and update the Payment Request (PR) Policy, as necessary, and consider updating the PR form to include a checklist and details as to the types of allowable payments. Project managers should also be reminded of the proper use of PR's and staff should not process exceptions without approval.	Jul-24	Management will update the PR policy to enhance clarity and will update the PR form to ensure it is used in accordance with the PR policy. A/P staff have been reminded not to process exceptions without appropriate approval.	

Outstanding Audit Recommendations
Audit Reports Issued Through
March 31, 2024

Audit Issue Date	Report Number	Division/ Department/ Agency	Audit Name	Recommendation	Initiate Next Update	Management Response	Internal Audit Status
3/11/24	24-506	PACE	College Pass Program	Agreements should be amended to accurately reflect all responsibilities and requirements for program operation, and management should enforce agreement requirements. Management should also develop, document, and implement procedures for administration of the program, including procedures for verifying the reasonableness of enrollment data provided by colleges for invoicing purposes and timely preparation of invoices. Management should implement procedures developed in December 2023, to monitor and collect outstanding receivables.	Sep-24	Management agrees that the agreements need to be more specific to each college, and procedures need to be formalized to administer the program beyond the pilot phase. Management will review and enhance agreement language by August 31, 2024. In addition, management will ensure the documentation and implementation of specific procedures for each aspect of program administration and will outline specific responsibility area(s) for program implementation and oversight by September 30, 2024.	
3/11/24	24-506	PACE	College Pass Program	Internal Audit recommends management update agreements to include requirements for security, inventory, distribution, and reporting of paper passes and implement monitoring controls to ensure colleges are complying with the requirements. Management should also strengthen controls to ensure all college bus passes are properly coded in the system.	Sep-24	Management will develop improved controls and a formal procedure for paper pass distribution to ensure proper security, accurate coding, reporting, and reconciliation, and amend agreements to include the procedures.	
3/13/24	24-509	F&A	Investments: Compliance, Controls, and Reporting: July through December 31, 2023	Internal Audit recommends Treasury utilize month-end bank statements when preparing monthly reports.	Sep-24	Management will ensure that month-end bank statements are used for monthly reports.	
3/13/24	24-509	F&A	Investments: Compliance, Controls, and Reporting: July through December 31, 2023	Internal Audit recommends OCTA discontinue paying fees associated with accounts whose portfolio values are not automatically updated in the Clearwater system.	Sep-24	Management is actively addressing the issues pertaining to the subject accounts. The accounts have been removed from the Clearwater system until such time that a resolution is achieved.	

Audit Issue Date	Report Number	Division/ Department/ Agency	Audit Name	Recommendation	Internal Audit Status Comments
1/10/23	23-503	People and Community Engagement (PACE)	Administrative Employee Mandatory Training and Employee Educational Reimbursements	Management should implement monitoring controls to ensure all administrative employees obtain mandatory training within required timeframes. Management should also ensure mandatory annual training is obtained and employee merit increases are withheld for non-compliance, as required by policy.	Management has implemented monitoring controls by running weekly reports and regular follow-up is performed with employees that require training.
8/7/23	23-505	PACE	Life Insurance Benefits	Management should amend the Personnel and Salary Resolution to accurately outline and/or reference age-related benefit reductions and should consult legal counsel about a resolution to the Coach Operator Collective Bargaining Agreement language that does not disclose age-related deductions or benefits provided to spouse/domestic partner and children. Management should also consult legal counsel to determine if undisclosed reductions to benefits paid should be corrected.	Management has included disclosure of all age-related benefit reductions in the Coach Operator's Benefits Guide. Management asserted that reference to the Benefits Guide for administrative and Transportation Communications Union employees will be included in the upcoming 2024-25 Personnel and Salary Resolution, to be presented for Board approval in June 2024. Management indicated that legal counsel advised that inclusion of this information in the respective benefit guides represents sufficient disclosure.
8/7/23	23-505	PACE	Life Insurance Benefits	Management should implement procedures to ensure accuracy, completeness, and timely submission of claim forms, and monitor timeliness of claim payments. Management should also consider further efforts to determine whether interest applied to proceeds complies with California law.	Management has implemented procedures to monitor claims for accuracy, completeness and timely submission. Management obtained additional documentation from VOYA as to interest applied to proceeds.
8/31/23	23-515	Finance and Administration (F&A)	Oversight Controls and Contract Compliance Related to the Anaheim Canyon Metrolink Station Project	Management should enhance controls to ensure all procurements exceeding the stated thresholds are presented as regular calendar items, as required.	The Contracts Administration and Materials Management (CAMM) Department sent a memo to the executive team, communicating the policy requirement. In addition, CAMM's weekly updates to the Chief Financial Officer on upcoming procurement-related staff reports now identify items that need to be discussed as regular items
8/31/23	23-515	Capital Programs and F&A	Oversight Controls and Contract Compliance Related to the Anaheim Canyon Metrolink Station Project	Extra work should not be authorized until a Change Directive has been issued to the construction contractor. Management should also ensure all documentation to validate pricing is included in Contract Change Order (CCO) back-up files. Management should also ensure contract files include final amendment proposals and support for Other Direct Costs (ODC). Labor rates of sole proprietors should be validated and amendment proposals for fixed price contracts should include employee names rather than labor categories.	Capital Programs sent a memo to staff, reminding staff that change directives should be issued by the project manager prior to performance of any extra work and that CCO files should include supporting documentation to validate all labor rates. CAMM developed procedures on validating labor rates of sole proprietors and sent an email to staff, reminding them to include final amendment proposals in the contract file and encouraging consultants to identify named personnel in amendments to firm fixed price contracts.

**Audit Recommendations Closed During
Third Quarter, Fiscal Year 2023-24**

8/31/23	23-515	F&A	Oversight Controls and Contract Compliance Related to the Anaheim Canyon Metrolink Station Project	Management should not authorize work until contract authority has been obtained. Management should consistently obtain payroll registers for all staff billed under labor classifications and should obtain cost support for any ODC billed but not listed in the contract. Management should also require construction managers to prepare quantity sheets to support billed CCO items.	Capital Programs sent a memo to staff, reminding staff that invoices should not be submitted for work that has not yet been authorized and all documentation requirements for payments are fully met.
2/28/23	23-501	PACE	Workers' Compensation Program	Management should enhance monthly reviews of Intercare's check payments to include review of temporary benefit calculations and settlement calculations with supporting documentation. Management should also review paper transactions and reconcile Intercare's listing of checks sent to the Orange County Transportation Authority (OCTA) to what has been received and deposited. Checks received by OCTA should be deposited in a timely manner. Finally, management should request Intercare provide a detailed invoice from Express Scripts to support payments.	Staff has begun reviewing temporary benefit calculations and settlement calculations with supporting documentation, paper transactions added to the check replenishment, and detailed information to support payments to the pharmacy provider. In addition, Intercare is now reporting to OCTA staff all the checks received by Intercare each month; which OCTA staff can then use for reconciliation and monitoring.
9/11/23	24-501	F&A	Investments: Compliance, Controls and Reporting, January 1, 2023 through June 30, 2023	The Treasury Department (Treasury) should prepare daily cash forecasts on a timely basis and the Treasury manager should perform all steps on the checklist prior to presenting investment reports to the F&A Committee. All forecasts, checklists, worksheets, and reports that require manager review should include a date stamp, such as the Foxit software approval stamp, to evidence timely review.	Internal Audit tested on a sample basis and confirmed that the Daily Bank of the West Investment Worksheets were prepared and reviewed on a timely basis and were time stamped,
9/11/23	24-501	F&A	Investments: Compliance, Controls and Reporting, January 1, 2023 through June 30, 2023	Treasury should provide monthly investment reports to the F&A Committee within 45 days of quarterly month end, consistent with the benchmark outlined in the government code for quarterly reports.	Internal Audit tested and confirmed that the September and December 2023 reports were submitted to the F&A Committee within the 45-day requirement.



May 13, 2024

To: Members of the Board of Directors

From: Darrell E. Johnson, Chief Executive Officer

A handwritten signature in blue ink, appearing to read "Darrell E. Johnson", is placed over the "From:" line.

Subject: 2024 Board of Directors and Chief Executive Officer Initiatives and Action Plan – First Quarter Progress Report

On February 12, 2024, the Orange County Transportation Authority (OCTA) Board of Directors (Board) approved the 2024 Board and Chief Executive Officer (CEO) Initiatives (Attachment A) and Action Plan (Attachment B). The Action Plan consists of three Board initiatives and nine CEO initiatives monitored through 107 milestones throughout the calendar year. Reports detailing the progress on these milestones are provided on a quarterly basis for Board review. This report provides a summary of progress on first quarter (Q1) milestones from January 1, 2024, through March 31, 2024. At the conclusion of Q1, nine of the 107 milestones have been completed. Highlights of these accomplishments are provided below.

Q1 Progress Report

During Q1 of the calendar year 2024, seven milestones were scheduled for completion. At the end of Q1, four of those seven milestones have been completed, while an additional five other milestones were completed ahead of schedule. Some of the highlights achieved in Q1 include:

- Submitted the Federal Transportation Improvement Program project list and financial plan (covering the period for fiscal year [FY] 2024-25 through FY 2029-30) to the Southern California Association of Governments. This program contains more than 60 transportation improvements projects in Orange County that are anticipated to use a total of approximately \$1.645 billion over five years;
- Coordinated with Southern California Regional Rail Authority's Metrolink to re-initiate Angels Express. This service will transport riders from Orange, Los Angeles, and Riverside Counties to the Los Angeles Angels of Anaheim baseball team home games;
- Re-negotiated a new three-year contract with the Transportation Communications Union / International Association of Machinist and Aerospace Workers, which represent facilities technicians and parts clerks, to ensure the continuation of safe and reliable OC Bus service that is essential to the people of Orange County;

- In an effort to continue collaborating with the California Department of Transportation (Caltrans) District 12, Caltrans was requested to look into opportunities to enhance freeway directional signs and identify areas for historical, cultural, and other essential community destinations throughout Orange County. This could implement transportation solutions to improve travel for residents, workers, and visitors; and
- Released the Tier 2 Grant Program call for projects for the Measure M2 Environmental Cleanup Program (also referred to as Project X). This Program funds larger regionalized water quality improvements from transportation-generated pollution.

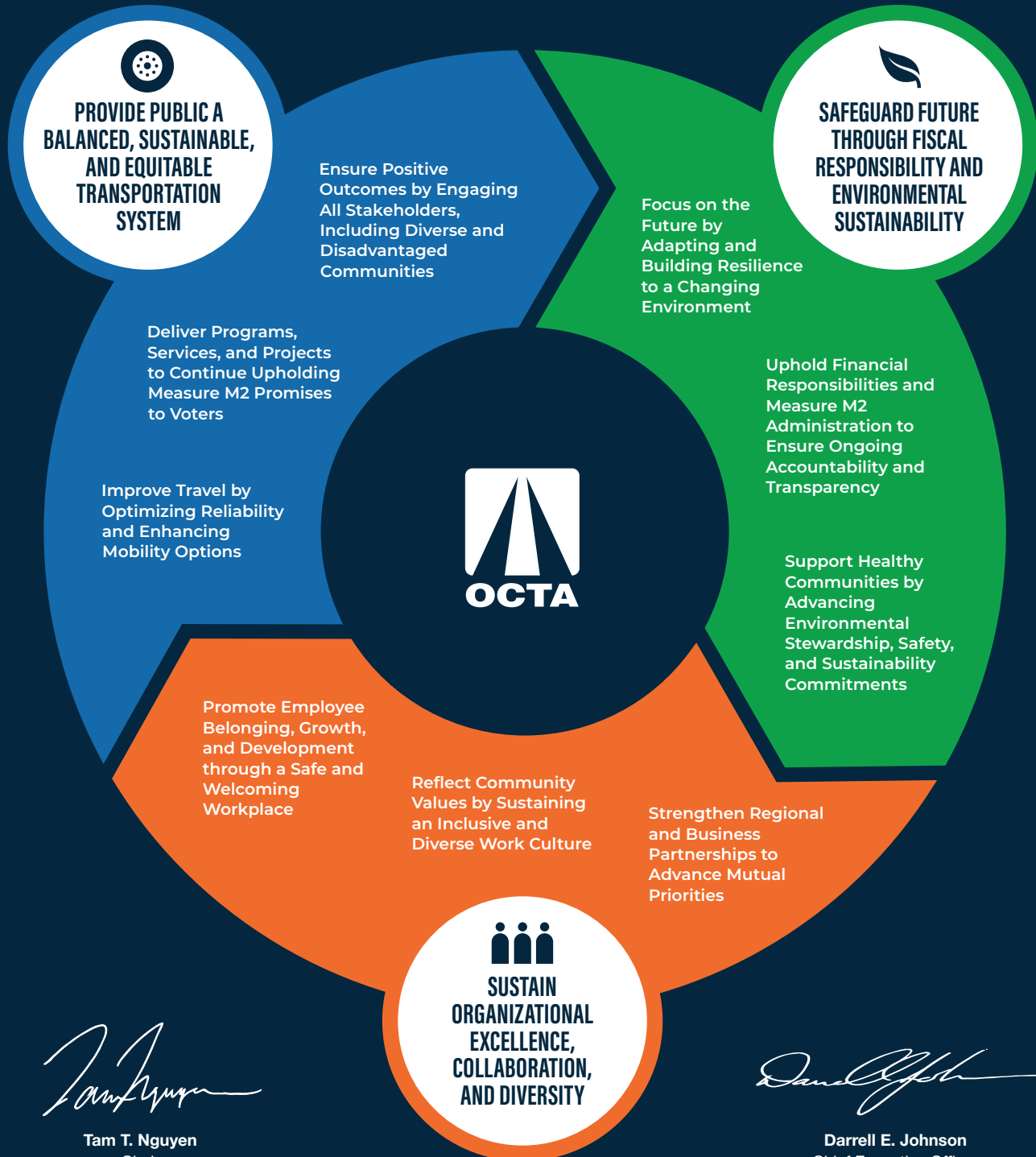
While nine total milestones were accomplished during the quarter, some of which are noted above, delivery timeframes for three milestones originally scheduled for completion in Q1, were extended and are now anticipated to occur in the second quarter. For more details, please refer to Attachment B.

The Q1 progress report is complete and included for your review. I am pleased with the progress OCTA has made thus far and am confident we will continue to advance the 2024 Board and CEO Initiatives as the year unfolds, while staying committed to addressing the immediate needs of the public, our customers, and our employees to keep Orange County moving. Please contact me at (714) 560-5343 with any questions or suggestions.

DEJ:ls
Attachments

Orange County Transportation Authority

2024 Board & CEO Initiatives



Tam T. Nguyen
Chair

Darrell E. Johnson
Chief Executive Officer



Orange County Transportation Authority

2024 Board & CEO Initiatives



Tam T. Nguyen

Tam T. Nguyen
Chair

Darrell E. Johnson

Darrell E. Johnson
Chief Executive Officer



2024 Board Initiatives

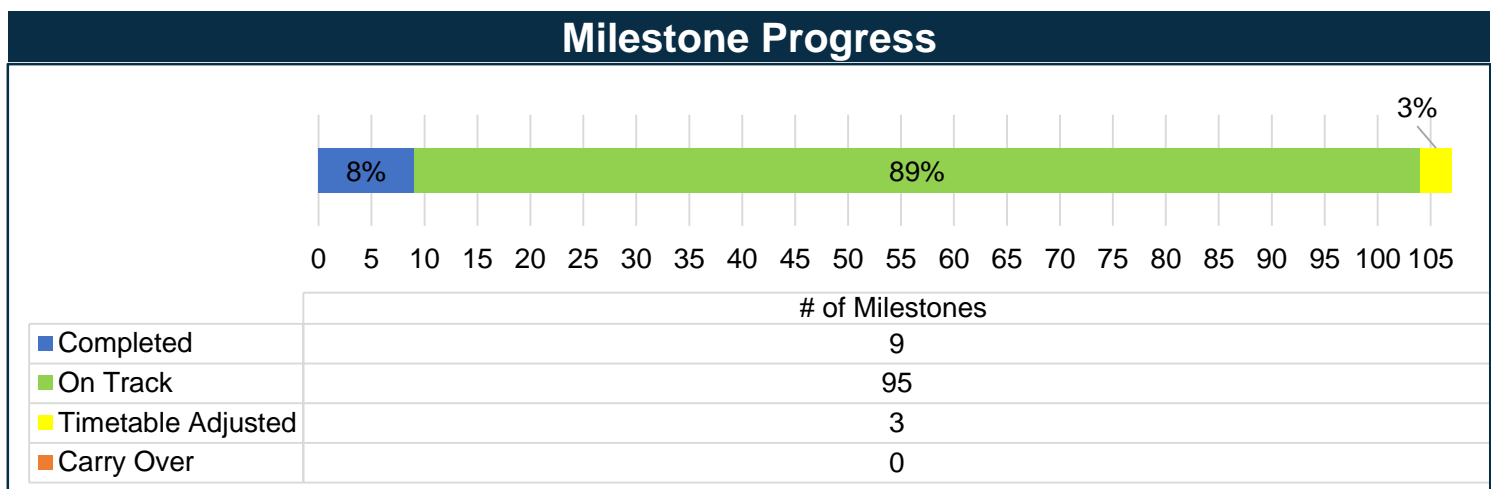
- Provide Public a Balanced, Sustainable, and Equitable Transportation System
- Sustain Organizational Excellence, Collaboration, and Diversity
- Safeguard Future through Fiscal Responsibility and Environmental Sustainability

2024 CEO Initiatives

- Ensure Positive Outcomes by Engaging All Stakeholders, Including Diverse and Disadvantaged Communities
- Improve Travel by Optimizing Reliability and Enhancing Mobility Options
- Deliver Programs, Services, and Projects to Continue Upholding Measure M2 Promises to Voters
- Reflect Community Values by Sustaining an Inclusive and Diverse Work Culture
- Strengthen Regional and Business Partnerships to Advance Mutual Priorities
- Promote Employee Belonging, Growth, and Development through a Safe and Welcoming Workplace
- Uphold Financial Responsibilities and Measure M2 Administration to Ensure Ongoing Accountability and Transparency
- Focus on the Future by Adapting and Building Resilience to a Changing Environment
- Support Healthy Communities by Advancing Environmental Stewardship, Safety, and Sustainability Commitments

2024 CEO Milestone Summary

Number of Milestones by Quarter	
Quarter Due	Number
First Quarter	7
Second Quarter	18
Third Quarter	30
Fourth Quarter	52
TOTAL	107



FIRST QUARTER (Q1)

4 of 7 Completed -

57%

#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
1.	405 Express Lanes	Ensure TIFIA Loan Compliance	Begin providing quarterly operating report to TIFIA - Q1	March 26, 2024 - provided first Quarterly Traffic and Operating Report for the quarter ending December 31, 2023 to the Build America Bureau.				
2.	OC Streetcar*	Prepare for OC Streetcar Operations	Complete operations and maintenance agreements with the cities of Garden Grove and Santa Ana - Q1	January 2024 - agreement approved by Santa Ana City Council. Due to ongoing negotiations with the City of Garden Grove, the Garden Grove agreement has been delayed; May/June 2024 - Garden Grove anticipated to present agreement to City Council for approval.				
3.	OC Streetcar**	Complete Vehicle Production	Complete manufacturing of all eight vehicles - Q1	Seven of eight total vehicles have been completed. Due to the manufacturer's production schedule for required vehicle parts, production of the eighth vehicle has been delayed; April 2024 - anticipated to complete last remaining vehicle.				
4.	Paratransit Vehicles	Replace 121 Cutaway Buses with a Mix of Cutaways and Vans	Seek Board approval to award contract to purchase the mix of paratransit vehicles - Q1	Due to additional time being needed for internal discussion about the item, this has been delayed; April 22, 2024 - anticipated to present to Board for approval.				
5.	Zero-Emission Bus (ZEB) Pilots*	Advance Zero-Emission Goals	Provide progress report to Board on ZEB pilots, including the hydrogen FCEBs and plug-in BEBs - Q1	February 12, 2024 - provided progress report to Board.				
6.	Management Development Academy (MDA) and Leadership Development Academy (LDA)	Provide Professional Development Opportunities	Graduate fifth cohort of MDA and launch fifth cohort of LDA - Q1	January 16, 2024 - launched fifth LDA cohort; March 12, 2024 - MDA cohort capstone presentation.				

*2023 Carryover

**2023 Carryover (modified)

COMPLETED	ON TRACK	TIMETABLE ADJUSTED	CARRYOVER
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Q1 (Continued)

#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
7.	2025 Federal Transportation Improvement Program (FTIP)	Comply with State and Federal Law to Update the FTIP (Allows for the Obligation of Federal Funds)	Seek Board approval to submit 2025 FTIP - Q1	February 12, 2024 - presented 2025 FTIP to Board for approval to submit to SCAG.				

COMPLETED

ON TRACK

TIMETABLE ADJUSTED

CARRYOVER

SECOND QUARTER (Q2)

2 of 18 Completed - 11%

#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
1.	BEB Charging Infrastructure (Santa Ana Bus Base)	Advance Zero-Emission Goals	Complete project design for charging stations - Q2					
2.	I-405 Project	Complete Construction	Complete construction of all project improvements - Q2	May 28, 2024 - anticipated to complete construction.				
3.	Transit Security and Operations Center**	Ensure Transit Service Continuity	Seek Board approval to award construction contract - Q2					
4.	Disadvantaged Business Enterprise (DBE)	Ensure That Disadvantaged Businesses Can Compete Fairly for OCTA Projects and Services	Develop a federally-mandated triennial DBE goal and consider adopting an OCTA Equity statement - Q2	June 2024 - anticipated to present triennial DBE goal to Board for approval.				
5.	OCTA's Operating and Capital Budget	Develop a FY 2024-25 Balanced Budget	Present a comprehensive and balanced OCTA FY 2024-25 budget, including additional expansion of service, and Metrolink funding for adoption by the Board - Q2	June 10, 2024 - anticipated to present FY 2024-25 budget to Board for adoption.				
6.	Reserve Policy	Maintain Reserves for OCTA's Program and Services	Present updated Reserve Policy to Board for approval based on commencement of operations of the 405 Express Lanes - Q2	May 28, 2024 - anticipated to present to Board for approval.				
7.	Bus Fleet Management	Maintain Fleet in a State of Good Repair	Seek Board approval to award contract to purchase 40 FCEBs to replace a portion of the remaining fleet - Q2	June 24, 2024 - anticipated to present to Board for approval.				
8.	Bus Fleet Management	Maintain Fleet in a State of Good Repair	Seek Board approval to award contract to purchase ten BEBs to replace a portion of the remaining fleet - Q2	June 24, 2024 - anticipated to present to Board for approval.				
9.	Coach Operator Barriers	Enhance Bus Operator Safety	Seek Board approval to award contract to install protection barriers on the existing fleet - Q2	April 22, 2024 - anticipated to present to Board for approval.				
10.	Metrolink Service	Increase Opportunities for Special Metrolink Service	Coordinate with Metrolink to re-initiate Angels Express - Q2	March 26, 2024 - commenced Angels Express service.	Early Complete			
11.	Zero-Emission Paratransit Buses**	Advance Zero-Emission Goals	Initiate procurement to replace ten gasoline OC ACCESS vehicles with ten battery-electric vehicles - Q2	June 2024 - anticipated to award contract.				
12.	Early Career Academy (ECA)	Provide Early Career Development to Grow New Professionals	Graduate fourth cohort of ECA - Q2	May 2024 - anticipated to hold ECA Capstone presentations; June 2024 - anticipated to graduate fourth ECA cohort.				

**2023 Carryover (modified)

COMPLETED	ON TRACK	TIMETABLE ADJUSTED	CARRYOVER
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Q2 (Continued)

#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
13.	Insurance Policies	Move All Insurance Policies to FY Policy Renewal	Present policies to Board for consideration - Q2	May 28, 2024 - anticipated to present to Board for consideration.				
14.	Personnel and Salary Resolution	Attract and Retain Top Talent	Present recommendations to Board as part of the OCTA FY 2024-25 budget - Q2	June 10, 2024 - anticipated to present recommendations to Board for adoption as part of the FY 2024-25 budget.				
15.	Coastal Rail Resiliency Study	Identify Potential Near-Term and Mid-Term Solutions to Protect the Existing Coastal Rail Infrastructure	Engage stakeholders across different spectrums in the development of solutions with respect to opportunities and constraints - Q2	To date, OCTA has conducted a number of listening sessions and focus meetings with a wide variety of stakeholders. May 2024 - anticipated to conclude initial round of listening sessions with two public meetings and an elected roundtable sometime thereafter.				
16.	Complete Streets Funding Program	Develop Funding Approach for Bicycle and Pedestrian Projects that Reduce Traffic Congestion and Improve Air Quality	Submit funding recommendations to SCAG for consideration - Q2	February 12, 2024 - presented project prioritization recommendations to Board for approval to submit to SCAG; March 2024 - submitted recommendations to SCAG.	Early Complete			
17.	Signal Synchronization	Improve Roadway Efficiency	Provide update to Board on signal synchronization projects (Project P), including the countywide signal synchronization baseline - Q2	June 10, 2024 - anticipated to provide update to Board.				
18.	Transit Chokepoint Study*	Identify Bus Operation Impediments that Lead to Reduced Speed and Reliability Challenges	Award contract - Q2	April 2024 - anticipated to award contract.				

*2023 Carryover

COMPLETED	ON TRACK	TIMETABLE ADJUSTED	CARRYOVER
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THIRD QUARTER (Q3)

3 of 30 Completed - 10%

#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
1.	Hydrogen Fueling Station (Garden Grove Bus Base)	Advance Zero-Emission Goals	Seek Board approval to award construction contract - Q3					
2.	I-5, Avenida Pico to San Diego County Line*	Advance Environmental Phase	Release Draft EIR and provide update to Board - Q3					
3.	I-5, SR-73 to El Toro Road Project	Continue to Advance Construction on All Segments	Provide construction update to Board - Q3					
4.	Orange County Maintenance Facility	Advance Climate Goals by Reducing Greenhouse Gas Emissions	File Conditional Use Permit request - Q3					
5.	SR-91, SR-55 to Lakeview Avenue**	Initiate Construction	Award construction contract - Q3					
6.	241/91 Express Lanes Connector (ELC)*	Provide 241/91 ELC Project Progress	Provide update to Board on the status of the project with a discussion on next steps - Q3					
7.	91 Express Lanes*	Install Toll Entrance Readers to Register Vehicles Entering the 91 Express Lanes	Complete installation of infrastructure gantries, cameras, and readers at the three entrances of the 91 Express Lanes - Q3					
8.	Credit Ratings	Maintain OCTA's Positive Credit Rating	Conduct annual rating agency meeting - Q3					
9.	Cybersecurity	Protect OCTA's Information Systems	Require completion of annual cybersecurity training for all employees - Q3					
10.	Metrolink Service	Plan, Fund, and Administer Sustainable Metrolink Service	Receive updates from Metrolink on their plans to develop a service plan that is consistent with market demand, funding capacity, and the Metrolink crew and equipment optimization study - Q1 and Q3	January 11, 2024 - Metrolink update presented to Transit Committee. April/May 2024 - Metrolink anticipated to present budget request to Board.				
11.	OC Flex	Explore Efficient and Effective Transit Options to Better Meet Mobility Demands in Orange County	Assess OC Flex performance and provide a report to the Board on future direction - Q3					
12.	OC Streetcar	Prepare for OC Streetcar Operations	Initiate OC Streetcar testing with Herzog - Q3					
13.	Rider Code of Conduct	Prioritize Safety and Protection of OC Bus Riders and Workers	Update and roll out new rider Code of Conduct - Q3					

*2023 Carryover

**2023 Carryover (modified)

COMPLETED	ON TRACK	TIMETABLE ADJUSTED	CARRYOVER
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Q3 (Continued)

#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
14.	Coach Operator Collective Bargaining Agreement	Negotiate and Renew Agreement	Present agreement to Board - Q3					
15.	College Pass Program	Continue Working with Community Colleges to Renew or Extend Agreements for the Program	Exercise option term with Cypress College and renew agreements with Saddleback College, Santa Ana College, Irvine Valley College, Golden West College, and Fullerton College - Q3	Collaboration is ongoing between OCTA and the colleges to establish new program pricing and agreement language.				
16.	Diversity, Equity, Inclusion, and Belonging - Affirmative Action Plan/Equal Employment Opportunity (AAP/EEO)	Provide Updates on Progress of AAP/EEO Development and Implementation and Adhere to Federal Requirements	Present biannual updates to ESC and submit AAP/EEO Plan to FTA - Q1 and Q3	February 26 and February 29, 2024 - first biannual update presented to ESC and management team, respectively. April 30, 2024 - anticipated to submit AAP/EEO Plan to FTA.				
17.	Diversity, Equity, Inclusion, and Belonging - Employee Training	Create an Inclusive and Engaging Workplace	Provide mandatory training to all administrative employees - Q3					
18.	Employee Health Insurance Renewal Programs	Secure Competitive Health Benefits	Present health insurance recommendations to Board - Q3					
19.	Transportation Communications Union Collective Bargaining Agreement	Negotiate and Renew Agreement	Present parts clerks and facilities technicians agreement to Board - Q3	March 25, 2024 - presented to Board in Closed Session.	Early Complete			
20.	2024 State Transportation Improvement Program (STIP)	Maximize State Funding Opportunities	Present final 2024 STIP to Board - Q3	May 13, 2024 - anticipated to present final 2024 STIP to Board.				
21.	Bus Base Charge Ready Infrastructure Plan*	Evaluate Charging Infrastructure Needs and Facilities for ZEB Rollout Plan	Present update to ESC - Q3					
22.	Community Circulators and Shuttles (Project V)	Fund Development of Local Bus Transit Services	Present recommendations for Community Circulators Shuttles to Board - Q3					

*2023 Carryover

COMPLETED	ON TRACK	TIMETABLE ADJUSTED	CARRYOVER
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Q3 (Continued)

#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
23.	Freeway Signs	Improve Regional Wayfinding	Request that Caltrans review and modernize freeway directional signs and points of interest signs, including historical and cultural points of interest signs - Q3	March 2024 - letter submitted to Caltrans, which included a request for Caltrans to assess opportunities to enhance freeway on- and off-ramp directional signs countywide and identify areas for historical, cultural, and other essential community destinations.	Early Complete			
24.	M2 Environmental Cleanup Program (Project X)	Fund Regionalized Water Quality Improvements	Release Tier 2 call for projects - Q3	February 12, 2024 - released call for projects.	Early Complete			
25.	M2 Triennial Performance Assessment	Evaluate the Efficiency, Effectiveness, Economy, and Results of the Agency's Delivery of M2	Initiate the sixth performance assessment covering FY 2021-22 through FY 2023-24 - Q3	February 28, 2024 - released RFP. May 9, 2024 - anticipated to execute contract; July 1, 2024 - anticipated to initiate assessment.				
26.	OC Transit Vision	Continue Meaningful Planning Work to Prioritize Next Set of Mass Transit Projects to Meet the County's Current and Future Needs	Present report on the progress of major transit projects and draft findings from the 2024 OC Transit Vision plan to Board - Q3	May 28, 2024 - anticipated to present to Board.				
27.	Olympics 2028	Develop an Action Plan to Guide Preparations	Provide update to Board - Q3	April 8, 2024 - anticipated to provide update to Board.				
28.	SR-91 Implementation Plan	Collaborate with RCTC to Update the Plan in Support of Regional SR-91 Corridor Transportation Improvements	Present Plan to Board - Q3	July 8, 2024 - anticipated to present to Board.				
29.	Streets and Roads Grants	Fund Streets and Roads Improvements	Present recommendations for RCP (Project O) and RTSSP (Project P) projects grant awards to Board - Q3					

COMPLETED

ON TRACK

TIMETABLE ADJUSTED

CARRYOVER

Q3 (Continued)

#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
30.	Transit and Intercity Rail Capital Program (TIRCP)	Stabilize Funding for Rail Operations and Last Mile Connections, Improve Critical Rail Infrastructure, Deploy ZEBs, Generate Clean Energy at OCTA Facilities, and Expand Transit and Improve Customer Experience	Accept TIRCP grants for SB 125 funding - Q3	May 13, 2024 - anticipated to present TIRCP to Board.				

COMPLETED

ON TRACK

TIMETABLE ADJUSTED

CARRYOVER

FOURTH QUARTER (Q4)

0 of 52 Completed -

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#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
1.	Bus Base Gates	Enhance Security at Bus Bases with Security Gate Installations	Complete construction - Q4					
2.	I-605, Katella Avenue Interchange	Initiate Construction	Award construction contract - Q4					
3.	Mission Viejo/Laguna Niguel Slope Stabilization	Ensure Asset Preservation and Climate Resiliency	Complete design phase - Q4					
4.	OC Streetcar	Continue to Advance Construction	Report on status of construction and updates to target service startup date to Board - Q1-Q4	January 22, 2024 - provided OC Streetcar update to Board.				
5.	Renewable Solar Energy at Bus Bases	Advance Climate Goals by Introducing Renewable Energy Into Agency Operations	Initiate procurement for Architectural and Engineering design services for the installation of solar panels at maintenance and operations bases - Q4					
6.	511 Motorist Assistance and Freeway Service Patrol (FSP)	Expand Awareness of the 511 Motorist Assistance and FSP Programs, Particularly With Underserved Populations	Explore opportunities to enhance awareness and utilization of the 511 Motorist Assistance and FSP programs through marketing and communication efforts working with ethnic media and Diversity Outreach - Q1-Q4	February 2024 - distributed limited edition Lunar New Year 511 grocery bags, 511 brochures, and FSP brochures at various outreach events, including multiple Tet Festivals and Black History Month celebrations, and at other inclusivity events throughout the quarter.				
7.	Crisis Communications	Ensure Agency and Staff Preparedness	Conduct a tabletop exercise for the Crisis Communications team and revise Crisis Communications Plan as appropriate - Q4					
8.	Diversity, Equity, Inclusion, and Belonging	Enhance Organizational Policies, Practices, and Programs Related to Diversity, Equity, Inclusion, and Belonging	Continue to review and implement as appropriate recommendations from the third-party organizational diversity, equity, and inclusion study - Q4					

COMPLETED

ON TRACK

TIMETABLE ADJUSTED

CARRYOVER

Q4 (Continued)

#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
9.	OCTA in the News	Share Newsworthy OCTA Activities and Actions to Obtain Coverage and Raise Awareness of OCTA Programs, Initiatives, and Plans	Continue to highlight OCTA initiatives through mainstream, ethnic, industry, and social media - Q1-Q4	In Q1, launched social media videos with Chair Nguyen to raise awareness of key Board activities and actions, distributed press releases to the media and posted them on OCTA social media channels on the rail line closure in San Clemente and OCTA's activities to restore service (coverage has included traditional and industry media), issued press release and social media posts highlighting 2024 OCTA Board Initiatives and the Board's selection of Chair Nguyen (shared by traditional, social, ethnic, and industry media), created social media posts for OCTA's Meet the Primes event (widely shared and received positive engagement).				
10.	Annual Comprehensive Financial Report	Ensure Accountability and Transparency	Obtain an unmodified opinion from the external auditors and provide the annual financial statements to Board - Q4					
11.	Comprehensive Business Plan (CBP)	Develop OCTA's Business Plan	Present CBP to Board for adoption - Q4					
12.	Cybersecurity (TSA Security Directive)*	Fulfill TSA Security Directive	Complete initial cybersecurity assessment and incident response plan - Q4					
13.	Enterprise Asset Management (EAM)*	Implement New EAM System	Transition Infor EAM System from test into full production - Q4					
14.	Fare Policy	Modernize OCTA's Fare Policy	Present and discuss fare policy changes with Board - Q4					
15.	Headquarters Building	Implement Long-Term Strategy for the OCTA Administrative Headquarters	Present options to Board for consideration - Q4					

*2023 Carryover

COMPLETED	ON TRACK	TIMETABLE ADJUSTED	CARRYOVER
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Q4 (Continued)

#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
16.	Procurement	Enhance Procurement Efficiencies through a More Comprehensive E-Procurement System with Solicitation Formulation Assistance, Evaluation Tools, Increased Vendor Pool, and Contract Compliance Assurance	Complete procurement for a new E-Procurement system and present recommendation to Board - Q4					
17.	Procurement	Support Open and Fair Competition by Increasing Outreach to Small and Disadvantaged Businesses	Hold networking events throughout the year to match smaller businesses with prime contractors, increase awareness of contracting opportunities, and get DBE firms registered with State of California - Q1-Q4	February 2024 - hosted the Meet the Primes Networking Event; March 2024 - attended Small Business Administration Latino business event, Asian Business Association of Orange County Small Business Development Day, and Women's "Herstory" Month Mixer. Anticipated to complete several other business outreach events throughout the year, as well as the DBE Summit in the fall.				
18.	Legislative Forums	Communicate Transportation Needs and Challenges and OCTA's Ongoing Plans, Programs, and Projects	Conduct forums with local delegation representatives and report to management team - Q2 and Q4	March 26, 2024 - held first legislative forum.				
19.	Legislative Platforms	Set Legislative Priorities	Present final 2025-26 state and federal legislative platforms to Board for approval - Q4					
20.	Legislative Priorities	Provide End-of-Session Report	Discuss outcomes of legislative priorities with L&C - Q4					
21.	Local Government Forums	Conduct Mayors Forums by District	Conduct forums with city leaders and report to management team - Q4					
22.	Subrecipient Compliance Reviews	Identify Compliance Issues and Correct as Needed	Complete compliance reviews and correction actions for all of OCTA's federal subrecipients - Q4					

COMPLETED

ON TRACK

TIMETABLE ADJUSTED

CARRYOVER

Q4 (Continued)

#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
23.	91 and 405 Express Lanes Communications	Provide Customer Communications and Enhance Brand Awareness, Perceptions, and Usage of the Express Lanes	Implement multilingual Express Lanes marketing, communications, and outreach at community events, and through paid and earned media - Q4					
24.	Core Competency Integration	Integrate Core Competencies into Talent Management Process	Educate all managers on core competencies and utilize in interviews and assessing talent - Q4	Anticipated to conduct pilot for Operations division in Q2.				
25.	Diversity, Equity, Inclusion, and Belonging - Diverse Community Leaders Group (DCLG)	Maximize Relationships with Key Stakeholders and Leaders that Represent Diverse Communities to Solicit Feedback and Incorporate their Suggestions into Transit Improvements and Future Planning Efforts	Enhance engagement opportunities with DCLG (based on number of meetings, events, and activities per organization, feedback surveys, and results of feedback for transit improvements and future planning efforts) and provide update to Board - Q4	March 5, 2024 - hosted first quarterly DCLG meeting, which included 24 leaders and updates on the 2024 Board and CEO Initiatives, OC Transit Vision, OC Active Transportation and eBike safety, and OCTA procurement enhancements and small business programs.				
26.	Diversity, Equity, Inclusion, and Belonging - Outreach Activities and Trust-Building Campaign	Increase Participation of Diverse Communities in Transportation Planning Process and Promote Inclusivity to Ensure Transit Services are Accessible and Welcoming to People from All Backgrounds and Communities	Increase participation from diverse communities in planning and decision-making processes by 15 percent from 2023 and present quarterly reports to Board - Q1-Q4	January-March 2024 - participated in activities that generated a 98 percent increase in connecting with hard-to-reach community members with 36,658 people (compared to 18,470 during same period in 2023); experienced a 37 percent increase in number of surveys completed by diverse community members with 6,986 surveys (compared to 5,065 surveys during same period in 2023). March 2024 - anticipated to distribute Quarterly Report of Ethnic Communities Outreach Update to Board.				
27.	Human Resources Information System (HRIS)	Implement a Modernized HRIS	Complete process mapping for Human Resources and Payroll components - Q4					

COMPLETED

ON TRACK

TIMETABLE ADJUSTED

CARRYOVER

Q4 (Continued)

#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
28.	Market Research	Obtain Public Input and Preferences for OCTA's Various Planning Studies, Programs, and Services	Conduct qualitative and quantitative surveys to support marketing programs, customer satisfaction, the OC Transit Vision, M2 Ten-Year Review, and other planning studies - Q4	April/May 2024 - anticipated to be in field for M2 Ten-Year Review Quantitative Survey; June/July 2024 - anticipated to conduct OC Transit Vision Survey; August/September 2024 - anticipated to conduct OC Connect Survey; summer/fall 2024 - anticipated to conduct OC TDM Survey.				
29.	Marketing Activities	Promote and Educate Public on OCTA Services	Present biannual updates on ongoing campaigns promoting bus, rail, OC Flex, rideshare, and vanpool services to L&C - Q2 and Q4	June 20, 2024 - anticipated to present first biannual update to L&C, which will cover marketing campaigns for OC Bus, Metrolink, Rideshare, Vanpool, and 405 Express Lanes.				
30.	OC Streetcar	Ensure Maintenance and Storage Facility and Vehicles Meet All Health, Safety, and Environmental Compliance Requirements Prior to Revenue Service	Work directly with all applicable regulatory agencies to ensure compliance and approval and permits are obtained - Q4	Work is ongoing - in the process of identifying all applicable equipment/systems and associated regulatory requirements (i.e. emergency generator, sand silo, train wash discharge, etc.).				
31.	OC Streetcar Marketing and Customer Communications	Create Awareness and Interest in OC Streetcar to Build Ridership	Develop and implement a multifaceted, phased marketing campaign, including business partnerships and customer communications, on how to use the system and present plan to Board - Q4					

COMPLETED

ON TRACK

TIMETABLE ADJUSTED

CARRYOVER

Q4 (Continued)

#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
32.	OC Streetcar Testing/Operations Safety Education and Public Awareness	Educate Various Target Audiences About OC Streetcar Safety During Testing Period Leading Up to Revenue Service	Expand reach and penetration of safety education campaign to raise public awareness once testing begins on tracks and present quarterly reports to Board - Q1-Q4	January 2024 - conducted three focus groups (one each in English, Spanish, and Vietnamese), as well as with the Teen Council to test messaging for safety education and awareness campaigns. April 2024 - anticipated to carry out Safety Education and Public Awareness program that will update project collateral based on focus group feedback.				
33.	Outreach Activities	Conduct Outreach to Support Capital Projects	Provide updates to Board on OC Streetcar, I-5 corridor projects, SR-55 corridor projects, I-405, I-605/Katella Avenue Interchange, and SR-91 - Q1-Q4	March 11, 2024 - provided I-5 (SR-73 to El Toro Road) Project update to Board. April 22 and July 22, 2024 - anticipated to provide OC Streetcar updates to Board; May 13, 2024 - anticipated to provide I-5 (Pico to San Diego County Line) Project update to Board; May/June 2024 - anticipated to provide I-405 Project update to Board; July 2024 - anticipated to provide I-605/Katella Project update to Board; September 2024 - anticipated to provide SR-91 (SR-57 to SR-55) Project update to Board.				
34.	Outreach Activities	Conduct Outreach to Support Planning Studies	Provide outreach updates to Board for planning studies, including OC Connect, OC Transportation Demand Management Plan, OC Transit Vision Plan, OC Coastal Rail Resiliency Study, and others as appropriate - Q1-Q4	March 11, 2024 - provided OC Coastal Rail Resiliency Study update to Board. May 28, 2024 - anticipated to provide OC Transit Vision update to Board.				

COMPLETED

ON TRACK

TIMETABLE ADJUSTED

CARRYOVER

Q4 (Continued)

#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
35.	Transit Marketing and Customer Communications	Promote and Educate Public on OCTA Transit Services	Develop and implement multilingual campaigns and programs to promote the Youth Ride Free pass and other promotional passes, major service changes, Metrolink service (including Angels Express), mental health through transit use, and other activities - Q4	During Q1, launched multilingual marketing campaigns to promote Youth Ride Free and College Pass programs, as well as promotional campaigns for the OC Bus Savings Pass and the return of Angels Express service.				
36.	Active Transportation Initiatives	Implement Programs in Support of Non-Motorized Transportation	Provide biannual updates on active transportation initiatives to Board - Q2 and Q4	June 2024 - anticipated to provide first biannual update to Board.				
37.	Active Transportation Safety Education	Provide In-Language Resources and Engagement Opportunities to Further Promote Active Transportation	Continue e-bike safety campaign collaborating with local cities and schools, and coordinate with regional partners to secure grant funding to provide educational campaigns (particularly in disadvantaged communities) to promote Safe Routes to School - Q4					
38.	Bikeways Connectivity Study	Identify Opportunities to Reallocate Excess MPAH ROW to Support a More Complete Bikeways Network	Coordinate with regional partners to secure grant funding to initiate study - Q4					
39.	Climate Adaptation and Sustainability	Advance Agency Sustainability Practices and Resiliency Efforts to Adapt to Climate Change Impacts	Provide update on recommended follow-up activities, including a draft action plan, to Board - Q4					
40.	Coastal Rail Solutions	Support Efforts to Develop Solutions for Coastal Rail Infrastructure	Work with external stakeholders and provide periodic updates to Board - Q2 and Q4	March 11, 2024 - provided update to Board on the Coastal Rail Resiliency Study and Initial Assessment of the most vulnerable areas to beach erosion and landslides.				
41.	Harbor Boulevard Pilot Innovative Transit Signal Priority Study	Evaluate and Assess Innovative Solutions to Improve Transit Performance	Provide update to ESC on status of the pilot project - Q4					

COMPLETED

ON TRACK

TIMETABLE ADJUSTED

CARRYOVER

Q4 (Continued)

#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
42.	M2 Environmental Cleanup Program (Project X)	Fund Localized Water Quality Improvements	Present programming recommendations for Tier 1 water quality projects grant awards to Board - Q4	September 2024 - anticipated to present to Board.				
43.	M2 Environmental Mitigation Programs	Ensure Compliance with Resource Agency Permits	Present biannual progress reports to Board - Q2 and Q4	June 10, 2024 - anticipated to present first biannual report to Board; December 9, 2024 - anticipated to present second biannual report to Board.				
44.	M2 Quarterly Reports	Provide Updates on Progress of M2 Implementation and Fulfill the Requirements of the M2 Ordinance No. 3	Present quarterly reports to Board - Q1-Q4	March 11, 2024 - presented FY 2023-24 Q2 report to Board. June 10, 2024 - anticipated to present FY 2023-24 Q3 report to Board; September 9, 2024 - anticipated to present FY 2023-24 Q4 report to Board; and December 9, 2024 - anticipated to present FY 2024-25 Q1 report to Board.				
45.	M2 Ten-Year Review	Evaluate Performance of the M2 Program through a Comprehensive Review	Present framework to Board - Q4	August 12, 2024 - anticipated to present to Board.				
46.	Mobility Hubs	Develop a Concept of Operations for a Potential Demonstration Project	Coordinate with regional partners to secure grant funding to initiate study - Q4					
47.	Next 10 Delivery Plan	Ensure M2 Delivery Commitment	Review and present status of the Next 10 Delivery Plan deliverables to Board - Q4	November 12, 2024 - anticipated to present status to Board.				
48.	OC Connect	Prepare Environmental Clearance for an Active Transportation Facility on PE ROW	Present update to Board - Q4					
49.	Regional Planning Activities	Highlight Transportation Planning Activities	Present biannual reports on activities underway, such as the 2024 RTP, that impact OCTA and the Southern California region to Board - Q2 and Q4	May 2024 - anticipated to present first biannual report; November 2024 - anticipated to present second biannual report.				

COMPLETED

ON TRACK

TIMETABLE ADJUSTED

CARRYOVER

Q4 (Continued)

#	Project/Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
50.	South County Mobility Improvements	Collaborate with Key Agencies to Advance Development and Implementation of Transportation Improvements in South Orange County	Provide update to Board - Q4					
51.	Transit Ridership Optimization	Assess Transit Service to Meet Current Ridership Demand	Implement Making Better Connections Service Plan, as appropriate, to reflect current ridership trends and provide updates to ESC - Q2 and Q4					
52.	Transportation Demand Management (TDM) Study	Develop a Toolbox of TDM Tactics That Can Be Implemented by Agencies in Orange County	Present update to ESC - Q4					

COMPLETED

ON TRACK

TIMETABLE ADJUSTED

CARRYOVER

Acronyms

AAP/EEO - Affirmative Action Plan/Equal Employment Opportunity	L&C - Legislative and Communications Committee
Board - Board of Directors	M2 - Measure M2
BEB - Battery-Electric Bus	MDA - Management Development Academy
Caltrans - California Department of Transportation	MPAH - Master Plan of Arterial Highways
CBP - Comprehensive Business Plan	OCTA - Orange County Transportation Authority
CEO - Chief Executive Officer	PE - Pacific Electric
DBE - Disadvantaged Business Enterprise	RCTC - Riverside County Transportation Commission
DCLG - Diverse Community Leaders Group	RCP - Regional Capacity Program
E-Bike - E-Bicycle	ROW - Right-of-Way
EAM - Enterprise Asset Management	RTP - Regional Transportation Plan
ECA - Early Career Academy	RTSSP - Regional Transportation Signal Synchronization Program
EIR - Environmental Impact Report	SB - Senate Bill
ELC - Express Lanes Connector	SCAG - Southern California Association of Governments
ESC - Executive Steering Committee	SR-55 - State Route 55
FCEB - Fuel-Cell Electric Bus	SR-73 - State Route 73
FSP - Freeway Service Patrol	SR-91 - State Route 91
FTA - Federal Transit Administration	STIP - State Transportation Improvement Program
FTIP - Federal Transportation Improvement Program	TDM - Transportation Demand Management
FY - Fiscal Year	TIRCP - Transit and Intercity Rail Capital Program
HRIS - Human Resources Information System	TSA - Transportation Security Administration
I-5 - Interstate 5	TIFIA - Transportation Infrastructure Finance and Innovation Act
I-405 - Interstate 405	VMT - Vehicle Miles Traveled
I-605 - Interstate 605	ZEB - Zero-Emission Bus



COMMITTEE TRANSMITTAL

May 13, 2024

To: Members of the Board of Directors

From: Andrea West, Clerk of the Board *Andrea West*

Subject: Acceptance of Grant Awards from the California Department of Toxic Substances Control and the California Transportation Commission

Regional Transportation Planning Committee Meeting of May 6, 2024

Present: Directors Do, Dumitru, Federico, Foley, Harper, and Stephens
Absent: Khan

Committee Vote

This item was passed by the Members present.

Director Stephens was not present to vote on this item.


Committee Recommendations

- A. Authorize the Chief Executive Officer, or designee, to accept the award of \$350,000 in Equitable Community Revitalization Grant funding for the OC Connect Garden Grove Santa Ana Rails to Trails Environmental Assessment and to negotiate and execute grant-related agreements and documents with the California Department of Toxic Substances Control.
- B. Adopt Orange County Transportation Authority Resolution No. 2024-025 and authorize the Chief Executive Officer, or designee, to accept the award of \$12 million in Local Transportation Climate Adaptation Program funding for the Coastal Rail Infrastructure Corridor Resiliency Project and to negotiate and execute required grant-related agreements and documents with the California Transportation Commission.
- C. Authorize the use of \$3 million in Measure M2 funds to match the Local Transportation Climate Adaptation Program funding for the Coastal Rail Infrastructure Corridor Resiliency Project.
- D. Authorize staff to make all necessary amendments to the Federal Transportation Improvement Program, as well as execute any necessary agreements to facilitate the recommendations above.



May 6, 2024

To: Regional Transportation Planning Committee

From: Darrell E. Johnson, Chief Executive Officer 

Subject: Acceptance of Grant Awards from the California Department of Toxic Substances Control and the California Transportation Commission

Overview

The Orange County Transportation Authority has been awarded \$12.35 million in two state grants for projects that support inter-county transit, active transportation, sustainability, and resiliency goals. Recommendations to accept these grants are presented for the Board of Directors' review and approval.

Recommendations

- A. Authorize the Chief Executive Officer, or designee, to accept the award of \$350,000 in Equitable Community Revitalization Grant funding for the OC Connect Garden Grove Santa Ana Rails to Trails Environmental Assessment and to negotiate and execute grant-related agreements and documents with the California Department of Toxic Substances Control.
- B. Adopt Orange County Transportation Authority Resolution No. 2024-025 and authorize the Chief Executive Officer, or designee, to accept the award of \$12 million in Local Transportation Climate Adaptation Program funding for the Coastal Rail Infrastructure Corridor Resiliency Project and to negotiate and execute required grant-related agreements and documents with the California Transportation Commission.
- C. Authorize the use of \$3 million in Measure M2 funds to match the Local Transportation Climate Adaptation Program funding for the Coastal Rail Infrastructure Corridor Resiliency Project.
- D. Authorize staff to make all necessary amendments to the Federal Transportation Improvement Program, as well as execute any necessary agreements to facilitate the recommendations above.

Background

Equitable Community Revitalization Grant

On September 20, 2023, the California Department of Toxic Substances Control (DTSC) released a notice of funding opportunity for the Equitable Community Revitalization Grant (ECRG), which made available approximately \$85 million to conduct environmental assessment, investigation, and cleanup.

On October 11, 2023, the Orange County Transportation Authority (OCTA) submitted an application to the ECRG program requesting \$350,000 for the OC Connect Garden Grove Santa Ana Rails to Trails Assessment in the Community-Wide Assessments category. The grant application requested funding to support collecting information about environmental conditions along the former Pacific Electric corridor from Euclid Street in the City of Garden Grove and Raitt Street in the City of Santa Ana, where there was once a railroad. This work is necessary to support the reclamation of the corridor for an active transportation trail and to ensure that any adverse impacts to the area from the prior railroad operations are identified and documented so that they can be addressed as appropriate for the reclamation effort.

Local Transportation Climate Adaptation Program

On May 18, 2023, the California Transportation Commission (CTC) released a notice of funding opportunity for the Local Transportation Climate Adaptation Program (LTCAP). The \$148 million made available through this notice is intended to fund improvements that would help adapt local transportation infrastructure to various conditions which are the direct result of or could be impacted by climate change. The LTCAP is partially funded through the federal Infrastructure Investment and Jobs Act of 2021, Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation Program.

On July 31, 2023, OCTA submitted an application requesting \$12 million to help support environmental activities for the Coastal Rail Corridor Infrastructure Resiliency Project (Project). The funds will support the Project approval and environmental documentation for several of the most at-risk locations along the seven-mile coastal stretch of the Los Angeles – San Diego – San Luis Obispo Rail Corridor (LOSSAN) within Orange County. This is the first step required to maintain and protect the rail corridor in-place.

Discussion

ECRG

On February 29, 2024, the DTSC notified OCTA that the OC Connect Santa Ana Garden Grove Rails to Trails Environmental Assessment was selected for ECRG funding. This grant will fund environmental assessment and planning activities to prepare for repurposing the abandoned railroad right-of-way in the cities of Garden Grove and Santa Ana. The Project will support the OC Connect Garden Grove Santa Ana Rails to Trails corridor, which will add at least three miles of a bicycle and pedestrian multi-use trail with safety crossing features at several intersections between Euclid Street in the City of Garden Grove and Raitt Street in the City of Santa Ana. An overview of the Project is included in Attachment A.

The award of \$350,000 will support the environmental assessment in its entirety along the former Pacific Electric right-of-way from Euclid Street in the City of Garden Grove and Raitt Street in the City of Santa Ana. This program does not have a match requirement.

Local Transportation Climate Adaptation Program

On November 3, 2023, the CTC notified OCTA that the Coastal Rail Corridor Infrastructure Resiliency Project was selected for LTCAP funding. This grant will fund the project approval and environmental documentation, which is the first step in project delivery process. This is typically the phase in which the proposed project alternative(s) is provided to the public for input and ultimately an alternative is selected to proceed to the design phase. The proposed resiliency projects are intended to stabilize and protect in place the coastal section of the LOSSAN corridor in Orange County to address immediate needs as well as protecting the integrity of the rail line for up to 30 years. The primary goals are to reduce the instances of emergency repairs and provide reliable rail service, thus ensuring the resilience of passenger and freight rail service. An overview of the areas of immediate concern assessed for this project is included in Attachment B.

The award will partially fund the required environmental work and requires a 20 percent match. Staff is currently pursuing match funding through other state and federal funding opportunities. Should those pursuits not prove successful, staff recommends the use of up to \$3 million of Measure M2 (M2) Project R funds.

In order to accept the LTCAP funds, OCTA is required to adopt a resolution certifying the ability to deliver the project. Resolution No. 2024-025 is included as Attachment C.

Summary

Staff is recommending Board approval to accept and enter into grant agreements for an ECRG award from the DTCS for \$350,000 to conduct environmental assessment activities for the OC Connect Garden Grove Santa Ana Rails to Trails corridor in preparation for cleanup and eventually trail construction, and for an LTCAP award from the CTC for \$12 million preparing the required environmental documents to help maintain and protect the rail corridor in place. Approval of required matching funds of up to \$3 million in M2 funding is also requested.

Attachments

- A. OC Connect Garden Grove - Santa Ana Rails to Trails
- B. Costal Rail Infrastructure Resiliency Project
- C. Resolution No. 2024-025 of the Orange County Transportation Authority
Local Transportation Climate Adaptation Program Authorization
- D. Competitive Grant Awards - June 2022 to April 2024
- E. Capital Funding Program Report

Prepared by:



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Approved by:



Kia Mortazavi
Executive Director, Planning
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OC Connect Garden Grove – Santa Ana Rails to Trails



- Environmental clearance expected to be complete in 2025
- Total project cost: To Be Determined

The project will build a Class I active transportation facility along 3.1 miles of former Pacific Electric corridor (now Orange County Transportation Authority (OCTA)-owned) and 0.85 miles of the Wintersburg Channel. This corridor links two downtowns to one another and to the Santa Ana River Trail, part of the 66-mile Class I OC Loop bikeway (88 percent complete). The OC Loop connects to beaches, 200 parks, 180 schools, three Metrolink stations and 17 cities.

Benefits

The OC Connect Garden Grove – Santa Ana Rails-to-Trails gap closure will increase the use of active transportation travel modes, provide a zero-emission transportation option, enhance safety and mobility for non-motorized users, and facilitate active travel away from high-speed and high-volume vehicular traffic.

The project will also result in reduced greenhouse gas emissions, and improved air quality and public health in communities with higher-than-average rates of asthma and cardiovascular disease.

The project is expected to be environmentally cleared in 2025. OCTA will work with local partners to design and implement the project which could be open for use in 2030.



Phase of Work	Fund Source	Cost
Environmental	Active Transportation Program, Equitable Community Revitalization Grant	\$3.350 million
Design	State Transportation Improvement Program, Federal Transportation, Housing and Urban Development (THUD), and Related Agencies (THUD)	\$4.650 million
Construction	Unfunded	TBD



Coastal Rail Infrastructure Resiliency Project

Areas of Immediate Concern

- Address imminent threats to avoid rail service interruptions
- Identify and address seaward areas most vulnerable to beach erosion and wave impacts
- Identify and address inland areas most vulnerable to slope failure
- Potential solutions need to be in place or substantially underway by fall 2024 ahead of next storm season

Area	Location (MP)	Challenge
1	203.80 – 203.90	Ongoing deterioration of existing riprap protection
2	204.00 – 204.40	Erosion - no beach at high tide and direct wave attack damaging existing riprap protection
3*	204.00 – 204.50	Steep bluffs with high potential for failure that could impact the rail infrastructure
4	206.00 - 206.67	Near San Clemente State Beach - erosion exposing areas of limited to no riprap protection

*The inland slope experienced a failure in late January 2024 within a portion of Area 3, resulting in a passenger rail shutdown for approximately two months

*Short and medium solutions have yet to be determined



**RESOLUTION NO. 2024-025
OF THE ORANGE COUNTY TRANSPORTATION AUTHORITY
LOCAL TRANSPORTATION CLIMATE ADAPTATION PROGRAM AUTHORIZATION**

WHEREAS, the California Transportation Commission (CTC) makes available grant funds through the SB 198 (Committee on Budget and Fiscal Review, Chapter 71, Statutes of 2022) Local Transportation Infrastructure Climate Adaptation Project Program (Local Transportation Climate Adaptation Program or LTCAP) to provide funding for the development and implementation of projects that are intended to: adapt to the changing climate, increase climate resiliency, and protect at-risk transportation infrastructure as well as vulnerable and under-resourced communities; and

WHEREAS, on May 18, 2023, the CTC awarded the Orange County Transportation Authority (OCTA) \$12 million in LTCAP funds for the project approval and environmental documentation to maintain and protect in-place the coastal section of the Los Angeles – San Diego – San Luis Obispo Rail Corridor in Orange County; and

WHEREAS, OCTA commits the required 20 percent Measure M2 or other match funds to the project; and

WHEREAS, the CTC requires the grantee to certify, by resolution, the acceptance of awarded grant funds, the required 20 percent Measure M2 or other match funds, and authority to enter into and execute grant-related agreements.

THEREFORE, BE IT RESOLVED that the OCTA Board of Directors authorizes the Chief Executive Officer, or designee, to:

- A. Accept the California Transportation Commission LTCAP award and to negotiate and execute grant-related agreements and documents, including but not limited to the baseline agreement with the CTC and the California Department of Transportation; and
- B. Certify OCTA commits the required 20 percent local match to the project; and
- C. Negotiate and execute any other required grant-related agreements.

ADOPTED, SIGNED, AND APPROVED this _____ day of _____, 2024.

AYES:

NOES:

ABSENT:

ATTEST:

Andrea West
Clerk of the Board

Tam T. Nguyen, Chair
Orange County Transportation Authority

Competitive Grant Awards - June 2022 to April 2024							
No.	Federal/State	Agency	Program	Project	Grant Request/Award	Submitted	Board of Directors Acceptance
1	Federal	Federal Transit Administration (FTA)	Low or No-Emission Grant Program (Low-No Program)	Orange County Zero-Emission Paratransit Bus Pilot	\$2,507,895	5/31/2022	8/24/2022
2	Federal	Department of Homeland Security (DHS)	Transit Security Grant Program (TSGP)	Visible Intermodal Protection and Response (VIPR) and Anti-Terror, Anti-Crime (ATAC) project	\$36,635	6/13/2022	8/24/2022
3	State	California Transportation Commission (CTC)	Active Transportation Program (ATP) Cycle 6	Next Safe Travels Education Program 2.0 (Next STEP 2.0)	\$850,000	6/15/2022	9/11/2023
4	State	CTC	Trade Corridor Enhancement Program	State Route 91 (SR-91) Multimodal Improvements	\$42,566,000	11/18/2022	9/11/2023
5	Federal	U.S. Department of Transportation (US DOT)	Strengthening Mobility and Revolutionizing Transportation (SMART)	Pilot Innovative Cloud-Based Transit Signal Priority (Harbor Boulevard)	\$1,600,000	11/18/2022	7/24/2023
6	State	California State Transportation Agency (CalSTA)	Transit Intercity Rail Capital Program (TIRCP) - Existing TIRCP Projects Leveraging Federal and Local Funds Reserve	OC Streetcar	\$149,841,000	12/6/2022	3/13/2023
7	State	CalSTA	TIRCP	Coastal Rail Corridor Relocation Study	\$5,000,000	2/10/2023	7/24/2023
8	State	CalSTA	TIRCP	Central Mobility Loop	\$39,407,895	2/10/2023	7/24/2023
9	Federal	U.S. Department of Energy	Regional Clean Hydrogen Hubs	<u>Alliance for Renewable Clean Hydrogen Energy Systems</u> ; Fuel Cell Electric Buses, Hydrogen Fueling Station and Facility Upgrades, Workforce Development	TBD	4/7/2023	Winter 2024
10	State	Southern California Association of Governments (SCAG)	Regional Early Action Planning Grants (REAP 2.0)	Harbor Boulevard Cloud-Based Transit Signal Priority Stage 1	\$400,000	5/9/2023	7/24/2023
11	State	SCAG	REAP 2.0	Fullerton Park-and-Ride Joint Use Master Plan	\$500,000	5/9/2023	7/24/2023
12	State	SCAG	REAP 2.0	Active Transportation Outreach and Engagement Support	\$400,000	5/9/2023	7/24/2023
13	State	SCAG	REAP 2.0	First Street Multimodal Boulevard Design	\$4,300,000	5/9/2023	7/24/2023
14	State	SCAG	REAP 2.0	Orange County Mobility Hubs Pilot Concept of Operations	\$300,000	5/9/2023	7/24/2023
15	State	SCAG	REAP 2.0	Bikeway Connectivity Study	\$500,000	5/9/2023	7/24/2023
16	State	SCAG	REAP 2.0	McFadden Avenue Transit Signal Priority and Complete Streets	\$3,690,000	5/9/2023	7/24/2023
17	State	SCAG	REAP 2.0	Next STEP 2.0	\$1,250,000	5/9/2023	7/24/2023

June 2022 to April 2024 Competitive Grant Awards

No.	Federal/ State	Agency	Program	Project	Grant Request/Award	Submitted	Board Acceptance
18	State	SCAG	REAP 2.0	Orange County Cyclic Counts 2024-2025	\$400,000	5/9/2023	7/24/2023
19	State	SCAG	REAP 2.0	Reconnecting Communities through Complete Streets	\$550,000	5/9/2023	7/24/2023
20	State	SCAG	REAP 2.0	Harbor Boulevard Cloud-Based Transit Signal Priority Stage 2	\$1,000,000	5/9/2023	7/24/2023
21	State	CTC	Local Transportation Climate Adaptation Program	Coastal Rail Infrastructure Resiliency Project - Environmental	\$12,000,000	7/31/2023	Spring 2024
22	State	Department of Toxic Substances Control	Equitable Community Revitalization Grant	OC Connect Environmental Site Assessment	\$350,000	10/11/2023	Spring 2024
23	Federal	Congressional Community Project Funding	Community Project Funding	OC Connect (Garden Grove-Santa Ana Rails-To-Trails)	\$750,000	NA	Spring 2024
24	Federal	Congressional Community Project Funding	Transit Infrastructure Grants	Coastal Rail Corridor Relocation Study	\$4,000,000	NA	Pending
25	Federal	Congressional Community Project Funding	Highway Infrastructure Programs	State Route 91 Improvement Project	\$4,000,000	NA	Pending
26	Federal	Congressional Community Project Funding	Highway Infrastructure Programs	OC Loop Segments A and B (La Habra and Brea)	\$3,000,000	NA	Pending
Total Grant Awards between June 2022 to April 2024 (includes four earmarks received):					\$279,199,425		



Capital Funding Program Report

Pending Approval by OCTA Board of Directors - May 13, 2024

Rail Project											
Project Title	M Code	Total Funding	Federal Funds			State Funds			Local Funds		
			STBG/CMAQ	FTA	Other Fed.	STIP	SB1	Other State	M1	M2	Other Local
OC Streetcar (New Starts)	M1/S	\$579,157	\$108,132	\$171,961				\$175,427		\$123,637	
OC Streetcar (non-New Starts)	M1/S	\$16,702		\$342					\$6,904	\$9,313	\$143
OC Streetcar (operations and potential future capital needs)	M1/S	\$22,000	\$22,000								
Anaheim Canyon Station	R	\$34,200	\$30,432							\$2,000	\$1,768
Cyprus Shore Initial Track Stabilization Projects (MP 206.8)	R	\$8,000								\$7,000	\$1,000
Cyprus Shore Track Stabilization Projects (MP 206.8)	R	\$13,710	\$6,000		\$1,010	\$6,000					\$700
Fullerton Transportation Center stair rehabilitation	R	\$1,065		\$1,030							\$35
Future VSS	R	\$217		\$174							\$43
Laguna Niguel to San Juan Capistrano passing siding	R	\$35,956	\$24,652	\$1,015		\$3,000		\$6,734			\$555
Metrolink new capital	R	\$5,384	\$2,121	\$3,263							
Metrolink rehabilitation/renovation - FY 2021-22 to FY 2025-26	R	\$162,108		\$162,108							
Metrolink station and track improvements, and rehabilitation	R	\$3,063		\$2,617							\$446
Orange Olive Wye connection	R	\$16,000				\$16,000					
Placentia Commuter Rail Station	R	\$34,825	\$50			\$2,500		\$400		\$8,000	\$23,875
Preventive maintenance (SCRRRA - Metrolink)	R	\$72,353		\$72,353							
San Juan Creek Bridge replacement	R	\$65,670	\$908	\$39,833	\$913		\$5,578	\$17,059		\$1,379	
SCRRRA operating subsidy assistance	R	\$2,510								\$2,510	
Slope and culvert improvements	R	\$300		\$300							
Slope stabilization Laguna Niguel-Lake Forest	R	\$5,168		\$4,834						\$334	
State College grade separation (LOSSAN)	R	\$79,284						\$46,000		\$33,284	
Tactile tile project	R	\$1,569		\$1,538						\$31	
VSS at commuter rail stations	R	\$4,409		\$3,594				\$56			\$759
M2 Project S Transit extensions to Metrolink (Rubber Tire)	S	\$733								\$733	
OC Streetcar operations	S	\$19,500	\$19,500								
Coastal Rail Infrastructure Corridor Resiliency Project ¹		\$15,000			\$12,000					\$3,000	
Irvine Station Improvement Project		\$6,330						\$6,330			
OC Maintenance Facility		\$91,428		\$198		\$20,000		\$71,230			
San Clemente Track Protection (MP 204.6)		\$5,000								\$5,000	
Rail Project Totals		\$1,301,641	\$213,795	\$465,160	\$13,923	\$47,500	\$5,578	\$323,236	\$6,904	\$196,221	\$29,324
Federal Funding Total		\$692,878									
State Funding Total		\$376,314									
Local Funding Total		\$232,449									
Total Funding (000's)		\$1,301,641									



Capital Funding Program Report

Pending Approval by OCTA Board of Directors - May 13, 2024

Rail Project Completed											
Project Title	M Code	Total Funding	Federal Funds			State Funds			Local Funds		
			STBG/CMAQ	FTA	Other Fed.	STIP	SB1	Other State	M1	M2	Other Local
Fullerton Transportation Center parking expansion	M1/R	\$33,667				\$11,250		\$11,035	\$9,718		\$1,664
Laguna Niguel-Mission Viejo Station parking improvements and expansion (ADA ramps)	M1/R	\$5,581	\$3,204	\$732					\$1,645		
Metrolink Grade Crossing safety improvements (OCX)	M1/R	\$80,618						\$18,250	\$7,600	\$30,710	\$24,058
Metrolink rolling stock	M1/R	\$158,009	\$42,230	\$35,390				\$36,300	\$44,089		
Metrolink service track expansion	M1/R	\$119,957						\$51,399	\$68,558		
Orange Transportation Center parking structure	M1/R	\$31,003	\$2,555	\$2,644		\$13,762			\$1,850	\$420	\$9,772
Sand Canyon Avenue grade separation	M1/R	\$62,050	\$10,536					\$28,192	\$3,116	\$5,352	\$14,854
M2 Project S Fixed-Guideway Anaheim Rapid connection	M1/S	\$9,924		\$1,516					\$6,000	\$1,286	\$1,122
Anaheim Regional Intermodal Transportation Center (ARTIC) construction	M1/T	\$184,164	\$33,250	\$37,253	\$3,501	\$29,219			\$43,900	\$35,291	\$1,750
Fullerton Transportation Station expansion planning, environmental PSR	M1/T	\$0	\$0						\$0		
Santa Ana grade separation planning and environmental PSR	M1/T	\$1,333	\$1,180						\$153		
Santa Ana Transportation Station planning and environmental PSR	M1/T	\$1,003	\$888						\$115		
17th Street grade separation environmental	R	\$2,476								\$2,476	
Control Point at 4th Street	R	\$2,985		\$2,985							
Control Point Stadium crossover	R	\$6,490		\$3,245				\$3,245			
LOSSAN Corridor grade separations PSR in Anaheim, Orange, and Santa Ana	R	\$2,699								\$2,699	
Metrolink grade crossing safety improvements ROW	R	\$3,025								\$3,025	
North Beach crossings safety enhancements	R	\$348						\$166		\$182	
Positive Train Control (Metrolink)	R	\$39,916		\$4,492	\$1,234			\$34,190			
Rail Crossing signal lights and pedestrian gates	R	\$252						\$252			
Rail station platform safety improvements (Fullerton, Irvine, and Tustin)	R	\$553						\$553			
Safety repairs for San Clemente Pier Station	R	\$122						\$122			
San Clemente Beach Trail crossings safety enhancements	R	\$4,999						\$2,170		\$2,251	\$578
Ticket vending machines	R	\$6,857									\$6,857
Transit Rail Security (monitors, fencing, video surveillance)	R	\$163						\$163			
Go Local	S	\$7,730							\$7,730		
ARTIC environmental, ROW, program management support, site plan	M1	\$41,369							\$8,869		\$32,500
Fiber Optics installation (Metrolink)	M1	\$23,183		\$10,903				\$10,479	\$1,801		
Laguna Niguel-Mission Viejo Station parking expansion (south lot)	M1	\$4,135						\$695	\$3,440		
Tustin Rail Station parking expansion	M1	\$15,390				\$1,100		\$7,181	\$7,109		
Rail Project Completed Totals		\$850,001	\$93,843	\$99,160	\$4,735	\$55,331		\$204,392	\$215,693	\$83,692	\$93,155
Federal Funding Total		\$197,738									
State Funding Total		\$259,723									
Local Funding Total		\$392,540									
Total Funding (000's)		\$850,001									



Capital Funding Program Report

Pending Approval by OCTA Board of Directors - May 13, 2024

1. Adopt Orange County Transportation Authority Resolution No. 2024-025 and authorize the Chief Executive Officer, or designee, to accept the award of \$12 million in Local Transportation Climate Adaptation Program funding for the Coastal Rail Infrastructure Corridor Resiliency Project to use \$3 million in Measure M2 funding, if not successful in receiving matching funds through the state and federal fund sources, and to negotiate and execute required grant-related agreements and documents with the California Transportation Commission.

Acronyms:

ADA - Americans with Disabilities Act
Board - Board of Directors
CMAQ - Congestion Mitigation Air Quality Improvement Program
FFY - Federal Fiscal Year
FTA - Federal Transit Administration
FY - Fiscal Year
LOSSAN - Los Angeles-San Diego-San Luis Obispo Rail Corridor
M Code - Project Codes in Measure M1 and M2
M1 - Measure M1
M2 - Measure M2
MP - Mile Post
OC - Orange County
OCTA - Orange County Transportation Authority
OCX - Rail-Highway Grade Crossing/Safety Enhancement Project
PSR - Project Study Report
ROW - Right-of-Way
SB 1 - SB 1 (Chapter 5, Statutes of 2017)
SCRRA - Southern California Regional Rail Authority/Metrolink
STBG - Surface Transportation Block Grant
STIP - State Transportation Improvement Program
VSS - Video Surveillance System



Capital Funding Program Report

Pending Approval by OCTA Board of Directors - May 13, 2024

Local Road Project											
			Federal Funds			State Funds			Local Funds		
Project Title	M Code	Total Funding	STBG/CMAQ	FTA	Other Fed.	STIP	SB1	Other State	M1	M2	Other Local
State-Local Partnership Program (SLPP) formula grant call	M1/Q	\$54,445						\$24,945	\$1,280	\$27,249	\$971
M2 Project O Regional Capacity Program call	O	\$329,811						\$24,254		\$305,557	
SR-57 truck climbing lane phase I - Lambert Road interchange improvement	O	\$121,500			\$7,719	\$74,705				\$19,254	\$19,822
M2 Project P Regional Signal Synchronization Program call	P	\$133,778	\$1,774					\$11,762	\$4,546	\$115,696	
Regional Traffic Signal Synch (Edinger Ave, MacArthur Blvd/Talbert Ave, and Warner Ave)	P	\$15,000					\$10,200			\$4,200	\$600
M2 Project Q Fair Share Program (FY 2016-17 through FY 2021-22)	Q	\$361,621								\$361,621	
M2 Project X Environmental Clean Up	X	\$58,258								\$58,258	
Active Transportation Program - regional call		\$82,704	\$6,359		\$62,653	\$92		\$107			\$13,493
Bicycle Corridor Improvement Program (BCIP)		\$63,128	\$43,755								\$19,373
Bristol Street widening		\$44,750									\$44,750
Countywide Signal Synchronization Baseline		\$15,000	\$15,000								
First Street Multimodal Boulevard Design		\$4,300						\$4,300			
Future Complete Streets Call for Projects		\$55,000	\$55,000								
Local Agency led SCCP projects		\$3,357					\$3,357				
M1 Combined Transportation Funding Program (CTFP)		\$34,000							\$34,000		
McFadden Avenue Transit Signal Priority Pilot		\$3,690						\$3,690			
OC Connect Santa Ana - Garden Grove Rails to Trails		\$8,000			\$3,750	\$3,900		\$350			
OC Loop - Segment A		\$38,233				\$38,233					
Pavement Management Relief Funding Program		\$9,469			\$3,811			\$5,658			
SCAG sustainability planning grants		\$720			\$671						\$49
Traffic signal improvements		\$15,000				\$12,000					\$3,000
Transportation enhancement activities		\$22,172			\$15,628						\$6,544
Local Road Project Totals		\$1,473,936	\$121,888		\$94,232	\$128,930	\$13,557	\$75,066	\$39,826	\$891,835	\$108,602
Federal Funding Total		\$216,120									
State Funding Total		\$217,553									
Local Funding Total		\$1,040,263									
Total Funding (000's)		\$1,473,936									

Local Road Project Completed											
			Federal Funds			State Funds			Local Funds		
Project Title	M Code	Total Funding	STBG/CMAQ	FTA	Other Fed.	STIP	SB1	Other State	M1	M2	Other Local
Grand Avenue widening, 1st Street to 4th Street	O	\$12,537	\$6,708								\$5,829
Kraemer Boulevard grade separation	O	\$63,830	\$22,044					\$16,973		\$22,981	\$1,832
Lakeview Avenue grade separation	O	\$110,702	\$37,102		\$9,709			\$27,344		\$21,792	\$14,755
Orangethorpe Avenue grade separation	O	\$106,043	\$38,240		\$18,600			\$30,324		\$16,182	\$2,697
Placentia Avenue grade separation	O	\$64,539						\$33,386		\$27,453	\$3,700



Capital Funding Program Report

Pending Approval by OCTA Board of Directors - May 13, 2024

Local Road Project Completed											
Project Title	M Code	Total Funding	Federal Funds			State Funds			Local Funds		
			STBG/CMAQ	FTA	Other Fed.	STIP	SB1	Other State	M1	M2	Other Local
Raymond Avenue grade separation	O	\$125,419						\$95,482		\$22,373	\$7,564
State College Boulevard grade separation	O	\$99,380	\$27,161		\$10,887			\$34,785		\$15,460	\$11,087
Tustin Avenue/Rose Drive grade separation	O	\$96,638	\$45,957					\$22,534		\$26,384	\$1,763
M2 Fair Share State - Local Partnership Grant Program	Q	\$7,032						\$3,516		\$3,516	
Antonio Parkway widening		\$32,553	\$15,499								\$17,054
ARRA transportation enhancements		\$6,833			\$4,049				\$500		\$2,284
Arterial Pavement Management Program		\$50,951	\$19,655		\$604						\$30,692
Atlanta Avenue widening		\$4,160	\$2,278								\$1,882
Firestone Boulevard widening at Artesia Boulevard		\$2,468	\$2,059								\$409
Local Agency American Reinvestment and Recovery Act of 2009 rehabilitation projects		\$32,369			\$32,369						
Del Obispo widening	M1	\$6,419	\$3,740								\$2,679
I-5 at La Paz interchange improvements	M1	\$8,942	\$2,800						\$1,792		\$4,350
Imperial Highway Smart Streets	M1	\$1,900						\$200	\$200		\$1,500
Traffic Light Synchronization Program (TLSP), countywide - Proposition 1B	M1	\$8,000						\$4,000	\$4,000		
Local Road Project Completed Totals		\$840,715	\$223,243		\$76,218			\$268,544	\$6,492	\$156,141	\$110,077
Federal Funding Total		\$299,461									
State Funding Total		\$268,544									
Local Funding Total		\$272,710									
Total Funding (000's)		\$840,715									



Capital Funding Program Report

Pending Approval by OCTA Board of Directors - May 13, 2024

1. Authorize the Chief Executive Officer, or designee, to accept the award of \$350,000 in Equitable Community Revitalization Grant funding for the OC Connect Garden Grove Santa Ana Rails to Trails Environmental Assessment and to negotiate and execute grant-related agreements and documents with the California Department of Toxic Substances Control.

Acronyms:

ARRA - American Recovery and Reinvestment Act of 2009
Board - Board of Directors
Call - Call for Projects
CMAQ - Congestion Mitigation Air Quality Improvement Program
FTA - Federal Transit Administration
FY - Fiscal Year
I-5 - Interstate 5
M Code - Project Codes in Measure M1 and M2
M1 - Measure M1
M2 - Measure M2
OCTA - Orange County Transportation Authority
SB 1 - SB 1 (Chapter 5, Statutes of 2017)
SCAG - Southern California Association of Governments
SCCP - Solutions for Congested Corridors Program
SHA - State Highway Account
SR-57 - State Route 57
STBG - Surface Transportation Block Grant
STIP - State Transportation Improvement Program



COMMITTEE TRANSMITTAL

May 13, 2024

To: Members of the Board of Directors

From: Andrea West, Clerk of the Board *Andrea West*

Subject: Agreement for Fence Installation at the Pacific Electric Right-of-Way in the City of Anaheim

Transit Committee Meeting of May 9, 2024

Present: Directors Aitken, Amezcua, Harper, Jung, Klopfenstein, and Sarmiento

Absent: Director Do

Committee Vote

This item was passed by the Members present.

Committee Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2095 between the Orange County Transportation Authority and Izurieta Fence Company, Inc., the lowest responsive, responsible bidder, in the amount of \$143,340, for the fence installation at Pacific Electric Right-of-Way in the City of Anaheim.



May 9, 2024

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Agreement for Fence Installation at the Pacific Electric Right-of-Way in the City of Anaheim

Overview

The Pacific Electric Right-of-Way in the City of Anaheim needs a fence installed to secure the right-of-way property. An invitation for bids was released on February 12, 2024. Bids were received in accordance with Board of Directors' procurement procedures for public works projects. Board of Directors' approval is requested to execute the agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2095 between the Orange County Transportation Authority and Izurieta Fence Company, Inc., the lowest responsive, responsible bidder, in the amount of \$143,340, for the fence installation at Pacific Electric Right-of-Way in the City of Anaheim.

Discussion

The Orange County Transportation Authority (OCTA) owns the Pacific Electric Right-of-Way (PEROW) located in Orange County and is responsible for maintaining the property. Maintenance responsibilities include, among other things, securing the PEROW. The City of Anaheim requested OCTA install fence on the short section of the PEROW to mitigate trespassing, camping, and dumping of debris. This PEROW location is between Knott Avenue and Ball Road as shown on Attachment A.

Procurement Approach

This procurement was handled in accordance with OCTA's Board of Directors-approved procedures for public works projects. These procedures,

which conform to both state and federal requirements, require contracts be awarded to the lowest responsive, responsible bidder after a sealed bidding process.

Invitation for Bids (IFB) 4-2095 was released on February 12, 2024, through OCTA's CAMM NET system. The project was advertised on February 12 and February 19, 2024, in a newspaper of general circulation. A pre-bid conference and job walk were held on February 20, 2024, and were attended by five firms. Three addenda were issued to make available the pre-bid conference registration sheets and handle administrative issues related to the IFB. On March 11, 2024, four bids were received and publicly opened.

All bids were reviewed by staff from OCTA's Contracts Administration and Materials Management and Facilities Engineering departments to ensure compliance with contract terms and conditions, and technical specifications. The list of bidders and bid amounts are presented below:

<u>Firm and Location</u>	<u>Bid Amount</u>
Izurieta Fence Company, Inc. Los Angeles, California	\$143,340
Golden Gate Steel, Inc., doing business as Golden Gate Construction Norwalk, California	\$187,350
A2Z Construct, Inc. Rancho Santa Margarita, California	\$190,000
AZ Construction, Inc., doing business as Ace Fence Company La Puente, California	\$245,180

The OCTA engineer's estimate for this project was \$230,000. The recommended firm's bid is approximately 38 percent lower than the engineer's estimate. A bid analysis was completed to confirm that the bid submitted accounts for all elements of the scope of work and technical specifications. A bid breakdown was requested from the contractor and reviewed by the project manager. After review, the bid amount was determined to be fair and reasonable.

State law requires award to the lowest responsive, responsible bidder. As such, staff recommends the award to Izurieta Fence Company, Inc., the lowest responsive, responsible, bidder, in the amount of \$143,340, for fence installation at the PEROW in the City of Anaheim.

Fiscal Impact

The project is approved in OCTA's Fiscal Year 2023-24 budget, Capital Programs Division, Account No. 0018-9022-T1000-TK5, and is funded through Local Transportation Funds.

Summary

Staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2095 between the Orange County Transportation Authority and Izurieta Fence Company, Inc., the lowest responsive, responsible bidder, in the amount of \$143,340, for fence installation at the Pacific Electric Right-of-Way in the City of Anaheim.

Attachment

A. Project Location

Prepared by:



George Olivo, P.E.
Program Manager
(714) 560-5872

Approved by:



James G. Beil, P.E.
Executive Director, Capital Programs
(714) 560-5646



Pia Veasapen
Director, Contracts Administration and
Materials Management
(714) 560-5619

Project Location





COMMITTEE TRANSMITTAL

May 13, 2024

To: Members of the Board of Directors

From: Andrea West, Clerk of the Board *Andrea West*

Subject: Agreement for Painting, Coating, and Roof Replacement at the Laguna Hills Transportation Center

Transit Committee Meeting of May 9, 2024

Present: Directors Aitken, Amezcua, Harper, Jung, Klopfenstein, and Sarmiento

Absent: Director Do

Committee Vote

This item was passed by the Members present.

Committee Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2073 between the Orange County Transportation Authority and Ankor Associates, Inc., the lowest responsive, responsible bidder, in the amount of \$358,000, for painting, coating, and roof replacement at the Laguna Hills Transportation Center.



May 9, 2024

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Agreement for Painting, Coating, and Roof Replacement at the Laguna Hills Transportation Center

Overview

The Laguna Hills Transportation Center needs painting, coating, and roof replacement to maintain a state of good repair. An invitation for bids was released on February 9, 2024. Bids were received in accordance with procurement procedures for public works projects. Board of Directors' approval is requested to execute the agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2073 between the Orange County Transportation Authority and Ankor Associates, Inc., the lowest responsive, responsible bidder, in the amount of \$358,000, for painting, coating, and roof replacement at the Laguna Hills Transportation Center.

Discussion

The Orange County Transportation Authority (OCTA) completed construction of the Laguna Hills Transportation Center (LHTC) in 1988. The LHTC has eight bus dock platform stops and one on-street stop to service OC Bus passengers. The facility is in need of painting and the roof replaced on the mechanical room and bus driver restroom to maintain a state of good repair. The facility painting will be aligned with the OCTA Marketing and Customer Engagement Department branding for facility uniformity.

Procurement Approach

This procurement was handled in accordance with OCTA's Board of Directors-approved procedures for public works projects. These procedures, which conform to both federal and state requirements, require contracts are

awarded to the lowest responsive, responsible bidder after a sealed bidding process.

Invitation for Bids (IFB) 4-2073 was electronically released on February 9, 2024, through OCTA's CAMM NET system. The project was advertised on February 9 and February 16, 2024, in a newspaper of general circulation and the Greensheet. A pre-bid conference was held on February 20, 2024, and a job walk was held on February 21, 2024, and were attended by eight firms. Five addenda were issued to provide the pre-bid conference registration sheets and handle administrative issues related to the IFB. On March 11, 2024, six bids were received and publicly opened.

All bids were reviewed by staff from both the Contracts Administration and Materials Management and Facilities Engineering departments to ensure compliance with the contract terms and conditions, as well as technical specifications. The list of bidders and bid amounts is presented below:

<u>Firm and Location</u>	<u>Bid Amount</u>
Ankor Associates, Inc. Los Angeles, California	\$358,000
Mariscal Painting, Inc. South El Monte, California	\$457,000
Loengreen, Inc. La Canada, California	\$466,320
Golden Gate Steel, Inc. doing business as Golden Gate Construction Norwalk, California	\$932,200
A.J. Fistes Corp. San Pedro, California	\$945,500
Color New Co. Woodland Hills, California	\$1,160,000

The OCTA engineer's estimate for this project was \$535,000. The recommended firm's bid is 33 percent below the engineer's estimate. A bid analysis was completed to confirm that the bid submitted accounts for all elements of the scope of work and technical specifications. A bid breakdown was requested from the contractor and reviewed by the project manager. After review, the bid amount was determined to be fair and reasonable.

State law requires award to the lowest responsive, responsible bidder. As such, staff recommends award to Ankor Associates, Inc., the lowest responsive, responsible bidder, in the amount of \$358,000, for painting, coating, and roof replacement at the LHTC.

Fiscal Impact

The project was approved in OCTA's Fiscal Year 2023-24 Budget, Capital Programs Division, Account No. 1722-7611-D3120-KHM, and is funded through Local Transportation Funds.

Summary

Staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2073 between the Orange County Transportation Authority and Ankor Associates, Inc., the lowest responsive, responsible bidder, in the amount of \$358,000, for painting, coating, and roof replacement at the Laguna Hills Transportation Center.

Attachment

None.

Prepared by:



George Olivo, P.E.
Program Manager
(714) 560-5872

Approved by:



James G. Beil, P.E.
Executive Director, Capital Programs
(714) 560-5646



Pia Veasapen
Director, Contracts Administration and
Materials Management
(714) 560-5619



COMMITTEE TRANSMITTAL

May 13, 2024

To: Members of the Board of Directors

From: Andrea West, Clerk of the Board *Andrea West*

Subject: Agreement for Bus Hoist Replacement at the Irvine Sand Canyon Bus Base

Transit Committee Meeting of May 9, 2024

Present: Directors Aitken, Amezcua, Harper, Jung, Klopfenstein, and Sarmiento

Absent: Director Do

Committee Vote

This item was passed by the Members present.

Committee Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2092 between the Orange County Transportation Authority and Autolift Services, Inc., the lowest responsive, responsible bidder, in the amount of \$219,757, for bus hoist replacement at the Irvine Sand Canyon Bus Base.



May 9, 2024

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Agreement for Bus Hoist Replacement at the Irvine Sand Canyon Bus Base

Overview

The bus hoist in the bus chassis wash bay at the Irvine Sand Canyon Bus Base is in need of replacement to maintain a state of good repair. An invitation for bids was released on February 12, 2024. Bids were received in accordance with procurement procedures for public works projects. Board of Directors' approval is requested to execute the agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2092 between the Orange County Transportation Authority and Autolift Services, Inc., the lowest responsive, responsible bidder, in the amount of \$219,757, for bus hoist replacement at the Irvine Sand Canyon Bus Base.

Discussion

The Orange County Transportation Authority (OCTA) completed the original construction of the Irvine Sand Canyon Bus Base in 1977, and the maintenance building was expanded in 1981. The bus base is currently used by OCTA's contract operator for the daily operation and maintenance of OC Bus fixed-route bus service. The hoist in the bus chassis wash bay is utilized for high-pressure water and steam cleaning of the engine and chassis undercarriage areas of buses to facilitate maintenance operations of the bus fleet. The existing bus hoist was last replaced in 2010 and has reached the end of its useful life and is in need of replacement to maintain a state of good repair. The project consists of installation of a new flush mount drive-on bus hoist, remote control panels with electric hydraulic power and control units, wiring and connections, safety compliance, and related work.

Procurement Approach

This procurement was handled in accordance with OCTA's Board of Directors-approved procedures for public works projects. These procedures, which conform to both state and federal requirements, require that contracts are awarded to the lowest responsive, responsible bidder after a sealed bidding process.

Invitation for Bids (IFB) 4-2092 was electronically released on February 12, 2024, through OCTA's CAMM NET system. The project was advertised on February 12 and February 19, 2024, in a newspaper of general circulation. A pre-bid conference was held on February 20, 2024, and was attended by seven firms. Five addenda were issued to provide the pre-bid conference registration sheets and address administrative issues related to the IFB. On March 26, 2024, four bids were received and publicly opened.

All bids were reviewed by staff from both the Contracts Administration and Materials Management and Facilities Engineering departments to ensure compliance with the contract terms and conditions, and technical specifications. The list of bidders and bid amounts is presented below:

<u>Firm and Location</u>	<u>Bid Amount</u>
Autolift Services, Inc. Los Alamitos, California	\$219,757
Southwest Lift & Equipment, Inc. San Bernardino, California	\$296,600
Air & Lube Systems, Inc. Sacramento, California	\$564,446
Loghmani & Associates Design Group, Inc. Playa Del Rey, California	\$669,890

The OCTA engineer's estimate for this project was \$395,000. After conducting some further analysis, it was determined that the independent cost estimate was overstated due to cost assumptions associated with subcontracting electrical and safety services, and the cost of a larger capacity hoist. The recommended firm's bid is approximately 44 percent below the engineer's estimate and is deemed to be fair and reasonable. The bidder provided a letter stating its bid included all costs required to perform the work as required by the IFB and addenda.

State law requires award to the lowest responsive, responsible bidder. As such, staff recommends award to Autolift Services, Inc., the lowest responsive, responsible bidder, in the amount of \$219,757, for the bus hoist replacement at the Irvine Sand Canyon Bus Base.

Fiscal Impact

The project was approved in OCTA's Fiscal Year 2023-24 Budget, Capital Programs Division, Account No. 1722-9022-D3108-KWH, and is funded through Local Transportation Funds.

Summary

Staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2092 between the Orange County Transportation Authority and Autolift Services, Inc., the lowest responsive, responsible bidder, in the amount of \$219,757, for bus hoist replacement at the Irvine Sand Canyon Bus Base.

Attachment

None.

Prepared by:



George Olivo, P.E.
Program Manager
(714) 560-5872

Approved by:



James G. Beil, P.E.
Executive Director, Capital Programs
(714) 560-5646



Pia Veasapen
Director, Contracts Administration and
Materials Management
(714) 560-5619



COMMITTEE TRANSMITTAL

May 13, 2024

To: Members of the Board of Directors

From: Andrea West, Clerk of the Board *Andrea West*

Subject: Approval of Fiscal Year 2024-25 Local Transportation Fund Claim for Public Transportation and Community Transit Services

Finance and Administration Committee Meeting of April 24, 2024

Present: Directors Do, Federico, Harper, Hennessey, Klopfenstein, and Nguyen

Absent: Director Sarmiento

Committee Vote

This item was passed by the Members present.

Committee Recommendations

- A. Approve the Orange County Transit District Fiscal Year 2024-25 Local Transportation Fund claim for public transportation services in the amount of \$212,667,523.41, and for community transit services in the amount of \$11,273,685.71 for a total claim amount of \$223,941,209.12.
- B. Authorize the Chief Executive Officer to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the full amount of the claims.



April 24, 2024

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Approval of the Fiscal Year 2024-25 Local Transportation Fund Claim for Public Transportation and Community Transit Services

Overview

The Orange County Transit District is eligible to receive funding from the Local Transportation Fund for providing public transportation and community transit services throughout Orange County. To receive the funds, the Orange County Transit District must file a claim against the Local Transportation Fund with the Orange County Transportation Authority.

Recommendations

- A. Approve the Orange County Transit District Fiscal Year 2024-25 Local Transportation Fund claim for public transportation services in the amount of \$212,667,523.41, and for community transit services in the amount of \$11,273,685.71 for a total claim amount of \$223,941,209.12.
- B. Authorize the Chief Executive Officer to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the full amount of the claims.

Background

The Transportation Development Act (TDA) of 1971 established a funding source dedicated to public transit and non-transit related projects. The TDA created a Local Transportation Fund (LTF) in each county for transportation purposes specified in the TDA. Revenues are derived from one quarter cent of the current retail sales tax.

The LTF revenues are collected by the California Department of Tax and Fee Administration and returned to local jurisdictions based on the volume of sales during each month. As required by the TDA, LTF receipts are deposited with the

Orange County Treasury (Fund 182) and are administered by the Orange County Auditor-Controller (OCAC). The Orange County Transportation Authority (OCTA) is the Transportation Planning Agency (TPA) responsible for the allocation of the LTF. Upon instructions from OCTA, LTF receipts are disbursed by the OCAC among the various administrative, planning, and public transportation apportionments as specified in the TDA.

In Orange County, OCTA has designated the Orange County Transit District (OCTD) as the public transportation services operator and the Consolidated Transportation Services Agency. Therefore, OCTD is the claimant for Article 4 and 4.5 funds. Section 6630 of the California Code of Regulations requires OCTD to file a claim with OCTA to receive an allocation from the LTF for providing public transportation and community transit services under Articles 4 and 4.5 of the TDA.

Discussion

On March 25, 2024, the OCTA Board of Directors (Board) approved the amended LTF fiscal year (FY) 2024-25 apportionments. A total of \$223,941,209.12 was approved for OCTD, consisting of \$212,667,523.41 for Article 4 public transit services and \$11,273,685.71 for Article 4.5 community transit services. Public transit services provide support to the public transportation system and aid to public transportation research and demonstration projects, while community transit services are services for those, such as the disabled, who cannot use conventional transit services.

On March 25, 2024, the OCTD Board also adopted a resolution authorizing the filing of the LTF claim for a total of \$223,941,209.12 for funding public transportation and community transit services for FY 2024-25. OCTA, as the TPA for Orange County, is authorized to approve LTF claims and make payments from the LTF to OCTD as the consolidation transportation service agency for Orange County.

Summary

OCTA's approval of the OCTD claim against the LTF in the amount of \$223,941,209.12, will enable the OCTD to continue providing public transportation and community transit services throughout Orange County in FY 2024-25.

**Approval of the Fiscal Year 2024-25 Local Transportation
Fund Claim for Public Transportation and Community
Transit Services**

Page 3

Attachment

None.

Prepared by:



Sam Kaur
Department Manager
Revenue and Grants Administration
(714) 560-5889

Approved by:



Andrew Oftelie
Chief Financial Officer
Finance and Administration
(714) 560-5649



COMMITTEE TRANSMITTAL

May 13, 2024

To: Members of the Board of Directors

From: Andrea West, Clerk of the Board *Andrea West*

Subject: Approval of Fiscal Year 2024-25 Local Transportation Fund Claim for Laguna Beach Transportation Services

Finance and Administration Committee Meeting of April 24, 2024

Present: Directors Do, Federico, Harper, Hennessey, Klopfenstein, and Nguyen

Absent: Director Sarmiento

Committee Vote

This item was passed by the Members present.

Committee Recommendations

- A. Approve the Laguna Beach Municipal Transit Lines Fiscal Year 2024-25 Local Transportation Fund claim for public transportation services, in the amount of \$1,532,505.
- B. Authorize the Chief Executive Officer of the Orange County Transportation Authority to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the amount of the claim.



April 24, 2024

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Approval of the Fiscal Year 2024-25 Local Transportation Fund Claim for Laguna Beach Public Transportation Services

Overview

The Laguna Beach Municipal Transit Lines, a department within the City of Laguna Beach, is eligible to receive funding from the Local Transportation Fund in Orange County for providing public transportation services throughout the city. To receive the funds, the Laguna Beach Municipal Transit Lines must file a claim against the Local Transportation Fund with the Orange County Transportation Authority.

Recommendations

- A. Approve the Laguna Beach Municipal Transit Lines Fiscal Year 2024-25 Local Transportation Fund claim for public transportation services, in the amount of \$1,532,505.
- B. Authorize the Chief Executive Officer of the Orange County Transportation Authority to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the amount of the claim.

Background

The Transportation Development Act (TDA) of 1971 established a funding source dedicated to public transit and non-transit-related projects. The TDA created a Local Transportation Fund (LTF) for transportation purposes specified in the TDA in each county in California. Revenues are derived from one quarter cent of the current retail sales tax. The LTF revenues are collected by the California Department of Tax and Fee Administration and returned to the local jurisdictions based on the volume of sales during each month.

Approval of the Fiscal Year 2024-25 Local Transportation Fund Page 2 Claim for Laguna Beach Public Transportation Services

As required by the TDA, in Orange County, the LTF receipts are deposited in the Orange County LTF account (Fund 182) in the Orange County Treasury and are administered by the Orange County Auditor-Controller (OCAC).

In Orange County, the Orange County Transportation Authority (OCTA) is the Transportation Planning Agency (TPA) responsible for the allocation of the LTF within its jurisdiction. Upon instructions from OCTA, LTF receipts are distributed by the OCAC among the various administrative, planning, and public transportation apportionments as specified in the TDA.

The Orange County Transit District and the Laguna Beach Municipal Transit Lines (LBMTL) are the only public transit operators in Orange County eligible to receive allocations from the LTF. Article 4 of TDA Section 6630 of the California Code of Regulations requires the City of Laguna Beach (City) to file a claim with OCTA to receive an allocation from the LTF for providing public transportation throughout the City.

Discussion

On March 25, 2024, the OCTA Board of Directors approved the amended LTF fiscal year (FY) 2024-25 apportionments. The total apportionment approved for LBMTL equaled \$1,532,505.

On March 26, 2024, the Laguna Beach City Council adopted a resolution authorizing the filing of an LTF claim with OCTA for public transportation services. The City submitted its FY 2024-25 LTF claim in the amount of \$1,532,505, that will be used by LBMTL to meet FY 2024-25 operating expenses. OCTA, as the TPA for Orange County, is authorized to approve LTF claims and make payments from the LTF through written instructions to the OCAC.

Summary

OCTA's approval of the City claim against the Orange County LTF in the amount of \$1,532,505, will enable the LBMTL to continue providing public transportation services throughout the City during FY 2024-25.

Attachment

None.

Prepared by:

A handwritten signature in blue ink, appearing to read "S. Kaur".

Sam Kaur
Department Manager,
Revenue and Grants Administration
(714) 560-5889

Approved by:

A handwritten signature in blue ink, appearing to read "A. Oftelie".

Andrew Oftelie
Chief Financial Officer,
Finance and Administration
(714) 560-5649



COMMITTEE TRANSMITTAL

May 13, 2024

To: Members of the Board of Directors

From: Andrea West, Clerk of the Board *Andrea West*

Subject: Review of Interstate 405 Improvement Project Design-Build Contract, Internal Audit Report No. 24-507

Finance and Administration Committee Meeting of April 24, 2024

Present: Directors Do, Federico, Harper, Hennessey, Klopfenstein, and Nguyen

Absent: Director Sarmiento

Committee Vote

This item was passed by the Members present.

Committee Recommendation

Direct staff to implement the recommendation provided in the Review of Interstate 405 Improvement Project: Design-Build Contract, Internal Audit Report No. 24-507.



April 24, 2024

To: Finance and Administration Committee

From: Darrell Johnson, Chief Executive Officer

Janet Sutter, Executive Director
Internal Audit

Subject: Review of Interstate 405 Improvement Project: Design-Build Contract, Internal Audit Report No. 24-507

Overview

The Internal Audit Department of the Orange County Transportation Authority has completed an audit of the design-build contract for the Interstate 405 Improvement Project. Based on the audit, oversight and invoice review controls were in place and invoices complied with contract provisions. One recommendation was made to improve documentation in the Orange County Transportation Authority's files.

Recommendation

Direct staff to implement the recommendation provided in the Review of Interstate 405 Improvement Project: Design-Build Contract, Internal Audit Report No. 24-507.

Background

The Orange County Transportation Authority (OCTA), in cooperation with the California Department of Transportation (Caltrans) and the cities of Costa Mesa, Fountain Valley, Huntington Beach, Seal Beach, and Westminster, implemented the Interstate 405 (I-405) Improvement Project between State Route 73 (SR-73) and Interstate 605 (I-605). The project added one general purpose lane in each direction from Euclid Street to I-605, consistent with Measure M2 Project K, and added an additional lane in each direction that was combined with the existing high-occupancy vehicle lane to provide dual express lanes in each direction of the I-405 from SR-73 to I-605, otherwise known as the 405 Express Lanes.

On November 14, 2016, the OCTA Board of Directors (Board) awarded the design build contract to OC 405 Partners, a joint venture of OHL USA, Inc., and Astaldi Construction Corporation. OCTA executed the design-build contract with OC 405 Partners and issued Notice to Proceed (NTP) No. 1 on January 31, 2017. NTP No. 1 was a limited NTP for mobilization, design, and administrative activities. On July 27, 2017, OCTA issued NTP No. 2 to OC 405 Partners. NTP No. 2 was a full NTP for all activities, including construction. The lump-sum contract price was \$1,217,065,000.00. Contract change orders totaling \$292,070,433.44 had been executed as of September 2023.

Discussion

OCTA file documentation can be improved to ensure complete records of invoice payments and evidence of progress meetings. Invoice payment records filed in OCTA's accounting system do not contain all relevant supporting documents, including stop payment notices, release of stop payment notices, daily extra work reports, and supporting work tickets. In addition, meeting minutes for weekly design-build management meetings were not consistently included in the project files, and sign-in sheets were not always attached. Internal Audit recommended that management file all supporting documentation with the invoice payments in OCTA's accounting system, as the central repository. Management should also ensure that meeting minutes with sign-in sheets are consistently included in the project files. Management agreed to work with the Finance and Administration Division to include relevant supporting documents going forward in the invoice payment records in OCTA's accounting system. Management also agreed to ensure that meeting minutes with sign-in sheets for active meetings are consistently included in the project files.

Summary

Internal Audit has completed an audit of the design-build contract for the I-405 Improvement Project and has offered one recommendation for improvement.


Attachment

- A. Review of Interstate 405 Improvement Project: Design-Build Contract,
Internal Audit Report No. 24-507

Prepared by:


Serena Ng
Senior Manager, Internal Audit
714-560-5938

Approved by:


Janet Sutter
Executive Director, Internal Audit
714-560-5591

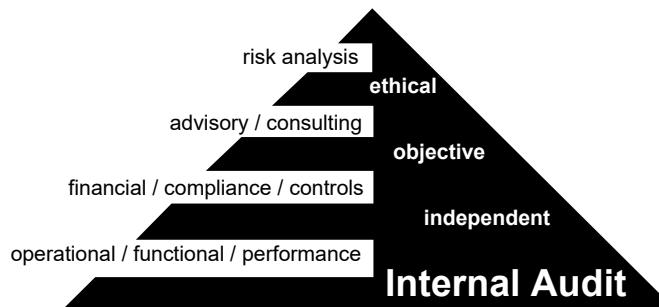
ORANGE COUNTY TRANSPORTATION AUTHORITY INTERNAL AUDIT DEPARTMENT



Review of Interstate 405 Improvement Project: Design-Build Contract

Internal Audit Report No. 24-507

April 9, 2024



Audit Team:

Serena Ng, CPA, Senior Manager
Janet Sutter, CIA, Executive Director

Distributed to:

Jim Beil, Executive Director, Capital Programs
Rose Casey, Jeff Mills, Dennis Mak, Steven King, Pia Veasapen

**ORANGE COUNTY TRANSPORTATION AUTHORITY
INTERNAL AUDIT DEPARTMENT
Review of Interstate 405 Improvement Project: Design-Build Contract
April 9, 2024**

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ORANGE COUNTY TRANSPORTATION AUTHORITY
INTERNAL AUDIT DEPARTMENT
Review of Interstate 405 Improvement Project: Design-Build Contract
April 9, 2024

Conclusion

The Internal Audit Department (Internal Audit) of the Orange County Transportation Authority (OCTA) has completed an audit of the design-build contract for the Interstate 405 (I-405) Improvement Project. Based on the audit, oversight, and invoice review, controls were in place and invoices complied with contract provisions. One recommendation was made to improve documentation in OCTA files.

Background

OCTA, in cooperation with the California Department of Transportation (Caltrans) and the cities of Costa Mesa, Fountain Valley, Huntington Beach, Seal Beach, and Westminster, implemented the I-405 Improvement Project between State Route 73 (SR-73) and Interstate 605 (I-605). The project added one general purpose lane in each direction from Euclid Street to I-605, consistent with Measure M2 Project K, and added an additional lane in each direction that was combined with the existing high-occupancy vehicle lane to provide dual express lanes in each direction of the I-405 from SR-73 to I-605, otherwise known as the 405 Express Lanes.

On November 14, 2016, the OCTA Board of Directors (Board) awarded the design-build contract to OC 405 Partners, a joint venture of OHL USA, Inc., and Astaldi Construction Corporation. OCTA executed the design-build contract with OC 405 Partners and issued Notice to Proceed (NTP) No. 1 on January 31, 2017. NTP No. 1 was a limited NTP for mobilization, design, and administrative activities. On July 27, 2017, OCTA issued NTP No. 2, to OC 405 Partners. NTP No. 2 was a full NTP for all activities, including construction. The lump-sum contract price was \$1,217,065,000. Contract change orders (CCO) totaling \$292,070,433.44 had been executed as of September 2023.

When construction began, the project budget was \$1,900,000,000 and design-build construction was estimated to be complete in April 2023. The project budget increased to \$2,080,234,000 in January 2021, and increased to \$2,159,999,697 in August 2023. The estimated completion date was revised to May 2023 in August 2017, and revised to February 2024 in January 2021. All lanes opened in the beginning of December 2023.

ORANGE COUNTY TRANSPORTATION AUTHORITY
INTERNAL AUDIT DEPARTMENT
Review of Interstate 405 Improvement Project: Design-Build Contract
April 9, 2024

Objectives, Scope, and Methodology

The objectives were to assess oversight controls, invoice review controls, and contract compliance related to the design-build contract for the I-405 Improvement Project.

According to generally accepted government auditing standards, internal control is the system of processes that an entity's oversight body, management, and other personnel implement to provide reasonable assurance that the organization will achieve its operational, reporting, and compliance objectives. The five components are control environment, risk assessment, control activities, information and communication, and monitoring.¹ The components and principles that were evaluated as part of this audit are:

- Control Environment
 - OCTA demonstrates a commitment to attract, develop, and retain competent individuals in alignment with objectives.
- Control Activities
 - OCTA selects and develops control activities that contribute to the mitigation of risks to the achievement of objectives to acceptable levels.
- Information and Communication
 - OCTA obtains or generates and uses relevant, quality information to support the functioning of internal control.
- Monitoring
 - OCTA evaluates and communicates internal control deficiencies in a timely manner to those parties responsible for taking corrective action, including senior management and the Board, as appropriate.

The methodology consisted of assessing invoice review procedures and testing all invoices from OC 405 Partners for compliance with policies and contract provisions, testing evidence of weekly progress meetings, testing a judgmental sample of CCOs, testing a judgmental sample of monthly status reports, and testing judgmental samples of quarterly capital project status reports and specific project updates to the Board.

The scope is limited to the design-build contract with OC 405 Partners and excludes all other contracts. The scope included all invoices paid from contract inception through November 2023, and all weekly progress meetings. The scope included internal monthly status reports from December 2021 through December 2023, quarterly capital project status reports to the Board from the third quarter of fiscal year (FY) 2021-22 through the second quarter of FY 2023-24, and specific project updates made to the Board in calendar years 2022 and 2023. The scope also included a judgmental sample of 25 CCOs. The judgmental samples were selected to provide coverage of the more recent status reporting and capturing a mix of lump-sum and time and materials CCOs throughout the

¹ See U.S. Government Accountability Office publication, "Standards for Internal Control in the Federal Government," available at <http://www.gao.gov/products/GAO-14-704G>, for more information.

**ORANGE COUNTY TRANSPORTATION AUTHORITY
INTERNAL AUDIT DEPARTMENT
Review of Interstate 405 Improvement Project: Design-Build Contract
April 9, 2024**

construction phase. Since the samples are non-statistical, any conclusions are limited to the sample items tested.

Internal Audit conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

**ORANGE COUNTY TRANSPORTATION AUTHORITY
INTERNAL AUDIT DEPARTMENT
Review of Interstate 405 Improvement Project: Design-Build Contract
April 9, 2024**

Audit Comment, Recommendation, and Management Response

OCTA File Documentation

OCTA file documentation can be improved to ensure complete records of invoice payments and evidence of progress meetings.

Invoice payment records filed in OCTA's accounting system do not contain all relevant supporting documents. For example, stop payment and release of stop payment notices were often not included with the invoice payment records to support withheld and released amounts. Additionally, daily extra work reports and supporting work tickets were also not filed with invoice payment records. Copies of daily extra work reports were found in project files and extra work tickets were on file with the construction management consultant based on the month the tickets were approved, rather than the month paid.

In addition, meeting minutes, along with sign-in sheets, are typically prepared to document progress meetings; however, meeting minutes for weekly design-build management meetings were not consistently filed in the project files, and sign-in sheets were not always attached.

Recommendation 1:

Internal Audit recommends that management file stop payment and release notices, daily extra work reports, and supporting tickets, and any other supporting documentation with the invoice payment records in OCTA's accounting system. Management should also ensure that meeting minutes with sign-in sheets are consistently filed with the project files.

Management Response:

Management agrees with the recommendation. The Capital Programs Division will work with the Finance and Administration Division to include relevant supporting documents going forward, including stop payment and release notices, daily extra work reports, and supporting work tickets in the invoice payment records in OCTA's accounting system. Staff will also ensure that meeting minutes with sign-in sheets for active meetings are consistently filed with the project files.



COMMITTEE TRANSMITTAL

May 13, 2024

To: Members of the Board of Directors

From: Andrea West, Clerk of the Board *Andrea West*

Subject: Orange County Transportation Authority Report on Compliance with the Measure M2 Ordinance, Year Ended June 30, 2023

Finance and Administration Committee Meeting of April 24, 2024

Present: Directors Do, Federico, Harper, Hennessey, Klopfenstein, and Nguyen

Absent: Director Sarmiento

Committee Vote

This item was passed by the Members present.

Committee Recommendation

Receive and file the Independent Auditor's Report on Compliance with the Measure M2 Ordinance and Report on Internal Control over Compliance for the year ended June 30, 2023, as an information item.



April 24, 2024

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Janet Sutter, Executive Director
Internal Audit Department

Subject: Orange County Local Transportation Authority Report on Compliance with the Measure M2 Ordinance, Year Ended June 30, 2023

Overview

Crowe LLP, an independent accounting firm, has issued results of its audit of the Orange County Local Transportation Authority's compliance with the Measure M2 Ordinance for the year ended June 30, 2023. Crowe LLP found that the Orange County Local Transportation Authority complied, in all material respects, with the compliance requirements of the Measure M2 Ordinance for the year ended June 30, 2023. In addition, no deficiencies in internal control over compliance were reported.

Recommendation

Receive and file the Independent Auditor's Report on Compliance with the Measure M2 Ordinance and Report on Internal Control over Compliance for the year ended June 30, 2023, as an information item.

Background

As spelled out in the Orange County Local Transportation Authority (OCLTA) Measure M2 (M2) Ordinance, the Taxpayers Oversight Committee (TOC) is responsible for reviewing annual audits, along with other materials, and holding an annual public hearing to determine whether the OCLTA is proceeding in accordance with the M2 Ordinance. In addition, following the public hearing, the TOC Chairperson is required to annually certify whether revenues have been spent in compliance with the M2 Ordinance. The TOC Chairperson has communicated that a compliance audit by an independent accounting firm is required in order to provide his annual certification.

In September 2023, the TOC voted to make a request to the OCTA Board of Directors (Board) to contract with an independent accounting firm for provision of a limited compliance audit for the fiscal year 2022-23. The audit would be limited to an opinion on OCTA's compliance with the M2 Ordinance, excluding testing at the jurisdiction level. On October 9, 2023, the Board approved the request and an amendment to the existing agreement with Crowe LLP (auditors), an independent accounting firm, was amended to provide for the audit.

Discussion

The auditors conducted the audit of compliance in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards, and the M2 Ordinance. The objectives of the audit were to obtain reasonable assurance about whether material noncompliance with the M2 Ordinance occurred and express an opinion on compliance based on the audit.

The auditors found that OCLTA complied, in all material respects, with the compliance requirements of the M2 Ordinance and reported that no deficiencies in internal control were identified.

Summary

The auditors have issued the Orange County Local Transportation Authority Report on Compliance with the Measure M2 Ordinance for the year ended June 30, 2023.

Attachment

- A. Independent Auditor's Report on Compliance with the Measure M2 Ordinance and Report on Internal Control over Compliance

Prepared by:



Janet Sutter
Executive Director, Internal Audit
714-560-5591



INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH THE MEASURE M2 ORDINANCE AND
REPORT ON INTERNAL CONTROL OVER COMPLIANCE

Board of Directors
Orange County Local Transportation Authority
Orange, California

Report on Compliance with the Measure M2 Ordinance

We have audited Orange County Local Transportation Authority's ("OCLTA") compliance with the types of requirements described in the Orange County Local Transportation Authority, Ordinance No. 3 (the "Ordinance" or "M2 Ordinance"), that could have a direct and material effect on OCLTA's compliance with the Ordinance for the year ended June 30, 2023.

In our opinion, OCLTA complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on its Ordinance for the year ended June 30, 2023.

Basis for Opinion on the Ordinance

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States (*Government Auditing Standards*); and the Ordinance. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of OCLTA and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance. Our audit does not provide a legal determination of OCLTA's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules and provisions of contracts or grant agreements applicable to the Ordinance.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on OCLTA's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and the Ordinance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

(Continued)

Noncompliance with the compliance requirements referred to above is considered material, if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about OCLTA's compliance with the requirements of the Ordinance.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and the Ordinance, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding OCLTA's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of OCLTA's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Ordinance, but not for the purpose of expressing an opinion on the effectiveness of OCLTA's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Report on Internal Control Over Compliance

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of the Ordinance on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of the Ordinance will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of the Ordinance that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Ordinance. Accordingly, this report is not suitable for any other purpose.



Crowe LLP

Los Angeles, California
March 26, 2024



COMMITTEE TRANSMITTAL

May 13, 2024

To: Members of the Board of Directors

From: Andrea West, Clerk of the Board *Andrea West*

Subject: Orange County Local Transportation Authority Measure M2
Maintenance of Effort, Agreed-Upon Procedures Report, City of
Cypress, Year Ended June 30, 2023

Finance and Administration Committee Meeting of April 24, 2024

Present: Directors Do, Federico, Harper, Hennessey, Klopfenstein, and
Nguyen

Absent: Director Sarmiento

Committee Vote

This item was passed by the Members present.

Committee Recommendation

Direct staff to develop recommendation(s) for Board of Directors' action related to the status of the City of Cypress' Measure M2 eligibility.



April 24, 2024

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Janet Sutter, Executive Director
Internal Audit Department

Subject: Orange County Local Transportation Authority Measure M2
Maintenance of Effort, Agreed-Upon Procedures Report, City of
Cypress, Year Ended June 30, 2023

Overview

BCA Watson Rice LLP, an independent accounting firm, has applied agreed-upon procedures related to Measure M2 maintenance of effort expenditures by the City of Cypress for the fiscal year ended June 30, 2023. Based on the procedures performed, the City of Cypress spent sufficient funds to meet the required minimum expenditures as outlined in a settlement agreement between the City of Cypress and the Orange County Transportation Authority.

Recommendation

Direct staff to develop recommendation(s) for Board of Directors' action related to the status of the City of Cypress' Measure M2 eligibility.

Background

On May 22, 2023, the Orange County Transportation Authority (OCTA) Board of Directors (Board) found the City of Cypress (City) ineligible to receive or apply for Measure M2 revenues after agreed-upon procedures (AUP) performed for fiscal year (FY) 2021-22 found that the City had not met the minimum maintenance of effort (MOE) requirement of the Measure M2 Ordinance (Ordinance).

Due to the significance of the shortfall amount, the Board agreed to allow the City up to two years, through FY 2023-24, to make-up the shortfall amount. A written settlement agreement, dated August 14, 2023, was executed between OCTA and the City, that outlined requirements for the City to re-establish

eligibility. Among other items, the settlement agreement required the City to undergo, and pay for, AUPs of FY 2022-23 and FY 2023-24, to determine compliance with MOE requirements, including expenditures equaling the MOE minimum plus the shortfall amount identified during the FY 2021-22 AUP.

Discussion

BCA Watson Rice LLP, tested a sample of MOE expenditures for FY 2022-23, and found the City met the minimum MOE requirement and the shortfall amount identified in the FY 2021-22 AUP.

Per the settlement agreement, the City was required to spend \$4,988,926 in MOE, which included the minimum annual MOE plus the \$1,381,048 shortfall identified during the FY 2021-22 AUP. The City reported total MOE expenditures of \$5,108,162, and the auditors tested \$3,724,004, or 73 percent of those. No ineligible or questioned costs were identified.

The detailed AUP report can be found at Attachment A.

Summary

The auditors have completed agreed-upon procedures related to Measure M2 MOE expenditures by the City for FY 2022-23.

Attachment

- A. City of Cypress, Measure M2 Maintenance of Effort, Independent Accountant's Report on Applying Agreed-Upon Procedures, for the Year Ended June 30, 2023

Prepared by:



Janet Sutter
Executive Director, Internal Audit
714-560-5591

CITY OF CYPRESS

MEASURE M2 MAINTENANCE OF EFFORT

Independent Accountant's Report on Applying Agreed-Upon Procedures

For the Year Ended June 30, 2023



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INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

Board of Directors
Orange County Transportation Authority
Orange, California

We have performed the procedures enumerated below, which were agreed to by the Orange County Local Transportation Authority (OCLTA), related to the City of Cypress' (City) compliance with certain provisions of the Measure M2 Local Transportation Ordinance (Measure M2) as of and for the fiscal year ended June 30, 2023. The City's management is responsible for compliance with the Ordinance.

The OCLTA has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of evaluating the City's compliance with Measure M2 Maintenance of Effort (MOE) requirements as of and for the fiscal year ended June 30, 2023. We make no representations regarding the appropriateness of the procedures either for the purpose for which this report has been requested or for any other purpose. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. An agreed-upon procedures engagement involves performing specific procedures that the engaging party has agreed to and acknowledged to be appropriate for the intended purpose of the engagement and reporting on findings based on the procedures performed.

The procedures and associated findings are as follows:

- 1) Obtain the Settlement Agreement between OCTA and the City and identify the required minimum amount to be spent on MOE expenditures.

Findings: Per the Settlement Agreement between OCTA and the City, the required minimum amount to be spent on MOE expenditures is \$4,988,926, which includes the minimum required MOE expenditures for FY 2022/2023 of \$3,607,878 and a shortfall from FY 2021/2022 of \$1,381,048.

- 2) Describe which funds the City used to track all street and road expenditures and inquire how the City identifies MOE expenditures in the general ledger.

Findings: MOE expenditures were tracked in the City's general ledger by fund (three digits), programs (five digits), and in some cases, a sub-program (four digits). There are two types of expenditures recorded in the City's general ledger applied against the MOE – right-of-way maintenance operating expenditures and capital project expenditures funded by the general fund.

Expenditures for personnel, supplies, and services in the following maintenance operating program (70212) are applied against the MOE and recorded in the City's General Fund (111).

- Street Maintenance (111-70212-7212)
- Street Cleaning (111-70212-7213)
- Traffic Safety (111-70212-7214)
- Tree Maintenance (111-70212-7216)
- Parkway Maintenance (111-70212-7217)
- Sidewalk Repair (111-70212-7238)

Expenditures for street right-of-way Capital Improvement Program projects paid using the City's General Funds are applied against the MOE and recorded in the City's Capital Projects Fund (415). For FY 2022/2023, the following street projects (80100) and parkway projects (80500) were fully or partially funded with General Fund monies.

- Residential Street Resurfacing (415-80100-8011)
- Arterial Street Rehabilitation (415-80100-8012)
- Sidewalk/Concrete Repair (415-80500-8051)
- Tree Planting (415-80500-8055)

Additionally, a portion of personnel costs charged to storm drain maintenance (261-70281) is applied to the MOE for annual catch basin cleaning and recorded in the Storm Drainage Fund (261).

Furthermore, indirect costs are computed separately, utilizing the indirect cost rates derived from the City's FY 2021/2022 Cost Allocation Plan finalized in October 2023. These rates are applied to the actual FY 2022/2023 direct labor and fringe charges associated with the Right-of-Way Maintenance Operating expenditures and the Storm Drain Maintenance expenditures related to annual catch basin cleaning are included in the MOE for FY 2022/2023.

- 3) Obtain the details of MOE expenditures for the Fiscal Year ended June 30, 2023, and agree the total MOE expenditures to the amount reported on the City's Expenditure Report (Schedule 3, Line 18). Explain any differences.

Findings: The City's Expenditure Report (Schedule 3, Line 18) recorded total MOE expenditures of \$5,108,162. The details of MOE expenditures for the Fiscal Year ended June 30, 2023, also totaled \$5,108,162. No discrepancies were identified between the City's Expenditure Report and the detailed MOE expenditures breakdown.

- 4) Select a sample of MOE expenditures from the City's general ledger expenditure detail, ensuring adequate coverage. Describe the number and percentage of total expenditures selected for testing. For each item selected, perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers, timecards, journal vouchers, or other appropriate supporting documentation.
 - b. Verify that the expenditure was properly classified as a local street and road expenditure and is allowable per the Ordinance.

Findings: We selected 50 direct MOE expenditures totaling \$2,552,782, which represents approximately 64.8% of direct MOE expenditures of \$3,936,940 for the fiscal year ended June 30, 2023. No exceptions were found as a result of this procedure.

- 5) Identify whether or not indirect costs were charged as MOE expenditures. If applicable, compare indirect costs identified to the amount reported on the City's Expenditure Report (Schedule 3, Line 1). Explain any differences. If applicable, obtain details of the indirect costs charged and select a sample of charges for inspection, ensuring adequate coverage. Inspect supporting documentation for reasonableness and appropriate methodology.

Findings: For FY 2022/2023, indirect costs of \$1,171,222 were included within the overall MOE expenditures of \$5,108,162. These indirect costs agreed with the amount reported in the City's Expenditure Report (Schedule 3, line 1).

In FY 2022/2023, the calculation of indirect costs was conducted separately, utilizing the indirect cost rates/percentages determined in the City's FY 2021/2022 Cost Allocation Plan, and the indirect cost rates/percentages were applied to the actual direct labor and fringe costs associated with the Right-of-Way Maintenance Operating expenditures and the Storm Drain Maintenance expenditures related to annual catch basin cleaning.

The City engaged an external contractor, Revenue and Cost Specialist, LLC to develop a cost allocation plan utilizing actual audited amounts from FY 2021/2022. The indirect cost rates/percentages derived from this plan were applied to calculate the indirect costs for FY 2022/2023. This cost allocation process adhered to Office of Management and Budget guidelines and underwent thorough review and certification by the City.

The methodology used to calculate and allocate the \$1,171,222 in indirect cost to MOE expenditures appears to be reasonable, appropriate, and adequately supported.

- 6) The auditor report should include details of any ineligible and/or questioned costs and report the remaining total MOE expenditures after the removal of such items. This should be compared to the amount required to be spent per procedure 1) above.

Findings: Based on our procedures performed, no ineligible and/or questioned costs were detected.

We were engaged by OCTA to perform this agreed-upon procedure engagement and conducted our engagement in accordance with attestation standards established by the AICPA. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the City's compliance with Measure M2 MOE requirements. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City's management and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of the management and the board of directors of OCTA and the City and is not intended to be and should not be used by anyone other than those specified parties.

BCA Watson Rice, LLP

Torrance, California
March 18, 2024



COMMITTEE TRANSMITTAL

May 13, 2024

To: Members of the Board of Directors

From: Andrea West, Clerk of the Board *Andrea West*

Subject: Orange County Local Transportation Authority Measure M2
Agreed-Upon Procedures Report, Year Ended June 30, 2023

Finance and Administration Committee Meeting of April 24, 2024

Present: Directors Do, Federico, Harper, Hennessey, Klopfenstein, and
Nguyen

Absent: Director Sarmiento

Committee Vote

This item was passed by the Members present.

Committee Recommendations

- A. Direct staff to monitor implementation of corrective actions by cities.
- B. Direct staff to review with legal counsel the results of agreed-upon procedures applied to the cities of Buena Park and Orange and develop recommendations for Board of Directors' consideration to address the exceptions related to Local Fair Share expenditures by the City of Buena Park and maintenance of effort expenditures by the City of Orange.
- C. Direct staff to withhold funds from a future payment to the City of Mission Viejo to address the shortfall in match funds in accordance with the Senior Mobility Program Guidelines.



April 24, 2024

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Janet Sutter, Executive Director
Internal Audit Department

Subject: Orange County Local Transportation Authority Measure M2
Agreed-Upon Procedures Reports, Year Ended June 30, 2023

Overview

Crowe LLP, an independent accounting firm, has applied agreed-upon procedures related to Measure M2 Local Fair Share funds provided to seven cities, and Senior Mobility Program funds provided to six cities, for the fiscal year ended June 30, 2023. Local Fair Share program reports include observations of indirect charges lacking a reasonable methodology, indirect charges allocated based on an aged allocation plan, and reporting errors. Senior Mobility Program audits include observations relating to failure to meet the program match requirement, late submission of a monthly report, reporting errors, failure to allocate interest, and third-party contract language.

Recommendations

- A. Direct staff to monitor implementation of corrective actions by cities.
- B. Direct staff to review with legal counsel the results of agreed-upon procedures applied to the cities of Buena Park and Orange and develop recommendations for Board of Directors' consideration to address the exceptions related to Local Fair Share expenditures by the City of Buena Park and maintenance of effort expenditures by the City of Orange.
- C. Direct staff to withhold funds from a future payment to the City of Mission Viejo to address the shortfall in match funds in accordance with the Senior Mobility Program Guidelines.

Background

Annually, the Audit Subcommittee (Subcommittee) of the Taxpayer Oversight Committee selects a sample of local jurisdictions receiving Measure M2 (M2) funding for review to determine the local jurisdictions' level of compliance with provisions of the M2 Ordinance. For the fiscal year (FY) ended June 30, 2023, the Subcommittee selected seven cities for review of Local Fair Share (LFS) program funding and six cities for review of Senior Mobility Program (SMP) funding. The agreed-upon procedures (AUP) applied for these reviews were originally approved by the Subcommittee.

The LFS program is a formula-based allocation provided to eligible jurisdictions for use on allowable transportation planning and implementation activities. Since the LFS program is intended to augment, not replace, existing transportation investments, each jurisdiction is required to maintain a minimum level of local street and roads expenditures to conform to a defined maintenance of effort (MOE) requirement. MOE expenditures are required to conform to State Controller's Office Gas Tax Guidelines. Cities are required to submit copies of their Seven-Year Capital Improvement Plan, reflecting projects that will be funded with LFS.

The SMP is a formula-based allocation provided to eligible, participating jurisdictions for local community transportation services that best meet the needs of their senior communities. M2 revenues provide 80 percent of the program cost, and participating local jurisdictions provide a 20 percent match. Seniors must be age 60 or older to be eligible to participate in the program. A cooperative agreement, along with a written service plan, is executed between the local jurisdiction and the Orange County Local Transportation Authority (OCLTA) to outline requirements of the program and to describe services to be provided. Cities are required to submit monthly SMP activity reports within 30 days of month end.

All M2 revenues, interest earned on net revenues, expenditures, and expenditures of earned interest are required to be reflected on an annual expenditure report. The expenditure report requires certification by the respective city's finance director and must be adopted by the city council and filed with OCLTA, within six months of FY end.

Discussion

Crowe LLP (auditors) conducted interviews of city finance and program-related staff, and applied the AUPs, including testing of expenditures for compliance with program requirements, review of indirect costs for adequate support and

reasonableness, testing to ensure allocation of interest, and testing of annual expenditure reports for accuracy.

Agreed-Upon Procedures: LFS Program Funds

The auditors examined the cities of Aliso Viejo, Anaheim, Buena Park, Costa Mesa, Orange, Santa Ana, and Stanton. No exceptions resulted from the AUPs applied to the cities of Costa Mesa and Stanton.

Auditors identified one or more reporting errors on the expenditure reports submitted by four cities and reported that the indirect cost allocation plan used by one city was aged, as it was developed based on analysis of activities that occurred over eight years prior.

Two cities lacked adequate documentation to support indirect costs allocated to MOE. Without sufficient documentation of a reasonable methodology used to support the indirect charges, auditors are unable to determine that the allocation of these costs is fair and equitable, as required. At the City of Buena Park (Buena Park), after removing unsupported indirect costs, the city continued to meet the minimum MOE requirement. However, after removal of unsupported indirect charges by the City of Orange (Orange), Orange no longer met its minimum MOE requirement of \$3,392,885. The amount of the shortfall is \$1,116,649. Orange responded that they would ensure indirect charges are supported, documented, and based on a reasonable allocation methodology going forward.

Insufficiently supported indirect charges to the LFS fund were identified at Buena Park. Auditors identified a total of \$387,576 in indirect labor allocation charges that were not supported by a documented, reasonable methodology. The allocation percentages used were based on managerial assumption of time spent by employees, rather than an analysis of historical or current data. As such, the auditors lacked the information necessary to confirm the allocation of labor charges as fair and reasonable. Buena Park responded that they acknowledge the result; however, they maintain that the methodology used is the same that was used and accepted by auditors during a prior AUP performed for the FY ended June 30, 2018. Buena Park management also stated that they have sample documentation to support that staff spent time working on street projects; however, the documentation was not accepted by the auditors due to challenges in quantifying the time spent. Buena Park feels that disallowing the entirety of the costs is unreasonable. Buena Park agreed to revise its indirect cost methodology to align with standards and recognizes the significance of ensuring fair and reasonable allocation of resources while fulfilling M2 objectives.

A summary of all findings and city management responses can be found in Attachment A. Detailed reports, along with written management letters, can be found in Attachment B.

Agreed-Upon Procedures: SMP Funds

The auditors examined the cities of Anaheim, Fullerton, Laguna Beach, Mission Viejo, Newport Beach, and Yorba Linda. No exceptions resulted from the AUPs applied to the cities of Anaheim, Newport Beach, and Yorba Linda.

Auditors identified errors in reporting expenditures at two cities and an error in reporting of fund balance at one city. Two cities were also found to have submitted a monthly report beyond the required 30-day timeframe. Auditors also reported that the third-party vendor contract for one city lacked language requiring the vendor to have wheelchair accessible vehicles available for use, as necessary. The city confirmed that, despite the lack of contract language, the vendor does provide wheelchair accessible vehicles, as necessary, and that required language will be included in any new contracts.

Auditors reported that the City of Mission Viejo (Mission Viejo) provided match expenditures of 18 percent, falling short of the required 20 percent match. Mission Viejo responded that the shortfall resulted from an error in the worksheet used by the city to monitor total expenditures and match fund amounts. Mission Viejo has contacted Orange County Transportation Authority (OCTA) staff to notify of the error. To address the match shortfall, the OCTA Board of Directors (Board) is being asked to direct staff to withhold funds from a future payment to the city, in accordance with the Board-approved SMP Guidelines.

The auditors also reported that the City of Laguna Beach (Laguna Beach) had not allocated interest to the SMP as required. Laguna Beach responded that, currently, interest is allocated at the fund level, rather than the program level. As a result, interest due to the SMP was allocated to their transit fund, within which the SMP is located. Laguna Beach agreed to allocate to the SMP directly going forward.

A summary of all findings and city management responses can be found in Attachment C. Detailed reports, along with written management letters, can be found in Attachment D.

Summary

The auditors have issued results of agreed-upon procedures applied to M2 LFS and SMP funds provided to 11 cities for the FY ended June 30, 2023.

Attachments

- A. Summary of Agreed-Upon Procedures Reports Orange County Local Transportation Authority Measure M2 Local Fair Share for the Year Ended June 30, 2023
- B. Orange County Local Transportation Authority Measure M2 Local Fair Share Agreed-Upon Procedures Reports Year Ended June 30, 2023
- C. Summary of Agreed-Upon Procedures Reports Orange County Local Transportation Authority Measure M2 Senior Mobility Program for the Year Ended June 30, 2023
- D. Orange County Local Transportation Authority Measure M2 Senior Mobility Program Agreed-Upon Procedures Reports Year Ended June 30, 2023

Approved by:

A handwritten signature in dark ink, appearing to read 'Janet Sutter', with a long horizontal flourish extending to the right.

Janet Sutter
Executive Director, Internal Audit
714-560-5591

SUMMARY OF AGREED-UPON PROCEDURES REPORTS
Orange County Local Transportation Authority
Measure M2 Local Fair Share for the Year Ended June 30, 2023

ATTACHMENT A

City	Result	City Management Response
City of Aliso Viejo (Aliso Viejo)	Aliso Viejo reported 16 direct maintenance of effort (MOE) expenditures, totaling \$54,447, as indirect costs on its Expenditure Report.	Aliso Viejo concurs that costs were incorrectly categorized and will ensure future expenditure reports properly identify any indirect costs.
City of Anaheim (Anaheim)	Testing of direct MOE expenditures identified one expenditure related to parking structure rent, for \$44,528 that should have been reported as indirect.	Anaheim agreed that the expenditure, an internal governmental service charge, should have been reported as an indirect cost and will be reported properly going forward.
	Testing identified \$26,147 in indirect costs that Anaheim allocated based on a written cost allocation plan that was developed in 2016. While the methodology used is reasonable, the plan was based on an analysis of activities that took place over eight years ago.	Anaheim intends to review and update the MOE allocation plan, as necessary, and intends to do this every five years going forward.
	Testing identified 25 Local Fair Share (LFS) expenditures totaling \$34,188, that were reported by Anaheim as indirect expenditures, rather than direct expenditures, on their expenditure report.	Anaheim will report these expenses correctly going forward.
City of Buena Park (Buena Park)	Testing identified indirect costs and chargebacks that were not supported by a documented, reasonable methodology. These allocated costs and chargebacks were removed from the MOE, except for the allocated salary of one street maintenance superintendant who works exclusively on street and road related projects. After these adjustments, Buena Park continued to meet its MOE benchmark.	Buena Park provided one response to both exceptions, as follows: Buena Park accepts that its cost allocation methodology is no longer accepted by the Orange County Transportation Authority (OCTA), but maintains that the methodology is the same used and deemed acceptable during a prior review of the city in 2018. Buena Park has sample documentation to support that staff spent time working on street projects; however, the documentation was not accepted by the auditors due to challenges in quantifying the time spent. Buena Park maintains that it has provided compelling evidence of the resources dedicated and feels that disallowing the entirety of the costs is unreasonable. Buena Park will revise its indirect cost methodology to align with OCTA standards and recognizes the significance of ensuring the fair and reasonable allocation of resources while fulfilling Measure M2 (M2) objectives.
	Testing of LFS indirect expenditures identified \$387,576 in labor charges that were not supported by a documented, reasonable methodology. The allocated percentages for employee labor were based on a managerial assumption, rather than historical or current data. As such, sufficient information was not available to confirm these costs as fair and reasonable, and these allocations, except for the allocated salary of one street maintenance superintendant who works exclusively on street and roads-related projects, were not deemed allowable.	
City of Costa Mesa	None	None
City of Orange (Orange)	Testing identified a total of \$793,608 in indirect expenditures that were reported as direct expenditures.	Orange will implement procedures to ensure proper reporting of direct and indirect expenditures.
	Testing identified unsupported indirect cost allocations totaling \$1,576,443 to the MOE. After removing the unsupported costs, Orange no longer met its MOE benchmark.	Going forward, Orange will ensure that indirect charges are supported, documented, and use a reasonable allocation methodology.
	Testing identified 25 indirect expenditures totaling \$300,014, that should have been reported as direct.	Orange will implement procedures to ensure proper reporting of direct and indirect expenditures.
City of Santa Ana (Santa Ana)	Santa Ana reported MOE expenditures totaling \$14,667,250; however, the general ledger reflected total MOE expenditures of \$15,035,321, a variance of \$368,071. The variance was due to an error in not reporting the full transaction amount of eligible MOE expenditures.	Santa Ana will continue to review and monitor department procedures to ensure proper identification and tracking of MOE expenditures.
	Santa Ana's LFS fund balance of \$14,831,604 was reported on its expenditure report as \$14,831,335, a variance of \$269. The variance was due to Santa Ana not properly recording interest in the prior year.	Going forward, Santa Ana will ensure the beginning balance is accurately derived from the prior year report.

SUMMARY OF AGREED-UPON PROCEDURES REPORTS
Orange County Local Transportation Authority
Measure M2 Local Fair Share for the Year Ended June 30, 2023

City	Result	City Management Response
City of Santa Ana (Santa Ana)	Testing identified 25 indirect expenditures totaling \$483,501, that should have been reported as direct.	Santa Ana will continue to verify and classify expenditures as indirect in accordance with M2 LFS guidelines.
City of Stanton	None	None

**ORANGE COUNTY LOCAL
TRANSPORTATION AUTHORITY**

MEASURE M2 LOCAL FAIR SHARE

AGREED-UPON PROCEDURES REPORTS

Year Ended June 30, 2023

**ORANGE COUNTY LOCAL
TRANSPORTATION AUTHORITY**

MEASURE M2 LOCAL FAIR SHARE

AGREED-UPON PROCEDURES REPORTS

Year Ended June 30, 2023

The cities listed below were selected by the Audit Subcommittee of the Taxpayers Oversight Committee to perform agreed-upon procedures for the fiscal year ended June 30, 2023. Please refer to the individual divider tab for our report on each Agency.

Aliso Viejo

Anaheim

Buena Park

Costa Mesa

Orange

Santa Ana

Stanton

INDEPENDENT ACCOUNTANTS' REPORT ON
APPLYING AGREED-UPON PROCEDURES
CITY OF ALISO VIEJO

Board of Directors
Orange County Local Transportation Authority and
the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

We have performed the procedures enumerated below, which were agreed to by the Taxpayers Oversight Committee of the Orange County Local Transportation Authority (OCLTA) (the specified party), related to the City of Aliso Viejo's (City) compliance with certain provisions of the Measure M2 Local Transportation Ordinance (Ordinance) as of and for the fiscal year ended June 30, 2023. The City's management is responsible for compliance with the Ordinance and for its cash, revenue, and expenditure records.

The Taxpayers Oversight Committee of the OCLTA has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of evaluating the City's compliance with certain provisions of the Ordinance as of and for the fiscal year ended June 30, 2023. We make no representation regarding the appropriateness of the procedures either for the purpose for which this report has been requested or for any other purpose. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. An agreed-upon procedures engagement involves performing specific procedures that the engaging party has agreed to and acknowledged to be appropriate for the intended purpose of the engagement and reporting on findings based on the procedures performed.

The procedures and associated findings were as follows:

1. Describe which funds the Eligible Jurisdiction used to track all street and road expenditures and inquire how the Eligible Jurisdiction identifies (Maintenance of Effort) MOE expenditures in its general ledger.

Findings: The MOE expenditures were tracked in the City's general ledger by fund, program, and expenditure number. The City recorded its MOE expenditures in its General Fund (101) and identified MOE expenditures by program code and expenditure code. No exceptions were found as a result of this procedure.

2. Obtain the detail of MOE expenditures for the fiscal year ended June 30, 2023 and determine whether the Eligible Jurisdiction met the minimum MOE requirement as outlined in the Measure M2 Eligibility Guidelines Fiscal Year 2022/2023. Agree the total MOE expenditures to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 18). Explain any differences.

Findings: The City's MOE expenditures for the fiscal year ended June 30, 2023, were \$548,429 (see Schedule A), which exceeded the MOE benchmark requirement of \$538,604. We agreed the total expenditures of \$548,429 to the amount reported on the City's Expenditure Report (Schedule 3, line 18). No exceptions were found as a result of this procedure.

(Continued)

3. Select a sample of MOE expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected, perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal voucher or other appropriate supporting documentation; and
 - b. Determine whether the expenditure was properly classified as a local street and road expenditure and is allowable per the Ordinance.

Findings: We selected 12 direct MOE expenditures totaling \$357,901, which represented approximately 75% of direct MOE expenditures of \$475,422 for the fiscal year ended June 30, 2023. Crowe agreed the dollar amount listed on the general ledger to supporting documentation provided by the City. Crowe determined that the expenditures were properly classified as local street and road expenditures and are allowable per the Ordinance. No exceptions were found as a result of this procedure.

4. Identify whether indirect costs were charged as MOE expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, obtain detail of indirect costs charged, and select a sample of charges for inspection. Inspect supporting documentation for reasonableness and appropriate methodology.

Findings: Based upon inspection of the Expenditure Report (Schedule 3, line 1), the City reported \$73,007 in indirect costs for MOE for the fiscal year ended June 30, 2023. We selected 16 indirect costs for inspection totaling \$54,447, representing 75% of the total MOE indirect costs. Upon inspection, we determined these charges were labor costs directly identifiable as street and road project labor costs. As such, these costs should have been reported as direct costs. No other exceptions were found as a result of this procedure.

5. Obtain a listing of Measure M2 Local Fair Share payments made from OCLTA to the Eligible Jurisdiction and calculate the amount the Eligible Jurisdiction received for the past three fiscal years. Obtain the fund balance of the Eligible Jurisdiction's Measure M2 Local Fair Share Fund as of June 30, 2023 and agree to the balance as listed on the Eligible Jurisdiction's Expenditure Report (Schedule 1, line 20) and determine whether funds were expended within three years of receipt or within five years, if an extension was granted. Explain any differences.

Findings: The City received \$2,484,025 for the past three fiscal years ended June 30, 2021, 2022, and 2023. We agreed the fund balance of \$806,084 from the general ledger detail to the City's Expenditure Report (Schedule 1, line 20), with no differences. We determined funds were expended within three years of receipt. No exceptions were found as a result of this procedure.

6. Describe which fund the Eligible Jurisdiction used to track expenditures relating to Measure M2 Local Fair Share monies in its general ledger and the amount spent during the fiscal year ended June 30, 2023. Agree the total Local Fair Share expenditures per the general ledger to the amounts reflected on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 17, and detail listed at Schedule 4). Explain any differences.

Findings: The LFS expenditures were tracked in the City's general ledger by fund 204 (Measure M2 Fund). Total Measure M2 Local Fair Share expenditures per the general ledger during the fiscal year ended June 30, 2023, were \$1,393,492 (see Schedule A), which agreed to the City's Expenditure Report (Schedule 2, line 17, and detail listed on Schedule 4). No exceptions were found as a result of this procedure.

7. Obtain the Eligible Jurisdiction's Seven-Year Capital Improvement Program (CIP). Compare the projects listed on the Eligible Jurisdiction's Expenditure Report (Schedule 4) to the Seven-Year CIP, explaining any differences. Select a sample of Measure M2 Local Fair Share expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal vouchers or other appropriate supporting documentation; and
 - b. Determine that the expenditures selected in (a) above were related to projects included in the Eligible Jurisdiction's Seven-Year CIP and are properly classified as Measure M2 Local Fair Share projects.

Findings: We compared the projects listed on the City's Expenditure Report (Schedule 4) to the Seven-Year CIP, without exception. We selected six direct Measure M2 Local Fair Share expenditures for inspection totaling \$1,224,903 representing approximately 88% of total direct Measure M2 Local Fair Share expenditures of \$1,393,492 for the Fiscal Year ended June 30, 2023. We agreed the dollar amount to supporting documentation and determined that the expenditures selected were related to projects included in the City's Seven-Year CIP and were properly classified as Measure M2 Local Fair Share projects. No exceptions were found as a result of this procedure.

8. Identify whether indirect costs were charged as Measure M2 Local Fair Share expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, select a sample of charges. Describe the dollar amount inspected. Identify the amounts charged and inspect supporting documentation for reasonableness and appropriate methodology.

Findings: Based upon inspection of the general ledger detail, the Expenditure Report (Schedule 3, line 1), and discussion with the City's accounting personnel, no indirect costs were identified as Local Fair Share expenditures for the fiscal year ended June 30, 2023. No exceptions were found as a result of this procedure.

9. Obtain and inspect the Eligible Jurisdiction's interest allocation methodology and amount of interest allocated to the Measure M2 Local Fair Share Fund to ensure the proper amount of interest was credited. Agree the amount reflected to the amount of interest listed on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 4). Explain any differences.

Findings: We inspected the amount of interest allocated to the Measure M2 Local Fair Share Fund and agreed the amount reflected to the amount of interest totaling \$36,439 listed on the City's Expenditure Report (Schedule 2, line 4). The interest earned and the market value loss was \$64,375 and (\$27,936), respectively. We inspected the interest allocation methodology and recomputed the amount. No exceptions were found as a result of this procedure.

10. Determine whether the Jurisdiction was found eligible by the Board of Directors for the applicable year (FY23) by inspecting the OCLTA Board agenda and action items.

Findings: No exceptions were noted as a result of this procedure.

We were engaged by OCLTA to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the accounting records, any indirect cost allocation plans and compliance with the provisions of the Measure M2 Local Transportation Ordinance. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

(Continued)

We are required to be independent of the City's management and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

At the request of OCLTA, the City's responses to certain findings are included in Exhibit 1. The responses are included for the purpose of additional information and were not subjected to the procedures described above. Accordingly, we did not perform any procedures on the City's responses and express no assurance or opinion on them.

This report is intended solely for the information and use of and is not intended to be, and should not be, used by anyone other than the specified party.

A handwritten signature in black ink that reads "Crowe LLP". The signature is written in a cursive, flowing style.

Crowe LLP

Costa Mesa, California
March 11, 2024

CITY OF ALISO VIEJO, CALIFORNIA
SCHEDULE OF MEASURE M2 LOCAL FAIR SHARE EXPENDITURES
Year ended June 30, 2023
(Unaudited)

SCHEDULE A

Maintenance of Effort (MOE) Expenditures:

Indirect and/ or Overhead - Schedule 3, line 1 \$ 73,007

Maintenance

Overlay & Sealing 34,057

Storm Damage 3,973

Other Street Purpose Maintenance 437,392

Total Maintenance 475,422

Total MOE Expenditures \$ 548,429

Measure M2 Local Fair Share Expenditures (Schedule 4):

#122 OCTA Los Alisos Blvd Signal Synchronization \$ 10,561

#135 FY 22-23 Slury Seal 1,382,931

Total Measure M2 Local Fair Share Expenditures \$ 1,393,492

Total MOE and Measure M2 Local Fair Share Expenditures \$ 1,941,921

Note: The above amounts were taken directly from the financial records of the City of Aliso



March 11, 2024

Board of Directors
Orange County Local Transportation Authority
and the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

MAYOR
Mike Munzing

MAYOR PRO TEM
Tiffany Ackley

COUNCILMEMBER
Ross Chun

COUNCILMEMBER
Max Duncan

COUNCILMEMBER
Richard Hurt

CITY MANAGER
David A. Doyle

CITY ATTORNEY
Scott C. Smith

CITY CLERK
Mitzi Ortiz, MMC

The following response is being submitted to address results from the agreed upon procedures performed for the Measure M2 Local Fair Share program for the City of Aliso Viejo as of and for the fiscal year ended June 30, 2023.

Procedure #4

Identify whether indirect costs were charged as MOE expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, obtain detail of indirect costs charged, and select a sample of charges for inspection. Inspect supporting documentation for reasonableness and appropriate methodology.

Findings: Based upon inspection of the Expenditure Report (Schedule 3, line 1), the City reported \$73,007 in indirect costs for MOE for the fiscal year ended June 30, 2023. We selected 16 indirect costs for inspection totaling \$54,447, representing 75% of the total MOE indirect costs. Upon inspection, we determined these charges were labor costs directly identifiable as street and road project labor costs. As such, these costs should have been reported as direct costs. No other exceptions were found as a result of this procedure.

City's Response:

The City concurs with the finding that costs were incorrectly categorized as indirect costs and should have been direct costs. Staff will ensure future expenditure reports will properly identify any indirect costs, if any.

David Doyle, City Manager

Ann Eifert, Director of Financial Services

Shaun Pelletier, City Engineer/Director of Public Works

INDEPENDENT ACCOUNTANTS' REPORT ON
APPLYING AGREED-UPON PROCEDURES
CITY OF ANAHEIM

Board of Directors
Orange County Local Transportation Authority and
the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

We have performed the procedures enumerated below, which were agreed to by the Taxpayers Oversight Committee of the Orange County Local Transportation Authority (OCLTA) (the specified party), related to the City of Anaheim's (City) compliance with certain provisions of the Measure M2 Local Transportation Ordinance (Ordinance) as of and for the fiscal year ended June 30, 2023. The City's management is responsible for compliance with the Ordinance and for its cash, revenue, and expenditure records.

The Taxpayers Oversight Committee of the OCLTA has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of evaluating the City's compliance with certain provisions of the Ordinance as of and for the fiscal year ended June 30, 2023. We make no representation regarding the appropriateness of the procedures either for the purpose for which this report has been requested or for any other purpose. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. An agreed-upon procedures engagement involves performing specific procedures that the engaging party has agreed to and acknowledged to be appropriate for the intended purpose of the engagement and reporting on findings based on the procedures performed.

The procedures and associated findings were as follows:

1. Describe which funds the Eligible Jurisdiction used to track all street and road expenditures and inquire how the Eligible Jurisdiction identifies (Maintenance of Effort) MOE expenditures in its general ledger.

Findings: The MOE expenditures were tracked in the City's general ledger by fund, department, unit, and object code. The City records its MOE expenditures in its General Fund (101) and in the Public Works Department (412) followed by various unit codes and object codes. No exceptions were found as a result of this procedure.

2. Obtain the detail of MOE expenditures for the fiscal year ended June 30, 2023 and determine whether the Eligible Jurisdiction met the minimum MOE requirement as outlined in the Measure M2 Eligibility Guidelines Fiscal Year 2022/2023. Agree the total MOE expenditures to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 18). Explain any differences.

Findings: The City's MOE expenditures for the fiscal year ended June 30, 2023, were \$15,057,781 (see Schedule A), which exceeded the MOE benchmark requirement of \$11,725,957. We agreed the total expenditures of \$15,057,781 to the amount reported on the City's Expenditure Report (Schedule 3, line 18). No exceptions were found as a result of this procedure.

(Continued)

3. Select a sample of MOE expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected, perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal voucher or other appropriate supporting documentation; and
 - b. Determine whether the expenditure was properly classified as a local street and road expenditure and is allowable per the Ordinance.

Findings: We selected 25 direct MOE expenditures totaling \$6,196,339, which represented approximately 41% of direct MOE expenditures of \$14,964,712 for fiscal year ended June 30, 2023. We agreed the dollar amount listed on the general ledger to supporting documentation provided by the City. Upon inspection of our samples, we determined that there was one expenditure relating to parking structure rent, which totaled \$44,528 should have been reported as indirect costs. No other exceptions were found as a result of this procedure.

4. Identify whether indirect costs were charged as MOE expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, obtain detail of indirect costs charged, and select a sample of charges for inspection. Inspect supporting documentation for reasonableness and appropriate methodology.

Findings: We selected 25 indirect MOE costs for inspection totaling \$26,147, representing 28% of the total indirect MOE costs of \$93,069. These charges include payroll and benefits, monthly group insurance, and others. For indirect costs, the methodology used to allocate the actual costs to projects should be documented and represent a fair and reasonable allocation of costs. The City noted that all indirect expenditures were based on a written cost allocation plan developed in 2016. Through further inspection of the City's indirect cost allocation plan, Crowe determined the methodology was reasonable. However, the allocations was based upon an analysis of activities that took place over 8 years ago. No other exceptions were found as a result of this procedure.

5. Obtain a listing of Measure M2 Local Fair Share payments made from OCLTA to the Eligible Jurisdiction and calculate the amount the Eligible Jurisdiction received for the past three fiscal years. Obtain the fund balance of the Eligible Jurisdiction's Measure M2 Local Fair Share Fund as of June 30, 2023 and agree to the balance as listed on the Eligible Jurisdiction's Expenditure Report (Schedule 1, line 20) and determine whether funds were expended within three years of receipt or within five years, if an extension was granted. Explain any differences.

Findings: The City received \$12,329,260 for the past three fiscal years ended June 30, 2021, 2022, and 2023. We compared the fund balance of \$3,422,549 from the general ledger detail to the fund balance reported in the City's Expenditure Report (Schedule 1, line 21) of \$3,422,549, with no differences. We determined funds were expended within three years of receipt. No exceptions were identified as a result of this procedure.

6. Describe which fund the Eligible Jurisdiction used to track expenditures relating to Measure M2 Local Fair Share monies in its general ledger and the amount spent during the fiscal year ended June 30, 2023. Agree the total Local Fair Share expenditures per the general ledger to the amounts reflected on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 17, and detail listed at Schedule 4). Explain any differences.

Findings: The LFS expenditures were tracked in the City's general ledger by fund number, department number, and various unit and object codes. The City recorded its LFS expenditures in its Measure M2 Fair Share Fund (271) under the Public Works department (412), followed by a 4-digit unit code and a 4-digit object code. Total Measure M2 Local Fair Share expenditures per the general ledger during the fiscal year ended June 30, 2023, were \$4,384,847, which agreed to the City's Expenditure Report (Schedule 2, line 17, and detail listed at Schedule 4). No exceptions were found as a result of this procedure.

7. Obtain the Eligible Jurisdiction's Seven-Year Capital Improvement Program (CIP). Compare the projects listed on the Eligible Jurisdiction's Expenditure Report (Schedule 4) to the Seven-Year CIP, explaining any differences. Select a sample of Measure M2 Local Fair Share expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal vouchers or other appropriate supporting documentation; and
 - b. Determine that the expenditures selected in (a) above were related to projects included in the Eligible Jurisdiction's Seven-Year CIP and are properly classified as Measure M2 Local Fair Share projects.

Findings: We compared the projects listed on the City's Expenditure Report (Schedule 4) to the Seven-Year CIP, without exception. We selected 15 direct Measure M2 Local Fair Share expenditures for inspection totaling \$3,195,620, representing approximately 75% of total direct Measure M2 Local Fair Share expenditures of \$4,232,656 for the fiscal year ended June 30, 2023. We agreed the dollar amount to supporting documentation and determined that expenditures selected were related to projects included in the City's Seven-Year CIP and were properly classified as Measure M2 Local Fair Share projects. No exceptions were found as a result of this procedure.

8. Identify whether indirect costs were charged as Measure M2 Local Fair Share expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, select a sample of charges. Describe the dollar amount inspected. Identify the amounts charged and inspect supporting documentation for reasonableness and appropriate methodology.

Findings: Based upon inspection of the Expenditure Report (Schedule 3, line 1), the City reported \$152,191 in indirect costs for LFS for the fiscal year ended June 30, 2023. We selected 25 Local Fair Share indirect costs for inspection totaling \$34,188, representing 22% of the total Local Fair Share indirect costs. Upon inspection, we determined these charges were labor costs directly identifiable as street and road project labor costs. As such, these costs should have been reported as direct costs. No other exceptions were found as a result of this procedure.

9. Obtain and inspect the Eligible Jurisdiction's interest allocation methodology and amount of interest allocated to the Measure M2 Local Fair Share Fund to ensure the proper amount of interest was credited. Agree the amount reflected to the amount of interest listed on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 4). Explain any differences.

Findings: We inspected the amount of interest allocated to the Measure M2 Local Fair Share Fund and agreed the amount reflected to the amount of interest totaling \$263,385 listed on the City's Expenditure Report (Schedule 2, line 4). We inspected the interest allocation methodology and recomputed the amount based on the interest allocation methodology. No exceptions were found as a result of this procedure.

10. Determine whether the Jurisdiction was found eligible by the Board of Directors for the applicable year (FY23) by inspecting the OCLTA Board agenda and action items.

Findings: No exceptions were noted as a result of this procedure.

We were engaged by OCLTA to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the accounting records, any indirect cost allocation plans and compliance with the provisions of the Measure M2 Local Transportation Ordinance. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City's management and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

At the request of OCLTA, the City's responses to certain findings are included in Exhibit 1. The responses are included for the purpose of additional information and were not subjected to the procedures described above. Accordingly, we did not perform any procedures on the City's responses and express no assurance or opinion on them.

This report is intended solely for the information and use of and is not intended to be, and should not be, used by anyone other than the specified party.



Crowe LLP

Costa Mesa, California
March 12, 2024

CITY OF ANAHEIM, CALIFORNIA
SCHEDULE OF MEASURE M2 LOCAL FAIR SHARE EXPENDITURES
Year ended June 30, 2023
(Unaudited)

	SCHEDULE A
Maintenance of Effort (MOE) Expenditures:	
Indirect and/ or Overhead - Schedule 3, line 1	\$ 93,069
Construction & Right-of-Way	
Street Reconstruction	\$ 989,170
Signals, Safety Devices, & Street Lights	1,988,951
Total Construction	<u>\$ 2,978,121</u>
Maintenance	
Street Lights & Traffic Signals	\$ 5,601,390
Other Street Purpose Maintenance	6,385,201
Total Maintenance	<u>\$ 11,986,591</u>
Total MOE Expenditures	<u>\$ 15,057,781</u>
 Measure M2 Local Fair Share Expenditures (Schedule 4):	
Capital Project Administration	\$ 152,191
General Agency Coordination	4,790
Orangewood Ave Pavement Rehab (Haster to Lewis)	22,003
Orangewood Ave Pavement Rehab (Harbor to Haster)	43,738
Orange Ave Pavement Rehab (Magnolia to Gilbert)	8,320
Weir Canyon Road Pavement Rehab (Serrano to Parkglen)	1,375
Euclid Street Pavement Rehab (Glenoaks to 91 Freeway)	931,829
East Street Pavement Rehab (La Palma to 91 Freeway)	(130,188)
OCSD State College Pavement Rehab Project	117,011
Orangewood Pavement Rehab (Lakeview to Imperial)	5,906
La Palma Pavement Rehab (Lakeview to Imperial)	13,741
Euclid Pavement Rehab (Broadway to Lincoln)	895,890
East Street Pavement Rehab (Lakewood to Imperial)	34,219
Broadway Pavement Rehab (Anaheim to East)	61,285
Santa Ana Canyon Pavement Rehab	34,787
Weir Canyon Pavement Rehab (Serrano to Santa Ana Cyn)	742,078
Weir Canyon Pavement Rehab (Running Springs to South Limits)	1,234,759
South St Pavement Rehab (State College Blvd to Sunkist St)	31,296
Lincoln Pavement Rehab (Dale to Magnolia)	7,341
Ball Road Pavement Rehab (Claudina to State College)	5,144
Nohl Ranch, Imperial and Anaheim Hills Pavement Rehab	65,494
Brookhurst Pavement Rehab: 91 to North City Limits Fullerton	11,385
Cerritos Ave Pavement Rehab from Nutwood St to Euclid Street	77,198
Dupont Dr Pavement Rehab- South of Orangewood Avenue	13,255
Total Measure M2 Local Fair Share Expenditures	<u>\$ 4,384,847</u>
Total MOE and Measure M2 Local Fair Share Expenditures	<u><u>\$ 19,442,628</u></u>

Note: The above amounts were taken directly from the financial records of the City of Anaheim and were not audited.



City of Anaheim

DEPARTMENT OF PUBLIC WORKS

Exhibit 1

March 12, 2024

Board of Directors
Orange County Local Transportation Authority
and the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

The following response is being submitted to address results from the agreed upon procedures performed for the Measure M2 Local Fair Share program for the City of Anaheim as of and for the fiscal year ended June 30, 2023.

Procedure # 3

Select a sample of MOE expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected, perform the following:

- a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal voucher or other appropriate supporting documentation; and
- b. Determine whether the expenditure was properly classified as a local street and road expenditure and is allowable per the Ordinance.

Findings: We selected 25 direct MOE expenditures totaling \$6,196,339, which represented approximately 41% of direct MOE expenditures of \$14,964,712 for fiscal year ended June 30, 2023. We agreed the dollar amount listed on the general ledger to supporting documentation provided by the City. Upon inspection of our samples, we determined that there was one expenditure relating to parking structure rent, which totaled \$44,528 should have been reported as indirect costs. No other exceptions were found as a result of this procedure.

City's Response:

The City acknowledged that this charge should have been reported as indirect costs. This parking structure expense is an internal governmental service charge, which is a charge for the cost of employee parking in the City's parking structure. It is the same as the facility rent that we pay. The Public Works Department considered these expenses as a Traffic Systems general indirect cost. Based on the audit recommendation, the Public Works Department will report this type of expense as indirect costs.

Procedure # 4

Identify whether indirect costs were charged as MOE expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, obtain detail of indirect costs charged, and select a sample of charges for inspection. Inspect supporting documentation for reasonableness and appropriate methodology.

Findings: We selected 25 indirect MOE costs for inspection totaling \$26,147, representing 28% of the total indirect MOE costs of \$93,069. These charges include payroll and benefits, monthly group insurance, and others. For indirect costs, the methodology used to allocate the actual costs to projects should be documented and represent a fair and reasonable allocation of costs. The City noted that all indirect expenditures were based on a written cost allocation plan developed in 2016. Through further inspection of the City's indirect cost allocation plan, Crowe determined the methodology was reasonable. However, the allocations was based upon an analysis of activities that took place over 8 years ago. No other exceptions were found as a result of this procedure.

City's Response:

In 2016, the Public Works Department requested an internal audit review to evaluate selected elements of the Maintenance of Effort (MOE) allocation basis. Based on that review, there were several changes implemented to the department's allocation. The memo dated May 4, 2016, outlines the recommended allocations from the internal audit review, which were subsequently implemented and have since remained in effect. Since then, there have been no operational or procedural changes within the department that would affect the MOE allocations. While there have not been any known material changes, the department intends to request an updated review of the MOE allocations by internal audit, updating current year allocations as needed. Additionally, the department commits to conducting this review every five years to ensure the maintenance of an appropriate MOE allocation basis.

Procedure # 8

Identify whether indirect costs were charged as Measure M2 Local Fair Share expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, select a sample of charges. Describe the dollar amount inspected. Identify the amounts charged and inspect supporting documentation for reasonableness and appropriate methodology.

Findings: Based upon inspection of the Expenditure Report (Schedule 3, line 1), the City reported \$152,191 in indirect costs for LFS for the fiscal year ended June 30, 2023. We selected 25 Local Fair Share indirect costs for inspection totaling \$34,188, representing 22% of the total Local Fair Share indirect costs. Upon inspection, we determined these charges were labor costs directly identifiable as street and road project labor costs. As such, these costs should have been reported as direct costs. No other exceptions were found as a result of this procedure.

City's Response:

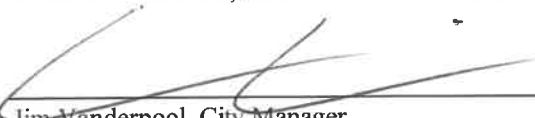
The Public Works Department reported the general accounting and finance expenses as indirect costs (Schedule 3, line 1). The expenses were direct labor costs charged to Local Fair Share. Based on the audit recommendation the Public Works Department will report the expenses as Other expenses (Schedule 3, line 17) in future M2 Expenditure Reports



Rudy Emami, Public Works Director



Deborah A. Moreno, Finance Director/Treasurer



Jim Vanderpool, City Manager
For

INDEPENDENT ACCOUNTANTS' REPORT ON
APPLYING AGREED-UPON PROCEDURES
CITY OF BUENA PARK

Board of Directors
Orange County Local Transportation Authority and
the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

We have performed the procedures enumerated below, which were agreed to by the Taxpayers Oversight Committee of the Orange County Local Transportation Authority (OCLTA) (the specified party), related to the City of Buena Park's (City) compliance with certain provisions of the Measure M2 Local Transportation Ordinance (Ordinance) as of and for the fiscal year ended June 30, 2023. The City's management is responsible for compliance with the Ordinance and for its cash, revenue, and expenditure records.

The Taxpayers Oversight Committee of the OCLTA has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of evaluating the City's compliance with certain provisions of the Ordinance as of and for the fiscal year ended June 30, 2023. We make no representation regarding the appropriateness of the procedures either for the purpose for which this report has been requested or for any other purpose. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. An agreed-upon procedures engagement involves performing specific procedures that the engaging party has agreed to and acknowledged to be appropriate for the intended purpose of the engagement and reporting on findings based on the procedures performed.

The procedures and associated findings were as follows:

1. Describe which funds the Eligible Jurisdiction used to track all street and road expenditures and inquire how the Eligible Jurisdiction identifies (Maintenance of Effort) MOE expenditures in its general ledger.

Findings: The MOE expenditures were tracked in the City's general ledger by fund and activity number. The City recorded its MOE expenditures in its General Fund (101) and expenditures are identified by various 6-digit activity numbers. No exceptions were found as a result of this procedure.

2. Obtain the detail of MOE expenditures for the fiscal year ended June 30, 2023 and determine whether the Eligible Jurisdiction met the minimum MOE requirement as outlined in the Measure M2 Eligibility Guidelines Fiscal Year 2022/2023. Agree the total MOE expenditures to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 18). Explain any differences.

Findings: The City's MOE expenditures for the fiscal year ended June 30, 2023, were \$5,142,741 (see Schedule A), which exceeded the MOE benchmark requirement of \$4,184,754. We agreed the total expenditures of \$5,142,741 to the amount reported on the City's Expenditure Report (Schedule 3, line 18). No exceptions were found as a result of this procedure.

(Continued)

3. Select a sample of MOE expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected, perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal voucher or other appropriate supporting documentation; and
 - b. Determine whether the expenditure was properly classified as a local street and road expenditure and is allowable per the Ordinance.

Findings: We selected 25 direct MOE expenditures totaling \$1,033,865, which represented approximately 29% of direct MOE expenditures of \$3,606,939 for fiscal year ended June 30, 2023. Crowe agreed the dollar amount listed on the general ledger to supporting documentation provided by the City. Crowe determined that the expenditures were properly classified as a local street and road expenditure and is allowable per the ordinance. No exceptions were found as a result of this procedure.

4. Identify whether indirect costs were charged as MOE expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, obtain detail of indirect costs charged, and select a sample of charges for inspection. Inspect supporting documentation for reasonableness and appropriate methodology.

Findings: We agreed the total indirect expenditures of \$1,535,802 to the amount reported on the City's Expenditure Report (Schedule 3, line 1) with no differences. We selected 25 indirect MOE costs for inspection totaling \$613,744, representing 41% of the total indirect MOE costs of \$1,535,802. These expenses included payroll and benefits, monthly building and equipment maintenance allocation, office supplies, and others. For indirect costs, the methodology used to allocate the actual costs to projects should be documented and represent a fair and reasonable allocation of costs. Specifically for the payroll and benefits related expenditures, we requested the City to provide a documented methodology used to support the employee percentage allocations to the MOE accounts and they were unable to provide such documentation that adequately supports the allocation percentages. It was noted that the allocation percentages for each employee were based on a Public Works managerial assumption of the time spent on each account and was not based on historical or current data. As such, we lack information necessary to confirm these costs as fair and reasonable and the entirety of these allocated costs were removed from the MOE, except for the allocated salary of one Street Maintenance Superintendent, who worked exclusively on street and road related projects. The total costs removed were \$998,755. In addition, chargebacks to payroll-related expenditures totaling \$252,192 were removed from the MOE. After the above adjustments, the City's MOE expenditures totaled \$4,396,178, which exceed the City's MOE benchmark of \$4,184,754. No other exceptions were found as a result of this procedure.

5. Obtain a listing of Measure M2 Local Fair Share payments made from OCLTA to the Eligible Jurisdiction and calculate the amount the Eligible Jurisdiction received for the past three fiscal years. Obtain the fund balance of the Eligible Jurisdiction's Measure M2 Local Fair Share Fund as of June 30, 2023 and agree to the balance as listed on the Eligible Jurisdiction's Expenditure Report (Schedule 1, line 20) and determine whether funds were expended within three years of receipt or within five years, if an extension was granted. Explain any differences.

Findings: The City received \$5,541,865 for the past three fiscal years ended June 30, 2021, 2022, and 2023. We agreed the fund balance of \$2,384,395 from the general ledger detail to the City's Expenditure Report (Schedule 1, line 20), with no differences.

6. Describe which fund the Eligible Jurisdiction used to track expenditures relating to Measure M2 Local Fair Share monies in its general ledger and the amount spent during the fiscal year ended June 30, 2023. Agree the total Local Fair Share expenditures per the general ledger to the amounts reflected on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 17, and detail listed at Schedule 4). Explain any differences. We determined funds were expended within three years of receipt. No exceptions were found as a result of this procedure.

Findings: The City tracks its LFS expenditures in its Measure M2 Fund (25). Total Measure M2 Local Fair Share expenditures per the general ledger during the fiscal year ended June 30, 2023 was \$2,055,113 (see Schedule A), which agreed to the City's Expenditure Report. (Schedule 2, line 17, and detail listed at Schedule 4). No exceptions were found as a result of this procedure.

7. Obtain the Eligible Jurisdiction's Seven-Year Capital Improvement Program (CIP). Compare the projects listed on the Eligible Jurisdiction's Expenditure Report (Schedule 4) to the Seven-Year CIP, explaining any differences. Select a sample of Measure M2 Local Fair Share expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal vouchers or other appropriate supporting documentation; and
 - b. Determine that the expenditures selected in (a) above were related to projects included in the Eligible Jurisdiction's Seven-Year CIP and are properly classified as Measure M2 Local Fair Share projects.

Findings: We compared the projects listed on the City's Expenditure Report (Schedule 4) to the Seven Year CIP, without any exception. We selected 5 Measure M2 Local Fair Share direct expenditures for inspection totaling \$1,528,585 representing approximately 92% of total Measure M2 direct Local Fair Share expenditures of \$1,639,630 for the fiscal year ended June 30, 2023. We agreed the dollar amount to supporting documentation and determined that the expenditures selected were related to projects included in the City's Seven-Year CIP and were properly classified as Measure M2 Local Fair Share projects. No exceptions were found as a result of this procedure.

8. Identify whether indirect costs were charged as Measure M2 Local Fair Share expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, select a sample of charges. Describe the dollar amount inspected. Identify the amounts charged and inspect supporting documentation for reasonableness and appropriate methodology.

Findings: Based upon inspection of the Expenditure Report (Schedule 3, line 1), the City reported \$415,484 in indirect costs for LFS for the fiscal year ended June 30, 2023. We selected 25 indirect costs for inspection with a total amount of \$243,581 representing 59% of the total LFS indirect costs. Upon inspection, we determined these charges were labor cost allocations. For indirect costs, the methodology used to allocate the actual costs to projects should be documented and represent a fair and reasonable allocation of costs. We requested the City to provide the documented methodology used to support the labor cost allocations and the City was unable to provide such documentation. It was noted that the allocation percentages for each employee were based on the Public Works managerial assumption of the time being spent on each account and was not based on historical or current data. As such, sufficient information was not available to confirm these costs as fair and reasonable, and the entirety of these allocations, except for the allocated salary of one Street Maintenance Superintendent that worked exclusively on street and road related projects, were not deemed allowable per the Ordinance. The total disallowed was \$387,576. No other exceptions were found as a result of this procedure.

9. Obtain and inspect the Eligible Jurisdiction's interest allocation methodology and amount of interest allocated to the Measure M2 Local Fair Share Fund to ensure the proper amount of interest was credited. Agree the amount reflected to the amount of interest listed on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 4). Explain any differences.

Findings: We inspected the amount of interest allocated to the Measure M2 Local Fair Share Fund and agreed the amount reflected to the amount of interest totaling \$43,807 listed on the City's Expenditure Report (Schedule 2, line 4). We inspected the interest allocation methodology and recomputed the amount based on the interest allocation methodology. No exceptions were found as a result of this procedure.

10. Determine whether the Jurisdiction was found eligible by the Board of Directors for the applicable year (FY23) by inspecting the OCLTA Board agenda and action items.

Findings: No exceptions were noted as a result of this procedure.

We were engaged by OCLTA to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the accounting records, any indirect cost allocation plans and compliance with the provisions of the Measure M2 Local Transportation Ordinance. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City's management and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

At the request of OCLTA, the City's responses to certain findings are included in Exhibit 1. The responses are included for the purpose of additional information and were not subjected to the procedures described above. Accordingly, we did not perform any procedures on the City's responses and express no assurance or opinion on them.

This report is intended solely for the information and use of and is not intended to be, and should not be, used by anyone other than the specified party.



Crowe LLP

Costa Mesa, California
April 9, 2024

CITY OF BUENA PARK, CALIFORNIA
SCHEDULE OF MEASURE M2 LOCAL FAIR SHARE EXPENDITURES
Year ended June 30, 2023
(Unaudited)

	SCHEDULE A
Maintenance of Effort (MOE) Expenditures:	
Indirect and/ or Overhead - Schedule 3, line 1	\$ 1,535,802
Maintenance	
Street Lights & Traffic Signals	1,227,520
Other Street Purpose Maintenance	<u>2,379,418</u>
Total Maintenance	<u>\$ 3,606,938</u>
 Total MOE Expenditures	 <u><u>\$ 5,142,740</u></u>
 Measure M2 Local Fair Share Expenditures (Schedule 4):	
Malvern Avenue Rehabilitation	\$ 1,850,908
Orangethorpe Avenue Pavement Rehabilitation	150,144
Metrolink Improvements	<u>54,061</u>
 Total Measure M2 Local Fair Share Expenditures	 <u>\$ 2,055,113</u>
 Total MOE and Measure M2 Local Fair Share Expenditures	 <u><u>\$ 7,197,853</u></u>

Note: The above amounts were taken directly from the financial records of the City of Buena Park and were not audited.

Exhibit 1

April 9, 2024

Board of Directors
Orange County Local Transportation Authority
and the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

The following response is being submitted to address results from the agreed upon procedures performed for the Measure M2 Local Fair Share program for the City of Buena Park as of and for the fiscal year ended June 30, 2023.

Procedure #4

Identify whether indirect costs were charged as MOE expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, obtain detail of indirect costs charged, and select a sample of charges for inspection. Inspect supporting documentation for reasonableness and appropriate methodology.

Findings: We agreed the total indirect expenditures of \$1,535,802 to the amount reported on the City's Expenditure Report (Schedule 3, line 1) with no differences. We selected 25 indirect MOE costs for inspection totaling \$613,744, representing 41% of the total indirect MOE costs of \$1,535,802. These expenses included payroll and benefits, monthly building and equipment maintenance allocation, office supplies, and others. For indirect costs, the methodology used to allocate the actual costs to projects should be documented and represent a fair and reasonable allocation of costs. Specifically for the payroll and benefits related expenditures, we requested the City to provide a documented methodology used to support the employee percentage allocations to the MOE accounts and they were unable to provide such documentation that adequately supports the allocation percentages. It was noted that the allocation percentages for each employee were based on a Public Works managerial assumption of the time spent on each account and was not based on historical or current data. As such, we lack information necessary to confirm these costs as fair and reasonable and the entirety of these allocated costs were removed from the MOE, except for the allocated salary of one Street Maintenance Superintendent, who worked exclusively on street and road related projects. The total costs removed were \$998,755. In addition, chargebacks to payroll-related expenditures totaling \$252,192 were removed from the MOE. After the above adjustments, the City's MOE expenditures totaled \$4,396,178, which exceed the City's MOE benchmark of \$4,184,754. No other exceptions were found as a result of this procedure.

City's Response:

See Procedure #8 response.

Procedure #8

Identify whether indirect costs were charged as Measure M2 Local Fair Share expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, select a sample of charges. Describe the dollar amount inspected. Identify the amounts charged and inspect supporting documentation for reasonableness and appropriate methodology.

Findings: Based upon inspection of the Expenditure Report (Schedule 3, line 1), the City reported \$415,484 in indirect costs for LFS for the fiscal year ended June 30, 2023. We selected 25 indirect costs for inspection with a total amount of \$243,581 representing 59% of the total LFS indirect costs. Upon inspection, we determined these

charges were labor cost allocations. For indirect costs, the methodology used to allocate the actual costs to projects should be documented and represent a fair and reasonable allocation of costs. We requested the City to provide the documented methodology used to support the labor cost allocations and the City was unable to provide such documentation. It was noted that the allocation percentages for each employee were based on the Public Works managerial assumption of the time being spent on each account and was not based on historical or current data. As such, sufficient information was not available to confirm these costs as fair and reasonable, and the entirety of these allocations, except for the allocated salary of one Street Maintenance Superintendent that worked exclusively on street and road related projects, were not deemed allowable per the Ordinance. The total disallowed was \$387,576. No other exceptions were found as a result of this procedure.

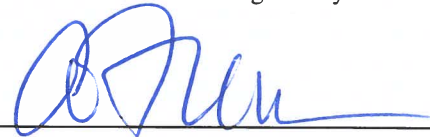
City's Response:

The City acknowledges and accepts that its current indirect cost methodology is no longer accepted by OCTA as a fair and equitable way to allocate costs and will implement corrective action to align with OCTA guidelines. The City maintains that its methodology for allocating labor costs was followed consistently for several years and had been previously audited by OCTA for the fiscal year ending June 30, 2018, with no finding related to its allocation plan. While the issue of overhead cost allocation was discussed at the M2 director's meetings, the City relied on past audits where the methodology was accepted, considering them as prior validation to continue employing the same approach under the assumption that it was acceptable and reasonable for OCTA.

Furthermore, the City believes that the allocated overhead costs could have alternatively been classified as direct labor costs according to the gas tax guidelines. Extensive sample documentation was provided to support that direct staff time was dedicated to readily identifiable street projects. While the auditors and OCTA staff acknowledged that work was performed by City staff, they expressed that they could not accept the supporting documentation citing challenges in quantifying the time worked.

The City holds the view that OCTA guidelines do not necessarily mandate time sheets as the exclusive means to substantiate and quantify labor costs. It contends that the extensive documentation provided, which consists of legal notices, inspection reports, contracts, contractor correspondence, construction documents, agenda reports, and other supportive materials, is reasonable and sufficient to demonstrate the considerable staff resources directly involved with specific street-related projects and the costs reported for these activities are fair and reasonable. The documentation provided, though not in the form of traditional timesheets, offers compelling evidence of the resources dedicated to fulfilling Measure M2 LFS objectives. Disallowing the entirety of these costs not only disregards the substantial efforts invested by City personnel but also implies an unreasonable scenario where no engineering and inspection staff time was allocated to street activities.

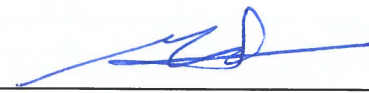
We acknowledge the need to revise our indirect cost methodology to align with OCTA standards and recognize the significance of ensuring fair and reasonable allocation of resources while fulfilling Measure M2 LFS objectives. As a part of this initiative, the City will begin using timecards to track direct costs and implement a cost allocation plan to track indirect costs associated with street projects. We are committed to working closely with OCTA to address concerns and implement necessary changes.



Aaron France, City Manager



Sung Hyun, Director of Finance



Mina Mikhael, Director of Public Works

INDEPENDENT ACCOUNTANTS' REPORT ON
APPLYING AGREED-UPON PROCEDURES
CITY OF COSTA MESA

Board of Directors
Orange County Local Transportation Authority and
the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

We have performed the procedures enumerated below, which were agreed to by the Taxpayers Oversight Committee of the Orange County Local Transportation Authority (OCLTA) (the specified party), related to the City of Costa Mesa's (City) compliance with certain provisions of the Measure M2 Local Transportation Ordinance (Ordinance) as of and for the fiscal year ended June 30, 2023. The City's management is responsible for compliance with the Ordinance and for its cash, revenue, and expenditure records.

The Taxpayers Oversight Committee of the OCLTA has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of evaluating the City's compliance with certain provisions of the Ordinance as of and for the fiscal year ended June 30, 2023. We make no representation regarding the appropriateness of the procedures either for the purpose for which this report has been requested or for any other purpose. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. An agreed-upon procedures engagement involves performing specific procedures that the engaging party has agreed to and acknowledged to be appropriate for the intended purpose of the engagement and reporting on findings based on the procedures performed.

The procedures and associated findings were as follows:

1. Describe which funds the Eligible Jurisdiction used to track all street and road expenditures and inquire how the Eligible Jurisdiction identifies (Maintenance of Effort) MOE expenditures in its general ledger.

Findings: The MOE expenditures were tracked in the City's general ledger by fund, department, program, and expenditure number. The City recorded its MOE expenditures in its General Fund (101), Capital Improvement Fund (401), Equipment Replacement Fund (601), and is identified by a 5-digit department number, a 5-digit program number, and a 6-digit expenditure number. No exceptions were found as a result of this procedure.

2. Obtain the detail of MOE expenditures for the fiscal year ended June 30, 2023 and determine whether the Eligible Jurisdiction met the minimum MOE requirement as outlined in the Measure M2 Eligibility Guidelines Fiscal Year 2022/2023. Agree the total MOE expenditures to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 18). Explain any differences.

(Continued)

Findings: The City's MOE expenditures for the fiscal year ended June 30, 2023, were \$10,771,223 (see Schedule A), which exceeded the MOE benchmark requirement of \$8,607,340. We agreed the total expenditures of \$10,771,223 to the amount reported on the City's Expenditure Report (Schedule 3, line 18). No exceptions were found as a result of this procedure.

3. Select a sample of MOE expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected, perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal voucher or other appropriate supporting documentation; and
 - b. Determine whether the expenditure was properly classified as a local street and road expenditure and is allowable per the Ordinance.

Findings: We selected 25 direct MOE expenditures totaling \$2,929,492, which represented approximately 31% of direct MOE expenditures of \$9,311,331 for the fiscal year ended June 30, 2023. Crowe agreed the dollar amount listed on the general ledger to supporting documentation provided by the City. Crowe determined that the expenditures were properly classified as a local street and road expenditures and were allowable per the Ordinance. No exceptions were found as a result of this procedure.

4. Identify whether indirect costs were charged as MOE expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, obtain detail of indirect costs charged, and select a sample of charges for inspection. Inspect supporting documentation for reasonableness and appropriate methodology.

Findings: Based upon inspection of the general ledger detail, the Expenditure Report (Schedule 3, line 1), and discussion with the City's accounting personnel, indirect costs were identified as MOE expenditures for the fiscal year ended June 30, 2023. We agreed \$1,459,892 of indirect costs per the Expenditure Report (Schedule 3, line 1) to the general ledger detail. We selected 25 charges for inspection with a total amount of \$528,067 representing, 36% of the total MOE indirect costs. We recomputed the selected indirect costs using the City's allocation methodology and identified no exceptions. The indirect costs included labor charges for the Public Works department. Upon inspecting the supporting documentation for the samples selected, we determined that the indirect MOE costs were properly classified as indirect expenditures and based upon a reasonable and appropriate methodology. No exceptions were found as a result of this procedure.

5. Obtain a listing of Measure M2 Local Fair Share payments made from OCLTA to the Eligible Jurisdiction and calculate the amount the Eligible Jurisdiction received for the past three fiscal years. Obtain the fund balance of the Eligible Jurisdiction's Measure M2 Local Fair Share Fund as of June 30, 2023 and agree to the balance as listed on the Eligible Jurisdiction's Expenditure Report (Schedule 1, line 20) and determine whether funds were expended within three years of receipt or within five years, if an extension was granted. Explain any differences.

Findings: The City received \$9,215,661 for the past three fiscal years ended June 30, 2021, 2022, and 2023. We agreed the fund balance of \$6,457,271 from the general ledger detail to the City's Expenditure Report (Schedule 1, line 20), with no differences. We determined funds were expended within three years of receipt. No exceptions were found as a result of this procedure.

6. Describe which fund the Eligible Jurisdiction used to track expenditures relating to Measure M2 Local Fair Share monies in its general ledger and the amount spent during the fiscal year ended June 30, 2023. Agree the total Local Fair Share expenditures per the general ledger to the amounts reflected on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 17, and detail listed at Schedule 4). Explain any differences.

(Continued)

Findings: The LFS expenditures were tracked in the City's general ledger by fund number, department number, and program number. The City recorded its LFS expenditures in its Measure M2 Fund (416). Total Measure M2 Local Fair Share expenditures per the general ledger during the fiscal year ended June 30, 2023, were \$1,323,633 (see Schedule A), which agreed to the City's Expenditure Report (Schedule 2, line 17, and detail listed at Schedule 4). No exceptions were found as a result of this procedure.

7. Obtain the Eligible Jurisdiction's Seven-Year Capital Improvement Program (CIP). Compare the projects listed on the Eligible Jurisdiction's Expenditure Report (Schedule 4) to the Seven-Year CIP, explaining any differences. Select a sample of Measure M2 Local Fair Share expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal vouchers or other appropriate supporting documentation; and
 - b. Determine that the expenditures selected in (a) above were related to projects included in the Eligible Jurisdiction's Seven-Year CIP and are properly classified as Measure M2 Local Fair Share projects.

Findings: We compared the projects listed on the City's Expenditure Report (Schedule 4) to the Seven-Year CIP, without any exception. We selected 15 Measure M2 Local Fair Share direct expenditures for inspection totaling \$1,007,581 representing approximately 76% of total Measure M2 direct Local Fair Share expenditures of \$1,323,633 for the fiscal year ended June 30, 2023. We agreed the dollar amount to supporting documentation and determined that the expenditures selected were related to projects included in the Seven-Year CIP and were properly classified as Measure M2 Local Fair Share projects. No exceptions were found as a result of this procedure.

8. Identify whether indirect costs were charged as Measure M2 Local Fair Share expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, select a sample of charges. Describe the dollar amount inspected. Identify the amounts charged and inspect supporting documentation for reasonableness and appropriate methodology.

Findings: Based upon inspection of the general ledger detail, the Expenditure Report (Schedule 3, line 1), and discussion with the City's accounting personnel, no indirect costs were identified as Measure M2 Local Fair Share expenditures for the fiscal year ended June 30, 2023. No exceptions were found as a result of this procedure.

9. Obtain and inspect the Eligible Jurisdiction's interest allocation methodology and amount of interest allocated to the Measure M2 Local Fair Share Fund to ensure the proper amount of interest was credited. Agree the amount reflected to the amount of interest listed on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 4). Explain any differences.

Findings: We inspected the amount of interest allocated to the Measure M2 Local Fair Share Fund and agreed the amount reflected to the amount of interest totaling \$53,052 listed on the City's Expenditure Report (Schedule 2, line 4). We inspected the interest allocation methodology and recomputed the amount based on the interest allocation methodology. No exceptions were found as a result of this procedure.

10. Determine whether the Jurisdiction was found eligible by the Board of Directors for the applicable year (FY23) by inspecting the OCLTA Board agenda and action items.

Findings: No exceptions were found as a result of this procedure.

We were engaged by OCLTA to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the accounting records, any indirect cost allocation plans and compliance with the provisions of the Measure M2 Local Transportation Ordinance. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City's management and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of and is not intended to be, and should not be, used by anyone other than the specified party.

A handwritten signature in cursive script that reads "Crowe LLP".

Crowe LLP

Costa Mesa, California
March 28, 2024

CITY OF COSTA MESA, CALIFORNIA
SCHEDULE OF MEASURE M2 LOCAL FAIR SHARE EXPENDITURES
Year ended June 30, 2023
(Unaudited)

	SCHEDULE A
Maintenance of Effort (MOE) Expenditures:	
Indirect and/ or Overhead - Schedule 3, line 1	\$ 1,459,892
Construction & Right-of-Way	
Street Reconstruction	\$ 603,373
Signals, Safety Devices, & Street Lights	93,856
Pedestrian Ways & Bikepaths	629,199
Storm Drains	193,159
Total Construction	<u>\$ 1,519,587</u>
Maintenance	
Overlay & Sealing	\$ 679,382
Street Lights & Traffic Signals	2,347,369
Other Street Purpose Maintenance	4,764,993
Total Maintenance	<u>\$ 7,791,744</u>
Total MOE Expenditures	<u>\$ 10,771,223</u>
Measure M2 Local Fair Share Expenditures (Schedule 4):	
Street Maintenance Citywide #400015	\$ 869,440
Bicycle/ Pedestrian Infra Improvmeent - #450015	71,108
Adams at Pinecreek Improvmeent (Intersection improve.) - #300174	47,626
Adams Ave Bicycle Facility Project (Class II Bike Lane) #450014	63,678
Neighborhood Traffic Improvement (Signs, approved speed humps) #300	85,019
Parkway Maintenance Program- Citywide -#500010	71,209
Citywide Traffic Signal Improvement #370058	64,175
West 19th St. Wallace Ave Traffic Signal #370059	51,378
Total Measure M2 Local Fair Share Expenditures	<u>\$ 1,323,633</u>
Total MOE and Measure M2 Local Fair Share Expenditures	<u>\$ 12,094,856</u>

Note: The above amounts were taken directly from the financial records of the City of Costa Mesa and were not audited.

INDEPENDENT ACCOUNTANTS' REPORT ON
APPLYING AGREED-UPON PROCEDURES
CITY OF ORANGE

Board of Directors
Orange County Local Transportation Authority and
the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

We have performed the procedures enumerated below, which were agreed to by the Taxpayers Oversight Committee of the Orange County Local Transportation Authority (OCLTA) (the specified party), related to the City of Orange's (City) compliance with certain provisions of the Measure M2 Local Transportation Ordinance (Ordinance) as of and for the fiscal year ended June 30, 2023. The City's management is responsible for compliance with the Ordinance and for its cash, revenue, and expenditure records.

The Taxpayers Oversight Committee of the OCLTA has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of evaluating the City's compliance with certain provisions of the Ordinance as of and for the fiscal year ended June 30, 2023. We make no representation regarding the appropriateness of the procedures either for the purpose for which this report has been requested or for any other purpose. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. An agreed-upon procedures engagement involves performing specific procedures that the engaging party has agreed to and acknowledged to be appropriate for the intended purpose of the engagement and reporting on findings based on the procedures performed.

The procedures and associated findings were as follows:

1. Describe which funds the Eligible Jurisdiction used to track all street and road expenditures and inquire how the Eligible Jurisdiction identifies (Maintenance of Effort) MOE expenditures in its general ledger.

Findings: The MOE expenditures were tracked in the City's general ledger by fund, department, and object code. The City records its MOE expenditures in its General Fund (100), followed by various department codes and object codes. No exceptions were found as a result of this procedure. No exceptions were found as a result of this procedure.

2. Obtain the detail of MOE expenditures for the fiscal year ended June 30, 2023 and determine whether the Eligible Jurisdiction met the minimum MOE requirement as outlined in the Measure M2 Eligibility Guidelines Fiscal Year 2022/2023. Agree the total MOE expenditures to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 18). Explain any differences.

Findings: The City's MOE expenditures for the fiscal year ended June 30, 2023, were \$3,852,679 (see Schedule A) which exceeded the MOE benchmark requirement of \$3,392,885. We agreed the total expenditures of \$3,852,679 to the amount reported on the City's Expenditure Report (Schedule 3, line 18), with no differences. No exceptions were noted as a result of this procedure.

(Continued)

3. Select a sample of MOE expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected, perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal voucher or other appropriate supporting documentation; and
 - b. Determine whether the expenditure was properly classified as a local street and road expenditure and is allowable per the Ordinance.

Findings: We selected 25 direct MOE expenditures totaling \$781,753, which represented approximately 25% of direct MOE expenditures of \$3,069,840 for fiscal year ended June 30, 2023. We agreed the dollar amount listed on the general ledger to supporting documentation provided by the City. Expenditures were properly classified as local street and road expenditures and were allowable per the Ordinance, except for nine charges, totaling \$61,537 which were found to be indirect cost allocations and should have been reported as indirect costs. Upon further inspection, we identified a total of \$793,608 in charges that should have been reported as indirect costs. See Procedure #4 for indirect cost testing. No other exceptions were found as a result of this procedures.

4. Identify whether indirect costs were charged as MOE expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, obtain detail of indirect costs charged, and select a sample of charges for inspection. Inspect supporting documentation for reasonableness and appropriate methodology.

Findings: We agreed total indirect expenditures of \$782,835 per the general ledger to the amount reported on the City's Expenditure Report (Schedule 3, line 1) with no differences. We selected 25 indirect MOE charges for inspection totaling \$582,141, representing 74% of the total indirect MOE costs reported of \$782,835. During testing of direct costs at Procedure #3, we identified an additional \$793,608 in indirect costs that were reported as direct costs. These expenses included allocations of payroll and benefits, debt service payments, liability insurance costs, data processing allocations, contracted services, monthly print shop/mail/phone charges, monthly office rental and various other charges. For indirect costs, the methodology used to allocate actual costs should be documented and represent a fair and reasonable allocation of costs. The City was unable to provide a documented methodology representing a fair and reasonable allocation of costs. After removing unsupported indirect cost allocations, totaling \$1,576,443, the City no longer meets the MOE benchmark. The shortfall equals \$1,116,649.

5. Obtain a listing of Measure M2 Local Fair Share payments made from OCLTA to the Eligible Jurisdiction and calculate the amount the Eligible Jurisdiction received for the past three fiscal years. Obtain the fund balance of the Eligible Jurisdiction's Measure M2 Local Fair Share Fund as of June 30, 2023 and agree to the balance as listed on the Eligible Jurisdiction's Expenditure Report (Schedule 1, line 20) and determine whether funds were expended within three years of receipt or within five years, if an extension was granted. Explain any differences.

Findings: The City received \$10,549,834 for the past three fiscal years ended June 30, 2021, 2022, and 2023. We agreed the fund balance of \$5,285,100 from the general ledger detail to the City's Expenditure Report (Schedule 1, line 20), with no differences. We determined funds were expended within three years of receipt. No exceptions were found as a result of this procedure.

6. Describe which fund the Eligible Jurisdiction used to track expenditures relating to Measure M2 Local Fair Share monies in its general ledger and the amount spent during the fiscal year ended June 30, 2023. Agree the total Local Fair Share expenditures per the general ledger to the amounts reflected on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 17, and detail listed at Schedule 4). Explain any differences.

(Continued)

Findings: The City tracks its LFS expenditures in its Traffic Improvement Measure M2 Fund (263). Total Measure M2 Local Fair Share expenditures per the general ledger during the fiscal year ended June 30, 2023, was \$2,880,026 (see Schedule A), which agreed to the City's Expenditure Report. (Schedule 2, line 17, and detail listed at Schedule 4). No exceptions were found as a result of this procedure.

7. Obtain the Eligible Jurisdiction's Seven-Year Capital Improvement Program (CIP). Compare the projects listed on the Eligible Jurisdiction's Expenditure Report (Schedule 4) to the Seven-Year CIP, explaining any differences. Select a sample of Measure M2 Local Fair Share expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal vouchers or other appropriate supporting documentation; and
 - b. Determine that the expenditures selected in (a) above were related to projects included in the Eligible Jurisdiction's Seven-Year CIP and are properly classified as Measure M2 Local Fair Share projects.

Findings: We compared the projects listed on the City's Expenditure Report (Schedule 4) to the Seven Year CIP, without any exception. We selected 20 Measure M2 Local Fair Share direct expenditures for inspection totaling \$1,928,551 representing approximately 78% of total Measure M2 direct Local Fair Share expenditures of \$2,479,629 for the fiscal year ended June 30, 2023. We agreed the dollar amount to supporting documentation and determined that the expenditures selected were related to projects included in the City's Seven-Year CIP and were properly classified as Measure M2 Local Fair Share projects. No exceptions were found as a result of this procedure.

8. Identify whether indirect costs were charged as Measure M2 Local Fair Share expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, select a sample of charges. Describe the dollar amount inspected. Identify the amounts charged and inspect supporting documentation for reasonableness and appropriate methodology.

Findings: Based upon inspection of the Expenditure Report (Schedule 3, line 1), the City reported \$400,397 in indirect costs for LFS for the fiscal year ended June 30, 2023. We selected 25 indirect costs for inspection with a total amount of \$300,014 representing 75% of the total LFS indirect costs. Upon inspection, we determined these charges were labor costs and materials directly identifiable as street and road project labor costs. As such, these costs should have been reported as direct costs. No other exceptions were found as a result of this procedure.

9. Obtain and inspect the Eligible Jurisdiction's interest allocation methodology and amount of interest allocated to the Measure M2 Local Fair Share Fund to ensure the proper amount of interest was credited. Agree the amount reflected to the amount of interest listed on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 4). Explain any differences.

Findings: We inspected the amount of interest allocated to the Measure M2 Local Fair Share Fund and agreed the amount reflected to the amount of interest totaling \$64,383 listed on the City's Expenditure Report (Schedule 2, line 4). We inspected the interest allocation methodology and recomputed the amount based on the interest allocation methodology. No exceptions were found as a result of this procedure.

10. Determine whether the Jurisdiction was found eligible by the Board of Directors for the applicable year (FY23) by inspecting the OCLTA Board agenda and action items.

Findings: No exceptions were noted as a result of this procedure.

We were engaged by OCLTA to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the accounting records, any indirect cost allocation plans and compliance with the provisions of the Measure M2 Local Transportation Ordinance. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City's management and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

At the request of OCLTA, the City's responses to certain findings are included in Exhibit 1. The responses are included for the purpose of additional information and were not subjected to the procedures described above. Accordingly, we did not perform any procedures on the City's responses and express no assurance or opinion on them.

This report is intended solely for the information and use of and is not intended to be, and should not be, used by anyone other than the specified party.



Crowe LLP

Costa Mesa, California
March 28, 2024

CITY OF ORANGE, CALIFORNIA
SCHEDULE OF MEASURE M2 LOCAL FAIR SHARE EXPENDITURES
Year ended June 30, 2023
(Unaudited)

SCHEDULE A

Maintenance of Effort (MOE) Expenditures:

Indirect and/ or Overhead - Schedule 3, line 1 \$ 782,835

Construction & Right-of-Way

Street Reconstruction \$ 326,104

Signals, Safety Devices, & Street Lights 734,808

Pedestrian Ways & Bikepaths 46,803

Storm Drains 23,401

Total Construction \$ 1,131,116

Maintenance

Patching \$ 572,449

Overlay & Sealing 31,446

Street Lights & Traffic Signals 1,240,495

Storm Damage 31,446

Other Street Purpose Maintenance 62,892

Total Maintenance \$ 1,938,728

Total MOE Expenditures \$ 3,852,679

Measure M2 Local Fair Share Expenditures (Schedule 4):

00000 - Contractual Services (Part of Maintenance) \$ 400,397

13115 - Reg Salaries - Misc-Pvmnt Mgt 550

13120 Pavement Management Program 1,611,554

16302 - Minor Traffic Control Devices - Various 51,963

16304 Biennial Traffic Signal Coordination 5,870

16469 - Traffic Signal Equip Painting 9,800

30150 - Local Roadway Safety Plan (LRSP) 7,809

30162 Citywide Bus Stop Enhancements 1,864

30167 - Katella Ave Street Rehabilitation 785,928

30168 - Walnut Ave Infrastructure Improvement 4,291

Total Measure M2 Local Fair Share Expenditures \$ 2,880,026

Total MOE and Measure M2 Local Fair Share Expenditures \$ 6,732,705



March 28, 2024

Board of Directors,
Orange County Local Transportation Authority,
Taxpayers Oversight Committee of the Orange County Local Transportation Authority
Orange, California

The following response is being submitted to address results from the agreed upon procedures performed for the Measure M2 Local Fair Share program for the City of Orange as of and for the fiscal year ended June 30, 2023.

Procedure #3

Select a sample of MOE expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected, perform the following:

- a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal voucher or other appropriate supporting documentation; and
- b. Determine whether the expenditure was properly classified as a local street and road expenditure and is allowable per the Ordinance.

Findings: We selected 25 direct MOE expenditures totaling \$781,753, which represented approximately 25% of direct MOE expenditures of \$3,069,840 for fiscal year ended June 30, 2023. Crowe agreed the dollar amount listed on the general ledger to supporting documentation provided by the City. Upon inspection of our samples, we determined that there were nine charges totaling \$61,537 that were allocated based on budgeted percentages. Upon further inspection, we noted that there were a total \$793,608 of direct costs that were based on these allocated budgeted percentages. As such, the entirety of these costs allocation reported as direct charges should have been reported as indirect costs. Refer to Procedure#4 for MOE indirect costs removed. No other exceptions were found as a result of this procedure.

City's Response:

City management acknowledges the findings and will implement procedures to ensure the reporting of M.O.E. expenditures and allocations are based on actuals and not budgeted percentages. City management will also implement procedures to ensure proper reporting of direct and indirect expenditures.



Procedure #4

Identify whether indirect costs were charged as MOE expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, obtain detail of indirect costs charged, and select a sample of charges for inspection. Inspect supporting documentation for reasonableness and appropriate methodology.

Findings: We agreed total indirect expenditures of \$782,835 per the general ledger to the amount reported on the City's Expenditure Report (Schedule 3, line 1) with no differences. We selected 25 indirect MOE charges for inspection totaling \$582,141, representing 74% of the total indirect MOE costs reported of \$782,835. During testing of direct costs at Procedure #3, we identified an additional \$793,608 in indirect costs that were reported as direct costs. These expenses included allocations of payroll and benefits, debt service payments, liability insurance costs, data processing allocations, contracted services, monthly print shop/mail/phone charges, monthly office rental and various other charges. For indirect costs, the methodology used to allocate actual costs should be documented and represent a fair and reasonable allocation of costs. The City was unable to provide a documented methodology representing a fair and reasonable allocation of costs. After removing unsupported indirect cost allocations, totaling \$1,576,443, the City no longer meets the MOE benchmark. The shortfall equals \$1,116,649.

City's Response:

City management acknowledges the findings. The City has eligible expenditures of approximately \$1.5 million in the Capital Project Fund that were supported by the General Fund but were not reported as M.O.E. eligible expenditures, therefore the exclusion of the unsupported indirect cost allocations caused the City to not meet the M.O.E benchmark. Going forward, City management will ensure indirect costs are supported, documented, and used reasonable allocation methodology. City management will also implement procedures to ensure proper reporting of all eligible expenditures in the future.

Procedure #8

Identify whether indirect costs were charged as Measure M2 Local Fair Share expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, select a sample of charges. Describe the dollar amount inspected. Identify the amounts charged and inspect supporting documentation for reasonableness and appropriate methodology.

Findings: Based upon inspection of the Expenditure Report (Schedule 3, line 1), the City reported \$400,397 in indirect costs for LFS for the fiscal year ended June 30, 2023. We selected 25 indirect costs for inspection with a total amount of \$300,014 representing 75% of the total LFS indirect costs. Upon inspection, we determined these charges were labor costs and materials directly identifiable as street and road project labor costs. As such, these costs should have been reported as direct costs. No other exceptions were found as a result of this procedure.





City of Orange

Finance Department
300 E. Chapman Ave.
Orange, CA 92866

City's Response:

City management acknowledges the findings and will implement procedures to ensure proper reporting of direct and indirect expenditures.

Tom Kisela, City Manager

for

Christopher Cash, Public Works Director

Trang Nguyen, Finance Director



(714) 744-2230



www.cityoforange.org

INDEPENDENT ACCOUNTANTS' REPORT ON
APPLYING AGREED-UPON PROCEDURES
CITY OF SANTA ANA

Board of Directors
Orange County Local Transportation Authority and
the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

We have performed the procedures enumerated below, which were agreed to by the Taxpayers Oversight Committee of the Orange County Local Transportation Authority (OCLTA) (the specified party), related to the City of Santa Ana's (City) compliance with certain provisions of the Measure M2 Local Transportation Ordinance (Ordinance) as of and for the fiscal year ended June 30, 2023. The City's management is responsible for compliance with the Ordinance and for its cash, revenue, and expenditure records.

The Taxpayers Oversight Committee of the OCLTA has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of evaluating the City's compliance with certain provisions of the Ordinance as of and for the fiscal year ended June 30, 2023. We make no representation regarding the appropriateness of the procedures either for the purpose for which this report has been requested or for any other purpose. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. An agreed-upon procedures engagement involves performing specific procedures that the engaging party has agreed to and acknowledged to be appropriate for the intended purpose of the engagement and reporting on findings based on the procedures performed.

The procedures and associated findings were as follows:

1. Describe which funds the Eligible Jurisdiction used to track all street and road expenditures and inquire how the Eligible Jurisdiction identifies (Maintenance of Effort) MOE expenditures in its general ledger.

Findings: The MOE expenditures were tracked in the City's general ledger by fund, accounting unit number, and account number. The City recorded its MOE expenditures in its General Fund (011), followed by an 8-digit accounting unit number, and a 5-digit account number. No exceptions were found as a result of this procedure.

2. Obtain the detail of MOE expenditures for the fiscal year ended June 30, 2023 and determine whether the Eligible Jurisdiction met the minimum MOE requirement as outlined in the Measure M2 Eligibility Guidelines Fiscal Year 2022/2023. Agree the total MOE expenditures to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 18). Explain any differences.

Findings: The City's MOE expenditures for the fiscal year ended June 30, 2023, were \$14,667,250 (see Schedule A), which exceeded the MOE benchmark requirement of \$9,040,904. Actual MOE expenditures per the general ledger expenditure detail totaled \$15,035,321, a variance of \$368,071. The variance was due to an error in not reporting the full transaction amount of eligible MOE expenditures. No other exceptions were found as a result of this procedure.

(Continued)

3. Select a sample of MOE expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected, perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal voucher or other appropriate supporting documentation; and
 - b. Determine whether the expenditure was properly classified as a local street and road expenditure and is allowable per the Ordinance.

Findings: We selected 25 direct MOE expenditures totaling \$4,809,685, which represented approximately 36% of direct MOE expenditures of \$13,382,349 for the fiscal year ended June 30, 2023. We agreed the dollar amount listed on the general ledger to supporting documentation provided by the City. No exceptions were found as a result of this procedure.

4. Identify whether indirect costs were charged as MOE expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, obtain detail of indirect costs charged, and select a sample of charges for inspection. Inspect supporting documentation for reasonableness and appropriate methodology.

Findings: Based upon inspection of the general ledger detail, the Expenditure Report (Schedule 3, line 1), and discussion with the City's accounting personnel, indirect costs were identified as MOE expenditures for the fiscal year ended June 30, 2023. We agreed \$1,284,901 of indirect costs per the Expenditure Report (Schedule 3, line 1) to the general ledger detail. We selected 25 charges for inspection with a total amount of \$663,516 representing 52% of the total MOE indirect costs. We recomputed the selected indirect costs using the City's allocation methodology and identified no exceptions. The indirect costs included Benefits Overhead, Insurance Charges, and Public Works Administrative Charges. Upon inspecting the supporting documentation for the samples selected, we determined that the indirect MOE costs were properly classified as indirect expenditures and based upon a reasonable and appropriate methodology. No exceptions were found as a result of this procedure.

5. Obtain a listing of Measure M2 Local Fair Share payments made from OCLTA to the Eligible Jurisdiction and calculate the amount the Eligible Jurisdiction received for the past three fiscal years. Obtain the fund balance of the Eligible Jurisdiction's Measure M2 Local Fair Share Fund as of June 30, 2023 and agree to the balance as listed on the Eligible Jurisdiction's Expenditure Report (Schedule 1, line 20) and determine whether funds were expended within three years of receipt or within five years, if an extension was granted. Explain any differences.

Findings: The City received \$17,247,698 for the past three fiscal years ended June 30, 2021, 2022, and 2023. We agreed the fund balance of \$14,831,604 from the general ledger detail to the City's Expenditure Report (Schedule 1, line 20) of \$14,831,335, noting a difference of \$269. The difference was due to the City not properly recording the interest in the prior year. We determined funds were expended within three years of receipt. No other exceptions were found as a result of this procedure.

6. Describe which fund the Eligible Jurisdiction used to track expenditures relating to Measure M2 Local Fair Share monies in its general ledger and the amount spent during the fiscal year ended June 30, 2023. Agree the total Local Fair Share expenditures per the general ledger to the amounts reflected on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 17, and detail listed at Schedule 4). Explain any differences.

Findings: The City tracks its LFS expenditures in its Measure M2 Fund (032). Total Measure M2 Local Fair Share expenditures per the general ledger during the fiscal year ended June 30, 2023 were \$4,311,017 (see Schedule A), which agreed to the City's Expenditure Report. (Schedule 2, line 17, and detail listed on Schedule 4). No exceptions were found as a result of this procedure.

7. Obtain the Eligible Jurisdiction's Seven-Year Capital Improvement Program (CIP). Compare the projects listed on the Eligible Jurisdiction's Expenditure Report (Schedule 4) to the Seven-Year CIP, explaining any differences. Select a sample of Measure M2 Local Fair Share expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal vouchers or other appropriate supporting documentation; and
 - b. Determine that the expenditures selected in (a) above were related to projects included in the Eligible Jurisdiction's Seven-Year CIP and are properly classified as Measure M2 Local Fair Share projects.

Findings: We compared the projects listed on the City's Expenditure Report (Schedule 4) to the Seven-Year CIP, without any exception. We selected 14 Measure M2 Local Fair Share direct expenditures for inspection totaling \$3,173,277 representing approximately 93% of total direct Measure M2 Local Fair Share expenditures of \$3,412,496 for the fiscal year ended June 30, 2023. We agreed the dollar amount listed on the general ledger to supporting documentation and determined that the expenditures selected were related to projects listed on the Seven-Year CIP and were properly classified. No exceptions were found as a result of this procedure.

8. Identify whether indirect costs were charged as Measure M2 Local Fair Share expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, select a sample of charges. Describe the dollar amount inspected. Identify the amounts charged and inspect supporting documentation for reasonableness and appropriate methodology.

Findings: Based upon inspection of the Expenditure Report (Schedule 3, line 1), the City reported \$898,521 in indirect costs for LFS for the fiscal year ended June 30, 2023. We selected 25 indirect costs for inspection with a total amount of \$483,501 representing 54% of the total indirect Local Fair Share costs. Upon inspection, we determined these charges were labor and material costs readily identified to specific LFS projects. As such, these costs should have been reported as direct costs. After further inspection, we determined that these LFS direct costs were allowable per the Ordinance. No other exceptions were found as a result of this procedure.

9. Obtain and inspect the Eligible Jurisdiction's interest allocation methodology and amount of interest allocated to the Measure M2 Local Fair Share Fund to ensure the proper amount of interest was credited. Agree the amount reflected to the amount of interest listed on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 4). Explain any differences.

Findings: We inspected the amount of interest allocated to the Measure M2 Local Fair Share Fund and agreed the amount reflected to the amount of interest totaling \$16,818 listed on the City's Expenditure Report (Schedule 2, line 4). We inspected the interest allocation methodology and recomputed the amount. No exceptions were found as a result of this procedure.

10. Determine whether the Jurisdiction was found eligible by the Board of Directors for the applicable year (FY23) by inspecting the OCLTA Board agenda and action items.

Findings: No exceptions were noted as a result of this procedure.

We were engaged by OCLTA to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the accounting records, any indirect cost allocation plans and compliance with the provisions of the Measure M2 Local Transportation Ordinance. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City's management and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

At the request of OCLTA, the City's responses to certain findings are included in Exhibit 1. The responses are included for the purpose of additional information and were not subjected to the procedures described above. Accordingly, we did not perform any procedures on the City's responses and express no assurance or opinion on them.

This report is intended solely for the information and use of and is not intended to be, and should not be, used by anyone other than the specified party.



Crowe LLP

Costa Mesa, California
April 3, 2024

CITY OF SANTA ANA, CALIFORNIA
SCHEDULE OF MEASURE M2 LOCAL FAIR SHARE EXPENDITURES
Year ended June 30, 2023
(Unaudited)

	SCHEDULE A
Maintenance of Effort (MOE) Expenditures:	
Indirect and/ or Overhead - Schedule 3, line 1	\$ 1,284,902
Construction & Right-of-Way	
Street Reconstruction	\$ 2,131,371
Total Construction	<u>\$ 2,131,371</u>
Maintenance	
Street Lights & Traffic Signals	\$ 4,733,905
Other Street Purpose Maintenance	6,517,072
Total Maintenance	<u>\$ 11,250,977</u>
Total MOE Expenditures	<u>\$ 14,667,250</u>
Measure M2 Local Fair Share Expenditures (Schedule 4):	
Alley Improvements FY 18/19	\$ 6,980
Bike Lane Project Dev FY 22/23	1,628
Citywide Bike Rack & SARTC	(5,077)
Citywide Speed Limit Study	47,045
First ST CORR TRFF SYNCH	5,924
FY20/21 Loc St Prevent Maint	162,212
FY20/21 Pavement Management	29,949
FY21/22 Loc St Prevent Maint	2,217,075
FY21/22 Pavement Management	234,610
Lincoln Pedestrian Trail	1,980
Loc St Prevent Maint FY 22/23	93,939
Local St Prevent Maint FY17/18	15,554
Main St Rehab: Edingr to First	84,640
Main St Traffic Sig Synch	4,577
Pavement Management FY 22/23	101,780
Project Development FY 19/20	265
Project Development FY21/22	237,538
Right of Way Mgmnt FY 20/21	6,364
Right of Way Mgmnt FY 21/22	32,305
Right of Way Mgmnt FY 22/23	89,063
Safe Mobility SA Update	20,642
Santa Ana Blvd & 5th Bike Lane	333,398
Santa Clara Bk Ln Lincoln-Tust	214,684
Sgerstrom/Dyer TRFF SGL SYNC	9,082
Traffic Management Plan 20/21	40,212
Traffic Management Plan 21/22	22,119
Traffic Safety Dev FY 17/18	35,000
Traffic SGNL Equipment REP20/21	65,685
Traffic SGNL Equipment REP21/22	100,000
Traffic Sig Equip Rep 22/23	100,000
Tustin Ave Trff Sgl Sync	1,844
Total Measure M2 Local Fair Share Expenditures	<u>\$ 4,311,017</u>
Total MOE and Measure M2 Local Fair Share Expenditures	<u>\$ 18,978,267</u>

Note: The above amounts were taken directly from the financial records of the City of Santa Ana and were not audited.

MAYOR
Valerie Amezcua
MAYOR PRO TEM
Thai Viet Phan
COUNCILMEMBERS
Phil Bacerra
Johnathan Ryan Hernandez
Jessie Lopez
David Penaloza
Benjamin Vazquez



ACTING CITY MANAGER
Alvaro Nuñez
CITY ATTORNEY
Sonia R. Carvalho
CITY CLERK
Jennifer L. Hall

CITY OF SANTA ANA

PUBLIC WORKS AGENCY

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April 3, 2024

Board of Directors
Orange County Local Transportation Authority
and the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
550 S. Main Street
Orange, CA 92868

The following response is being submitted to address results from the agreed upon procedures performed for the Measure M2 Local Fair Share program for the City of Santa Ana as of and for the fiscal year ended June 30, 2023.

Procedure #2

Obtain the detail of MOE expenditures for the fiscal year ended June 30, 2023 and determine whether the Eligible Jurisdiction met the minimum MOE requirement as outlined in the Measure M2 Eligibility Guidelines Fiscal Year 2022/2023. Agree the total MOE expenditures to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 18). Explain any differences.

Findings: The City's MOE expenditures for the fiscal year ended June 30, 2023, were \$14,667,250 (see Schedule A), which exceeded the MOE benchmark requirement of \$9,040,904. Actual MOE expenditures per the general ledger expenditure detail totaled \$15,035,321, a variance of \$368,071. The variance was due to an error in not reporting the full transaction amount of eligible MOE expenditures. No other exceptions were found as a result of this procedure.

City's Response: The City's Public Works Agency (PWA) will continue to review and monitor department procedures to ensure proper identification and tracking of Maintenance of Effort (MOE) expenditures.

SANTA ANA CITY COUNCIL

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Procedure #5

Obtain a listing of Measure M2 Local Fair Share payments made from OCLTA to the Eligible Jurisdiction and calculate the amount the Eligible Jurisdiction received for the past three fiscal years. Obtain the fund balance of the Eligible Jurisdiction's Measure M2 Local Fair Share Fund as of June 30, 2023 and agree to the balance as listed on the Eligible Jurisdiction's Expenditure Report (Schedule 1, line 20) and determine whether funds were expended within three years of receipt or within five years, if an extension was granted. Explain any differences.

Findings: The City received \$17,247,698 for the past three fiscal years ended June 30, 2021, 2022, and 2023. We agreed the fund balance of \$14,831,604 from the general ledger detail to the City's Expenditure Report (Schedule 1, line 20) of \$14,831,335, noting a difference of \$269. The difference was due to the City not properly recording the interest in the prior year. We determined funds were expended within three years of receipt. No other exceptions were found as a result of this procedure.

City's Response: The variance is attributed to an error in inputting numbers on the M2 report. Going forward, the City will ensure the beginning balance is accurately derived from the prior year's report.

Procedure 8

Identify whether indirect costs were charged as Measure M2 Local Fair Share expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, select a sample of charges. Describe the dollar amount inspected. Identify the amounts charged and inspect supporting documentation for reasonableness and appropriate methodology.

Findings: Based upon inspection of the Expenditure Report (Schedule 3, line 1), the City reported \$898,521 in indirect costs for LFS for the fiscal year ended June 30, 2023. We selected 25 indirect costs for inspection with a total amount of \$483,501 representing 54% of the total indirect Local Fair Share costs. Upon inspection, we determined these charges were labor and material costs readily identified to specific LFS projects. As such, these costs should have been reported as direct costs. After further inspection, we determined that these LFS direct costs were allowable per the Ordinance. No other exceptions were found as a result of this procedure.

City's Response: The City's Public Works Agency (PWA) will continue to verify and classify expenditures as indirect costs in accordance with Measure M2 Local Fair Share guidelines.

SANTA ANA CITY COUNCIL

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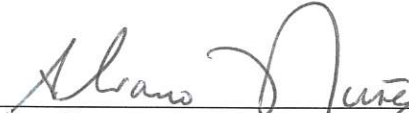
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Alvaro Nuñez, Acting City Manager



Kathryn Downs, Executive Director of Finance
and Management Services



Nabil Saba, P.E., Executive Director of Public
Works

INDEPENDENT ACCOUNTANTS' REPORT ON
APPLYING AGREED-UPON PROCEDURES
CITY OF STANTON

Board of Directors
Orange County Local Transportation Authority and
the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

We have performed the procedures enumerated below, which were agreed to by the Taxpayers Oversight Committee of the Orange County Local Transportation Authority (OCLTA) (the specified party), related to the City of Stanton's (City) compliance with certain provisions of the Measure M2 Local Transportation Ordinance (Ordinance) as of and for the fiscal year ended June 30, 2023. The City's management is responsible for compliance with the Ordinance and for its cash, revenue, and expenditure records.

The Taxpayers Oversight Committee of the OCLTA has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of evaluating the City's compliance with certain provisions of the Ordinance as of and for the fiscal year ended June 30, 2023. We make no representation regarding the appropriateness of the procedures either for the purpose for which this report has been requested or for any other purpose. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. An agreed-upon procedures engagement involves performing specific procedures that the engaging party has agreed to and acknowledged to be appropriate for the intended purpose of the engagement and reporting on findings based on the procedures performed.

The procedures and associated findings were as follows:

1. Describe which funds the Eligible Jurisdiction used to track all street and road expenditures and inquire how the Eligible Jurisdiction identifies (Maintenance of Effort) MOE expenditures in its general ledger.

Findings: The MOE expenditures were tracked in the City's general ledger by fund, subdivision, and account numbers. The City records its MOE expenditures in its General Fund (101) and in their Street Maintenance Division (3500) followed by various account numbers. No exceptions were found as a result of this procedure.

2. Obtain the detail of MOE expenditures for the fiscal year ended June 30, 2023 and determine whether the Eligible Jurisdiction met the minimum MOE requirement as outlined in the Measure M2 Eligibility Guidelines Fiscal Year 2022/2023. Agree the total MOE expenditures to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 18). Explain any differences.

Findings: The City's MOE expenditures for the fiscal year ended June 30, 2023, were \$308,256 (see Schedule A), which exceeded the MOE benchmark requirement of \$285,869. We agreed the total expenditures of \$308,256 to the amount reported on the City's Expenditure Report (Schedule 3, line 18). No exceptions were found as a result of this procedure.

(Continued)

3. Select a sample of MOE expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected, perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal voucher or other appropriate supporting documentation; and
 - b. Determine whether the expenditure was properly classified as a local street and road expenditure and is allowable per the Ordinance.

Findings: We selected 25 direct MOE expenditures totaling \$163,459, which represented approximately 53% of direct MOE expenditures of \$308,256 for fiscal year ended June 30, 2023. No exceptions were found as a result of this procedure.

4. Identify whether indirect costs were charged as MOE expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, obtain detail of indirect costs charged, and select a sample of charges for inspection. Inspect supporting documentation for reasonableness and appropriate methodology.

Findings: Based upon inspection of the general ledger detail, the Expenditure Report (Schedule 3, line 1), and discussion with the City's accounting personnel, no indirect costs were identified as MOE expenditures for the fiscal year ended June 30, 2023. No exceptions were found as a result of this procedure.

5. Obtain a listing of Measure M2 Local Fair Share payments made from OCLTA to the Eligible Jurisdiction and calculate the amount the Eligible Jurisdiction received for the past three fiscal years. Obtain the fund balance of the Eligible Jurisdiction's Measure M2 Local Fair Share Fund as of June 30, 2023 and agree to the balance as listed on the Eligible Jurisdiction's Expenditure Report (Schedule 1, line 20) and determine whether funds were expended within three years of receipt or within five years, if an extension was granted. Explain any differences.

Findings: The City received \$1,900,509 for the past three fiscal years ended June 30, 2021, 2022, and 2023. We agreed the fund balance of \$1,043,222 from the general ledger detail to the City's Expenditure Report (Schedule 1, line 20), with no differences. We determined funds were expended within three years of receipt. No exceptions were found as a result of this procedure.

6. Describe which fund the Eligible Jurisdiction used to track expenditures relating to Measure M2 Local Fair Share monies in its general ledger and the amount spent during the fiscal year ended June 30, 2023. Agree the total Local Fair Share expenditures per the general ledger to the amounts reflected on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 17, and detail listed at Schedule 4). Explain any differences.

Findings: The City tracked its LFS expenditures in its Measure M2 Fund (220). Total Measure M2 Local Fair Share expenditures per the general ledger during the fiscal year ended June 30, 2023 were \$813,510 (see Schedule A), which agreed to the City's Expenditure Report. (Schedule 2, line 17, and detail listed at Schedule 4). No exceptions were found as a result of this procedure.

7. Obtain the Eligible Jurisdiction's Seven-Year Capital Improvement Program (CIP). Compare the projects listed on the Eligible Jurisdiction's Expenditure Report (Schedule 4) to the Seven-Year CIP, explaining any differences. Select a sample of Measure M2 Local Fair Share expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected perform the following:

- a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal vouchers or other appropriate supporting documentation; and
- b. Determine that the expenditures selected in (a) above were related to projects included in the Eligible Jurisdiction's Seven-Year CIP and are properly classified as Measure M2 Local Fair Share projects.

Findings: We compared the projects listed on the City's Expenditure Report (Schedule 4) to the Seven Year CIP, without any exception. We selected six Measure M2 Local Fair Share direct expenditures for inspection totaling \$745,653 representing approximately 92% of total Measure M2 direct Local Fair Share expenditures of \$813,510 for the fiscal year ended June 30, 2023. We agreed the dollar amount to supporting documentation and determined that the expenditures selected were related to projects included in the City's Seven-Year CIP and were properly classified as Measure M2 Local Fair Share projects. No exceptions were found as a result of this procedure.

8. Identify whether indirect costs were charged as Measure M2 Local Fair Share expenditures. If applicable, compare indirect costs identified to the amount reported on the Eligible Jurisdiction's Expenditure Report (Schedule 3, line 1). Explain any differences. If applicable, select a sample of charges. Describe the dollar amount inspected. Identify the amounts charged and inspect supporting documentation for reasonableness and appropriate methodology.

Findings: Based upon inspection of the general ledger detail, the Expenditure Report (Schedule 3, line 1), and discussion with the City's accounting personnel, no indirect costs were identified as Measure M2 Local Fair Share expenditures for the fiscal year ended June 30, 2023. No exceptions were found as a result of this procedure.

9. Obtain and inspect the Eligible Jurisdiction's interest allocation methodology and amount of interest allocated to the Measure M2 Local Fair Share Fund to ensure the proper amount of interest was credited. Agree the amount reflected to the amount of interest listed on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 4). Explain any differences.

Findings: We inspected the amount of interest allocated to the Measure M2 Local Fair Share Fund and agreed the amount reflected to the amount of interest totaling \$14,037 listed on the City's Expenditure Report (Schedule 2, line 4). We inspected the interest allocation methodology and recomputed the amount based on the interest allocation methodology. No exceptions were found as a result of this procedure.

10. Determine whether the Jurisdiction was found eligible by the Board of Directors for the applicable year (FY23) by inspecting the OCLTA Board agenda and action items.

Findings: No exceptions were found as a result of this procedure.

We were engaged by OCLTA to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the accounting records, any indirect cost allocation plans and compliance with the provisions of the Measure M2 Local Transportation Ordinance. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City's management and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of and is not intended to be, and should not be, used by anyone other than the specified party.

A handwritten signature in black ink that reads "Crowe LLP". The signature is written in a cursive, flowing style.

Crowe LLP

Costa Mesa, California
March 13, 2024

CITY OF STANTON, CALIFORNIA
SCHEDULE OF MEASURE M2 LOCAL FAIR SHARE EXPENDITURES
Year ended June 30, 2023
(Unaudited)

	SCHEDULE A
Maintenance of Effort (MOE) Expenditures:	
Indirect and/ or Overhead - Schedule 3, line 1	\$ -
Maintenance	
Patching	60,000
Other Street Purpose Maintenance	<u>248,256</u>
Total Maintenance	<u>308,256</u>
Total MOE Expenditures	<u><u>\$ 308,256</u></u>
Measure M2 Local Fair Share Expenditures (Schedule 4):	
Fiscal Year 2021/22 Citywide Street Rehabilitation (2022-101)	\$ 737,370
Fiscal Year 2022/23 Citywide Street Rehabilitation (2023-101)	<u>76,140</u>
Total Measure M2 Local Fair Share Expenditures	<u><u>\$ 813,510</u></u>
Total MOE and Measure M2 Local Fair Share Expenditures	<u><u>\$ 1,121,766</u></u>

Note: The above amounts were taken directly from the financial records of the City of Stanton and were not audited.

SUMMARY OF AGREED-UPON PROCEDURES REPORTS
Orange County Local Transportation Authority
Measure M2 Senior Mobility Program for the Year Ended June 30, 2023

ATTACHMENT C

City	Result	City Management Response
City of Anaheim (Anaheim)	None	None
City of Fullerton (Fullerton)	One of four monthly reports tested were not submitted within 30 days of month end, as required.	Fullerton will ensure reports are submitted within 30 days of month-end, as required.
City of Laguna Beach (Laguna Beach)	Laguna Beach reported \$35,000 in Senior Mobility Program (SMP) expenditures on its expenditure report; according to Laguna Beach's general ledger, total SMP expenditures were \$34,992, a variance of \$8. Laguna Beach asserted that the variance related to rounding.	In the future, Laguna Beach will report amounts to the exact dollar.
	Laguna Beach reported an SMP fund balance of \$55,413 on its expenditure report; however, Laguna Beach's general ledger reflected a fund balance of \$55,421, a variance of \$8. Laguna Beach asserted that the variance related to rounding.	In the future, Laguna Beach will report amounts to the exact dollar.
	Laguna Beach did not allocate interest to the SMP program; instead, the city allocates interest to its Transit Fund as a whole.	Laguna Beach does not allocate interest income by object code, rather by fund, and the SMP object is within the Transit Fund. Laguna Beach will identify an appropriate methodology to allocate interest to the SMP program going forward.
City of Mission Viejo (Mission Viejo)	Mission Viejo reported SMP expenditures of \$99,054; however, actual expenditures totaled \$152,711.	Mission Viejo discovered there was an error in the worksheet calculating the Measure M2-funded portion and the matching portion, causing amounts in the monthly reports and year end report to be understated. Necessary corrections have been made Mission Viejo has reached out to the Orange County Transportation Authority (OCTA) to notify of the error and will be resubmitting revised monthly reports with correct amounts.
	Mission Viejo's total match expenditures amounted to \$26,829, which was only 18 percent of the total expenditures of \$152,711.	Mission Viejo acknowledged an error in the worksheet used to calculate total expenditures and track match expenditures. Mission Viejo reached out to OCTA to notify of the error and will be resubmitting revised monthly reports with correct amounts. The Internal Audit Department contacted Mission Viejo and confirmed that they are aware that the error resulted in the city not meeting match requirements. Per the SMP Guidelines, staff will be directed to withhold the additional two percent required match from a future payment.
	Mission Viejo's contract with Age Well for senior transportation services does not include language requiring that wheelchair accessible vehicles be made available and used as needed.	Age Well does utilize vans that accommodate wheelchair passengers. Mission Viejo will amend any new contracts to include this requirement.
	One of four monthly reports tested were not submitted within 30 days of month end, as required.	Mission Viejo acknowledged the exception and maintained that the report had been submitted; however, due to an error on the website the report needed to be resubmitted in March, 2023.
City of Newport Beach	None	None
City of Yorba Linda	None	None

**ORANGE COUNTY LOCAL
TRANSPORTATION AUTHORITY**

MEASURE M2 SENIOR MOBILITY PROGRAM

AGREED-UPON PROCEDURES REPORTS

Year Ended June 30, 2023

**ORANGE COUNTY LOCAL
TRANSPORTATION AUTHORITY**

MEASURE M2 SENIOR MOBILITY PROGRAM

AGREED-UPON PROCEDURES REPORTS

Year Ended June 30, 2023

The cities listed below were selected by the Audit Subcommittee of the Taxpayers Oversight Committee to perform agreed-upon procedures for the fiscal year ended June 30, 2023. Please refer to the individual divider tab for our report on each Agency.

Anaheim

Fullerton

Laguna Beach

Mission Viejo

Newport Beach

Yorba Linda

INDEPENDENT ACCOUNTANTS' REPORT
ON APPLYING AGREED-UPON PROCEDURES
CITY OF ANAHEIM

Board of Directors
Orange County Local Transportation Authority
and the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

We have performed the procedures enumerated below, which were agreed to by the Taxpayers Oversight Committee of the Orange County Local Transportation Authority (OCLTA) (the specified party), related to the City of Anaheim's (City) compliance with certain provisions of the Measure M2 Local Transportation Ordinance (Ordinance) as of and for the fiscal year ended June 30, 2023. The City's management is responsible for compliance with the Ordinance and for its cash, revenue and expenditure records.

The Taxpayers Oversight Committee of the OCLTA has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of evaluating the City's compliance with certain provisions of the Ordinance as of and for the fiscal year ended June 30, 2023. We make no representation regarding the appropriateness of the procedures either for the purpose for which this report has been requested or for any other purpose. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. An agreed-upon procedures engagement involves performing specific procedures that the engaging party has agreed to and acknowledged to be appropriate for the intended purpose of the engagement and reporting on findings based on the procedures performed.

The procedures and associated findings were as follows:

1. Obtain and read the Cooperative Agreement for the Senior Mobility Program between OCLTA and the Eligible Jurisdiction and determine that the agreement was properly approved and executed.

Findings: No exceptions were found as a result of this procedure.

2. Describe which fund(s) the Eligible Jurisdiction used to track expenditures relating to Measure M2 Senior Mobility Program monies in its general ledger and the amount spent during the fiscal year ended June 30, 2023. Agree to amount listed as expended on Eligible Jurisdiction's Expenditure Report (Schedule 2, line 21 for Project U). Explain any differences.

Findings: The City's expenditures related to the Measure M2 Senior Mobility Program were tracked in the general ledger by fund, department codes, and object codes. The City recorded its Senior Mobility Program expenditures in its General Fund (101), department code (213), and object code (7837). The City reported \$109,591 in program expenditures on the Expenditure Report (Schedule 2, line 21 for Project U), which agreed to the M2 funded portion of total expenditures, excluding the match funds. No exceptions were found as a result of this procedure.

(Continued)

3. Obtain a listing of Measure M2 Senior Mobility Program payments made from OCLTA to the Eligible Jurisdiction and calculate the amount the Eligible Jurisdiction received for the past three fiscal years. Obtain the fund balance of the Eligible Jurisdiction's Measure M2 Senior Mobility Program as of June 30, 2023, agree to the balance as listed on the Eligible Jurisdictions' Expenditure Report (Schedule 1, line 24) and determine whether funds were expended within three years of receipt or within five years, if an extension was granted. For payments received during the fiscal year ended June 30, 2023, agree to amount listed as received on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 8 for Project U). Explain any differences.

Findings: The City received \$1,052,471 for the past three years fiscal years ended June 30, 2021, 2022, and 2023. We compared the fund balance of \$1,213,266 from the general ledger detail to the fund balance reported in the City's Expenditure Report (Schedule 1, line 24) of \$1,213,266; no difference was identified. We determined funds were expended within three years of receipt. We agreed payments received from OCLTA totaling \$447,050 during the fiscal year ended June 30, 2023, to the general ledger detail and to the amount listed as received on the City's Expenditure Report (Schedule 2, line 8 for Project U) without exception. No exceptions were identified as a result of this procedure.

4. Determine if the Eligible Jurisdiction's interest allocation and fare collection methodologies are adequate to ensure the proper amount of interest/program revenue was credited to the Measure M2 Senior Mobility Program Fund. Agree the amount reflected to the amount of interest listed on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 8 – Project U). Explain any differences.

Findings: We obtained and inspected the City's interest allocation methodology. We identified interest income of \$51,834, which is calculated by the average daily cash balance of the fund and applying the City Treasurer's investment portfolio interest rates. The City reported \$51,834 of interest income for the year ended June 30, 2023, which agreed to the City's Expenditure Report (Schedule 2, line 8 for Project U). Additionally, we inquired of City personnel and inspected the City's general ledger detail regarding fare collection methodologies. Eligible participants of the Senior Mobility Program must purchase travel vouchers from the City prior to their trip. No exceptions were found as a result of this procedure.

5. Determine that the Eligible Jurisdiction satisfied the requirement of twenty percent (20%) matching of the total annual formula allocation (i.e., accrual-basis funding allocation) for the fiscal year ended June 30, 2023.

Findings: We received the City's general ledger detail of matching expenditures, scanned for the types and sources of matching funds and agreed to supporting documentation, such as invoices, to determine whether the match amounts were justifiable and acceptable under the Ordinance and Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines. The total match expenditures amounted to \$28,776 which was approximately 21% of the total expenditures of \$138,367 (M2 funded portion of \$109,591 and City's matching portion of \$28,776) which agreed to the City's general ledger detail of the M2 total expenditures. No exceptions were found as a result of this procedure.

6. Select a sample of Measure M2 Senior Mobility Program expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal vouchers or other appropriate supporting documentation; and
 - b. Determine whether the expenditures selected in (a) above are exclusively for Senior Mobility Program and meets requirements outlined in the Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines and the cooperative agreement.

Findings: We selected nine Measure M2 Senior Mobility Program expenditures for inspection totaling \$85,772 representing approximately 78% of total Measure M2 Senior Mobility Program expenditures for the fiscal year ended June 30, 2023. We agreed the dollar amount to supporting documentation and determined that the expenditures selected were used exclusively for the Senior Mobility Program and met the requirements outlined in the Measure M2 Project U Senior/ Disabled Program Funding Policy Guidelines and the Cooperative Agreement. No exceptions were found as a result of this procedure.

7. Inquire as to the procedures used by the Eligible Jurisdictions to ensure that services are provided only to eligible participants in accordance with the Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines and the cooperative agreement.

Findings: We inquired with management as to the procedures used to ensure services are provided only to eligible participants. Any person who wants to join the Senior Transportation Program must fill out an application and provide a form of state ID. The City then verifies that the applicant is a resident of the City of Anaheim and are 60 years of age or older in accordance with the Senior/Disabled Program Funding Policy Guidelines and the Cooperative Agreement. The City also maintains a copy of each application and the forms of verification on file. No exceptions were found as a result of this procedure.

8. Identify whether administrative costs were charged as Measure M2 Senior Mobility Program expenditures. If applicable, confirm that administrative costs do not exceed 10 percent, as dictated in Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines.

Findings: Based on the Expenditure Report (Schedule 3, line 1), the City reported \$0 in administrative costs. Per discussion with the City's accounting personnel and inspection of the general ledger expenditure detail, no administrative costs were identified as Measure M2 Senior Mobility Program expenditures for the fiscal year ended June 30, 2023. No exceptions were found as a result of this procedure.

9. Determine if the Eligible Jurisdiction contracts with a third-party service provider to provide senior transportation service, and perform the following:
 - a. Determine whether Contractor was selected using a competitive procurement process.
 - b. Inspect the contract agreement to ensure that wheelchair accessible vehicles are available and used as needed.

Findings: Based on inquiry of City personnel, the City contracted with Parking Company of America, LLC (PCAM LLC) to provide senior transportation services under the Senior Mobility Program. From inspecting the PCAM LLC procurement document, we found that the contractor was selected using a competitive procurement process. In addition, per inspection of the original contract, we found the language requiring that wheelchair accessible vehicles be made available and used as needed was included, as required. No exceptions were found as a result of this procedure.

10. Obtain the proof of insurance coverage for the Eligible Jurisdiction's Contractor and inspect the insurance coverage to ensure the terms satisfy the requirements established in the Cooperative Agreement.

Findings: We obtained and inspected the insurance coverage for the contractor, and determined that the requirements established in the Cooperative Agreement were met. No exceptions were found as a result of this procedure.

11. Obtain and sample four monthly summary operations reports and determine whether the reports were properly prepared and submitted within 30 days after the end of the service month.

Findings: We sampled four monthly summary reports (November 2022, December 2022, February 2023, and June 2023). Through inspection, we determined all four reports were timely submitted within 30 days of the following month end. OCLTA staff confirmed that reports were received on the following dates. No exceptions were found as a result of this procedure.

(Continued)

<u>Reporting Month</u>	<u>Due Date</u>	<u>Date Received</u>	<u>Days Late</u>
November 2022	December 31, 2022	December 29, 2022	-
December 2022	January 31, 2023	January 30, 2023	-
February 2023	March 31, 2023	March 28, 2023	-
June 2023	July 31, 2023	July 28, 2023	-

We were engaged by OCLTA to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the accounting records, any indirect cost allocation plans and compliance with the provisions of the Measure M2 Local Transportation Ordinance. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City's management and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of and is not intended to be, and should not be, used by anyone other than the specified party.



Crowe LLP

Costa Mesa, California
March 12, 2024

CITY OF ANAHEIM, CALIFORNIA
SCHEDULE OF MEASURE M2 SENIOR MOBILITY PROGRAM EXPENDITURES
Year ended June 30, 2023
(Unaudited)

SCHEDULE A

Measure M2 Senior Mobility Program Expenditures:	
Indirect and/ or Overhead - Schedule 3, line 1	\$ -
Other Senior Mobility Project U	<u>109,591</u>
 Total Measure M2 Senior Mobility Program Expenditures	 <u><u>\$ 109,591</u></u>

Note: The above amounts were taken directly from the financial records of the City of Anaheim and were not audited.

INDEPENDENT ACCOUNTANTS' REPORT
ON APPLYING AGREED-UPON PROCEDURES
CITY OF FULLERTON

Board of Directors
Orange County Local Transportation Authority
and the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

We have performed the procedures enumerated below, which were agreed to by the Taxpayers Oversight Committee of the Orange County Local Transportation Authority (OCLTA) (the specified party), related to the City of Fullerton's (City) compliance with certain provisions of the Measure M2 Local Transportation Ordinance (Ordinance) as of and for the fiscal year ended June 30, 2023. The City's management is responsible for compliance with the Ordinance and for its cash, revenue and expenditure records.

The Taxpayers Oversight Committee of the OCLTA has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of evaluating the City's compliance with certain provisions of the Ordinance as of and for the fiscal year ended June 30, 2023. We make no representation regarding the appropriateness of the procedures either for the purpose for which this report has been requested or for any other purpose. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. An agreed-upon procedures engagement involves performing specific procedures that the engaging party has agreed to and acknowledged to be appropriate for the intended purpose of the engagement and reporting on findings based on the procedures performed.

The procedures and associated findings were as follows:

1. Obtain and read the Cooperative Agreement for the Senior Mobility Program between OCLTA and the Eligible Jurisdiction and determine that the agreement was properly approved and executed.

Findings: No exceptions were found as a result of this procedure.

2. Describe which fund(s) the Eligible Jurisdiction used to track expenditures relating to Measure M2 Senior Mobility Program monies in its general ledger and the amount spent during the fiscal year ended June 30, 2023. Agree to amount listed as expended on Eligible Jurisdiction's Expenditure Report (Schedule 2, line 21 for Project U). Explain any differences.

Findings: The City's expenditures related to the Measure M2 Senior Mobility Program were tracked in the general ledger by account number. The City recorded its expenditures in the Parks and Recreation Fund (15) and the Measure M2 Fund (25), the Senior Programs Sub-program fund (516), followed by various 4-digit object codes. The City reported \$123,899 in program expenditures on the Expenditure Report (Schedule 2, line 21 for Project U), which agreed to the M2 funded portion of total expenditures, excluding the match funds. No exceptions were found as a result of this procedure.

(Continued)

3. Obtain a listing of Measure M2 Senior Mobility Program payments made from OCLTA to the Eligible Jurisdiction and calculate the amount the Eligible Jurisdiction received for the past three fiscal years. Obtain the fund balance of the Eligible Jurisdiction's Measure M2 Senior Mobility Program as of June 30, 2023, agree to the balance as listed on the Eligible Jurisdictions' Expenditure Report (Schedule 1, line 24) and determine whether funds were expended within three years of receipt or within five years, if an extension was granted. For payments received during the fiscal year ended June 30, 2023, agree to amount listed as received on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 8 for Project U). Explain any differences.

Findings: The City received \$507,301 for the past three fiscal years ended June 30, 2021, 2022, and 2023. We compared the fund balance of \$361,506 from the general ledger detail to the fund balance reported in the City's Expenditure Report (Schedule 1, line 21) of \$361,506; no differences were identified. We determined funds were expended within three years of receipt. We agreed payments received from OCLTA totaling \$189,746 during the fiscal year ended June 30, 2023, to the general ledger detail and to the amount listed as received on the City's Expenditure Report (Schedule 2, line 8 for Project U). No exceptions were identified as a result of this procedure.

4. Determine if the Eligible Jurisdiction's interest allocation and fare collection methodologies are adequate to ensure the proper amount of interest/program revenue was credited to the Measure M2 Senior Mobility Program Fund. Agree the amount reflected to the amount of interest listed on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 8 – Project U). Explain any differences.

Findings: We obtained and inspected the City's interest allocation methodology. We identified interest income of \$123, which is calculated by taking the average monthly cash balance for the Senior Mobility Program and applying the average pooled money investment account allocation rates. The City allocated \$123 of interest income for the year ended June 30, 2023 which agreed to the amount reported on the City's Expenditure Report (Schedule 2, line 8 for Project U). Additionally, we inquired with City personnel and inspected the City's general ledger detail regarding fare collection methodologies. Eligible participants of the Senior Mobility Program will pay \$3 for trips in Fullerton and \$7 to locations outside the City. No exceptions were found as a result of this procedure.

5. Determine that the Eligible Jurisdiction satisfied the requirement of twenty percent (20%) matching of the total annual formula allocation (i.e., accrual-basis funding allocation) for the fiscal year ended June 30, 2023.

Findings: We received the City's general ledger detail of matching expenditures, scanned for the types and sources of matching funds and agreed to supporting documentation, such as invoices, to determine whether the match amounts were justifiable and acceptable under the Ordinance and Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines. The total match expenditures amounted to \$232,517 which was approximately 65% of the total expenditures of \$356,416 (M2 funded portion of \$123,899 and City's matching portion of \$232,517) which agreed to the City's general ledger detail of the M2 total expenditures. No exceptions were found as a result of this procedure.

6. Select a sample of Measure M2 Senior Mobility Program expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal vouchers or other appropriate supporting documentation; and
 - b. Determine whether the expenditures selected in (a) above are exclusively for Senior Mobility Program and meets requirements outlined in the Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines and the cooperative agreement.

Findings: We selected 16 Measure M2 Senior Mobility Program expenditures for inspection totaling \$93,820 representing approximately 76% of total Measure M2 Senior Mobility Program expenditures for the fiscal year ended on June 30, 2023. We agreed the dollar amount to supporting documentation and determined that the expenditures were used exclusively for the Senior Mobility Program and met the requirements outlined in the Measure M2 Project U Senior/ Disabled Program Funding Policy Guidelines and the Cooperative Agreement. No exceptions were found as a result of this procedure.

7. Inquire as to the procedures used by the Eligible Jurisdictions to ensure that services are provided only to eligible participants in accordance with the Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines and the cooperative agreement.

Findings: We inquired with management as to the procedures used to ensure services are provided only to eligible participants. Any person who wants to join the Senior Transportation Program must fill out an application and provide a form of state ID. The City then verifies that the applicant is a resident of the City of Fullerton and are 60 years of age or older in accordance with the Senior/Disabled Program Funding Policy Guidelines and the Cooperative Agreement. The City also maintains a copy of each application and the forms of verification on file. No exceptions were found as a result of this procedure.

8. Identify whether administrative costs were charged as Measure M2 Senior Mobility Program expenditures. If applicable, confirm that administrative costs do not exceed 10 percent, as dictated in Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines.

Findings: Based on the Expenditure Report (Schedule 3, line 1), the City reported \$0 in administrative costs. Per discussion with the City's accounting personnel and inspection of the general ledger expenditure detail, no administrative costs were identified as Measure M2 Senior Mobility Program expenditures for the fiscal year ended June 30, 2023. No exceptions were found as a result of this procedure.

9. Determine if the Eligible Jurisdiction contracts with a third-party service provider to provide senior transportation service, and perform the following:
 - a. Determine whether Contractor was selected using a competitive procurement process.
 - b. Inspect the contract agreement to ensure that wheelchair accessible vehicles are available and used as needed.

Findings: Based on inquiry of City personnel, the City contracted with Cabco Yellow, Inc. to provide senior transportation services under the Senior Mobility Program. From inspecting the Cabco Yellow Inc's procurement document, we found that the contractor was selected using a competitive procurement process. In addition, per inspection of the original contract, we found the language requiring that wheelchair accessible vehicles be made available and used as needed was included, as required. No exceptions were found as a result of this procedure.

10. Obtain the proof of insurance coverage for the Eligible Jurisdiction's Contractor and inspect the insurance coverage to ensure the terms satisfy the requirements established in the Cooperative Agreement.

Findings: We obtained and inspected the insurance coverage for the contractor and determined that the requirements established in the Cooperative Agreement were met. No exceptions were found as a result of this procedure.

11. Obtain and sample four monthly summary operations reports and determine whether the reports were properly prepared and submitted within 30 days after the end of the service month.

Findings: We sampled four monthly summary reports (November 2022, December 2022, February 2023, and June 2023). Orange County Local Transportation Authority (OCLTA) staff confirmed that reports were received on the following dates:

<u>Reporting Month</u>	<u>Due Date</u>	<u>Date Received</u>	<u>Days Late</u>
November 2022	December 31, 2022	January 4, 2023	4
December 2022	January 31, 2023	January 31, 2023	-
February 2023	March 31, 2023	March 27, 2023	-
June 2023	July 31, 2023	July 28, 2023	-

Through inspection, we determined that one of the four reports were not submitted within 30 days of month end to OCLTA. No other exceptions were found as a result of this procedure.

We were engaged by OCLTA to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the accounting records, any indirect cost allocation plans and compliance with the provisions of the Measure M2 Local Transportation Ordinance. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City's management and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

At the request of OCLTA, the City's responses to certain findings are included in Exhibit 1. The responses are included for the purpose of additional information and were not subjected to the procedures described above. Accordingly, we did not perform any procedures on the City's responses and express no assurance or opinion on them.

This report is intended solely for the information and use of and is not intended to be, and should not be, used by anyone other than the specified party.



Crowe LLP

Costa Mesa, California
March 18, 2024

CITY OF FULLERTON, CALIFORNIA
SCHEDULE OF MEASURE M2 SENIOR MOBILITY PROGRAM EXPENDITURES
Year ended June 30, 2023
(Unaudited)

SCHEDULE A

Measure M2 Senior Mobility Program Expenditures:

Indirect and/ or Overhead - Schedule 3, line 1

\$ -

Other Senior Mobility Project U

123,899

Total Measure M2 Senior Mobility Program Expenditures

\$ 123,899

Note: The above amounts were taken directly from the financial records of the City of Fullerton and were not audited.



CITY OF FULLERTON

Administrative Services Department

March 18, 2024

Board of Directors
Orange County Local Transportation Authority
and the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

The following response is being submitted to address results from the agreed upon procedures performed for the Measure M2 Senior Mobility program for the City of Fullerton as of and for the fiscal year ended June 30, 2023.

Procedure # 11

Obtain and sample four monthly summary operations reports and determine whether the reports were properly prepared and submitted within 30 days after the end of the service month.

Findings: We sampled four monthly summary reports (November 2022, December 2022, February 2023, and June 2023). Orange County Local Transportation Authority (OCLTA) staff confirmed that reports were received on the following dates:

<u>Reporting Month</u>	<u>Due Date</u>	<u>Date Received</u>	<u>Days Late</u>
November 2022	December 31, 2022	January 4, 2023	4
December 2022	January 31, 2023	January 31, 2023	-
February 2023	March 31, 2023	March 27, 2023	-
June 2023	July 31, 2023	July 28, 2023	-

Through inspection, we determined that one of the four reports were not submitted within 30 days of month end to OCTA. No other exceptions were found as a result of this procedure.

City's Response:

The City will ensure that operations reports are submitted within 30 days.


Eric J. Levitt, City Manager


Daisy Perez, Deputy City Manager


Ellis Chang, Director of Administrative Services

THE EDUCATION COMMUNITY

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INDEPENDENT ACCOUNTANTS' REPORT
ON APPLYING AGREED-UPON PROCEDURES
CITY OF LAGUNA BEACH

Board of Directors
Orange County Local Transportation Authority
and the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

We have performed the procedures enumerated below, which were agreed to by the Taxpayers Oversight Committee of the Orange County Local Transportation Authority (OCLTA) (the specified party), related to the City of Laguna Beach's (City) compliance with certain provisions of the Measure M2 Local Transportation Ordinance (Ordinance) as of and for the fiscal year ended June 30, 2023. The City's management is responsible for compliance with the Ordinance and for its cash, revenue and expenditure records.

The Taxpayers Oversight Committee of the OCLTA has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of evaluating the City's compliance with certain provisions of the Ordinance as of and for the fiscal year ended June 30, 2023. We make no representation regarding the appropriateness of the procedures either for the purpose for which this report has been requested or for any other purpose. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. An agreed-upon procedures engagement involves performing specific procedures that the engaging party has agreed to and acknowledged to be appropriate for the intended purpose of the engagement and reporting on findings based on the procedures performed.

The procedures and associated findings were as follows:

1. Obtain and read the Cooperative Agreement for the Senior Mobility Program between OCLTA and the Eligible Jurisdiction and determine that the agreement was properly approved and executed.

Findings: No exceptions were found as a result of this procedure.

2. Describe which fund(s) the Eligible Jurisdiction used to track expenditures relating to Measure M2 Senior Mobility Program monies in its general ledger and the amount spent during the fiscal year ended June 30, 2023. Agree to amount listed as expended on Eligible Jurisdiction's Expenditure Report (Schedule 2, line 21 for Project U). Explain any differences.

Findings: The City's expenditures related to the Measure M2 Senior Mobility Program were tracked in the general ledger by fund, department codes, and object code. The City recorded its Senior Mobility Program expenditures in its Transit Fund (310), under Public Works department code (30), and various division and object codes. The City reported \$35,000 in program expenditures on the Expenditure Report (Schedule 2, line 21 for Project U). The total SMP expenditures per the City's general ledger was \$34,992 which caused a variance of \$8. No other exceptions were found as a result of this procedure.

(Continued)

3. Obtain a listing of Measure M2 Senior Mobility Program payments made from OCLTA to the Eligible Jurisdiction and calculate the amount the Eligible Jurisdiction received for the past three fiscal years. Obtain the fund balance of the Eligible Jurisdiction's Measure M2 Senior Mobility Program as of June 30, 2023, agree to the balance as listed on the Eligible Jurisdictions' Expenditure Report (Schedule 1, line 24) and determine whether funds were expended within three years of receipt or within five years, if an extension was granted. For payments received during the fiscal year ended June 30, 2023, agree to amount listed as received on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 8 for Project U). Explain any differences.

Findings: The City received \$146,694 for the past three years fiscal years ended June 30, 2021, 2022, and 2023. We compared the fund balance of \$55,421 from the general ledger detail to the fund balance reported in the City's Expenditure Report (Schedule 1, line 24) of \$55,413 noting a difference of \$8. We determined funds were expended within three years of receipt. We agreed payments received from OCLTA totaling \$54,868 during the fiscal year ended June 30, 2023, to the general ledger detail and to the amount listed as received on the City's Expenditure Report (Schedule 2, line 8 for Project U) without exception. No other exceptions were identified as a result of this procedure.

4. Determine if the Eligible Jurisdiction's interest allocation and fare collection methodologies are adequate to ensure the proper amount of interest/program revenue was credited to the Measure M2 Senior Mobility Program Fund. Agree the amount reflected to the amount of interest listed on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 8 – Project U). Explain any differences.

Findings: We obtained and inspected the City's interest allocation methodology. We identified that interest was not allocated to the SMP program in accordance with the City's interest allocation practice. We noted that the City only allocated interest to the Transit fund as a whole and that no interest had been recorded directly for the SMP fund balance. As a result, the City reported \$0 of interest income for the year ended June 30, 2023 which agreed to the City's Expenditure Report (Schedule 2, line 8 for Project U). We inquired of City personnel and inspected the City's general ledger detail regarding fare collection methodologies. The City did not charge fares for senior transportation services during the year. No other exceptions were found as a result of this procedure.

5. Determine that the Eligible Jurisdiction satisfied the requirement of twenty percent (20%) matching of the total annual formula allocation (i.e., accrual-basis funding allocation) for the fiscal year ended June 30, 2023.

Findings: We received the City's general ledger detail of matching expenditures, scanned for the types and sources of matching funds and agreed to supporting documentation, such as invoices, to determine whether the match amounts were justifiable and acceptable under the Ordinance and Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines. The total match expenditures amounted to \$105,931 which was approximately 75% of the total expenditures of \$140,923 (M2 funded portion of \$34,992 and City's matching portion of \$105,931) which agreed to the City's general ledger detail of the M2 total expenditures. No exceptions were found as a result of this procedure.

6. Select a sample of Measure M2 Senior Mobility Program expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal vouchers or other appropriate supporting documentation; and
 - b. Determine whether the expenditures selected in (a) above are exclusively for Senior Mobility Program and meets requirements outlined in the Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines and the cooperative agreement.

Findings: We selected four Measure M2 Senior Mobility Program expenditures for inspection totaling \$34,922 representing almost 100% of total Measure M2 Senior Mobility Program expenditures for the fiscal year ended June 30, 2023. We agreed the dollar amount to supporting documentation and determined that the expenditures selected were used exclusively for the Senior Mobility Program and met the requirements outlined in the Measure M2 Project U Senior/ Disabled Program Funding Policy Guidelines and the Cooperative Agreement. No exceptions were found as a result of this procedure.

7. Inquire as to the procedures used by the Eligible Jurisdictions to ensure that services are provided only to eligible participants in accordance with the Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines and the cooperative agreement.

Findings: We inquired with management as to the procedures used to ensure services are provided only to eligible participants. Any person who wants to join the Senior Transportation Program must fill out an application and provide a form of state ID. The City then verifies that the applicant is a resident of the City of Laguna Beach and are 60 years of age or older in accordance with the Senior/Disabled Program Funding Policy Guidelines and the Cooperative Agreement. The City also maintains a copy of each application and the forms of verification on file. No exceptions were found as a result of this procedure.

8. Identify whether administrative costs were charged as Measure M2 Senior Mobility Program expenditures. If applicable, confirm that administrative costs do not exceed 10 percent, as dictated in Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines.

Findings: Based on the Expenditure Report (Schedule 3, line 1), the City reported \$0 in administrative costs. Per discussion with the City's accounting personnel and inspection of the general ledger expenditure detail, no administrative costs were identified as Measure M2 Senior Mobility Program expenditures for the fiscal year ended June 30, 2023. No exceptions were found as a result of this procedure.

9. Determine if the Eligible Jurisdiction contracts with a third-party service provider to provide senior transportation service, and perform the following:
 - a. Determine whether Contractor was selected using a competitive procurement process.
 - b. Inspect the contract agreement to ensure that wheelchair accessible vehicles are available and used as needed.

Findings: Based on discussion with City personnel, the City contracted with Sally's Fund to provide senior transportation services under the Senior Mobility Program. From inspecting the Sally's Fund procurement document, we found that the contractor was selected using a competitive procurement process. In addition, per inspection of the original contract, we found the language requiring that wheelchair accessible vehicles be made available and used as needed was included, as required. No exceptions were found as a result of this procedure.

10. Obtain the proof of insurance coverage for the Eligible Jurisdiction's Contractor and inspect the insurance coverage to ensure the terms satisfy the requirements established in the Cooperative Agreement.

Findings: We obtained and inspected the insurance coverage for the contractor and determined that the requirements established in the Cooperative Agreement were met. No exceptions were found as a result of this procedure.

11. Obtain and sample four monthly summary operations reports and determine whether the reports were properly prepared and submitted within 30 days after the end of the service month.

Findings: We sampled four monthly summary reports (November 2022, December 2022, February 2023, and June 2023). Through inspection, we determined all four reports were timely submitted within 30 days of the following month end. OCLTA staff confirmed that reports were received on the following dates. No exceptions were found as a result of this procedure.

<u>Reporting Month</u>	<u>Due Date</u>	<u>Date Received</u>	<u>Days Late</u>
November 2022	December 31, 2022	December 22, 2022	-
December 2022	January 31, 2023	January 31, 2023	-
February 2023	March 31, 2023	March 23, 2023	-
June 2023	July 31, 2023	July 19, 2023	-

We were engaged by OCLTA to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the accounting records, any indirect cost allocation plans and compliance with the provisions of the Measure M2 Local Transportation Ordinance. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City's management and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

At the request of OCLTA, the City's responses to certain findings are included in Exhibit 1. The responses are included for the purpose of additional information and were not subjected to the procedures described above. Accordingly, we did not perform any procedures on the City's responses and express no assurance or opinion on them.

This report is intended solely for the information and use of and is not intended to be, and should not be, used by anyone other than the specified party.



Crowe LLP

Costa Mesa, California
March 28, 2024

CITY OF LAGUNA BEACH, CALIFORNIA
SCHEDULE OF MEASURE M2 SENIOR MOBILITY PROGRAM EXPENDITURES
Year ended June 30, 2023
(Unaudited)

SCHEDULE A

Measure M2 Senior Mobility Program Expenditures:

Indirect and/ or Overhead - Schedule 3, line 1

\$ -

Other Senior Mobility Project U

34,992

Total Measure M2 Senior Mobility Program Expenditures

\$ 34,992

Note: The above amounts were taken directly from the financial records of the City of Laguna Beach and were not audited.



Exhibit 1

March 28, 2024

Board of Directors
Orange County Local Transportation Authority
and the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

The following response is being submitted to address results from the agreed upon procedures performed for the Measure M2 Senior Mobility program for the City of Laguna Beach as of and for the fiscal year ended June 30, 2023.

Procedure #2

Describe which fund(s) the Eligible Jurisdiction used to track expenditures relating to Measure M2 Senior Mobility Program monies in its general ledger and the amount spent during the fiscal year ended June 30, 2023. Agree to amount listed as expended on Eligible Jurisdiction's Expenditure Report (Schedule 2, line 21 for Project U). Explain any differences.

Findings: The City's expenditures related to the Measure M2 Senior Mobility Program were tracked in the general ledger by fund, department codes, and object code. The City recorded its Senior Mobility Program expenditures in its Transit Fund (310), under Public Works department code (30), and various division and object codes. The City reported \$35,000 in program expenditures on the Expenditure Report (Schedule 2, line 21 for Project U). The total SMP expenditures per the City's general ledger was \$34,992 which caused a variance of \$8. No other exceptions were found as a result of this procedure.

City's Response: The City will report amounts up to the exact dollar for future reporting requirements.

Procedure# 3

Obtain a listing of Measure M2 Senior Mobility Program payments made from OCLTA to the Eligible Jurisdiction and calculate the amount the Eligible Jurisdiction received for the past three fiscal years. Obtain the fund balance of the Eligible Jurisdiction's Measure M2 Senior Mobility Program as of June 30, 2023, agree to the balance as listed on the Eligible Jurisdictions' Expenditure Report (Schedule 1, line 24) and determine whether funds were expended within three years of receipt or within five years, if an extension was granted. For payments received during the fiscal year ended June 30, 2023, agree to amount listed as received on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 8 for Project U). Explain any differences.

Findings: The City received \$146,694 for the past three years fiscal years ended June 30, 2021, 2022, and 2023. We compared the fund balance of \$55,421 from the general ledger detail to the fund balance reported in the City's Expenditure Report (Schedule 1, line 24) of \$55,413 noting a difference of \$8. We determined funds were expended within three years of receipt. We agreed payments received from OCLTA totaling \$54,868 during the fiscal year ended June 30, 2023, to the general ledger detail and to the amount listed as received on the City's Expenditure Report (Schedule 2, line 8 for Project U) without exception. No other exceptions were identified as a result of this procedure.



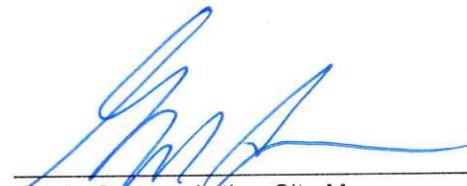
City's Response: The City will report amounts up to the exact dollar for future reporting requirements.

Procedure #4

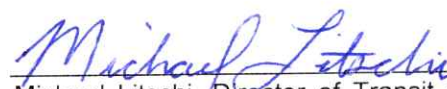
Determine if the Eligible Jurisdiction's interest allocation and fare collection methodologies are adequate to ensure the proper amount of interest/program revenue was credited to the Measure M2 Senior Mobility Program Fund. Agree the amount reflected to the amount of interest listed on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 8 – Project U). Explain any differences.

Findings: We obtained and inspected the City's interest allocation methodology that interest was not allocated to the SMP program in accordance with the City's interest allocation practice. We noted that the City only allocated interest to the Transit fund as a whole and that no interest had been recorded directly for the SMP fund balance. As a result, the City reported \$0 of interest income for the year ended June 30, 2023 which agreed to the City's Expenditure Report (Schedule 2, line 8 for Project U). We inquired of City personnel and inspected the City's general ledger detail regarding fare collection methodologies. The City did not charge fares for senior transportation services during the year. No other exceptions were found as a result of this procedure.

City's Response: The City currently does not allocate interest income by object, rather by fund. The SMP program is an object within the Transit Fund, and therefore interest income is not allocated or reported specifically on the M2 report for the SMP object since it was not reported in the past. The City will identify an appropriate methodology to allocate interest to the SMP program going forward.



Gavin Curran, Acting City Manager

Julie Nemes, Director of Finance & Technology

Michael Litschi, Director of Transit and Community Services

INDEPENDENT ACCOUNTANTS' REPORT
ON APPLYING AGREED-UPON PROCEDURES
CITY OF MISSION VIEJO

Board of Directors
Orange County Local Transportation Authority
and the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

We have performed the procedures enumerated below, which were agreed to by the Taxpayers Oversight Committee of the Orange County Local Transportation Authority (OCLTA) (the specified party), related to the City of Mission Viejo's (City) compliance with certain provisions of the Measure M2 Local Transportation Ordinance (Ordinance) as of and for the fiscal year ended June 30, 2023. The City's management is responsible for compliance with the Ordinance and for its cash, revenue and expenditure records.

The Taxpayers Oversight Committee of the OCLTA has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of evaluating the City's compliance with certain provisions of the Ordinance as of and for the fiscal year ended June 30, 2023. We make no representation regarding the appropriateness of the procedures either for the purpose for which this report has been requested or for any other purpose. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. An agreed-upon procedures engagement involves performing specific procedures that the engaging party has agreed to and acknowledged to be appropriate for the intended purpose of the engagement and reporting on findings based on the procedures performed.

The procedures and associated findings were as follows:

1. Obtain and read the Cooperative Agreement for the Senior Mobility Program between OCLTA and the Eligible Jurisdiction and determine that the agreement was properly approved and executed.

Findings: No exceptions were found as a result of this procedure.

2. Describe which fund(s) the Eligible Jurisdiction used to track expenditures relating to Measure M2 Senior Mobility Program monies in its general ledger and the amount spent during the fiscal year ended June 30, 2023. Agree to amount listed as expended on Eligible Jurisdiction's Expenditure Report (Schedule 2, line 21 for Project U). Explain any differences.

Findings: The City's expenditures related to the Measure M2 Senior Mobility Program were tracked in the general ledger by account number. The City recorded its expenditures in the Senior Mobility Grant Fund (278), followed by a 3-digit program code, and a 4-digit account number. The City reported \$99,054 in program expenditures on the Expenditure Report (Schedule 2, line 21 for Project U) for fiscal year 2023. However, after further inspection, we noted that this amount included the M2 funded portion and the City's matching portion. The actual total SMP expenditures per the general ledger detail was \$152,711 (M2 funded portion of \$125,882 and the City's matching portion of \$26,829). No other exceptions were found as a result of this procedure.

(Continued)

3. Obtain a listing of Measure M2 Senior Mobility Program payments made from OCLTA to the Eligible Jurisdiction and calculate the amount the Eligible Jurisdiction received for the past three fiscal years. Obtain the fund balance of the Eligible Jurisdiction's Measure M2 Senior Mobility Program as of June 30, 2023, agree to the balance as listed on the Eligible Jurisdictions' Expenditure Report (Schedule 1, line 24) and determine whether funds were expended within three years of receipt or within five years, if an extension was granted. For payments received during the fiscal year ended June 30, 2023, agree to amount listed as received on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 8 for Project U). Explain any differences.

Findings: The City received \$451,710 for the past three fiscal years ended June 30, 2021, 2022, and 2023. We compared the fund balance of \$612,715 from the general ledger detail to the fund balance reported in the City's Expenditure Report (Schedule 1, line 24) of \$612,715; no differences were identified. We determined funds were expended within three years of receipt. We agreed payments received from OCLTA totaling \$168,953 during the fiscal year ended June 30, 2023, to the general ledger detail and to the amount listed of \$168,953, as received on the City's Expenditure Report (Schedule 2, line 8 for Project U). No exceptions were identified as a result of this procedure.

4. Determine if the Eligible Jurisdiction's interest allocation and fare collection methodologies are adequate to ensure the proper amount of interest/program revenue was credited to the Measure M2 Senior Mobility Program Fund. Agree the amount reflected to the amount of interest listed on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 8 – Project U). Explain any differences.

Findings: We obtained and inspected the City's interest allocation methodology. We identified interest income of \$10,538, which is calculated by taking the monthly fund balance for the Senior Mobility Program and applying the pooled money investment account allocation percentages. The City reported \$10,538 of interest income for the year ended June 30, 2023 which agreed to the City's Expenditure Report (Schedule 2, line 8 for Project U). The City did not charge fares for senior transportation services to the City's senior center. However, they charged \$20 for trips to/from John Wayne and \$5 for all other one-way trips. We deemed that the fare collection methodology was adequate to ensure the program revenue was credited to the Measure M2 Senior Mobility Program Fund. No exceptions were found as a result of this procedure.

5. Determine that the Eligible Jurisdiction satisfied the requirement of twenty percent (20%) matching of the total annual formula allocation (i.e., accrual-basis funding allocation) for the fiscal year ended June 30, 2023.

Findings: We received the City's general ledger detail of matching expenditures, scanned for the types and sources of matching, and agreed to supporting documentation, such as invoices, to determine whether the match amounts were justifiable and acceptable under the Ordinance and Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines. The total match expenditures amounted to \$26,829 which was approximately 18% of the total expenditures of \$152,711 (M2 funded portion of \$125,882 and City's matching portion of \$26,829) which agreed to the City's general ledger detail of the M2 total expenditures. However, we noted that the City's contribution was below the 20% matching rule. No other exceptions were found as a result of this procedure.

6. Select a sample of Measure M2 Senior Mobility Program expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal vouchers or other appropriate supporting documentation; and
 - b. Determine whether the expenditures selected in (a) above are exclusively for Senior Mobility Program and meets requirements outlined in the Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines and the cooperative agreement.

(Continued)

Findings: We selected 24 Measure M2 Senior Mobility Program expenditures for inspection totaling \$74,130 representing approximately 59% of total Measure M2 Senior Mobility Program expenditures for the fiscal year ended June 30, 2023. We agreed the dollar amount listed on the general ledger to supporting documentation and determined that the expenditures selected were used exclusively for the Senior Mobility Program and met the requirements outlined in the Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines and the Cooperative Agreement. No exceptions were found as a result of this procedure.

7. Inquire as to the procedures used by the Eligible Jurisdictions to ensure that services are provided only to eligible participants in accordance with the Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines and the cooperative agreement.

Findings: We inquired with management as to the procedures used to ensure services are provided only to eligible participants. Any person who wants to join the Senior Transportation Program must fill out an application and provide their birth date and address. The City then verifies that the applicant is a resident of Mission Viejo, and 60 years of age or older in accordance with the Senior/Disabled Program Funding Policy Guidelines and the Cooperative Agreement. Approved applicants are then required to attend an in-person appointment to review the program's usage, during which their age and residency are verified again using documents like a driver's license, passport, or water bill. Every two years, active participants are contacted to confirm their continued residency in Mission Viejo and their interest in remaining in the program. A unique ID number is printed on the participant's photo ID card which must be provided when booking a ride with California Yellow Cab. No exceptions were found as a result of this procedure.

8. Identify whether administrative costs were charged as Measure M2 Senior Mobility Program expenditures. If applicable, confirm that administrative costs do not exceed 10 percent, as dictated in Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines.

Findings: Based on the Expenditure Report (Schedule 3, line 1), the City reported \$0 in administrative costs. Per discussion with the City's accounting personnel and inspection of the general ledger expenditure detail, \$7,809 of administrative costs were identified as Measure M2 Senior Mobility Program expenditures for the fiscal year ended June 30, 2023, which does not exceed 10 percent, as dictated in Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines. No exceptions were found as a result of this procedure.

9. Determine if the Eligible Jurisdiction contracts with a third-party service provider to provide senior transportation service, and perform the following:
 - a. Determine whether Contractor was selected using a competitive procurement process.
 - b. Inspect the contract agreement to ensure that wheelchair accessible vehicles are available and used as needed.

Findings: Based on interview with City personnel, the City contracted with CABCO Yellow, Inc. in July 2021, and Age Well Senior Services, Inc. in November 2021, to provide senior transportation services under the Senior Mobility Program. From inspection of the procurement supporting documentation, we concluded that both service providers were selected using a competitive procurement process. and that the City has continued to extend its existing contracts. Per inspection of the original contract for CABCO Yellow Inc. we found language requiring that wheelchair accessible vehicles be made available and used as needed. However, from inspection of the Age Well contracts, we were unable to find the language requiring that wheelchair accessible vehicles be made available and used as needed. No other exceptions were found as a result of this procedure.

10. Obtain the proof of insurance coverage for the Eligible Jurisdiction's Contractor and inspect the insurance coverage to ensure the terms satisfy the requirements established in the Cooperative Agreement.

Findings: We obtained and inspected the insurance coverage for the contractor and determined that the requirements established in the Cooperative Agreement were met. No exceptions were found as a result of this procedure.

11. Obtain and sample four monthly summary operations reports and determine whether the reports were properly prepared and submitted within 30 days after the end of the service month.

Findings: We sampled four monthly summary reports (November 2022, December 2022, February 2023, and June 2023). Orange County Local Transportation Authority (OCLTA) staff confirmed that reports were received on the following dates:

<u>Reporting Month</u>	<u>Due Date</u>	<u>Date Received</u>	<u>Days Late</u>
November 2022	December 31, 2022	March 9, 2023	68
December 2022	January 31, 2023	January 11, 2023	-
February 2023	March 31, 2023	March 8, 2023	-
June 2023	July 31, 2023	July 11, 2023	-

Through inspection, we determined one out of four reports were not submitted within 30 days of month end to OCLTA. No other exceptions were found as a result of this procedure.

We were engaged by OCLTA to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the accounting records, any indirect cost allocation plans and compliance with the provisions of the Measure M2 Local Transportation Ordinance. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City's management and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

At the request of OCLTA, the City's responses to certain findings are included in Exhibit 1. The responses are included for the purpose of additional information and were not subjected to the procedures described above. Accordingly, we did not perform any procedures on the City's responses and express no assurance or opinion on them.

This report is intended solely for the information and use of and is not intended to be, and should not be, used by anyone other than the specified party.



Crowe LLP

Costa Mesa, California
April 3, 2024

CITY OF MISSION VIEJO, CALIFORNIA
SCHEDULE OF MEASURE M2 SENIOR MOBILITY PROGRAM EXPENDITURES
Year ended June 30, 2023
(Unaudited)

SCHEDULE A

Measure M2 Senior Mobility Program Expenditures:

Indirect and/ or Overhead - Schedule 3, line 1

\$ -

Other Senior Mobility Project U

125,882

Total Measure M2 Senior Mobility Program Expenditures

\$ 125,882

Note: The above amounts were taken directly from the financial records of the City of Mission Viejo and were not audited.



City of Mission Viejo

Administrative Services Department

Trish Kelley
Mayor

Bob Ruesch
Mayor Pro Tem

Wendy Bucknum
Council Member

Brian Goodell
Council Member

Cynthia Vasquez
Council Member

April 3, 2024

EXHIBIT1

Board of Directors
Orange County Local Transportation Authority
and the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

The following response is being submitted to address results from the agreed upon procedures performed for the Measure M2 Senior Mobility program for the City of Mission Viejo as of and for the fiscal year ended June 30, 2023.

Procedure #2

Describe which fund(s) the Eligible Jurisdiction used to track expenditures relating to Measure M2 Senior Mobility Program monies in its general ledger and the amount spent during the fiscal year ended June 30, 2023. Agree to amount listed as expended on Eligible Jurisdiction's Expenditure Report (Schedule 2, line 21 for Project U). Explain any differences.

Findings: The City's expenditures related to the Measure M2 Senior Mobility Program were tracked in the general ledger by account number. The City recorded its expenditures in the Senior Mobility Grant Fund (278), followed by a 3-digit program code, and a 4-digit account number. The City reported \$99,054 in program expenditures on the Expenditure Report (Schedule 2, line 21 for Project U) for fiscal year 2023. However, after further inspection, we noted that this amount included the M2 funded portion and the City's matching portion. The actual total SMP expenditures per the general ledger detail was \$152,711 (M2 funded portion of \$125,882 and the City's matching portion of \$26,829). No other exceptions were found as a result of this procedure.

City's Response:

Exception noted. The City discovered there was an error on the worksheet calculating the M2 funded portion and the City matching portion causing the number reported on the monthly reports and at YE to be understated. The necessary corrections to the worksheet have been made and the City reached out to OCTA notifying them of the error. The City will be resubmitting the revised monthly reports to OCTA for FY22/23 with the correct amounts.



City of Mission Viejo

Administrative Services Department

Trish Kelley
Mayor

Bob Ruesch
Mayor Pro Tem

Wendy Bucknum
Council Member

Brian Goodell
Council Member

Cynthia Vasquez
Council Member

Procedure #5

Determine that the Eligible Jurisdiction satisfied the requirement of twenty percent (20%) matching of the total annual formula allocation (i.e., accrual-basis funding allocation) for the fiscal year ended June 30, 2023.

Findings: We received the City's general ledger detail of matching expenditures, scanned for the types and sources of matching, and agreed to supporting documentation, such as invoices, to determine whether the match amounts were justifiable and acceptable under the Ordinance and Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines. The total match expenditures amounted to \$26,829 which was approximately 18% of the total expenditures of \$152,711 (M2 funded portion of \$125,882 and City's matching portion of \$26,829) which agreed to the City's general ledger detail of the M2 total expenditures. However, we noted that the City's contribution was below the 20% matching rule. No other exceptions were found as a result of this procedure.

City's Response:

Exception noted. The City discovered there was an error on the worksheet calculating the M2 funded portion and the City matching portion causing the number reported on the monthly reports and at YE to be understated. This error caused the matching contributions to be less than the 20% required. The necessary corrections to the worksheet have been made and the City reached out to OCTA notifying them of the error. The City will be resubmitting the revised monthly report to OCTA for FY22/23 with the correct amounts.

Procedure #9

Determine if the Eligible Jurisdiction contracts with a third-party service provider to provide senior transportation service, and perform the following:

- a. Determine whether Contractor was selected using a competitive procurement process.
- b. Inspect the contract agreement to ensure that wheelchair accessible vehicles are available and used as needed.

Findings: Based on interview with City personnel, the City contracted with CABCO Yellow, Inc. in July 2021, and Age Well Senior Services, Inc. in November 2021, to provide senior transportation services under the Senior Mobility Program. From inspection of the procurement supporting documentation, we concluded that both service providers were selected using a competitive



City of Mission Viejo

Administrative Services Department

Trish Kelley
Mayor

Bob Ruesch
Mayor Pro Tem

Wendy Bucknum
Council Member

Brian Goodell
Council Member

Cynthia Vasquez
Council Member

procurement process. and that the City has continued to extend its existing contracts. Per inspection of the original contract for CABCO Yellow Inc. we found language requiring that wheelchair accessible vehicles be made available and used as needed. However, from inspection of the Age Well contracts, we were unable to find the language requiring that wheelchair accessible vehicles be made available and used as needed. No other exceptions were found as a result of this procedure.

City's Response:

Age Well currently uses vans that accommodate wheelchair passengers. The City will amend any new contracts to include the following wording: wheel chair accessible vehicles to be made available and used as needed.

Procedure #11

Obtain and sample four monthly summary operations reports and determine whether the reports were properly prepared and submitted within 30 days after the end of the service month.

Findings: We sampled four monthly summary reports (November 2022, December 2022, February 2023, and June 2023). Orange County Local Transportation Authority (OCLTA) staff confirmed that reports were received on the following dates:

<u>Reporting Month</u>	<u>Due Date</u>	<u>Date Received</u>	<u>Days Late</u>
November 2022	December 31, 2022	March 9, 2023	68
December 2022	January 31, 2023	January 11, 2023	-
February 2023	March 31, 2023	March 8, 2023	-
June 2023	July 31, 2023	July 11, 2023	-

Through inspection, we determined one out of four reports were not submitted within 30 days of month end to OCLTA. No other exceptions were found as a result of this procedure.

City's Response:

Exception noted. Per Community Services, the November 2022 report was submitted on time but due to an error on OCTA's website the City had to resubmit the report in March of 2023. Email documentation to support this claim was not saved. Going forward the City will be saving all of the emails and/or correspondence of submissions on a share folder for future reference.



City of Mission Viejo

Administrative Services Department

Trish Kelley

Mayor

Bob Ruesch

Mayor Pro Tem

Wendy Bucknum

Council Member

Brian Goodell

Council Member

Cynthia Vasquez

Council Member

DocuSigned by:

Dennis Wilberg

Dennis Wilberg, City Manager

DocuSigned by:

Cheryl Dyas

Cheryl Dyas, Director of Administrative Services

DocuSigned by:

Mark Nix

Mark Nix, Director of Recreation & Community Services

INDEPENDENT ACCOUNTANTS' REPORT
ON APPLYING AGREED-UPON PROCEDURES
CITY OF NEWPORT BEACH

Board of Directors
Orange County Local Transportation Authority
and the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

We have performed the procedures enumerated below, which were agreed to by the Taxpayers Oversight Committee of the Orange County Local Transportation Authority (OCLTA) (the specified party), related to the City of Newport Beach's (City) compliance with certain provisions of the Measure M2 Local Transportation Ordinance (Ordinance) as of and for the fiscal year ended June 30, 2023. The City's management is responsible for compliance with the Ordinance and for its cash, revenue and expenditure records.

The Taxpayers Oversight Committee of the OCLTA has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of evaluating the City's compliance with certain provisions of the Ordinance as of and for the fiscal year ended June 30, 2023. We make no representation regarding the appropriateness of the procedures either for the purpose for which this report has been requested or for any other purpose. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. An agreed-upon procedures engagement involves performing specific procedures that the engaging party has agreed to and acknowledged to be appropriate for the intended purpose of the engagement and reporting on findings based on the procedures performed.

The procedures and associated findings were as follows:

1. Obtain and read the Cooperative Agreement for the Senior Mobility Program between OCLTA and the Eligible Jurisdiction and determine that the agreement was properly approved and executed.

Findings: No exceptions were found as a result of this procedure.

2. Describe which fund(s) the Eligible Jurisdiction used to track expenditures relating to Measure M2 Senior Mobility Program monies in its general ledger and the amount spent during the fiscal year ended June 30, 2023. Agree to amount listed as expended on Eligible Jurisdiction's Expenditure Report (Schedule 2, line 21 for Project U). Explain any differences.

(Continued)

Findings: The City's expenditures related to the Measure M2 Senior Mobility Program were tracked in the general ledger by account number. The City recorded its expenditures in the General Fund (010), under the Oasis Transportation organizational code (0107033), followed by various 6-digit account numbers. The City reported \$192,278 in program expenditures on the Expenditure Report (Schedule 2, line 21 for Project U), which agreed to the M2 funded portion of total expenditures, excluding the match funds. No exceptions were found as a result of this procedure.

3. Obtain a listing of Measure M2 Senior Mobility Program payments made from OCLTA to the Eligible Jurisdiction and calculate the amount the Eligible Jurisdiction received for the past three fiscal years. Obtain the fund balance of the Eligible Jurisdiction's Measure M2 Senior Mobility Program as of June 30, 2023, agree to the balance as listed on the Eligible Jurisdictions' Expenditure Report (Schedule 1, line 24) and determine whether funds were expended within three years of receipt or within five years, if an extension was granted. For payments received during the fiscal year ended June 30, 2023, agree to amount listed as received on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 8 for Project U). Explain any differences.

Findings: The City received \$514,071 for the past three years fiscal years ended June 30, 2021, 2022, and 2023. We compared the fund balance of \$0 from the general ledger detail to the fund balance reported in the City's Expenditure Report (Schedule 1, line 24) of \$0; no difference was identified. We determined funds were expended within three years of receipt. We agreed payments received from OCLTA totaling \$192,278 during the fiscal year ended June 30, 2023, to the general ledger detail and to the amount listed as received on the City's Expenditure Report (Schedule 2, line 8 for Project U) without exception. No exceptions were identified as a result of this procedure.

4. Determine if the Eligible Jurisdiction's interest allocation and fare collection methodologies are adequate to ensure the proper amount of interest/program revenue was credited to the Measure M2 Senior Mobility Program Fund. Agree the amount reflected to the amount of interest listed on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 8 – Project U). Explain any differences.

Findings: We obtained and inspected the City's interest allocation methodology. We identified interest income of \$1,562, which was calculated based on the percentage of pooled cash held in each fund monthly. The interest percentage is then applied to the monthly cash balance of the Senior Mobility Program (SMP). We recalculated each month's interest rate, which was then applied to the SMP cash balance. The City allocated \$1,562 of interest income for the year ended June 30, 2023, which agreed to the amount reported on the City's Expenditure Report (Schedule 2, line 8 for Project U). Additionally, we inquired of City personnel and inspected the City's general ledger detail regarding fare collection methodologies. The City did not charge fares for senior transportation services during the year. No exceptions were found as a result of this procedure.

5. Determine that the Eligible Jurisdiction satisfied the requirement of twenty percent (20%) matching of the total annual formula allocation (i.e., accrual-basis funding allocation) for the fiscal year ended June 30, 2023.

Findings: We received the City's general ledger detail of matching expenditures, scanned for the types and sources of matching funds and agreed to supporting documentation, such as invoices, to determine whether the match amounts were justifiable and acceptable under the Ordinance and Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines. The total match expenditures amounted to \$669,735 which was approximately 78% of the total expenditures of \$862,013 (M2 funded portion of \$192,278 and City's matching portion of \$669,735) which agreed to the City's general ledger detail of the M2 total expenditures. No exceptions were found as a result of this procedure.

6. Select a sample of Measure M2 Senior Mobility Program expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected perform the following:

- a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal vouchers or other appropriate supporting documentation; and
- b. Determine whether the expenditures selected in (a) above are exclusively for Senior Mobility Program and meets requirements outlined in the Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines and the cooperative agreement.

Findings: We selected 14 Measure M2 Senior Mobility Program expenditures for inspection totaling \$187,989 representing approximately 98% of total Measure M2 Senior Mobility Program expenditures for the fiscal year ended June 30, 2023. We agreed the dollar amount to supporting documentation and determined that the expenditures selected were used exclusively for the Senior Mobility Program and met the requirements outlined in the Measure M2 Project U Senior/ Disabled Program Funding Policy Guidelines and the Cooperative Agreement. No exceptions were found as a result of this procedure.

7. Inquire as to the procedures used by the Eligible Jurisdictions to ensure that services are provided only to eligible participants in accordance with the Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines and the cooperative agreement.

Findings: We inquired with management as to the procedures used to ensure services are provided only to eligible participants. Any person who wants to join the Senior Transportation Program must fill out an application and provide a form of state ID. The City then verifies that the applicant is a resident of the City of Newport Beach and are 60 years of age or older in accordance with the Senior/Disabled Program Funding Policy Guidelines and the Cooperative Agreement. The City also maintains a copy of each application and the forms of verification on file. No exceptions were found as a result of this procedure.

8. Identify whether administrative costs were charged as Measure M2 Senior Mobility Program expenditures. If applicable, confirm that administrative costs do not exceed 10 percent, as dictated in Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines.

Findings: Based on the Expenditure Report (Schedule 3, line 1), the City reported \$0 in administrative costs. Per discussion with the City's accounting personnel and inspection of the general ledger expenditure detail, no administrative costs were identified as Measure M2 Senior Mobility Program expenditures for the fiscal year ended June 30, 2023. No exceptions were found as a result of this procedure.

9. Determine if the Eligible Jurisdiction contracts with a third-party service provider to provide senior transportation service, and perform the following:
 - a. Determine whether Contractor was selected using a competitive procurement process.
 - b. Inspect the contract agreement to ensure that wheelchair accessible vehicles are available and used as needed.

Findings: Based on our inspection of the general ledger expenditure detail and through discussion with City personnel, the City did not contract with a third-party service provider for senior transportation service. No exceptions were noted as a result of our procedures.

10. Obtain the proof of insurance coverage for the Eligible Jurisdiction's Contractor and inspect the insurance coverage to ensure the terms satisfy the requirements established in the Cooperative Agreement.

Findings: We obtained and inspected the insurance coverage for the City of Newport Beach. We noted that the City used in-house staff to provide services for the Senior Mobility Program and determined that the requirements established in the Cooperative Agreement were met. No exceptions were found as a result of this procedure.

11. Obtain and sample four monthly summary operations reports and determine whether the reports were properly prepared and submitted within 30 days after the end of the service month.

Findings: We sampled four monthly summary reports (November 2022, December 2022, February 2023, and June 2023). Through inspection, we determined all four reports were timely submitted within 30 days of the following month end. OCLTA staff confirmed that reports were received on the following dates.

<u>Reporting Month</u>	<u>Due Date</u>	<u>Date Received</u>	<u>Days Late</u>
November 2022	December 31, 2022	December 19, 2022	-
December 2022	January 31, 2023	January 26, 2023	-
February 2023	March 31, 2023	March 17, 2023	-
June 2023	July 31, 2023	July 21, 2023	-

No exceptions were found as a result of this procedure.

We were engaged by OCLTA to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the accounting records, any indirect cost allocation plans and compliance with the provisions of the Measure M2 Local Transportation Ordinance. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City's management and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of and is not intended to be, and should not be, used by anyone other than the specified party.



Crowe LLP

Costa Mesa, California
March 18, 2024

CITY OF NEWPORT BEACH, CALIFORNIA
SCHEDULE OF MEASURE M2 SENIOR MOBILITY PROGRAM EXPENDITURES
Year ended June 30, 2023
(Unaudited)

SCHEDULE A

Measure M2 Senior Mobility Program Expenditures:	
Indirect and/ or Overhead - Schedule 3, line 1	\$ -
Other Senior Mobility Project U	<u>192,278</u>
 Total Measure M2 Senior Mobility Program Expenditures	 <u><u>\$ 192,278</u></u>

Note: The above amounts were taken directly from the financial records of the City of Newport Beach and were not audited.

INDEPENDENT ACCOUNTANTS' REPORT
ON APPLYING AGREED-UPON PROCEDURES
CITY OF YORBA LINDA

Board of Directors
Orange County Local Transportation Authority
and the Taxpayers Oversight Committee of the
Orange County Local Transportation Authority
Orange, California

We have performed the procedures enumerated below, which were agreed to by the Taxpayers Oversight Committee of the Orange County Local Transportation Authority (OCLTA) (the specified party), related to the City of Yorba Linda's (City) compliance with certain provisions of the Measure M2 Local Transportation Ordinance (Ordinance) as of and for the fiscal year ended June 30, 2023. The City's management is responsible for compliance with the Ordinance and for its cash, revenue and expenditure records.

The Taxpayers Oversight Committee of the OCLTA has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of evaluating the City's compliance with certain provisions of the Ordinance as of and for the fiscal year ended June 30, 2023. We make no representation regarding the appropriateness of the procedures either for the purpose for which this report has been requested or for any other purpose. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. An agreed-upon procedures engagement involves performing specific procedures that the engaging party has agreed to and acknowledged to be appropriate for the intended purpose of the engagement and reporting on findings based on the procedures performed.

The procedures and associated findings were as follows:

1. Obtain and read the Cooperative Agreement for the Senior Mobility Program between OCLTA and the Eligible Jurisdiction and determine that the agreement was properly approved and executed.

Findings: No exceptions were found as a result of this procedure.

2. Describe which fund(s) the Eligible Jurisdiction used to track expenditures relating to Measure M2 Senior Mobility Program monies in its general ledger and the amount spent during the fiscal year ended June 30, 2023. Agree to amount listed as expended on Eligible Jurisdiction's Expenditure Report (Schedule 2, line 21 for Project U). Explain any differences.

Findings: The City's expenditures related to the Measure M2 Senior Mobility Program were tracked in the general ledger by account number. The City recorded its expenditures in the General Fund (101), followed by a 7-digit organizational code, and a 6-digit object code. The City reported \$123,061 in program expenditures on the Expenditure Report (Schedule 2, line 21 for Project U), which agreed to the M2 funded portion of total expenditures, excluding the match funds. No exceptions were found as a result of this procedure.

(Continued)

3. Obtain a listing of Measure M2 Senior Mobility Program payments made from OCLTA to the Eligible Jurisdiction and calculate the amount the Eligible Jurisdiction received for the past three fiscal years. Obtain the fund balance of the Eligible Jurisdiction's Measure M2 Senior Mobility Program as of June 30, 2023, agree to the balance as listed on the Eligible Jurisdictions' Expenditure Report (Schedule 1, line 24) and determine whether funds were expended within three years of receipt or within five years, if an extension was granted. For payments received during the fiscal year ended June 30, 2023, agree to amount listed as received on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 8 for Project U). Explain any differences.

Findings: The City received \$277,348 for the past three fiscal years ended June 30, 2021, 2022, and 2023. We compared the fund balance of \$125,275 from the general ledger detail to the fund balance reported in the City's Expenditure Report (Schedule 1, line 24) of \$125,275; no differences were identified. We determined funds were expended within three years of receipt. We agreed payments received from OCLTA totaling \$103,737 during the fiscal year ended June 30, 2023, to the general ledger detail and to the amount listed of \$103,737, as received on the City's Expenditure Report (Schedule 2, line 8 for Project U). No exceptions were identified as a result of this procedure.

4. Determine if the Eligible Jurisdiction's interest allocation and fare collection methodologies are adequate to ensure the proper amount of interest/program revenue was credited to the Measure M2 Senior Mobility Program Fund. Agree the amount reflected to the amount of interest listed on the Eligible Jurisdiction's Expenditure Report (Schedule 2, line 8 – Project U). Explain any differences.

Findings: We obtained and inspected the City's interest allocation methodology. We identified interest income of \$2,889, which is calculated by taking the monthly fund balance for the Senior Mobility Program and applying the pooled money investment account allocation percentages. The City reported \$2,889 of interest income for the year ended June 30, 2023 which agreed to the City's Expenditure Report (Schedule 2, line 8 for Project U). Additionally, we inquired of City personnel and inspected the City's general ledger detail regarding fare collections methodologies. The City charged \$1.00 for each one-way trip which was directly given to the driver by the participant. The total fares were then deducted from the total trip cost and counted towards the City's contribution. No exceptions were found as a result of this procedure.

5. Determine that the Eligible Jurisdiction satisfied the requirement of twenty percent (20%) matching of the total annual formula allocation (i.e., accrual-basis funding allocation) for the fiscal year ended June 30, 2023.

Findings: We received the City's general ledger detail of matching expenditures, scanned for the types and sources of matching funds and agreed to supporting documentation, such as invoices, to determine whether the match amounts were justifiable and acceptable under the Ordinance and Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines. The total match expenditures amounted to \$32,231 which was approximately 21% of the total expenditures of \$155,292 (M2 funded portion of \$123,061 and City's matching portion of \$32,231) which agrees to the City's general ledger detail of the M2 total expenditures. No exceptions were found as a result of this procedure.

6. Select a sample of Measure M2 Senior Mobility Program expenditures from the Eligible Jurisdiction's general ledger expenditure detail. Describe the percentage of total expenditures selected for inspection. For each item selected perform the following:
 - a. Agree the dollar amount listed on the general ledger to supporting documentation, which may include a check copy or wire transfer, vendor invoice, payroll registers and timecards, journal vouchers or other appropriate supporting documentation; and
 - b. Determine whether the expenditures selected in (a) above are exclusively for Senior Mobility Program and meets requirements outlined in the Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines and the cooperative agreement.

Findings: We selected six Measure M2 Senior Mobility Program expenditures for inspection totaling \$95,763 representing approximately 78% of total Measure M2 Senior Mobility Program expenditures for the fiscal year ended June 30, 2023. Crowe agreed the dollar amount listed on the general ledger to invoices provided by the City and determined that the expenditures selected were used exclusively for the Senior Mobility Program and met the requirements outlined in the Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines and the Cooperative Agreement. No exceptions were found as a result of this procedure.

7. Inquire as to the procedures used by the Eligible Jurisdictions to ensure that services are provided only to eligible participants in accordance with the Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines and the cooperative agreement.

Findings: We inquired with management as to the procedures used to ensure services are provided only to eligible participants. Any person who wants to join the Senior Transportation Program must fill out an application and provide a form of state ID. The City then verifies that the applicant is a resident of the City of Yorba Linda and are 60 years of age or older in accordance with the Senior/Disabled Program Funding Policy Guidelines and the Cooperative Agreement. The City also maintains a copy of each application and the forms of verification on file. No exceptions were found as a result of this procedure.

8. Identify whether administrative costs were charged as Measure M2 Senior Mobility Program expenditures. If applicable, confirm that administrative costs do not exceed 10 percent, as dictated in Measure M2 Project U Senior/Disabled Program Funding Policy Guidelines.

Findings: Based on the Expenditure Report (Schedule 3, line 1), the City reported \$0 in administrative costs. Per discussion with the City's accounting personnel and inspection of the general ledger expenditure detail, no administrative costs were identified as Measure M2 Senior Mobility Program expenditures for the fiscal year ended June 30, 2023. No exceptions were found as a result of this procedure.

9. Determine if the Eligible Jurisdiction contracts with a third-party service provider to provide senior transportation service, and perform the following:
 - a. Determine whether Contractor was selected using a competitive procurement process.
 - b. Inspect the contract agreement to ensure that wheelchair accessible vehicles are available and used as needed.

Findings: Based on inquiry of City personnel, the City contracted with CABCO Yellow, Inc. to provide senior transportation services under the Senior Mobility Program. From inspecting the CABCO Yellow, Inc. procurement document, we found that the contractor was selected using a competitive procurement process. In addition, per inspection of the original contract, we found the language requiring that wheelchair accessible vehicles be made available and used as needed was included, as required. No exceptions were found as a result of this procedure.

10. Obtain the proof of insurance coverage for the Eligible Jurisdiction's Contractor and inspect the insurance coverage to ensure the terms satisfy the requirements established in the Cooperative Agreement.

Findings: We obtained and inspected the insurance coverage for the contractor, and determined that the requirements established in the Cooperative Agreement were met. No exceptions were found as a result of this procedure.

11. Obtain and sample four monthly summary operations reports and determine whether the reports were properly prepared and submitted within 30 days after the end of the service month.

Findings: We sampled four monthly summary reports (November 2022, December 2022, February 2023, and June 2023). OCLTA staff confirmed that reports were received on the following dates:

<u>Reporting Month</u>	<u>Due Date</u>	<u>Date Received</u>	<u>Days Late</u>
November 2022	December 31, 2022	December 15, 2022	-
December 2022	January 31, 2023	January 18, 2023	-
February 2023	March 31, 2023	March 8, 2023	-
June 2023	July 31, 2023	July 13, 2023	-

Through inspection, we determined that all four reports were submitted within 30 days of the following month end. No exceptions were found as a result of this procedure.

We were engaged by OCLTA to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the accounting records, any indirect cost allocation plans and compliance with the provisions of the Measure M2 Local Transportation Ordinance. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City's management and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of and is not intended to be, and should not be, used by anyone other than the specified party.



Crowe LLP

Costa Mesa, California
March 20, 2024

CITY OF YORBA LINDA, CALIFORNIA
SCHEDULE OF MEASURE M2 SENIOR MOBILITY PROGRAM EXPENDITURES
Year ended June 30, 2023
(Unaudited)

SCHEDULE A

Measure M2 Senior Mobility Program Expenditures:	
Indirect and/ or Overhead - Schedule 3, line 1	\$ -
Other Senior Mobility Project U	<u>123,061</u>
 Total Measure M2 Senior Mobility Program Expenditures	 <u><u>\$ 123,061</u></u>

Note: The above amounts were taken directly from the financial records of the City of Yorba Linda and were not audited.



COMMITTEE TRANSMITTAL

May 13, 2024

To: Members of the Board of Directors

From: Andrea West, Clerk of the Board *Andrea West*

Subject: Third Quarter Fiscal Year 2023-24 Capital Action Plan
Performance Metrics

Executive Committee Meeting of May 6, 2024

Present: Directors Chaffee, Do, Hennessey, Jung, Nguyen, and Wagner

Absent: None

Committee Vote

No action was taken on this item.

Staff Recommendation

Receive and file as an information item.



May 6, 2024

To: Executive Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Third Quarter Fiscal Year 2023-24 Capital Action Plan Performance Metrics

Overview

Staff has prepared a quarterly progress report on capital project delivery covering the period of January 2024 through March 2024, for review by the Orange County Transportation Authority Board of Directors. This report highlights the Capital Action Plan for project delivery, which is used as a performance metric to assess delivery progress on highway and transit capital improvement projects.

Recommendation

Receive and file as an information item.

Background

The Orange County Transportation Authority (OCTA) delivers highway and transit capital improvement projects from the beginning of the environmental approval phase through construction completion. Project delivery milestones are planned carefully with consideration of project scope, costs, schedule, and assessment of risks. The milestones reflected in the Capital Action Plan (CAP) are OCTA's planned and budgeted major project delivery commitments.

This report is a quarterly progress report on the CAP performance metrics, which are a snapshot of the planned CAP project delivery milestones in the budgeted fiscal year (FY).

Discussion

OCTA's objective is to deliver projects on schedule and within the approved project budget. Key project cost and schedule commitments are captured in the CAP, which is regularly updated with project status and any new

projects (Attachment A). The CAP is categorized into key project groupings of freeway, grade separation, and transit improvement projects. Transit improvement projects include passenger rail, bus transit and maintenance, and OC Streetcar infrastructure projects. Project schedule milestones are used as performance indicators of progress in project delivery. The CAP performance metrics report provides a FY snapshot of the milestones targeted for delivery in the FY and provides transparency and performance measurement of capital project delivery.

The CAP project costs represent the total cost across all phases of project delivery, including support costs, right-of-way (ROW), and construction capital costs. Baseline costs, if established, are shown in comparison to either the actual or forecast cost. Baseline costs may be shown as to-be-determined (TBD) if project scoping studies and estimates have not been developed or approved and may be updated as delivery progresses, and milestones achieved. Projects identified in the Orange County local transportation sales tax Measure M2 (M2) are identified with the corresponding M2 project logo. The CAP status update is also included in the M2 Quarterly Progress Report.

The CAP summarizes the extraordinarily complex critical path project delivery schedules into eight key milestones.

Begin Environmental	The date work on the environmental clearance, project report, or preliminary engineering phase begins.
Complete Environmental	The date environmental clearance and project approval is achieved.
Begin Design	The date final design work begins, or the date when a design-build contract begins.
Complete Design	The date when final design work is 100 percent complete and approved.
Construction Ready	The date contract bid documents are ready for advertisement, including certification of ROW, all agreements executed, and contract constraints cleared.
Advertise for Construction	The date a construction contract is advertised for construction bids.
Award Contract	The date the construction contract is awarded.

Construction Complete

The date all construction work is completed, and the project is open to public use.

These delivery milestones reflect progression across typical project delivery phases shown below.



Project schedules reflect planned baseline milestone dates in comparison to forecast or actual milestone dates. Milestone dates may be shown as TBD if project scoping or approval documents have not been finalized and approved, or if the delivery schedule has not been negotiated with a partnering agency or consultant implementing the specific phase of a project. Planned milestone dates can be revised to reflect new dates from approved baseline schedule changes. Project schedules are reviewed monthly, and milestone achievements and updated forecast dates are included to reflect project delivery status.

CAP milestones achieved in the third quarter of FY 2023-24 include:

- The complete construction milestone was achieved on the Interstate 405 Improvement Project with the design-builder achieving substantial completion. Minor work, punch list work, and landscaping is ongoing and targeted to be completed in the fourth quarter of FY 2023-24.
- The complete environmental milestone for the Orange County Metrolink Maintenance Facility (OCMF) is now being shown as achieved since OCTA adopted and filed the Notice of Determination for the Initial Study/Mitigated Negative Declaration environmental document under the California Environmental Quality Act (CEQA). However, the City of Irvine petitioned the Orange County Superior Court seeking a Writ of Mandate under the provisions of CEQA against OCTA seeking judicial review and invalidation of OCTA's adoption, claimed unlawful actions, determinations, decisions, and approvals.

The following CAP milestones missed the planned delivery through the third quarter of FY 2023-24:

- Three milestones, including the complete design, construction ready, and advertise construction milestones continue to be delayed on the tolled State Route 241/91 Express Lanes Connector (ELC) which is being implemented by the Transportation Corridor Agencies (TCA). The final

plans, specifications, and estimates still need to be approved by the California Department of Transportation (Caltrans). In addition, two required environmental revalidations, multiple interagency operating and cooperative agreements, and the California Transportation Commission (CTC) public hearing approval are outstanding. Revised target dates for these milestones are currently in FY 2024-25.

- The construction ready milestone for the State Route 91 (SR-91) Improvement Project between State Route 55 (SR-55) and Lakeview Avenue was missed due to continuing iterative design comments and resolution cycles between the consultant designer of record and Caltrans. However, the construction ready milestone will be achieved in the fourth quarter of FY 2023-24. The project is planned to receive a funding allocation from the CTC in June 2024, and be advertised for construction bids in July 2024.

Recap of FY 2023-24 Performance Metrics Through the Third Quarter

The performance metrics snapshot provided at the beginning of FY 2023-24 reflected seven planned major project delivery milestones to be accomplished through the third quarter (Attachment B). Three of the seven planned milestones were delivered. Of the four missed milestones, three are for TCA's ELC project and one is the SR-91 Improvement Project between State Route 55 (SR-55) and Lakeview Avenue.

Notable CAP Milestone and Cost Updates

The complete environmental milestone for the Interstate 5 (I-5) Improvement Project between Avenida Pico to San Diego County Line was revised to March 2025. Technical study completion and reviews and approvals took more time to complete with Caltrans. Additionally, the proposed vehicle mile traveled mitigation development and the Historical Property Survey Report approvals took additional time to complete.

The remaining delivery milestones for the I-5 Improvement Project from Yale Avenue to SR-55 were accelerated to achieve a May 2025 CTC funding allocation deadline for the Caltrans funded scope that is included in the project design.

The remaining delivery milestones for the three segments of the SR-91 Improvement Project between Lakeview Avenue and Acacia Street were adjusted to reflect current delivery schedules.

The remaining delivery milestones for the Interstate 605/Katella Avenue Interchange Improvement Project were revised to accommodate schedules to complete the ROW acquisition needs.

The remaining delivery milestones for the Transit Security and Operations Center (TSOC) were revised to reflect the forecast construction contract award schedule.

Notable FY 2023-24 Cost and Performance Metrics Risks

The OC Streetcar project cost and schedule risks related to design deficiencies and contractor performance continue to be a challenge. Staff, in partnership with the Federal Transit Administration (FTA) and FTA's consultants, will be preparing an FTA prescribed 90 percent complete risk assessment to forecast the completion cost and schedule. This risk assessment will be thoroughly reviewed by the FTA's program management consultant and should be completed to report to the Board of Directors (Board) in fall 2024. Efforts to mediate the lawsuit filed by the contractor against OCTA continue. Staff will continue making regular reports to the Board on project status.

There is a cost risk on the construction pricing for the TSOC project. Construction bids are planned to be received and opened on June 3, 2024. Construction and material costs on specialty buildings, such as TSOC, are extremely sensitive to contractor and market pricing risks.

The construction market continues to experience pricing escalation. The March 2024 update to the OCTA Infrastructure Cost Index indicates that as wage growth has begun to moderate, concrete structures and structural steel have reached a new annual high through 2023. Escalation is forecast to be in the two percent to six percent range through 2025.

Summary

Capital project delivery continues to progress and is reflected in the CAP. The planned FY 2023-24 performance metrics created from forecast project schedules will be used as a general project delivery performance indicator throughout the FY. Staff will continue to manage project costs and schedules across all project phases to meet project delivery commitments and report quarterly.

Attachments

- A. Capital Action Plan, Status Through March 2024
- B. Capital Programs Division, Fiscal Year 2023-24 Performance Metrics Through March 2024

Prepared by:















A handwritten signature in blue ink, appearing to read "James G. Beil".

James G. Beil, P.E.
Executive Director, Capital Programs
(714) 560-5646

Capital Action Plan

Status Through March 2024
















Updated: April 10, 2024

Capital Projects	Cost	Schedule							
	Baseline/Forecast	Plan/Forecast							
	(millions)	Begin Environmental	Complete Environmental	Begin Design	Complete Design	Construction Ready	Advertise Construction	Award Contract	Complete Construction
Freeway Projects:									
I-5, Pico to San Diego County Line	TBD	Feb-21	Apr-24	TBD	TBD	TBD	TBD	TBD	TBD
Cost/Schedule Risk	TBD	Feb-21	Mar-25	TBD	TBD	TBD	TBD	TBD	TBD
 I-5, Pico to Vista Hermosa	\$113.0	Jun-09	Dec-11	Jun-11	Oct-13	Feb-14	Oct-14	Dec-14	Aug-18
Project C	\$83.6	Jun-09	Oct-11	Jun-11	Oct-13	May-14	Sep-14	Dec-14	Aug-18
 I-5, Vista Hermosa to Pacific Coast Highway	\$75.6	Jun-09	Dec-11	Jun-11	Feb-13	Jun-13	Oct-13	Dec-13	Mar-17
Project C	\$75.3	Jun-09	Oct-11	Jun-11	May-13	Aug-13	Feb-14	Jun-14	Jul-17
 I-5, Pacific Coast Highway to San Juan Creek Road	\$70.7	Jun-09	Dec-11	Jun-11	Jan-13	May-13	Aug-13	Oct-13	Sep-16
Project C	\$74.3	Jun-09	Oct-11	Jun-11	Jan-13	Apr-13	Aug-13	Dec-13	Jul-18
 I-5, I-5/Ortega Interchange	\$90.9	Sep-05	Jun-09	Jan-09	Nov-11	Mar-12	Jun-12	Aug-12	Sep-15
Project D	\$79.8	Sep-05	Jun-09	Jan-09	Dec-11	Apr-12	Jun-12	Aug-12	Jan-16
 I-5, I-5/Ortega Interchange (Landscape)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Project D	N/A	N/A	N/A	Jan-14	Oct-14	Feb-15	Aug-15	Sep-15	Sep-16
 I-5, SR-73 to Oso Parkway	\$151.9	Sep-11	Jun-14	Mar-15	Jan-18	May-18	Aug-18	Dec-18	Apr-25
Project C & D	\$229.4	Oct-11	May-14	Mar-15	Aug-18	May-19	Aug-19	Dec-19	Jan-25
 I-5, Oso Parkway to Alicia Parkway	\$196.2	Sep-11	Jun-14	Nov-14	Jun-17	Dec-17	Feb-18	Jun-18	Nov-23
Project C & D	\$230.3	Oct-11	May-14	Nov-14	Dec-17	Jun-18	Nov-18	Mar-19	Sep-24
 I-5, Alicia Parkway to El Toro Road	\$133.6	Sep-11	Jun-14	Mar-15	Jun-18	Dec-18	Jan-19	May-19	Oct-24
Project C	\$203.6	Oct-11	May-14	Mar-15	May-19	Apr-20	May-20	Sep-20	Dec-24
 I-5, SR-73 to El Toro Road (Landscape)	TBD	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Project C	\$12.4	N/A	N/A	Mar-23	Dec-24	Apr-25	Jun-25	Sep-25	Mar-27
 I-5, I-5/El Toro Road Interchange	TBD	Apr-17	Apr-26	TBD	TBD	TBD	TBD	TBD	TBD
Project D	TBD	Apr-17	Apr-26	TBD	TBD	TBD	TBD	TBD	TBD
 I-5, I-405 to Yale Avenue	\$230.5	May-14	Aug-18	Oct-21	May-24	May-25	Dec-25	Feb-26	Sep-29
Project B	\$230.5	May-14	Jan-20	Oct-21	Dec-24	May-25	Dec-25	Feb-26	Sep-29
 I-5, Yale Avenue to SR-55	\$200.4	May-14	Aug-18	May-21	Feb-25	Aug-25	Nov-25	Mar-26	Sep-29
Project B	\$200.4	May-14	Jan-20	May-21	Jul-24	Mar-25	Jul-25	Oct-25	May-29
 I-5, SR-55 to SR-57	\$38.1	Jul-11	Jun-13	Jun-15	Mar-17	Jul-17	Sep-17	Dec-17	Apr-21
Project A	\$38.9	Jun-11	Apr-15	Jun-15	Jun-17	Dec-17	Mar-18	Nov-18	Jan-21
 SR-55, I-405 to I-5	\$410.9	Feb-11	Nov-13	Sep-17	Apr-20	Dec-20	Apr-21	May-22	Feb-27
Project F	\$505.7	May-11	Aug-17	Sep-17	Apr-20	Sep-21	Dec-21	May-22	Feb-27

Capital Action Plan

Status Through March 2024












Updated: April 10, 2024

Capital Projects	Cost	Schedule							
	Baseline/Forecast	Plan/Forecast							
	(millions)	Begin Environmental	Complete Environmental	Begin Design	Complete Design	Construction Ready	Advertise Construction	Award Contract	Complete Construction
 SR-55, I-5 to SR-91	\$131.3	Dec-16	Jan-20	Aug-22	Jul-25	Dec-25	Apr-26	Jul-26	Oct-29
Project F	\$131.3	Dec-16	Mar-20	Aug-22	Jul-25	Dec-25	Apr-26	Jul-26	Oct-29
 SR-57 Northbound (NB), Orangewood Avenue to Katella Avenue	\$71.8	Apr-16	Dec-18	Mar-22	Jul-24	Feb-25	Jul-25	Nov-25	Jun-28
Project G	\$71.8	Apr-16	Mar-19	Mar-22	Aug-24	Feb-25	Jul-25	Nov-25	Jun-28
 SR-57 (NB), Katella Avenue to Lincoln Avenue	\$78.7	Apr-08	Jul-09	Jul-08	Nov-10	Mar-11	May-11	Aug-11	Sep-14
Project G	\$38.0	Apr-08	Nov-09	Aug-08	Dec-10	Apr-11	Jul-11	Oct-11	Apr-15
 SR-57 (NB), Katella Avenue to Lincoln Avenue (Landscape)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Project G	N/A	N/A	N/A	May-09	Jul-10	Jun-17	Jul-17	Sep-17	Jun-18
 SR-57 (NB), Orangethorpe Avenue to Yorba Linda Boulevard	\$80.2	Aug-05	Dec-07	Feb-08	Dec-09	Apr-10	Jun-10	Oct-10	May-14
Project G	\$52.3	Aug-05	Dec-07	Feb-08	Jul-09	Dec-09	May-10	Oct-10	Nov-14
 SR-57 (NB), Yorba Linda Boulevard to Lambert Road	\$79.3	Aug-05	Dec-07	Feb-08	Dec-09	Apr-10	Jun-10	Oct-10	Sep-14
Project G	\$54.1	Aug-05	Dec-07	Feb-08	Jul-09	Mar-10	May-10	Oct-10	May-14
 SR-57 (NB), Orangethorpe Avenue to Lambert Road (Landscape)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Project G	N/A	N/A	N/A	Oct-14	Aug-17	Dec-17	Jan-18	Feb-18	Apr-19
 SR-57 (NB), Lambert Road to Tonner Canyon	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
Project G	TBD	Sep-25	May-28	TBD	TBD	TBD	TBD	TBD	TBD
 SR-91 Westbound (WB), I-5 to SR-57	\$78.1	Jul-07	Apr-10	Oct-09	Feb-12	Jul-12	Aug-12	Nov-12	Apr-16
Project H	\$59.2	Jul-07	Jun-10	Mar-10	Apr-12	Aug-12	Oct-12	Jan-13	Jun-16
 SR-91 Westbound (WB), I-5 to SR-57 (Landscape)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Project H	N/A	N/A	N/A	Nov-14	Aug-16	Dec-16	Feb-17	Mar-17	Nov-17
 SR-91, SR-55 to Lakeview Avenue (Segment 1)	\$100.9	Jan-15	Oct-18	Mar-20	Jan-23	Aug-23	Oct-23	Feb-24	Sep-27
Project I	\$126.3	Jan-15	Jun-20	Mar-20	Mar-23	May-24	Jul-24	Aug-24	Jul-28
 SR-91, La Palma Avenue to SR-55 (Segment 2)	\$208.4	Jan-15	Oct-18	Jun-20	Jul-23	Feb-24	Mar-24	Jul-24	Mar-28
Project I	\$208.4	Jan-15	Jun-20	Jun-20	Dec-24	Aug-25	Oct-25	Jan-26	Jan-30
 SR-91, Acacia Street to La Palma Avenue (Segment 3)	\$116.2	Jan-15	Oct-18	Nov-20	Apr-24	Nov-24	Jan-25	Apr-25	Sep-28
Project I	\$116.2	Jan-15	Jun-20	Nov-20	Aug-24	May-25	Sep-25	Dec-25	Jun-29
 SR-91 (WB), Tustin Interchange to SR-55	\$49.9	Jul-08	Jul-11	Jul-11	Mar-13	Jul-13	Aug-13	Oct-13	Jul-16
Project I	\$42.5	Jul-08	May-11	Jun-11	Feb-13	Apr-13	Jun-13	Oct-13	Jul-16
 SR-91, SR-55 to SR-241	\$128.4	Jul-07	Jul-09	Jun-09	Jan-11	Apr-11	Jun-11	Sep-11	Dec-12
Project J	\$79.7	Jul-07	Apr-09	Apr-09	Aug-10	Dec-10	Feb-11	May-11	Mar-13

Capital Action Plan

Status Through March 2024











Updated: April 10, 2024

Capital Projects	Cost	Schedule							
	Baseline/Forecast	Plan/Forecast							
	(millions)	Begin Environmental	Complete Environmental	Begin Design	Complete Design	Construction Ready	Advertise Construction	Award Contract	Complete Construction
 SR-91, SR-55 to SR-241 (Landscape)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Project J	N/A	N/A	N/A	May-12	Feb-13	Apr-13	Jul-13	Oct-13	Feb-15
 SR-91 Eastbound, SR-241 to SR-71	\$104.5	Mar-05	Dec-07	Jul-07	Dec-08	Mar-09	May-09	Jul-09	Nov-10
Project J	\$57.8	Mar-05	Dec-07	Jul-07	Dec-08	May-09	Jun-09	Aug-09	Jan-11
91 Express Lanes to SR-241 Toll Connector	TBD	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	TBD	Nov-13	Jan-20	Jun-16	Sep-24	Feb-25	Jun-25	Aug-25	Nov-28
 I-405, I-5 to SR-55	TBD	Dec-14	Jul-18	TBD	TBD	TBD	TBD	TBD	TBD
Project L	TBD	Dec-14	Aug-18	TBD	TBD	TBD	TBD	TBD	TBD
 I-405, SR-55 to I-605 (Design-Build)	\$2,160.0	Mar-09	Mar-13	Mar-14	Nov-15	Feb-16	Mar-16	Nov-16	Feb-24
Project K	\$2,160.0	Mar-09	May-15	Mar-14	Nov-15	Feb-16	Mar-16	Nov-16	Feb-24
I-405/SR-22 HOV Connector	\$195.9	N/A	N/A	Sep-07	Sep-09	Mar-10	May-10	Aug-10	Aug-14
	\$120.8	N/A	N/A	Sep-07	Jun-09	Sep-09	Feb-10	Jun-10	Mar-15
I-405/I-605 HOV Connector	\$260.4	N/A	N/A	Sep-07	Sep-09	Mar-10	May-10	Oct-10	Jan-15
	\$172.6	N/A	N/A	Sep-07	Sep-09	Feb-10	May-10	Oct-10	Mar-15
 I-605, I-605/Katella Interchange	\$29.0	Aug-16	Nov-18	Dec-20	Mar-23	Jul-23	Nov-23	Feb-24	Nov-25
Project M	\$49.7	Aug-16	Oct-18	Dec-20	Jan-23	May-24	Sep-24	Dec-24	Sep-26
Grade Separation Projects:									
 Sand Canyon Avenue Railroad Grade Separation	\$55.6	N/A	Sep-03	Jan-04	Jul-10	Jul-10	Oct-10	Feb-11	May-14
Project R	\$61.9	N/A	Sep-03	Jan-04	Jul-10	Jul-10	Oct-10	Feb-11	Jan-16
 Raymond Avenue Railroad Grade Separation	\$77.2	Feb-09	Nov-09	Mar-10	Aug-12	Nov-12	Feb-13	May-13	Aug-18
Project O	\$126.2	Feb-09	Nov-09	Mar-10	Dec-12	Jul-13	Oct-13	Feb-14	May-18
 State College Boulevard Railroad Grade Separation (Fullerton)	\$73.6	Dec-08	Jan-11	Jul-06	Aug-12	Nov-12	Feb-13	May-13	May-18
Project O	\$99.6	Dec-08	Apr-11	Jul-06	Feb-13	May-13	Sep-13	Feb-14	Mar-18
 Placentia Avenue Railroad Grade Separation	\$78.2	Jan-01	May-01	Jan-09	Mar-10	May-10	Mar-11	Jun-11	Nov-14
Project O	\$64.5	Jan-01	May-01	Jan-09	Jun-10	Jan-11	Mar-11	Jul-11	Dec-14
 Kraemer Boulevard Railroad Grade Separation	\$70.4	Jan-01	Sep-09	Jan-09	Jul-10	Jul-10	Apr-11	Aug-11	Oct-14
Project O	\$63.8	Jan-01	Sep-09	Feb-09	Jul-10	Jan-11	Jun-11	Sep-11	Dec-14
 Orangethorpe Avenue Railroad Grade Separation	\$117.4	Jan-01	Sep-09	Feb-09	Dec-11	Dec-11	Feb-12	May-12	Sep-16
Project O	\$105.9	Jan-01	Sep-09	Feb-09	Oct-11	Apr-12	Sep-12	Jan-13	Oct-16

Capital Action Plan

Status Through March 2024

Updated: April 10, 2024

Capital Projects	Cost	Schedule							
	Baseline/Forecast	Plan/Forecast							
	(millions)	Begin Environmental	Complete Environmental	Begin Design	Complete Design	Construction Ready	Advertise Construction	Award Contract	Complete Construction
 Tustin Avenue/Rose Drive Railroad Grade Separation	\$103.0	Jan-01	Sep-09	Feb-09	Dec-11	Mar-12	May-12	Aug-12	May-16
Project O	\$96.6	Jan-01	Sep-09	Feb-09	Jul-11	Jun-12	Oct-12	Feb-13	Oct-16
 Lakeview Avenue Railroad Grade Separation	\$70.2	Jan-01	Sep-09	Feb-09	Oct-11	Oct-12	Feb-13	May-13	Mar-17
Project O	\$110.7	Jan-01	Sep-09	Feb-09	Jan-13	Apr-13	Sep-13	Nov-13	Jun-17
 17th Street Railroad Grade Separation	TBD	Oct-14	Jun-16	TBD	TBD	TBD	TBD	TBD	TBD
Project R	TBD	Oct-14	Nov-17	TBD	TBD	TBD	TBD	TBD	TBD
Transit Projects:									
 Rail-Highway Grade Crossing Safety Enhancement	\$94.4	Jan-08	Oct-08	Jan-08	Sep-08	Sep-08	Sep-08	Aug-09	Dec-11
Project R	\$90.4	Jan-08	Oct-08	Jan-08	Sep-08	Sep-08	Sep-08	Aug-09	Dec-11
 San Clemente Beach Trail Safety Enhancements	\$6.0	Sep-10	Jul-11	Feb-12	Apr-12	Apr-12	Jul-12	Oct-12	Jan-14
Project R	\$5.0	Sep-10	Jul-11	Feb-12	Jun-12	Jun-12	Oct-12	May-13	Mar-14
 Emergency Track Stabilization at Mile Post 206.8	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Project R	\$14.9	N/A	N/A	N/A	N/A	N/A	Sep-22	Oct-22	Aug-23
San Juan Capistrano Passing Siding	\$25.3	Aug-11	Jan-13	Mar-15	May-16	May-16	Aug-16	Dec-16	Feb-21
	\$33.2	Aug-11	Mar-14	Mar-15	Aug-18	Aug-18	Aug-18	Mar-19	Nov-20
 OC Streetcar	\$595.8	Aug-09	Mar-12	Feb-16	Sep-17	Oct-17	Dec-17	Aug-18	Aug-25
Project S	Cost/Schedule Risk \$595.8	Aug-09	Mar-15	Feb-16	Nov-17	Dec-17	Dec-17	Sep-18	Aug-25
Transit Security and Operation Center (TSOC)	N/A	Jun-17	Jun-20	Jun-20	Oct-23	Nov-23	Jan-24	Sep-24	Sep-26
Cost/Schedule Risk	\$77.8	Jun-17	Jun-20	Jun-20	Mar-24	Mar-24	Mar-24	Sep-24	Mar-27
 Placentia Metrolink Station and Parking Structure	\$34.8	Jan-03	May-07	Oct-08	Jan-11	TBD	TBD	TBD	TBD
Project R	Cost/Schedule Risk \$40.1	Jan-03	May-07	Oct-08	Feb-11	TBD	TBD	TBD	TBD
 Orange County Maintenance Facility - ON HOLD	TBD	Apr-20	Apr-22	TBD	TBD	TBD	TBD	TBD	TBD
Project R	Cost/Schedule Risk TBD	Apr-20	Nov-23	TBD	TBD	TBD	TBD	TBD	TBD
 Irvine Metrolink Station Improvements - ON HOLD	TBD	Jan-22	TBD	TBD	TBD	TBD	TBD	TBD	TBD
Project R	TBD	Jan-22	TBD	TBD	TBD	TBD	TBD	TBD	TBD
Anaheim Canyon Metrolink Station	\$27.9	Jan-16	Dec-16	Mar-19	May-19	May-19	Jul-19	Nov-19	Jan-23
	\$34.2	Jan-16	Jun-17	Mar-18	Oct-20	Oct-20	Oct-20	Mar-21	Jan-23
Orange Metrolink Station Parking Expansion	\$33.2	Dec-09	Dec-12	Nov-10	Apr-13	Jul-16	Jul-16	Nov-16	Feb-19
	\$30.9	Dec-09	May-16	Nov-10	Apr-16	Jul-16	Jul-16	Jun-17	Feb-19

Capital Action Plan

Status Through March 2024

Updated: April 10, 2024

Capital Projects	Cost	Schedule							
	Baseline/Forecast	Plan/Forecast							
	(millions)	Begin Environmental	Complete Environmental	Begin Design	Complete Design	Construction Ready	Advertise Construction	Award Contract	Complete Construction
Fullerton Transportation Center - Elevator Upgrades	\$3.5	N/A	N/A	Jan-12	Dec-13	Dec-13	Jun-14	Sep-14	Mar-17
	\$4.2	N/A	N/A	Jan-12	Dec-13	Dec-13	Aug-14	Apr-15	May-19
Anaheim Regional Transportation Intermodal Center	\$227.4	Apr-09	Feb-11	Jun-09	Feb-12	Feb-12	May-12	Jul-12	Nov-14
Project R & T	\$232.2	Apr-09	Feb-12	Jun-09	May-12	May-12	May-12	Sep-12	Dec-14

Note: Costs associated with landscape projects are included in respective freeway projects.

Grey = Milestone achieved

Green = Forecast milestone meets or exceeds plan

Yellow = Forecast milestone is one to three months later than plan

Red = Forecast milestone is over three months later than plan

Begin Environmental: The date work on the environmental clearance, project report, or preliminary engineering phase begins.

Complete Environmental: The date environmental clearance and project approval is achieved.

Begin Design: The date final design work begins, or the date when a design-build contract begins.

Complete Design: The date final design work is 100 percent complete and approved.

Construction Ready: The date contract bid documents are ready for advertisement, including certification of right-of-way, all agreements executed, contract constraints are cleared.

Advertise for Construction: The date a construction contract is both funded and advertised for bids.

Award Contract: The date the construction contract is awarded.

Construction Complete: The date all construction work is completed and the project is open to public use.

Acronyms

I-5 - Santa Ana Freeway (Interstate 5)

SR-73 - San Joaquin Freeway (State Route 73)

I-405 - San Diego Freeway (Interstate 405)

SR-55 - Costa Mesa Freeway (State Route 55)

SR-57 - Orange Freeway (State Route 57)

SR-91 - Riverside Freeway (State Route 91)

SR-241 - Foothill/Eastern Transportation Corridor (State Route 241)

SR-71 - Corona Expressway (State Route 71)

I-605 - San Gabriel River Freeway (Interstate 605)

SR-22 - Garden Grove Freeway (State Route 22)

HOV - high-occupancy vehicle

**Capital Programs Division
Fiscal Year 2023-24 Performance Metrics Through March 2024**

Begin Environmental

Project Description	FY 24 Qtr 1		FY 24 Qtr 2		FY 24 Qtr 3		FY 24 Qtr 4		FY 24 Fcst
	Fcst	Actual	Fcst	Actual	Fcst	Actual	Fcst	Actual	
No "Begin Environmental" milestones scheduled for FY 2023-24									
Total Forecast/Actual	0	0	0	0	0	0	0	0	0

Complete Environmental

Project Description	FY 24 Qtr 1		FY 24 Qtr 2		FY 24 Qtr 3		FY 24 Qtr 4		FY 24 Fcst
	Fcst	Actual	Fcst	Actual	Fcst	Actual	Fcst	Actual	
Orange County Maintenance Facility					X	✓			
Total Forecast/Actual	0	0	0	0	1	1	0	0	1

Begin Design

Project Description	FY 24 Qtr 1		FY 24 Qtr 2		FY 24 Qtr 3		FY 24 Qtr 4		FY 24 Fcst
	Fcst	Actual	Fcst	Actual	Fcst	Actual	Fcst	Actual	
No "Begin Design" milestones scheduled for FY 2023-24									
Total Forecast/Actual	0	0	0	0	0	0	0	0	0

Complete Design

Project Description	FY 24 Qtr 1		FY 24 Qtr 2		FY 24 Qtr 3		FY 24 Qtr 4		FY 24 Fcst
	Fcst	Actual	Fcst	Actual	Fcst	Actual	Fcst	Actual	
91 Express lanes to SR-241 Toll Connector	X								
Total Forecast/Actual	1	0	0	0	0	0	0	0	1

Construction Ready

Project Description	FY 24 Qtr 1		FY 24 Qtr 2		FY 24 Qtr 3		FY 24 Qtr 4		FY 24 Fcst
	Fcst	Actual	Fcst	Actual	Fcst	Actual	Fcst	Actual	
91 Express lanes to SR-241 Toll Connector			X						
SR-91, SR-55 to Lakeview Avenue (Segment 1)					X				
I-605, I-605/Katella Interchange							X		
Total Forecast/Actual	0	0	1	0	1	0	1	0	3

Advertise Construction

Project Description	FY 24 Qtr 1		FY 24 Qtr 2		FY 24 Qtr 3		FY 24 Qtr 4		FY 24 Fcst
	Fcst	Actual	Fcst	Actual	Fcst	Actual	Fcst	Actual	
91 Express lanes to SR-241 Toll Connector			X						
SR-91, SR-55 to Lakeview Avenue (Segment 1)							X		
Total Forecast/Actual	0	0	1	0	0	0	1	0	2

Capital Programs Division

Fiscal Year 2023-24 Performance Metrics Through March 2024

Award Contract

Project Description	FY 24 Qtr 1		FY 24 Qtr 2		FY 24 Qtr 3		FY 24 Qtr 4		FY 24 Fcst
	Fcst	Actual	Fcst	Actual	Fcst	Actual	Fcst	Actual	
91 Express lanes to SR-241 Toll Connector							X		
Total Forecast/Actual	0	0	0	0	0	0	1	0	1

Complete Construction

Project Description	FY 24 Qtr 1		FY 24 Qtr 2		FY 24 Qtr 3		FY 24 Qtr 4		FY 24 Fcst
	Fcst	Actual	Fcst	Actual	Fcst	Actual	Fcst	Actual	
Emergency Track Stabilization at Mile Post 206.8	X	✔							
I-405, SR-55 to I-605 (Design-Build)					X	✔			
Total Forecast/Actual	1	1	0	0	1	1	0	0	2

Totals	2	1	2	0	3	2	3	0	10
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Begin Environmental: The date work on the environmental clearance, project report, or preliminary engineering phase begins.

Complete Environmental: The date environmental clearance and project approval is achieved.

Begin Design: The date final design work begins or the date when a design-build contract begins.

Complete Design: The date final design work is 100 percent complete and approved.

Construction Ready: The date contract bid documents are ready for advertisement, right-of-way certified, all agreements executed, and contract constraints are cleared.

Advertise for Construction: The date a construction contract is both funded and advertised for bids.

Award Contract: The date the construction contract is awarded.

Construction Complete: The date all construction work is completed and the project is open to public use.

Acronyms

FY - fiscal year

SR-241 - Foothill/Eastern Transportation Corridor (State Route 241)

SR-91 - Riverside Freeway (State Route 91)

SR-55 - Costa Mesa Freeway (State Route 55)

I-605 - San Gabriel River Freeway (Interstate 605)

I-405 - San Diego Freeway (Interstate 405)

X = milestone forecast in quarter

✔ = milestone accomplished in quarter



COMMITTEE TRANSMITTAL

May 13, 2024

To: Members of the Board of Directors

From: Andrea West, Clerk of the Board *Andrea West*

Subject: Cooperative Agreements with the California Department of Transportation for the State Route 91 Improvement Project Between State Route 57 and State Route 55 for Right-of-Way Capital and Support Services

Regional Transportation Planning Committee Meeting of May 6, 2024

Present: Directors Do, Dumitru, Federico, Foley, Harper, and Stephens

Absent: Khan

Committee Vote

This item was passed by the Members present.

Director Stephens was not present to vote on this item.

Committee Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2212, between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$5,926,000, for right-of-way support services, right-of-way engineering, right-of-way acquisition, and utility relocation costs for the State Route 91 Improvement Project between State Route 55 and Lakeview Avenue.
- B. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2213, between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$28,166,000, for right-of-way support services, right-of-way engineering, right-of-way acquisition, right-of-way decertification of excess land, and utility relocation costs for the State Route 91 Improvement Project between State Route 55 and La Palma Avenue.
- C. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2214, between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$5,510,000, for right-of-way support services, right-of-way engineering, right-of-way acquisition, and utility relocation costs for the State Route 91 Improvement Project between La Palma Avenue and Acacia Street.



May 6, 2024d

To: Regional Planning and Highways Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Cooperative Agreements with the California Department of Transportation for the State Route 91 Improvement Project Between State Route 57 and State Route 55 for Right-of-Way Capital and Support Services

Overview

On October 12, 2020, the Orange County Transportation Authority Board of Directors approved a cooperative agreement between the Orange County Transportation Authority and the California Department of Transportation for right-of-way support services, right-of-way engineering, right-of-way acquisition, and utility relocation for the State Route 91 Improvement Project between State Route 57 and State Route 55. Board of Directors' approval is requested to negotiate and execute three new project segment cooperative agreements to replace the original cooperative agreement.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2212, between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$5,926,000, for right-of-way support services, right-of-way engineering, right-of-way acquisition, and utility relocation costs for the State Route 91 Improvement Project between State Route 55 and Lakeview Avenue.
- B. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2213, between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$28,166,000, for right-of-way support services, right-of-way engineering, right-of-way acquisition, right-of-way decertification of excess land, and utility relocation costs for the State Route 91 Improvement Project between State Route 55 and La Palma Avenue.

Cooperative Agreements with the California Department of Transportation for the State Route 91 Improvement Project Between State Route 57 and State Route 55 for Right-of-Way Capital and Support Services **Page 2**

- C. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2214, between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$5,510,000, for right-of-way support services, right-of-way engineering, right-of-way acquisition, and utility relocation costs for the State Route 91 Improvement Project between La Palma Avenue and Acacia Street.

Discussion

The Orange County Transportation Authority (OCTA), in partnership with the California Department of Transportation (Caltrans), is implementing the State Route 91 (SR-91) Improvement Project between State Route 57 and State Route 55 (SR-55) (Project). Measure M2 Project I was advanced as part of the updated Next 10 Delivery Plan approved by the OCTA Board of Directors (Board) in November 2023.

The Project will improve the eastbound general purpose lanes between La Palma Avenue and SR-55 and provide westbound operational improvements between Lakeview Avenue and SR-55 and between La Palma Avenue and Acacia Street.

Right-of-way (ROW) acquisition is underway with the Project segmented into the following limits:

- Segment 1 extends from SR-55 and Lakeview Avenue
- Segment 2 extends from SR-55 to La Palma Avenue
- Segment 3 extends from La Palma Avenue to Acacia Street

On October 12, 2020, the OCTA Board approved a cooperative agreement between OCTA and Caltrans for ROW support services, ROW engineering, ROW acquisition, and utility relocation for the Project.

Caltrans is now requiring the original single ROW cooperative agreement to be split into three new cooperative agreements, one for each of the three segments. This requirement is consistent with a recently amended cooperative agreement with Caltrans for the Interstate 5 Improvement Project and it will apply to all existing and future cooperative agreements and amendments for projects with multiple segments. Additionally, reimbursed tasks for review of an excess land appraisal and excess land decertification will be added Cooperative Agreement No. C-4-2213 for Segment 2.

Cooperative Agreements with the California Department of Transportation for the State Route 91 Improvement Project Between State Route 57 and State Route 55 for Right-of-Way Capital and Support Services **Page 3**

The total ROW funding previously approved by the Board for the Project was \$39,602,000, funded through SR-91 Express Lanes (EL) excess revenue. Each segment's capital and support component cost is broken down as follows:

- Segment 1 – The ROW capital cost is \$4,938,000 and the ROW support cost is \$988,000, for a total of \$5,926,000.
- Segment 2 – The ROW capital cost is \$24,492,000 and the ROW support cost is \$3,674,000, for a total amount of \$28,166,000. Recommendation B also adds reimbursed tasks for review of an excess land appraisal and excess land decertification, which are covered by the original support cost.
- Segment 3 – The ROW capital cost is \$4,408,000 and the ROW support cost is \$1,102,000, for a total of \$5,510,000.

There is no change to the total cost, or cost per segment, as shown in the following table.

Segment	Original Funding	Increase/ Decrease	Proposed Funding
Segment 1	\$5,926,000	\$0	\$5,926,000
Segment 2	\$28,166,000	\$0	\$28,166,000
Segment 3	\$5,510,000	\$0	\$5,510,000
Total ROW Cost	\$39,602,000	\$0	\$39,602,000

Fiscal Impact

These cooperative agreements will be included in OCTA's Fiscal Year (FY) 2024-25 Budget and subsequent FY budgets, Capital Programs Division, account nos. 0017-7514-FI106-1OQ, 0017-7514-FI105-1OR, and 0017-7514-FI104-0U9, and will be funded through SR-91 EL excess revenue and local funds.

Cooperative Agreements with the California Department of Transportation for the State Route 91 Improvement Project Between State Route 57 and State Route 55 for Right-of-Way Capital and Support Services *Page 4*

Summary

Board approval is requested for the Chief Executive Officer to negotiate and execute Cooperative Agreement Nos. C-4-2212 for Segment 1, C-4-2213 for Segment 2, and C-4-2214 for Segment 3 between OCTA and Caltrans for ROW support services, ROW engineering, ROW acquisition, and utility relocation for the Project, and ROW decertification for Segment 2. The maximum obligation of the combined cooperative agreements will be unchanged at a total contract value of \$39,602,000, comprised of a capital share of \$33,838,000, and a support share of \$5,764,000.

Attachment

None.

Prepared by:



Jeannie Lee, P.E.
Senior Project Manager
(714) 560-5735

Approved by:



James G. Beil, P.E.
Executive Director, Capital Programs
(714) 560-5646



COMMITTEE TRANSMITTAL

May 13, 2024

To: Members of the Board of Directors
From: Andrea West, Clerk of the Board *Andrea West*
Subject: Measure M2 Comprehensive Transportation Funding Programs -
Proposed Off-Cycle Guidelines Revisions

Regional Transportation Planning Committee Meeting of May 6, 2024

Present: Directors Do, Dumitru, Federico, Foley, Harper, and Stephens
Absent: Khan

Committee Vote

This item was passed by the Members present.

Director Stephens was not present to vote on this item.


Committee Recommendation

Approve revisions to the Comprehensive Transportation Funding Programs guidelines.



May 6, 2024

To: Regional Transportation Planning Committee

From: Darrell E. Johnson, Chief Executive Officer 

Subject: Measure M2 Comprehensive Transportation Funding Programs – Proposed Off-Cycle Guidelines Revisions

Overview

The Measure M2 Comprehensive Transportation Funding Programs guidelines provide the mechanism for administration of Measure M2 competitive funding programs. Staff has updated the Comprehensive Transportation Funding Programs guidelines to comply with recent recommendations by the Orange County Transportation Authority Internal Audit department to incorporate requested changes from local jurisdictions, and to clarify and streamline requirements. Updates to the guidelines are presented for the Board of Directors' consideration and approval.

Recommendation

Approve revisions to the Comprehensive Transportation Funding Programs guidelines.

Background

The Measure M2 (M2) Ordinance includes seven competitive funding programs that provide funding to local agencies to support streets and roads improvements (projects O and P), transit services and improvements (projects S, T, V, and W), and environmental cleanup to reduce roadway runoff (Project X). The information in the Ordinance on these programs includes a general description of each program goal, in some cases, what types of projects are eligible, and basic requirements, but leaves the administration of the programs to be managed through the guidelines. Staff reviews the guidelines annually with local jurisdiction staff through either the Technical Advisory Committee (TAC) or stakeholder meetings and workshops to consider and discuss updates to the M2 Comprehensive Transportation Funding Programs (CTFP) guidelines, and then takes recommended changes to the Board of Directors (Board) for approval. The CTFP guidelines (Guidelines) identify eligible project features, procedures, and requirements that local jurisdictions must satisfy to apply for M2 funding. It also outlines the criteria that is used to evaluate and rank project applications.

The Guidelines also define how local jurisdictions can seek reimbursement once funds are awarded.

The Guidelines were first approved by the Board on March 22, 2010. Subsequent revisions are typically reviewed and approved by the Board as part of the staff's request to issue a CTFP call for projects (call). The Guidelines were most recently updated and approved in February 2024 when the Board authorized the Project X Tier 1 and Tier 2 calls. Each program has a specific objective and set of project selection criteria detailed in separate chapters contained within the Guidelines. The changes authorized with each call issuance are generally focused on a specific program and the lessons learned from recent programming cycles.

Discussion

In the past year, OCTA's internal auditor has made recommendations to include clarifications within the Guidelines related to timely use of funds, the encumbrance of funds and scope changes. Additionally, feedback was provided by the TAC to improve project delivery and consider options to streamline the CTFP payment process. In order to address these recommendations and feedback, staff has conducted an off-cycle review of the Guidelines and developed proposed revisions. The proposed revisions have been presented to the TAC and the Technical Steering Committee (TSC) (a smaller subset of the TAC representatives for which membership is approved by the Board and are responsible for review and consideration of highly technical recommendations) and are fully supported by both.

A summary of the more significant recommended modifications is provided below. More detail is provided in Attachment A, which includes a table of the 77 proposed changes, as well as Attachment B, which provides a red-line version of the Guidelines in track changes format. It should be noted that proposed revisions deemed non-substantive (i.e., wording/grammatical, streamlining, and minor clarifications) are generally not identified in this report.

Guideline updates for this off-cycle review include new and updated definitions, clarifications and changes to relevant precepts, changes to programming requirements, some clarification on scope changes for Project V, and changes related to required documentation for final payments. The most significant of the proposed revisions include the following:

- Definitions for construction support, construction/construction activities, environmental mitigation, and project phase completion have been updated and clarified.
- Match requirements have been clarified to mean cash match unless specifically stated otherwise in the program chapter.
- Jurisdictions are required to competitively procure contractors and consultants consistent with state law, but changes were made to the guidelines to clarify that a competitive procurement is not required if an agency provides a justification for using and is using internal staff or workforce to carry out work.
- The Ordinance provides flexibility for the period of time it takes for agencies to complete signal and roadway projects. The Guidelines currently have the same relatively strict timely-use of funds requirements for all projects and programs; these have been updated to provide some flexibility to consider the project schedule for street and roads projects at the outset.
- The limitation on how much funding may be used for construction support in the construction phase has been clarified to allow up to 20 percent of the grant award to be used for construction support.
- Consistent with recommendations from the Internal Audit department, additional information for scope changes for transit projects has been included.
- Clarification of required documentation for right-of-way reimbursement requests has been added.
- The proration of general costs for a project that is delivering M2 work while also delivering non-M2 work has been updated to clearly state that M2 will only reimburse the prorated eligible cost.
- Consistent with recommendations from the Internal Audit department, the start of the timely-use of funds period has been further defined.

The Guidelines revisions were presented to the TAC and TSC in March 2024, and both committees recommend Board approval. Accordingly, these proposed revisions are now being submitted to the Board for final consideration and approval.

Next Steps

With Board approval of the recommended changes, the updated Guidelines would apply to projects programmed through the 2024 calls and will also be carried forward in future guidelines as they are presented to the Board.

Summary

In response to recommendations made by OCTA's internal auditor and local jurisdictions, staff performed an off-cycle review of the Guidelines and is seeking approval of recommended modifications.

Attachments

- A. 2024 Comprehensive Transportation Funding Programs Guidelines (Off Cycle) – Proposed Changes List
- B. Guidelines Excerpt, 2024 Comprehensive Transportation Funding Programs Guidelines

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2024 Comprehensive Transportation Funding Programs Guidelines (Off Cycle) - Proposed Changes List				
No.	Chapter	Section	Page No.	Proposed Change
1	II. Funding Sources	Renewed Measure M	viii	Clarified that LFS funds are to be used for local transportation needs, unless otherwise allowed by the M2 Ordinance.
2	II. Funding Sources	State/Federal Programs	ix	Clarified that if state and federal funds are provided for use by local agencies, the funds would not flow through OCTA, except in very rare circumstances. The funds would be allocated directly by the state or federal agency to the local agency.
3	II. Funding Sources	Call for Projects	ix	Added language to clarify that information required to participate on the call for projects will be included and updated in CTFP Guidelines Section V
4	III. Definitions	1. Agency	x	Added "local jurisdiction" to clarify its use as a synonymous term with "agency".
5	III. Definitions	2. Construction Support	x	Added term and definition for "construction support" in response to discussion from the June 14, 2023 TSC meeting.
6	III. Definitions	3. Construction	x	Added term and definition for "construction" and "construction activities" in response to discussion from the June 14, 2023 TSC meeting.
7	III. Definitions	4. Complete Project	x	Clarified that the term "complete project" refers to the entire project, from environmental clearance through implementation, where applicable.
8	III. Definitions	6. Encumbrance	x	Clarified that other actions to demonstrate encumbrance include entering into an agreement to carry out work and that other forms of documentation not listed may be accepted.
9	III. Definitions	9. Environmental Mitigation	xi	Clarified the definition of environmental mitigation to align with Caltrans' definition.
10	III. Definitions	15. Lead Agency	xi	Clarified that the term "local jurisdiction" is synonymous with "administering agency" when referring to the entity responsible for the submission of the grant application.
11	III. Definitions	17. Match Rate	xi	Added language to clarify that match commitments pledged by local agencies in calls for projects are to be fulfilled through cash contributions unless other acceptable methods are explicitly outlined in program specific guidelines.
12	III. Definitions	18. Micro-Purchase	xi	Increased the amount of a micro-purchase from \$2,500 to \$5,000 to align with revisions to the OCTA Procurement Policies and Procedures approved by the OCTA Board on November 27, 2023.
13	III. Definitions	21. Primary Implementation (PI) Report	xi	Clarified that the PI report is for the Regional Traffic Signal Synchronization Program (Project P).
14	III. Definitions	22. Operations and Maintenance (O&M) Report	xii	Clarified that the O&M report is for the Regional Traffic Signal Synchronization Program (Project P).
15	III. Definitions	23. Project Phase and Programming for RCP	xii	<p>Combined the term "Project Phase" with the "Programming for RCP" term.</p> <p>Clarified that the term "project phase" refers to infrastructure projects.</p> <p>For the engineer phase, clarified that final design is included.</p> <p>For the ROW phase, clarified that ROW support is included and ROW engineering work may also be included.</p> <p>For the construction phase, clarified that utility relocation may be included if utility relocation work is being carried out by construction contractor.</p> <p>Updated "Planning and Implementation" to "Pre-construction" to be consistent with language commonly used to describe development or preconstruction capital phases.</p>

2024 Comprehensive Transportation Funding Programs Guidelines (Off Cycle) - Proposed Changes List

No.	Chapter	Section	Page No.	Proposed Change
16	III. Definitions	24. Project Phase Completion	xiii	Added language to specify that two project phase completion dates may be provided for construction projects with required environmental mitigation work.
17	III. Definitions	29. Scope Change	xiii	Added term and definition for "scope change" in response to an Internal Audit report.
18	V. Precepts	Precept 6	xix	Clarified that pre-award authority is granted to funded transit projects upon Board approval of the M2 grant.
19	V. Precepts	Precept 8	xix	Clarified that if agency work force is not being used, then consultants should be selected on a competitive bidding environment. However, if using local work force, additional provisions may apply in Chapter 9 Reimbursements.
20	V. Precepts	Precept 17	xx	Changed term "extension" to "delay" for clarification and consistency.
21	V. Precepts	Precept 18	xxi	Changed term "extension" to "delay" for clarification and consistency.
22	V. Precepts	Precept 19	xxi	Specified that there will be one encumbrance date determined for each project phase excluding RCP and RTSSP projects (see precept 20).
23	V. Precepts	Precept 20	xxi	Specified that there will be one encumbrance date determined for each RCP and RTSSP project phase and added precept for timely use for RCP and RTSSP projects to align with the M2 Ordinance timely-use of funds requirements, in response to recommendation by Internal Audit.
24	V. Precepts	Precept 22	xxi	Updated web address for Call for Projects website.
25	V. Precepts	Precept 23	xxi	Deleted sentence since SLPP funds are no longer programmed through the CTFP.
26	V. Precepts	Precept 29	xxii	Increased construction support limit to 20 percent (20%) of M2 grant from 15 percent (15%) of eligible project cost.
27	V. Precepts	Precept 30	xxii	Added language stating contract change orders cannot exceed ten percent (10%) "of eligible construction cost" and "whichever amount is higher" to clarify how the ten percent (10%) contract change order threshold will be calculated.
28	Chapter 2	Programming Policies	2-5	Clarified that adjustments between PI and O&M phases can occur after programming approval for sixty calendar days after contract award, in order to reflect actual contract award amounts.
29	Chapter 2	Programming Policies	2-6	Clarified that an agency must have a fully executed Letter Agreement prior to obligating funds unless project has been approved for pre-award authority.
30	Chapter 2	Programming Policies	2-6	Removed TAC approval under scope change to avoid a hold in the approval process due to not meeting quorum.
31	Chapter 2	Schedule Change Request	2-6	Deleted "extensions" and added "delays" for consistency and clarified that agencies shall provide documentation justifying the delay request.
32	Chapter 2	Timely-Use of Funds	2-7	Updated language to be in line with revisions made under the precepts 19 and 20.
33	Chapter 2	Project Advancements	2-7	Clarified that in instances when OCTA cannot approve advancement of M2 funds, local funds spent as part of project advancements may be used as match, as long as OCTA approves this revised arrangement.
34	Chapter 6	Scope Reductions/ Modifications and Cost Savings	6-16	Added language on the scope change review and approval process for Project V grants.
35	Chapter 6	Project Cancellations	6-17	Clarified that an agency may cancel service without OCTA Board approval.
36	Chapter 7	Project Cost Estimate Form	7-8	Updated construction support percentage to align with revisions to Precept 29.

2024 Comprehensive Transportation Funding Programs Guidelines (Off Cycle) - Proposed Changes List

No.	Chapter	Section	Page No.	Proposed Change
37	Chapter 7	Utility Relocation	7-17, 7-34, 7-44	Revised the phrase "with an initial payment" to "at time of a request" due to not all agencies requesting an initial payment.
38	Chapter 7	Ineligible Expenditures	7-18	Clarified rehabilitation and reconstruction expenses that would not be eligible to be consistent with Potentially Eligible Items section of the guidelines.
39	Chapter 7	Ineligible Expenditures	7-18	For grade separation projects added "defined as new railroad and roadway grade separations".
40	Chapter 8	2024 Call for Projects Project Definition Eligible Activities	8-3 & 8-8	Clarified that Caltrans does not need to be a participant of the Baseline Project in order for an application to claim Baseline participation.
41	Chapter 8	Matching Funds	8-20	Updated construction support percentage to align with revisions to Precept 29.
42	Chapter 9	Procedures for Receiving Funds	9-1	Clarified that the 75 percent (75%) initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.
43	Chapter 9	Payment Request	9-3	Deleted "an agency shall use the report checklist provided in the CTFP Payment Supplement see https://ocfundtracker.octa.net/report_payment_excel.asp) in order to determine the reporting and documentation requirements for initial payment requests" due to CTFP Payment Supplement packages no longer in use or supplied.
44	Chapter 9	Payment Request	9-3	Added "checklist" to clarify that both the checklist and interactive electronic versions of all payment forms can be downloaded through the OCFundtracker database.
45	Chapter 9	Payment Request	9-3	Clarified that the 75 percent (75%) initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.
46	Chapter 9	Payment Request	9-4	Clarified what is required for documentation for costs in ROW phase, added language for an allowance that agencies may submit equivalent documentation for OCTA's consideration on a case-by-case basis, and updated the initial payment language for ROW.
47	Chapter 9	Calculation of Payment	9-5	Clarified that the 75 percent (75%) initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.
48	Chapter 9	Final Payment Documentation Requirements	9-6	Clarified that the final payment is based on the OCTA share of eligible costs or up to the grant amount.
49	Chapter 9	Final Payment Documentation Requirements	9-7	Added "NTP" under documentation of the contract award as documentation needed for on-call consultants.
50	Chapter 9	Final Payment Documentation Requirements	9-7	Deleted "the Division of Cost Form 10-6" and added it to "supportive materials shall equal the Division of Cost form 10-6 totals that are located in the final report form"
51	Chapter 9	Final Payment Documentation Requirements	9-7	Clarified for Project O construction phases, overall project costs for projects in which 20 percent (20%) or greater of the overall cost is not attributable to the MPAH facility, will be prorated consistent with the ratio of MPAH benefits compared to non-MPAH benefits.
52	Chapter 9	Final Payment Documentation Requirements	9-7	Clarified that jurisdiction shall submit the most recently updated final design plans or "as-built" plans.
53	Chapter 9	Final Payment Documentation Requirements	9-7	Clarified what is required for justification that agency workforce is more cost effective and more timely.

2024 Comprehensive Transportation Funding Programs Guidelines (Off Cycle) - Proposed Changes List

No.	Chapter	Section	Page No.	Proposed Change
54	Chapter 9	Final Payment Documentation Requirements	9-7	Clarified what is required for documentation for costs in ROW phase, added language for an allowance that agencies may submit equivalent documentation for OCTA's consideration on a case-by-case basis and update the initial payment language for ROW.
55	Chapter 9	Final Payment Documentation Requirements	9-8	Specified that before and after photographs for implementation and construction phases should be high quality resolution images in JPEG or PNG file formats in order to promote local jurisdiction improvements funded by M2.
56	Chapter 9	Final Payment Documentation Requirements	9-11	Clarified what is required for justification that agency work force is more cost effective and more timely.
57	Chapter 9	Final Payment Documentation Requirements	9-12	Clarified that utilized LFS funds shall be accounted for in the M2 Expenditure Report instead of the project final report.
58	Chapter 9	Initial Payment Requests for Primary Implementation	9-13	Added "checklist" to clarify that both the checklist and interactive electronic versions of all payment forms can be downloaded through the OCFundtracker database.
59	Chapter 9	Initial Payment Requests for Primary Implementation	9-14	Clarified that the 75 percent (75%) initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.
60	Chapter 9	Initial Payment Requests for Primary Implementation	9-14	Added parameters for "Before and After Project Photos" to be consistent with other CTFP programs.
61	Chapter 9	Project X- Environmental Cleanup Program Reimbursement & Reporting Requirements	9-17	Deleted "the CTFP Payment Supplement provides instructions and sample forms for ECP (Project X) projects" due to CTFP Payment Supplement packages no longer in use or supplied.
62	Chapter 9	Initial Payments	9-17	Clarified that the 75 percent (75%) initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.
63	Chapter 9	Initial Payments	9-17	Clarified the requirements for the PS&E certification.
64	Chapter 9	Initial Payments	9-17	Clarified the requirements for the Initial Report Form.
65	Chapter 9	Initial Payments	9-18	Clarified the requirements for the Location Map of Installation.
66	Chapter 9	Final Report Process	9-18	Clarified that the final payment is based on the OCTA share of eligible costs or up to the grant amount.
67	Chapter 9	Final Report Process	9-18	Added "NTP" under documentation of the contract award as documentation needed for on-call consultants.
68	Chapter 9	Final Report Process	9-18	Clarified the requirements for the Final Report Form.
69	Chapter 9	Final Report Process	9-19	Clarified the requirements for the Location Map of Installation.
70	Chapter 10	Materials and Other	10-2	Updated evidence of reasonableness of price from \$1,000 to \$5,000 to align with micro-purchase threshold revisions.
71	Chapter 10	Local Agency Work	10-2	Clarified justification for use of agency work force to ensure required justification is provided and on file.
72	Chapter 11	Tier 1 Project Types	11-3	Added "with non-spraying heads" to irrigation systems retrofits in order to clarify the acceptable project types.
73	Chapter 11	Reimbursements	11-5	Clarified that the 75 percent (75%) initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.
74	Chapter 11	Scope Reductions/ Modifications and Cost Savings	11-5	Updated scope change language to be consistent with Project V scope language.
75	Chapter 11	Eligible Expenditures	11-13	Updated construction support percentage to align with revisions to Precept 29.

2024 Comprehensive Transportation Funding Programs Guidelines (Off Cycle) - Proposed Changes List

No.	Chapter	Section	Page No.	Proposed Change
76	Chapter 11	Eligible Expenditures	11-18	Updated construction support percentage to align with revisions to Precept 29.
77	Chapter 11	Reimbursements	11-19	Clarified that the 75 percent (75%) initial payment is based on the CTFP grant share of the contract award or grant amount, whichever is less.

Acronyms

Baseline Project – Countywide Baseline Project

Board – Board of Directors

Caltrans – California Department of Transportation

CTFP – Comprehensive Transportation Funding Programs

ECP – Environmental Cleanup Program

LFS – Local Fair Share

M2 – Measure M2

MPAH – Master Plan of Arterial Highways

NTP – Notice to Proceed

O&M – Operations and Maintenance

OCTA – Orange County Transportation Authority

PI – Primary Implementation

PS&E – Plans, Specifications and Estimates

RCP – Regional Capacity Program

ROW – Right of Way

RTSSP – Regional Traffic Signal Synchronization Program

SLPP – State-Local Partnership Program

TAC – Technical Advisory Committee

TSC – Technical Steering Committee

GUIDELINES EXCERPT COMPREHENSIVE TRANSPORTATION FUNDING PROGRAMS GUIDELINES

2024 CALL FOR PROJECTS

Orange County Transportation Authority



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I. Overview

On November 6, 1990, Orange County voters approved Measure M, a 20-year half-cent local transportation sales tax. All major transportation improvement projects and programs included in the original Measure M have been completed or are currently underway.

Expected growth demands in Orange County over the next 30 years will require agencies to continue to invest in transportation infrastructure projects. A collaborative effort between County leaders and the Orange County Transportation Authority (OCTA) identified additional projects to fund through an extension of the Measure M program. Voters approved Measure M2 (M2) on November 7, 2006. Ordinance No. 3 (Ordinance) outlines all programs.

Background

A robust freeway network, high occupancy vehicle & toll lanes, a Master Plan of Arterial Highways (MPAH), extensive fixed route and demand response bus service, commuter rail, and bicycle/pedestrian facilities comprise Orange County's transportation system. Future planning efforts are considering high speed rail service as part of a statewide system. Separate agencies manage and maintain each transportation component with a common purpose: mobility.

OCTA is responsible for planning and coordination of county regional transportation components. Local agencies generally oversee construction and maintenance of roadway improvements using a combination of regional and local funding sources derived from grants and formula distributions.

The Comprehensive Transportation Funding Programs (CTFP) represents a collection of competitive grant programs offered to local agencies. OCTA administers a variety of additional funding sources including M2, state/federal gas taxes, and Transportation Development Act (TDA) revenues.

Guidelines Overview

This document provides guidelines and procedures necessary for Orange County agencies to apply for funding of transportation projects contained within the CTFP through a simplified and consistent process. Each program has a specific objective, funding source and set of selection criteria detailed in separate chapters contained within these guidelines.

Guidelines are updated on a periodic basis in coordination with local agencies working through the Technical Steering Committee (TSC) and Technical Advisory Committee (TAC). Modifications to the guidelines are discussed in detail with the local agency

representatives during the TSC and TAC meetings held to review and approve the updated guidelines.

Additionally, OCTA may add, modify, or delete non-M2 programs over time to reflect legislative action and funding availability.

II. Funding Sources

Renewed Measure M

M2 is a 30-year, multibillion-dollar program extension of the original Measure M (approved in 1990) with a new slate of planned projects and programs. These include improvements to the County freeway system, streets and roads network, expansion of the Metrolink system, more transit services for seniors and the disabled as well as funding for the cleanup of roadway storm water runoff.

OCTA shall select projects through a competitive process for the Regional Capacity Program (RCP) (Project O), the Regional Traffic Signal Synchronization Program (RTSSP) (Project P), the various transit programs (Projects S, T, V and W), and the Environmental Cleanup Program (ECP) (Project X). Each program has a specific focus and evaluation criteria as outlined in the guidelines.

OCTA shall distribute Local Fair Share (LFS) Program (Project Q) funds on a formula basis to eligible local agencies. The program receives 18 percent (18%) of Net Revenues. The formula is based upon three components:

- Fifty percent (50%) based upon population
- Twenty-five percent (25%) based upon centerline miles on the existing MPAH
- Twenty-five percent (25%) based upon local agency's share of countywide taxable sales

Projects that are wholly funded by M2 LFS revenues and/or local sources are not subject to a competitive process. However, program expenditures must maintain certain criteria as outlined in the Ordinance and M2 Eligibility Guidelines. Local agencies must conform to annual eligibility requirements in order to receive LFS funding and participate in the CTFP funding process. Key requirements include:

- Timely use of funds (expend within three years of receipt)
- Meet maintenance of effort requirements
- Use of funding ~~on transportation activities~~ consistent with Article XIX of the California Constitution (Article XIX) unless otherwise allowed by the M2 Ordinance
- Include project in seven-year Capital Improvement Plan (CIP)
- Consistency with MPAH, Pavement Management Program, and Signal Synchronization Master Plan

As indicated above, M2 LFS revenues are subject to timely-use of funds provisions (must be expended within three years of receipt). If an agency is unable to meet this provision, an extension of up to 24 months can be granted. Requests for extension ~~on for~~ the timely use of M2 Fair Share revenues will be made as part of the Semi-Annual Review (SAR)

process. In addition to a written request, the agency will also submit an expenditure plan of how the funds will be expended.

State/Federal Programs

OCTA participates in state and federal transportation funding programs based on competitive and formula distributions. OCTA typically earmarks this funding for major regional transportation projects. From time to time, OCTA may set aside funding, where permitted, for use by local agencies through a competitive selection process. If state and federal funds are provided, the funds would not flow through OCTA, except in very rare circumstances, but would be allocated directly by the state or federal agency to the local agency.

Call for Projects

OCTA issues calls for projects annually or on an as needed basis. Secure revenue sources, such as M2, will provide funding opportunities on an annual basis. OCTA will update program guidelines and selection criteria periodically. OCTA may offer limited opportunity funding, such as a state-wide bond issuance or federal grants, consistent with funding source requirements. OCTA may conduct concurrent calls for projects when necessary. Detailed funding estimates, General funding availability, application submittal processes and due dates will be updated for each call for projects. Information required to participate in the call for projects will be- and will be-included and updated in Section V of these guidelines.

III. Definitions

1. The term “agency,” “agencies,” “local agency,” “local jurisdiction” –or any form thereof shall be described in Precept 2.
2. The term “construction support” includes construction engineering which is design carried out during construction, construction management, project management, materials testing, design support, and/or other specific activities that are carried out during construction and are related to but are not directly construction activities.
- 1-3. The term “construction” or “construction activities” typically means the building of something or may mean reconstruction of something and also includes any activities that directly allow for the building of something such as equipment mobilization, clearing a site including waste removal and other similar activities that make construction within an area possible. There may be multiple contracts and/or agency workforce involved in construction but there is usually one primary contract.
- 2-4. “Competitive funds” refers to funding grants received through the Comprehensive Transportation Funding Programs (CTFP).
- 3-5. The term “complete project” as in the entire project, is inclusive of acquiring environmental documents, preliminary engineering, final design/engineering, right-of-way (ROW) acquisition, construction, and construction engineeringsupport for infrastructure projects and may also mean the timeframe outlined in the grant for transit operations, or the acquisition and acceptance of equipment or vehicles which is then used for the intended transportation need.
- 4-6. The term “cost overrun” in reference to projects awarded through the CTFP shall refer to any and all costs beyond the original estimate that are necessary to complete the approved project scope.
- 5-7. The term “encumbrance,” or any variation thereof shall mean the execution of a contract or other action (e.g., entering into a cooperative agreement to carry out work, city council award of a primary contract, or issuance of a purchase order and/or Notice to Proceed [NTP]) or other acceptable documentation for work to be funded by Net Revenues.
- 6-8. The term “escalation” or “escalate” is the inflationary adjustment, as determined by the Engineering News Record (ENR) Construction Cost Index (CCI) 20-city average, added to the application funding request (current year basis) for ROW and construction phases (see Precept 12).

- ~~7.9.~~ The term “environmental mitigation” is ~~referred to as required~~ the process by which project proponents apply measures to avoid, minimize, or compensate for the adverse effects and environmental impacts resulting from their projects. Environmental mitigation may include environmental clean-up/preservation measures made as part of that project’s environmental clearance and are typically included in the overall project scope of work. Environmental mitigation may be carried out as part of or immediately following construction phase.
- ~~8.10.~~ For the purpose of these guidelines, the terms “excess right-of-way” and “surplus right-of-way” shall interchangeably refer to ROW acquired for a specific transportation purpose that is not needed for that purpose. ROW designation shall be acknowledged by applicant to OCTA within sixty (60) calendar days of designation. Furthermore, surplus property plan must also be provided to OCTA at time of designation.
- ~~9.11.~~ The term “Fast Track” shall refer to projects that apply for both planning and implementation phase funding in a single competitive application/call for projects.
- ~~10.12.~~ The term “Fully Burdened Labor Rates” include Workforce Labor Rate (WFLR) plus overhead (see Chapter 9).
- ~~11.13.~~ The term “funding grant,” “grant,” “project funding,” “competitive funds,” or “project programming” shall refer to the total amount of funds approved by the Board through the CTFP competitive process.
- ~~12.14.~~ The term “Gap Closure” shall refer to the construction of a roadway to its full MPAH build-out for the purpose of connecting two existing ends of that roadway by filling in a missing segment or for completing the terminus of an MPAH roadway. This applies to increased roadway capacity only as it relates to vehicular traffic.
- ~~13.15.~~ The term “implementing agency” is the agency responsible for managing the scope, cost and schedule of the proposed project as defined in the grant application.
- ~~14.16.~~ The term “lead agency” or “administering agency” shall refer to the agency responsible for the submission of the grant application.
- ~~15.17.~~ The term “Master Funding Agreements” or any form thereof shall refer to cooperative funding agreements described in Precepts 3 and 4.
- ~~16.18.~~ The term “match rate”, “local match”, “local matching funds”, or any variation thereof, refers to the match funding that an agency is pledging through the competitive process and disposed of through procedures in Chapter 9. Unless otherwise specifically defined in program specific guidelines, this term refers to the cash contribution that is expected from the local agency in terms of dollars and cost share.

- ~~17-19.~~ A “micro-purchase” is any purchase that does not exceed \$~~2,500~~5,000. For the purposes of proof of payment, only an approved invoice is required.
- ~~18-20.~~ The term “obligate”, or any variation thereof shall refer to the process of encumbering funds.
- ~~19-21.~~ “OCFundtracker” refers to the online grant application and payment system used by OCTA to administer the competitive programs awarded through the CTFP. Refer to <https://ocfundtracker.octa.net/>.
- ~~20-22.~~ “Primary Implementation (PI) Report” refers to the report required at the end of the PI phase for the Regional Traffic Signal Synchronization Program (RTSSP). It is a technical report that documents the work completed during the PI phase, which contains the Before and After Study. ~~This~~ The PI Report is a separate report from the project final report required by the M2 Ordinance, Attachment B, Section ~~III.A.9.~~
- ~~21-23.~~ “Operations and Maintenance (O&M) Report” refers to the report required at the conclusion of the O&M phase for the RTSSP (Project P). It is a technical report that documents the work completed during the O&M phase. This is a separate report from the project final report required by the M2 Ordinance, Attachment B, Section III.A.9.
- ~~22.~~ — The term “project phase” or any form thereof shall refer to the three distinct project phases (engineering, right-of-way, and construction) for infrastructure projects that OCTA funds through the CTFP. Additionally, the “engineering phase” ~~shall include~~ the preparation of environmental documents, preliminary engineering, final design or engineering and ROW engineering. The “ROW phase” ~~shall include~~ ROW support, ROW acquisition, utility relocation and adjustment to private property as contained in the ROW agreements, private improvements taken, Temporary Construction Easements (TCE), severance damages, relocation costs that are the legal obligation of the agency, as well as loss of good will, fixtures and equipment including legal cost and may include ROW engineering work. The “construction phase” ~~shall include~~ construction and construction engineering support and may also include utility relocation if that is being carried out by the construction contractor. A fourth phase defined as “Operations & Maintenance” applies to select programs and is described more fully in the applicable program chapter.
- ~~23-24.~~ Programming for RCP (Project O) follows a sequential process related to Pre-construction Planning and Implementation elements as described more fully in Chapter 2. Pre-construction ~~The Planning step~~ includes environmental evaluation, planning and engineering activities. The Implementation step includes ROW and construction activities.

- 24.25.** The term “project phase completion” refers to the date that the local agency has paid the final contractor/consultant invoice (including retention) for work performed and any pending litigation has been adjudicated for the engineering phase or for the ROW phase, and all liens/claims have been settled for the construction phase. The date of project phase completion will begin the 180-day requirement for the submission of a project final report as required by the M2 Ordinance, Attachment B, Section III.A.9. For projects that include environmental mitigation there may be two project phase completion dates. Either date may be used for the 180-day requirement for the submission of a final report.
- 25.26.** The term “Public-Private Partnerships” is defined as direct financial contributions, sponsorships or ROW dedications for eligible program activities.
- 26.27.** The term “reasonable” in reference to project phase costs shall refer to a cost that, in its nature and amount, does not exceed that which would normally be incurred under the circumstances prevailing at the time the decision was made to incur the cost. Factors that influence the reasonableness of costs: whether the cost is of a type generally recognized as ordinary and necessary for the completion of the work effort and market prices for comparable goods or services.
- 27.28.** The term “savings” or “project savings” in reference to projects awarded through the CTFP are any grant funds remaining on a particular project phase after all eligible items within the approved project scope have been reimbursed.
- 29.** The term “scope change” or “scope modification” is defined as a material change to the original project scope committed to by the local agency in the project application approved by the Board for M2 grant funding.
- 28.30.** “Sustainability”, as it applies to capacity enhancing infrastructure projects, refers to project elements that support environmental benefits such as use of renewable or recycled resources.
- 29.31.** The term “Workforce Labor Rates (WFLR)” include direct salaries plus direct fringe benefits.
- 30.32.** The term “offset intersection” or “offset signal” refers to traffic signalized intersections on the MPAH that are within 2,700 feet from either direction of the project corridor (Project P Only).

IV. Acronyms

AADT – Average Annual Daily Traffic

ACE – Arterial Capacity Enhancements

ADA – Americans with Disabilities Act of 1990

ADT – Average Daily Trips

A/E – Architectural/Engineering

APIRI – Applications Programming Interface with Referenced Implementations

ATC – Advanced Transportation Controller

ATMS – Advanced Transportation Management System

BMP – Best Management Practices

B/RVH – Boardings Divided by the Revenue Vehicle Hours

C2C – Center-to-Center Communication

CASQA – California Stormwater Quality Association

CAPPM – Cost Accounting Policies and Procedures Manual

CCI – Construction Cost Index

CCTV – Closed Circuit Television

CDS – Continuous Deflection Separator

CFS – Climate Forecast System

CE – Categorical Exclusion

CEQA – California Environmental Quality Act

CIP – Capital Improvement Program

CPI – Catchment Prioritization Index

CS – Customer Satisfaction

CSPI – Corridor System Performance Index

CTC – California Transportation Commission

CTFP – Comprehensive Transportation Funding Programs

ECAC – Environmental Cleanup Allocation Committee

ECP – Environmental Cleanup Program

EIR – Environmental Impact Report

ENR – Engineering News Record
EVP – Emergency Vehicle Preempt
FAST – Freeway Arterial/Streets Transition
FTA – Federal Transit Administration
FY – Fiscal Year
GIS – Geographic Information System
GTFS – General Transit Feed Specification
GSRD – Gross Solid Removal Device
HAWK – High-Intensity Activated Crosswalk Signaling Systems
HCM – Highway Capacity Manual
ICE – Intersection Capacity Enhancements
ICU – Intersection Capacity Utilization
ID – Identification
IRWMP – Integrated Regional Water Management Plan
ITS – Intelligent Transportation System
LFS – Local Fair Share
LID – Low-Impact Development
LOS – Level of Service
M2 – Measure M2
MG/yr – Megagrams per Year
MPAH – Master Plan of Arterial Highways
MUTCD – Manual on Uniform Traffic Control Devices
ND – Negative Declaration
NDS – National Data & Surveying Services
NEPA – National Environmental Policy Act
NTP – Notice to Proceed
O&M – Operations and Maintenance
OCTA – Orange County Transportation Authority
OCTAM – Orange County Transportation Analysis Model

OTP – On-Time Performance
PA/ED – Project Approvals/Environmental Documentation
PCI – Pavement Condition Index
PI – Primary Implementation
PSR – Project Study Report
PS&E – Plan, Specification and Estimate
PUC – Public Utilities Commission
RCP – Regional Capacity Program
RGSP – Regional Grade Separation Program
RTSSP – Regional Traffic Signal Synchronization Program
ROADS – Roadway Operations and Analysis Database System
ROW – Right-of-Way
RVH – Revenue Vehicle Hours
SAR – Semi-Annual Review
SBPAT – Structural BMP Prioritization Analysis Tool
SLPP – State-Local Partnership Program
TAC – Technical Advisory Committee
TCE – Temporary Construction Easement
TCIF – Trade Corridors Improvement Funds
TDA – Transportation Development Act
TMC – Traffic Management Center
TNC – Transportation Network Companies
TOC – Traffic Operations Center
TPC – Total Project Cost
TPI – Transportation Priority Index
TSC – Technical Steering Committee
TSP – Transit Signal Priority
UPS – Uninterruptible Power Supply
UTDF – Universal Traffic Data Format

v/c – Volume/Capacity

VMT – Vehicle Miles Traveled

WFLR – Workforce Labor Rates

WQLRI – Water Quality Load Reduction Index

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V. Precepts

The OCTA Board of Directors (Board) approved these guidelines on March 22, 2010. The guidelines subsequently have been amended and approved by the Board as needed. The purpose is to provide procedures that assist in the administration of the CTFP under M2 where other superseding documents lack specificity. OCTA, or an agent acting on the authority's behalf, shall enforce these guidelines.

1. All eligible Orange County cities and the County of Orange (County) may participate in the M2 competitive programs and federal funding programs included in the CTFP. Other agencies (e.g., California Department of Transportation [Caltrans] or local jurisdiction) may participate on a project; however, one local agency shall be designated as the implementing agency, shall be responsible for all funding requirements associated with the project, and shall be the recipient of funds through the program.
2. To participate in the CTFP, OCTA must declare that an agency is eligible to receive M2 Net Revenues which include LFS distributions. Failure to meet minimum eligibility requirements after programming of funds will result in deferral or cancellation of funding.
3. The lead agency must execute a Master Funding Agreement with OCTA. OCTA and lead agencies will periodically amend the agreement via letter to reflect funding changes through competitive calls for projects.
4. A separate cooperative funding agreement will be issued for Project V funded projects and any OCTA-led Project P (RTSSP) funded projects.
5. An agency must have a fully executed letter agreement prior to the obligation of funds. Local agencies may be granted pre-award authority for M2 funded projects. Local agencies, at their own risk, may use this pre-award authority to obligate funds for an M2 funded project prior to the programmed year. Expenditures actualized prior to the Board approved programmed year will not be eligible for reimbursement (see Chapter 9).
6. For transit programs ~~not covered by the letter agreement process~~ (e.g., Projects S, V, and W), pre-award authority is granted upon Board approval of the funding grant. See Precept 5 above for pre-award authority provisions.
7. Local agencies shall scope projects, prepare estimates, and conduct design in cooperation with and in accordance with the standards and procedures required by the local agencies involved with the project (e.g., Caltrans, County, state/federal resource agencies).
8. If not using agency workforce, local agencies should select consultants based upon established contract management and applicable public contracting practices, with

qualification-based selection for architectural/engineering (A/E) services, and competitive bidding environments for construction contracts in accordance with the Public Contracts Code. Agencies must meet procurement and contracting requirements of non-M2 funding sources which may exceed those identified in the CTFP. [See Chapter 9 if using local workforce.](#)

9. Based upon funding availability, a "Call for Projects" shall be considered annually but may be issued less frequently.
10. In each call cycle, OCTA shall program projects for a three-year period, based upon an estimate of available funds.
11. OCTA will base funding grants on project cost estimates including up to 10 percent (10%) contingency for construction. During the programming process, OCTA adds an inflationary adjustment, as appropriate.
12. OCTA shall escalate project grants for years two and three for ROW and construction phases only. OCTA will base escalation rates on the [Engineering News Record \(ENR\)](#) CCI 20-city average.
13. Match rate commitments identified by implementing agencies in the project grant application shall remain constant throughout the funded project phase. This includes projects where the programming has been escalated for future years. OCTA and implementing agencies shall not reduce match rate commitments or split the match rate by phase. Actual project contributions by the local agency or OCTA are dependent on final project costs and may not be equal to the match rate if a local agency overmatch exists. Local agency contributions may exceed the committed local match rate in the event of cost overruns. OCTA will not increase the funding grant to cover cost overruns. Ineligible expenditures cannot be considered when calculating the local match rate.
14. Where a project experiences savings, the local match percentage must be maintained.
15. OCTA shall program funds by fiscal year for each phase of a project.
16. A grant for a specific project shall be cancelled if the funds are not encumbered within the fiscal year the funds are programmed, unless the OCTA Board has granted a delay.
17. Implementing agencies may request a one-time delay not exceeding a total of 24 months per project grant. Agencies shall justify this request, receive City Council/Board of Supervisor concurrence, and seek approval of OCTA staff, the TAC, and the Board as part of the SAR process. ~~Extension-Delay~~ requests must be received no less than ninety (90) calendar days prior to the encumbrance deadline and are not permitted for projects that seek "fast track" grants.

18. An administrative ~~delay time extension~~ may be granted for expiring M2 funds for a project that is clearly engaged in the procurement process (advertised but not yet awarded).

~~19. Funds that have been encumbered shall be used in a timely fashion. For project phases (for RCP and RTSSP projects see paragraph below), excluding ROW, funds will expire after 36 months from encumbrance. For the ROW phase, funds will expire after 36 months from the date of the first offer letter and/or, if contract services are required, 36 months from the contract NTP. Extensions up to 24 months may be granted through the SAR process. Extension requests must be received no less than ninety (90) calendar days prior to the encumbrance deadline.~~

~~Funds that have been encumbered shall be used in a timely fashion. There shall be one encumbrance date determined for each project phase. For project phases (excluding Projects O and P), funds must be expensed within 36 months from encumbrance. Funds extensions up to 24 months may be granted through the SAR process. Extension requests must be received prior to the expenditure deadline. See Precept 20 for Project O and Project P.~~

~~19.20. For Project O and Project P, funds that have been encumbered shall be used in a timely fashion. There shall be one encumbrance date determined for each project phase. For project phases, local agencies have at least 36 months from encumbrance to complete a project phase and expend the funds. For project phases expected to be longer than 36 months, funds must be expensed within 6 months from the scheduled completion date for that project phase. This schedule information is provided within the application. As an example, if an agency indicates construction will be completed within 40 months from encumbrance, the agency would have 46 months to complete the phase or request an extension. Funds extensions up to 24 months may be granted through the SAR process. Extension requests must be received prior to the expenditure deadline. For Project O construction phase funds, participating environmental mitigation activities (see Precept 27) may be reimbursed up to 48 months after adopted Notice of Completion (NOC), contingent upon verification of environmental mitigation requirements.~~

~~20.21.~~ Preliminary Engineering allocations can be programmed in two different fiscal years depending on the project schedule and when certain engineering costs will need to occur during the project development and implementation phases. Local agencies can issue a separate NTP on a single contract to ensure compliance with the timely use of funds requirement. Local agencies may also issue separate contracts for the funds programmed in different fiscal years. Local agencies are required to obligate the funds within the same fiscal year of the programming or request a delay at least 90 days prior to the obligation deadline.

- 21.22.** For all construction projects awarded CTFP funds in excess of \$500,000 and/or exceeding a 90-day construction period schedule, the local agency shall install and remove signage in accordance with OCTA specifications during the construction period. The implementing agency shall request OCTA furnished signage. OCTA signage specifications can be found on the Call for Projects website (https://www.octa.net/pdf/CTFP_Project_O_SignageRequirements.pdf). Agencies will be required to certify that these signage requirements have been met as part of the initial payment process (see Chapter 9).
- 22.23.** OCTA shall reprogram funds derived from savings or project cancellation based upon final project status. An implementing agency may request to transfer 100 percent (100%) of savings of M2 funds between the phases within a project with approval from the TAC and Board. Funds can only be transferred to a phase that has already been awarded competitive funds. Such requests must be made prior to the acceptance of a final report and submitted as part of a SAR. ~~State-Local Partnership Program (SLPP) funds are not eligible for transfer of savings.~~ Agencies may only use savings as an aid for unanticipated cost overruns within the approved scope of work.
- 23.24.** Where the actual conditions of a roadway differ from the MPAH classification (e.g., number of through lanes), OCTA shall use the actual conditions for the purposes of competitive scoring. An agency may appeal to the TAC to request that the MPAH classification be adjusted/reconsidered.
- 24.25.** For the purpose of calculated Level of Service (LOS), the capacity used in the volume over capacity calculation shall be 100 percent (100%) capacity, or LOS level "E". Intersection Capacity Utilization (ICU) calculations shall use 1,700 vehicles per hour per lane with a .05 clearance interval.
- 25.26.** OCTA shall consider matching fund credit(s) for an implementing agency's proposed projects current and applicable environmental clearance expenditures. OCTA will review and consider these expenditures on a case-by-case basis at the time of funding approval.
- 26.27.** An approved CTFP project may be determined ineligible for funding at any time if it is found that M2 funding has replaced all or a portion of funds or commitments that were to be provided by other sources such as: development conditions of approval, development deposits, fee programs, redevelopment programs or other dedicated local funding sources (i.e., assessment districts, community facilities districts, bonds, certificates of participation, etc.). Appeals may be made in accordance with Precept 39.
- 27.28.** OCTA may fund environmental mitigation, up to 25 percent (25%) of the total eligible project cost by phase, as required for the proposed project contained in the

environmental document. Participating environmental mitigation expenditures are eligible for funding under certain programs, but not all.

~~29. Construction Engineering, Construction Management, Materials Testing, Engineering Support and/or Project Management shall not exceed 15 percent (15%) of the total eligible project cost based upon the engineers' estimate. The cap is applied to the sum of eligible expenses, contract change orders (within the scope of work), equipment and materials (e.g., eligible traffic signal equipment). Note: For the Project X Tier I program only, local agencies may include final design.~~

Construction support may be reimbursed up to 20 percent (20%) of the total M2 grant, with costs subject to the match requirements. Construction activities carried out by local agency workforces are not considered construction support.

~~28.30. Contract change orders are only eligible for reimbursement of work due to unforeseen changed conditions within the original scope of work and not exceeding 10 percent (10%) of eligible construction costs or contingency provided in the application cost estimate, whichever amount is higher.~~

~~29.31. OCTA shall evaluate "whole" projects during the initial review process. Subsequent phase application reviews shall not include prior phases in the evaluation unless locally funded and pledged as a match and are subject to OCTA verification. The criteria for ranking project applications is included in these guidelines as part of each program component chapter.~~

~~30.32. Projects that receive competitive CTFP funds shall not use other M2 competitive funds as a local match source. Lead agencies may request project consolidation. The TAC and Board must approve consolidation requests. OCTA shall use the weighted average match rate of the consolidated project's individual segments.~~

~~31.33. OCTA shall conduct a SAR of all active CTFP projects. All agencies shall participate in these sessions through a process established by OCTA. Currently, OCTA administers the SAR through OCFundtracker. OCTA's intent is to: 1) verify project schedule, 2) confirm project's continued viability, 3) discuss project changes to ensure successful and timely implementation, 4) request sufficient information from agencies to administer the CTFP, and 5) address any potential issues with external fund sources committed as match against the competitive funds.~~

~~32.34. For any project experiencing cost increases exceeding 10 percent (10%) of the originally contracted amount, a revised cost estimate must be submitted to OCTA as part of the SAR process. This is applicable even if the increase is within the overall grant amount.~~

~~33.35. Agencies shall submit payment requests to OCTA in a timely fashion. Agencies may request an initial payment for M2 (generally up to 75 percent (75%) of programmed amount or eligible expenditures, see Chapter 9) once the funds have~~

been encumbered. The final 25 percent (25%) of the available programmed balance will be released upon the submission of an approved final report.

34.36. For situations where a grant amount exceeds \$2,000,000, the amount withheld pending the submittal of an approved final report shall be capped at \$500,000 per project phase but shall in no case be less than 10 percent (10%) of the grant or the contract amount, whichever is less. Should the 75 percent/25 percent (75%/25%) payment distribution ratio result in a final payment retention that exceeds \$500,000, the payment percentages will be adjusted to meet the \$500,000 cap until the 10 percent (10%) threshold is reached. At no time will the final payment retention be less than 10 percent (10%).

35.37. When a project phase is complete, an agency ~~should~~ **shall** notify OCTA in writing within thirty (30) calendar days of completion. The date of project phase completion will begin the 180-day requirement for the submission of a project final report as required by the M2 Ordinance, Attachment B, Section III.A.9.

36.38. An agency shall provide final accounting in an approved final report format (see Chapter 9) within 180 calendar days of project phase completion. The process for untimely final reports is described in Chapter 9. Failure to provide a final accounting shall result in repayment of applicable M2 funds received for the project phase in a manner consistent with the Master Funding Agreement. Projects funded with M2 funding require a project final report within 180 calendar days of project phase completion as part of eligibility compliance. Failure to meet eligibility requirements, including submittal of final reports within 180 calendar days of project phase completion may result in suspension of all net revenues including fair share funds.

37.39. The payment distribution ratio referenced in Precept 35 may be modified to a reimbursement process, at the discretion of the Board, in the event that financing, or bonding is required to meet OCTA's cash flow needs.

38.40. Agencies may appeal to the TAC on issues that the agency and OCTA staff cannot resolve. An agency may file an appeal by submitting a brief written statement of the facts and circumstances to OCTA staff. The appellant local agency must submit a written statement which proposes an action for TAC consideration. The TSC shall recommend specific action for an appeal to the TAC. The Board shall have final approval on appeals.

39.41. Projects within the Coastal Zone Boundary, as a requirement of a Coast Development Permit, may be required to replace existing on-street parking on a one-for-one basis for spaces removed as a result of a roadway widening project. ROW costs to replace the existing on-street parking can be considered mitigation for coastal zone cities only (see exhibit IV-1). The mitigation activities can be covered up to 25 percent (25%) of the total eligible cost consistent with Precept 27.

Jurisdictional boundaries are more fully described in the Public Resource Code, Division 20, California Coastal Act (2016) Sections 30168 & 30169. OCTA staff will work with the local agency staff during the project application process to determine eligibility of these costs and to identify any excess ROW that will require a disposal plan. OCTA and the local agency will also establish any savings that will revert back to the Measure M Program after project completion. The cost of right of-way required to replace parking should be fair and reasonable in comparison to the total cost of the project.

Exhibit IV-1



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Chapter 1 - Eligibility

Overview

To apply for the CTFP, local agencies must fulfill an annual eligibility process. OCTA established this process to ensure that improvements are consistent with regional plans. The cities and county approved a process reflecting the eligibility criteria found in Measure M. Eligibility packages are due to OCTA by June 30 of each year.

In order to receive CTFP and M2 LFS funds, OCTA must deem agencies as eligible. OCTA shall annually distribute an eligibility information package to local agencies. Below is a brief list of requirements:

- Adoption of a Capital Improvement Program (CIP)
- Adoption of a General Plan Circulation Element which does not preclude implementation of the MPAH
- Adoption of a Pavement Management Plan (PMP)
- Adoption of a Local Traffic Signal Synchronization Plan (LSSP)
- Satisfied Maintenance of Effort requirements
- Approved agreement to expend funds within three years of receipt (based upon award date for competitive M2 projects and based on the date OCTA issues check to local agency for LFS and Senior Mobility Programs)
- Adopt an annual Expenditure Report
- Submit Project Final Report for all Net Revenue projects

The M2 Eligibility Guidelines outline the eligibility requirements in detail. OCTA updates the Eligibility Preparation Manual annually and encourages agencies to use it as a reference when preparing items to meet eligibility requirements (see <http://www.octa.net/pdf/M2EligibilityGuidelines.pdf>). Agencies will submit a CIP through an electronic database application (see <http://ocfundtracker.octa.net>). OCTA develops a manual and workshops to prepare local agency staff for the annual eligibility process.

MPAH Consistency Review and Amendment Process

Through a transfer agreement with the County of Orange, OCTA assumed responsibility for administering the MPAH starting in mid-1995. As the administrator, OCTA is responsible for maintaining the integrity of the MPAH through coordination with cities and the County and shall determine an agency's consistency with the MPAH. In order to provide a mechanism to communicate MPAH policies and procedures, OCTA prepared the Guidance for the Administration of the Orange County Master Plan of Arterial Highways (see http://www.octa.net/pdf/mpah_guidlines.pdf). The guidance document is to assist OCTA, the County, and the cities of Orange County to maintain the MPAH as a vital

component of transportation planning in the County. The guidance document outlines, in detail, the MPAH consistency review and amendment process. Agencies can find contact information for OCTA staff assigned to MPAH administration in the manual.

Additional Information Regarding MPAH

The agency's General Plan Circulation Element must be consistent with the MPAH. In order for an agency's circulation element to be consistent with the MPAH, it shall have a planned-carrying capacity equivalent to the MPAH for all MPAH links within the agency's jurisdiction. "Planned capacity" shall be measured by the number of through lanes on each arterial highway as shown on the local circulation element. Agencies are not considered "inconsistent" as a result of existing capacity limitations on arterials which are not yet constructed to the circulation element design.

The agency must also submit a resolution attesting that no unilateral reduction in lanes has been made on any MPAH arterials. For a sample resolution, see the [Measure M2 Eligibility Guidelines](#).

Chapter 2 – Project Programming

Program Consolidation

The M2 RCP improvement categories (see Chapter 7) will combine projects into one application review process. The programs of the CTFP will act as the project funding source. The consolidation of programs will help eliminate confusion among the various requirements and allow the greatest flexibility for programming projects. Other funding programs (Projects S, T, V, W, and X) have similar eligibility requirements, but OCTA will evaluate and approve these projects through a separate process.

Sequential Programming Process – RCP

Timely and efficient use of funding is a critical success factor for the CTFP. Historically, agencies were encouraged to develop long term projects spanning three or more years which often led to delays in implementing final project phases. This dynamic led to larger-than-anticipated funding program cash balances and an inability to fund smaller time sensitive projects in the interim.

In response to concerns raised by the Board and the Taxpayers Oversight Committee responsible for M2 oversight, OCTA will use annual calls that serve a near term programming window (3 years), as well as a sequential funding approach for M2 projects. OCTA expects this new approach to aid in a timelier use of funding and limit the potential for unanticipated project completion delays inherent with long lead time projects.

Sequential funding is a two-step process. Step One, also known as the planning phase, includes funding requests for planning/environmental, engineering and ROW engineering activities. Step Two, also known as the implementation phase, includes ROW engineering/acquisition and construction activities. ROW engineering can be requested in either the planning or implementation phases. Projects must complete the planning phase before an agency requests implementation phase funding during a call for projects. Exceptions to this rule include the following:

- An agency may request implementation funding prior to completion of the planning phase if the jurisdiction can demonstrate that the planning phase activities are underway, are substantially complete and the agency will complete the activities within six months of the start of the new phase programmed year.

OR

- An agency may request a Fast Track approach, seeking funds for planning and implementation phase at the same time. The agency must demonstrate that the policy variance is necessary due to the project schedule and waiting until the next annual call for projects to apply for implementation phase funding presents undue hardship or could jeopardize the overall project delivery and milestones. The

agency will waive the opportunity to request a project delay under this approach. The Fast Track approach is permitted only for projects that do not have ROW acquisition needs. If seeking engineering funds, the local agency must have received environmental clearance and demonstrate that all necessary easements and titles are in place for local agency use. Under no circumstances will the Fast Track option be considered for local agency convenience as this could delay implementation of other projects that are shelf ready.

Each call for projects will cover a three-year period that overlaps subsequent future cycles. Funding targets for each cycle are based upon prior funding commitments, anticipated revenues, reprogramming of unused grants (cancellations and savings), and a set aside for future funding cycles.

As part of each call for projects, OCTA will determine an appropriate balance between grants made for the planning and implementation phases.

Tiered Funding

Project funding for RCP (Project O) will follow a tiered funding process that differentiates between large and small projects. The tiered process is described in detail in Chapter 7.

Funding Projections – Call for Projects

Revenue estimates for M2 are updated annually. Programming decisions are based upon conservative economic assumptions provided by Southern California academic institutions. In the future, OCTA will add project cancellations and realized savings from completed projects to anticipated revenues for redistribution in the first year of each funding cycle.

Project Cost Escalation

OCTA will escalate approved ROW and construction projects in years two and three. The match rate percentage identified by implementing agencies in the project grant application shall remain constant throughout the project. This includes projects where the programming has been escalated for future years. OCTA will base escalation rates for future years on ENR CCI 20 City Average escalation rates.

Programming Adjustments

OCTA bases funding grants on cost estimates that agencies provide and that OCTA validates against industry norms during the evaluation process. Agencies must provide estimates in current year dollars.

Projects programmed in Year Two or Year Three of each funding cycle include an [ENR](#) CCI-based adjustment factor for the ROW and construction phases only. Lead agencies shall not receive grant increases. Cost overruns are the responsibility of local

agencies and may count against agencies' match rate commitment for eligible activities. Local agencies may request scope adjustments to meet budget shortfalls when the agency can demonstrate substantial consistency and attainment of proposed transportation benefits compared to the original project scope.

When agencies are preparing applications, **all cost estimates must be in current year dollars with Month and Year cited.** OCTA will review each cost estimate thoroughly and will escalate ROW and construction costs based on the year OCTA programs the project grant. For example, if an agency's cost estimate lists construction costs for a project and OCTA programs the project for Year Three of the funding cycle, then OCTA will escalate the costs by the CCI-based adjustment factor, compounded annually, beginning in Year One of the funding cycle.

Project Readiness

In an effort to better utilize project funding and maintain project schedules, programming of funding for CTFP under the sequential approach has been revised. In general, to program grants for Step Two (ROW or construction phases), a project must either have:

1. Project-level approval for environmental clearance, California Environmental Quality Act (CEQA), for M2 programs, (National Environmental Policy Act (NEPA) and CEQA for federally funded programs), or;
2. Exempt (categorically or statutorily) under CEQA and/or NEPA (as applicable).

OCTA will not consider any projects for funding for ROW and construction without final adopted project level environmental clearance documentation at the time of application.

Programming Policies

OCTA will not increase grants after the initial programming for each phase except through project savings transfers, where applicable. Project savings are defined as the grant value remaining after one project phase (such as engineering) has been completed. Transfers should be identified during the SAR phase. Formal request of savings transfers must be accompanied by updated information and justification for the intended phase. Scope reductions are not considered project savings. ~~Adjustments~~ ~~Changes-in grant funding between-in~~ PI and O&M ~~allocations~~ can occur after programming approval for sixty (60) calendar days after contract award, in order to reflect actual contract award amounts. Overall projects savings at the conclusion of a project are returned to the original program for reprogramming in a subsequent call for projects. This section is intended to clarify rather than replace the transfer policy identified in Precept 22.

In order to receive ROW and construction grants, a project must have all environmental clearances in place. OCTA shall not release final payment for the planning stage (includes final design) until confirmation of environmental clearance is provided.

Agencies are responsible for costs that exceed the project grant, maintaining the project schedule, and maintaining the project scope.

An agency's grant will be cancelled if the agency does not encumber the funds within the programmed fiscal year. An agency may request a delay in accordance with the time extension policy described in the precepts.

An agency must have a fully executed Letter Agreement prior to the obligation of funds unless they have been approved for pre-award authority.

As stated above, an agency's grant is based on the project's cost as requested and programmed with established escalation rates. If project costs escalate beyond original estimates and the agency is unable to cover additional costs, a request to reduce the project scope or limits will be considered where feasible. For the RTSSP (Project P), changes to the project costs with respect to the phase allocations will be considered based upon the issuance of the CTO, provided that the readjusted phase allocations do not increase the overall grant. All requests for changes in scope and limits ~~should~~**must** be submitted to OCTA in advance of the change. This request will be evaluated on a case-by-case basis and must be approved by ~~the TAC and~~ the Board prior to initiation of the change by the lead agency. The lead agency must submit a letter to OCTA no later than June 30th of the year in which funds are programmed stating the reasons for cost increases, a proposal for project scope or limit reduction, and an explanation of why approval of the request is warranted. The review process is similar to the appeals process mentioned above.

Schedule Change Requests

Grants approved as part of the CTFP process are subject to timely delivery requirements. Implementation schedules are determined by the lead agency (applicant). Contract work must be awarded prior to the end of the programmed fiscal year to encumber the funds. If work cannot be initiated within this time frame, a request to defer funding may be submitted to OCTA for consideration. Project status is reviewed every six months during the SAR process. Expired project funding is subject to withdrawal from project and reprogramming in a subsequent call for projects.

Funding delays must be submitted to OCTA in conjunction with the SAR process. These reviews are typically held in Fall and Spring. Emergency ~~extensions~~**delays** after the Spring SAR may be considered on a case-by-case basis, but no less than ninety (90) calendar days prior to the encumbrance deadline. The M2 Ordinance permits a delay for up to 24 months. Implementing agencies may request a ~~one-time~~ delay of up to 24 months per project grant. Agencies shall justify this request, receive City Council/Board of Supervisor concurrence, and seek approval of provide documentation justifying delay to OCTA staff, the TAC and Board as part of the SAR process. Projects that are expected to incur extensive delays beyond the parameters of the program should consider cancellation and

reapplication at a future date. Advancement requests may be considered during the review process and may be approved subject to funding availability.

Timely-Use of Funds

For project phases ~~-(RCP and RTSSP projects see paragraph below)excluding ROW~~, funds ~~will expire after must be expensed within~~ 36 months from encumbrance. ~~For the ROW phase, funds will expire after 36 months from the date of the first offer letter. Funds e~~Extensions up to 24 months may be granted through the SAR. Extension requests must be received ~~no less than ninety (90) calendar days~~ prior to the ~~expenditure encumbrance~~ deadline. ~~Additional extensions may be considered on a case by case basis for the RCP (Project O) and the RTSSP (Project P).~~

For RCP and RTSSP project phases, funds must be expensed based on the project phase schedule that is provided at the time of application plus 6 months (see Precept 20). Funds extensions up to 24 months may be granted through the SAR process. Extension requests must be received prior to the expenditure deadline.

Project Advancements

Agencies wishing to advance a project by one fiscal year, or more may request project advancement. Advancement requests will be considered only if program funds are available. The grant will be de-escalated according to the original escalation rate.

Requests must be submitted as part of the SAR. All advancements will be reviewed by the TAC and approved by the Board. If approved, the agency and project will be required to meet the new fiscal year award or encumbrance deadline.

Should OCTA be unable to accommodate an advancement request due to cash flow constraints, the agency may still move forward with the project using local funding (see Precept 6). The lead agency must have a fully executed letter agreement prior to beginning work. The lead agency may subsequently seek reimbursement of CTFP funds in the fiscal year in which funds are programmed. Reimbursement shall follow the standard CTFP process (see Chapter 9). Prior approval is not necessary if the project is being advanced through local funds. However, if the local agency intends to receive match credit -for local funds spent, prior approval is required.

Semi-Annual Review

OCTA staff will conduct a comprehensive review of CTFP projects on a semi-annual basis to determine the status of projects. Project updates will be provided by the local agencies and uploaded to OCFundtracker. Follow-up meetings to these updates will be held as needed. Semi-annual project reviews are usually scheduled to occur in March and September of each year.

Projects are reviewed to:

1. Update project cost estimates. For any project experiencing cost increases exceeding 10 percent (10%) of the originally contracted amount, a revised cost estimate must be submitted to OCTA. This is applicable even if the increase is within the overall grant amount.
2. Review the project delivery schedule
3. Determine the project's continued viability
4. Verify project O&M expenditures (e.g. ECP (Project X))
5. Discuss any potential issues with external fund sources committed as match against the competitive funds

Prior to each review meeting, OCTA staff will distribute a list of active projects to each local agency. Each agency will be contacted as needed and asked to participate in the upcoming review where each agency's project schedules, cost estimates, and scope will be reviewed. Agencies will be given the opportunity to request program changes (e.g. delaying and advancing funds from one fiscal year to another) and each adjustment will be considered on a case-by-case basis. The agency should be prepared to explain any changes and provide all necessary supporting documentation. Generally, the local agency is responsible for the implementation of the projects as approved by OCTA, however consideration will be given for circumstances beyond the lead agency's control that affect scope, cost, or schedule.

Based on the semi-annual review meetings, OCTA staff will develop and present recommendations for project adjustments to the TAC. Requests for project changes (delays, advancements, scope modifications, etc.) will be considered on an individual basis. The following action plan has been developed for the semi-annual review process:

- Require local agencies to submit status reports, project worksheets, and supporting documentation to OCTA for all project adjustments.
- Require local agencies to abide by the **Time Extension Policy**:
 - Agencies may request a delay of up to 24 months per grant. Local agencies will be required to justify this request and seek approval of OCTA staff, the TAC, and the Board as part of the semi-annual review process.
 - Approved schedule changes will require an update of the local jurisdiction's seven-year CIP and the OCTA cooperative funding agreement.
 - Evidence of Council approval (resolution, minute order, or notification) must be provided prior to Board approval of delays.
 - An administrative extension may be granted for expiring M2 funds for a project phase that is clearly engaged in the procurement process (advertised but not yet awarded). The local agency must notify OCTA, submit a written request, for an administrative extension, and provide evidence of advertisement prior to the award deadline.
 - Agencies that have requested Fast Track funding cannot request time extensions.

Environmental Cleanup Program Operations and Maintenance Reporting

For Tier 1 of the ECP (Project X), cash match is required. Ongoing Operations and Maintenance (O&M) of the project can no longer be pledged as a match.

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Chapter 3 – Safe Transit Stops (Project W)

Purpose

This is a fixed-scope program, which provides funding for passenger amenities at the 100 busiest bus stops in Orange County determined by average daily weekday passenger boardings (October 2017 – February 2018 data)¹. The goal of the program is to provide value, safety, and convenience which enhances the overall transit experience.

Project W funding will be made available to support the 100 busiest bus stops in the County². The Orange County Transportation Authority (OCTA) is functioning as the funding agency for the local bus stop amenity improvements implemented by cities under this program. Local agencies have the authority and responsibility for designing, constructing, and maintaining bus stop improvements. Local agencies will retain local control and responsibility for these improvements including, but not limited to, shelters, lighting, seating, and waste receptacles. For OCTA owned facilities and transit centers, OCTA has the authority and responsibility for designing, constructing, and maintaining bus stop improvements. OCTA will retain control and responsibilities for these improvements.

Eligible Applicants

Eligible applicants include local agencies in Orange County, which have at least one of the top 100 busiest bus stops as defined above. The list of the 100 busiest stops is reviewed, updated, and distributed with every funding cycle; as such eligible local agencies may change based upon evolution of the list of the 100 busiest bus stops.

Bus stops on private property would need to be submitted by the city on behalf of the property owner.

Application

Applications are required to include the following components. However, they should also keep the overall goal of the program in mind, which is to provide for an improved

¹ Excludes stops improved by the program within the last 5 years. The final list of prioritized improvements may also exclude stops determined by local agencies (and OCTA) that no improvements are required. These stops will be removed from the list at the time programming recommendations are approved by the OCTA Board of Directors.

² OCTA facilities and transit centers are eligible for Project W funds, so long as they are included on the list of the County's 100 busiest stops.

experience for transit riders, primarily focused upon value, safety, convenience, and reliability.

- Proposed maintenance plan;
- Photos of the proposed project site in the weekday AM peak and PM peak period;
- Project design or concept drawings;
- Shelter size and covered passenger waiting area footage;
- Needs assessment; and
- City Council resolution

Evaluation Criteria

If sufficient funds are not available during a funding cycle to fund all the projects that are submitted, projects will be prioritized for funding based on a combination of boarding ranking and the needs of each bus stop.

Available Funding

The 2019 Project W Allocation will provide \$3 million for Safe Transit Stops across the County.

Eligible Costs

Project W will pay for up to \$20,000 for "normal load stops" and up to \$35,000 for "high load stops. A high load stop is defined as a stop where eight (8) or more passengers are waiting to board for an average of five minutes or more. The following expenses are eligible for reimbursement under the program:

Eligible

- Passenger Waiting Amenities
 - Bus shelters or shade structures (required);
 - Seating/leaning fixtures (required);
 - Waste receptacles (required);
 - Ad displays; and
 - Bus stop lighting
- Other Amenities
 - Transit/pedestrian information display (at "high load stops");
 - Security cameras (monitored by local police department);
 - Bicycle lockers or racks;
 - Street trees that provide shade protection;
 - Installation of low-cost water efficient irrigation systems to support street shade tree investments;
 - Installation of bus stop signage;

- Minor improvements to sidewalks necessary to accommodate shelters; and,
- Installation of electric service at bus shelters for passenger amenities and future OCTA uses.
- Other
 - Design up to \$1K per stop with a 50 percent (dollar for dollar) local match.
 - Bus Shelter or Shade Structure solar panels to support eligible expense items.

Not Eligible

- Right-of-way acquisition;
- Planning;
- Maintenance;
- Electricity to support non-passenger related amenities or non-OCTA uses; and
- Construction support

Scope Reductions and Cost Savings

Any proposed scope modifications of an approved project must be submitted to OCTA to ensure consistency with the program requirements. If the proposed scope modification is approved by OCTA, any cost savings will be returned to the program for reallocation for the subsequent call.

Reimbursements

This program is administered on a reimbursement basis. Reimbursements will be disbursed upon review and approval of acceptable final report, complete expense report, performance report, before and after photos, and consistent with a Master Funding Agreement. Required forms can be downloaded from OCFundtracker.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall allocation, and/or other sanctions to be determined. Audits shall be conducted by the OCTA Internal Audit Department or other authorized agent either through the normal annual process or on a schedule to be determined by the OCTA Board.

Precept Applicability

Note some precepts are not applicable to Project W, such cases will be reviewed by staff on a case-by-case basis and will be determined by staff, as appropriate, based upon the unique characteristics of the proposed project.

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Chapter 4 – Transit Extensions to Metrolink (Project S)

Overview

This M2 Program establishes a competitive process to enable local agencies to enhance regional transit capabilities through creation of new connections to the existing Metrolink system. Projects must meet specific criteria in order to compete for funding through this program. In addition, local agencies will be required to demonstrate the ability to fund the local share of O&M on an ongoing basis using non-OCTA resources. Public-private partnerships are encouraged but not required.

Fixed Guideways

Objectives

- Expand multi-modal transit options for regional travel by establishing new transit connections to existing Metrolink stations
- Provide new service on a defined route with primary ridership derived from Metrolink patronage

Project Participation Categories

Metrolink provides a vital transit option for travel throughout southern California. Orange County is home to 12 Metrolink stations currently serving residents and commuters for employment, education, and pleasure-based trips. These stations serve diverse destination and trip origination needs. Efficient and convenient access enables the system to thrive and the overall transportation network (all motorized and non-motorized modes) to operate effectively.

Transit needs may differ from one location to the next and projects pursued under this program have significant latitude in how the challenge of delivering enhanced transit service to/from existing Metrolink stations are addressed. The program categories listed below identify key project elements that can be pursued through the Project S funding source. Fixed guideway projects are capital intensive. Additional funding sources may be required to supplement M2 for maximum investment opportunities. Selection criteria will parallel Federal Transit Administration (FTA) programs such as New Starts or Small Starts wherever possible to aid in streamlining the competitive process. The program categories eligible for funding through the fixed guideway component of Project S are:

- Fixed guideway systems including rolling stock acquisition
- Station/stop improvements (includes signage, furniture, and shelters)
- Maintenance facilities and fueling stations

Match Funding Requirements

Local funding must meet a minimum 10 percent (10%) match rate requirement for the whole project comprised of any combination private contributions, advertising revenues, and local discretionary funds. Match funding commitments in excess of 10 percent (10%) for one project phase (capital or operations/maintenance) may result in a reduced minimum match rate requirement for another phase subject to Board of Directors (Board) approval. Minimum match rate commitments will be incorporated into a cooperative funding agreement and will apply on an annual basis to the entire service life of the project (typically 5, 7, or 25 years).

Eligibility Requirements

Minimum eligibility and participation requirements must be considered before a project funding application should be submitted. Adherence to strict funding guidelines is required by the M2 Ordinance. Additional standards have been established to provide assurance that M2 funds are spent in the most prudent, effective manner. There is no guarantee that funding will be approved during a particular call for projects. If no acceptable project is identified during a funding cycle, a subsequent call for projects will be scheduled at an appropriate time.

- Applicant must be eligible to receive M2 funding (established on an annual basis) to participate in this program
- Initial call for projects is limited to fixed guideway projects based upon Go Local Step 3 activities (preliminary engineering)
- Agency must have a financial plan outlining a funding strategy for ongoing O&M (minimum of five years)
- Project applications must be for complete projects (environmental clearance through implementation, where applicable) for evaluation purposes
- Project application must meet minimum competitive score to be deemed eligible and "of merit" (as determined by the OCTA Board)
- Any proposal to duplicate or replace existing local or OCTA service must be clearly detailed
- Complete applications must be approved by the city council and partner agencies prior to submittal to OCTA to demonstrate adequate community and elected official support for initial consideration
- Procurements associated with the project must follow FTA procurement policies
- Agencies submitting for funding must agree to follow the FTA Small Starts/New Starts process

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. (See Table 4.1) Emphasis is placed on projects with firm financial commitments and overall project readiness as shown on the Project S selection criteria. In addition, projects will be evaluated based upon existing and future transit usage, ease of connection, cost effectiveness, and local/regional benefits. Although a minimum 10 percent (10%) match rate for capital investments is required, projects that leverage M2 funds with a higher percentage from other sources are encouraged and will be more competitive.

Application Process

Project grants are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to fully evaluate the project proposal as outline below.

- Complete information application
- Provide funding/operations plan
- Grants subject to a cooperative funding agreement

The funding plan shall include, at a minimum, the following information:

- Financials (funding needs, match rate availability, operations funding assurances, and public-private partnership arrangements)
- Project development and implementation schedule
- O&M facility management
- Service coordination plan (scheduling/ticketing for Metrolink and fixed route service)
- Any additional information deemed relevant by the applicant

The last call for projects under this program was held in 2010. No call for projects is envisioned in the immediate future. The Board will determine an appropriate time to authorize additional funding.

Application Guidelines

Project selection is based upon merit utilizing a series of qualitative and quantitative criteria. Candidate projects are required to submit a financial plan with sufficient data to enable an adequate evaluation of the application. Each jurisdiction is provided broad latitude in formatting, content and approach. However, key elements described below must be clearly and concisely presented to enable timely and accurate assessment of the project.

Financial Details

Each candidate project application must include all phases through construction of facilities. The financial plan will include, at a minimum, the following information:

- Estimated project cost for each phase of development (planning, environmental, permitting, design, ROW acquisition, construction, and project oversight)
- Funding request for each phase of project implementation with match commitment and sources clearly identified
- Realistic project schedule for each project phase
- Demonstrated financial commitments for minimum match commitment and ongoing operations (first five years of operation)
- Discussion of contingency planning for revenue shortfalls
- Revenue projections and methodology where on-site commercial activity is expected to support implementation and/or operations costs
- ROW status and strategy for acquisition
- Project's status in current local plans

Technical Attributes

The formal application must include feasibility and efficacy components to demonstrate transportation benefit to ensure the selected project(s) meet the spirit and intent of M2. Merit will be demonstrated through technical attributes and industry standard methodologies. The following data will be included and fully discussed in the application.

- Planned employment densities per square mile (opening year)
- Planned population densities per square mile (opening year)
- Projected daily transit boardings with projection methodology fully presented
- Percent of projected ridership from commuter rail riders
- Description of all transit modes serviced by the Metrolink station at time of application and projected future mode increase
- Ease of connections to other travel modes (average walking distance)
- Incremental cost per hour of system user benefits (per FTA guidelines)

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the information described above, local agencies will be required to submit the following materials:

Council Resolution: A Council Resolution authorizing request for funding consideration with a commitment of project local match rate and operating funds as shown in the funding plan.

Lease/Cost Sharing Agreements: Copies of leases, sponsorship, and/or advertising revenue documents. Confidential agreements may be included by reference when accompanied by affidavit from City Treasurer or Finance Director.

Project Documentation: If the proposed project has completed initial planning activities (such as Project Study Report (PSR) or equivalent, Environmental Impact Report (EIR), or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion or planning phases. The applicant will be asked for detailed information only if necessary, to adequately evaluate the project application.

Operations Plan: In addition to the financial details indicated in 8.1, the operations plan submitted shall include the following technical data (consistent with FTA guidelines) a route map, draft time table, headways, stop location listing, summary of alternatives (including any special operations – interlining, feeder bus connections, etc.), summary of vehicle types and characteristics, speed profile, fleet size, and any other applicable supporting documentation.

Approved Land Use Supporting Documentation: Any documentation which describes the transit supportive land use changes already in place to support the proposed guideway projects.

Reimbursements

This program is administered on a reimbursement basis. Reimbursements will be disbursed upon review and approval of a complete expense report, performance report, and consistent with a cooperative funding agreement.

Project Cancellation

Projects deemed infeasible during the planning process will be cancelled and further expenditures will be prohibited except where necessitated to bring the current phase to a logical conclusion.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be

conducted by the OCTA Internal Audit department or other authorized agent either through the normal annual process or on a schedule to be determined by the OCTA Board.

Bus and Station Vans

Objectives

- Expand multi-modal transit options for regional travel by establishing new transit connections to existing Metrolink stations
- Provide new service (shuttle bus and station van) on a defined route with ridership derived from Amtrak/Metrolink patronage

Project Participation Categories

Metrolink provides a vital transit option for travel throughout Southern California. Orange County is home to 11 Metrolink stations currently serving residents and commuters for employment, education, and recreational-based trips. These stations serve diverse destination and trip origination needs. Efficient and convenient access enables the system to thrive and the overall transportation network (all motorized and non-motorized modes) to operate effectively.

Transit needs may differ from one location to the next, and projects pursued under this program have significant latitude on how the challenge of delivering enhanced transit service to/from existing Metrolink stations are addressed. The program categories listed below identify key project elements that can be pursued through the Project S funding source. Selection criteria will parallel FTA programs wherever possible to aid in streamlining the competitive process. The program categories eligible for funding through Project S are:

- Bus leases/purchases for the purposes of providing expanded service to/from a Metrolink station
- Bus stop improvements (including signage, furniture, fare box equipment, and shelters) on the new route
- Maintenance facilities and fueling stations required for the new bus service
- Station vans leases for the purposes of providing expanded service to/from a Metrolink station
- Consistent with FTA guidelines, Americans with Disabilities Act (ADA) complementary paratransit service costs are considered capital costs for the purposes of this program

Operating Reserve Incentive

OCTA has established an operating reserve as part of this program that may be used to offset the costs of O&M. The operating reserve is subject to the following requirements:

1. OCTA will reserve a total of \$1 million per year in Project S revenue for O&M distributed on a pro-rata basis
2. The project must have been awarded Project S non-guideway funds through the Project S competitive process and meet a minimum standard of ten boardings per Revenue Vehicle Hour (RVH) on an ongoing basis for shuttle buses and a 60 percent (60%) minimum occupancy for station vans
3. Awarded agencies must submit audited O&M costs and ridership and fare performance data to OCTA by September 30 of each year for the prior fiscal year
4. OCTA will reimburse awarded agencies on a pro-rata basis but not to exceed \$6 per boarding, not to exceed 90 percent (90%) of net operating and maintenance costs (after deducting fares), and no more than \$150,000 per agency or project, whichever is less
5. Participation in the operating reserve is limited to the useful life of the capital purchased with Project S funds

All submitted materials are subject to audit prior to OCTA pro-rata reimbursements. Funds not used in a given year will become available for future calls for projects.

Capital Match Rate Funding Requirements

The Implementing agency must meet a minimum ten percent (10%) match requirement for the entire capital project comprised of any combination of private contributions, advertising revenues, and local discretionary funds. Match rate funding commitments in excess of ten percent (10%) for one project phase may result in a reduced minimum match rate requirement for another phase subject to Board of Directors (Board) approval. Match funding commitments will be incorporated into the cooperative funding agreement.

Eligibility Requirements

Minimum eligibility and participation requirements must be considered before a project funding application should be submitted. Adherence to strict funding guidelines is required by the M2 Ordinance. Additional standards have been established to provide assurance that M2 funds are spent in the most prudent, effective manner. There is no guarantee that funding will be approved during a particular call for projects. If no acceptable project is identified during a funding cycle, a subsequent call for projects will be scheduled at an appropriate time.

Additional Project S Precepts

- Applicant must be eligible to receive M2 funding (established on an annual basis) to participate in this program
- The proposed project must be included in the 2011 Transit System Study or have participated in prior Go Local planning efforts

- Agency must have a financial plan outlining a funding strategy for ongoing O&M (minimum of five years)
- If the service operator is OCTA, and the local agency would retain routing and service-level decisions, or local agencies may propose an alternate service provider
- Letter of commitment for an 80 percent (80%) start-up occupancy rate for each station van and documentation supporting the commitment (e.g. letters of interest, proof of van pool request and or survey data). Station van passengers must be Amtrak/Metrolink passengers
- Local agency will be required to enter into a cooperative funding agreement with OCTA
- Project applications must be for complete projects (environmental clearance through implementation, where applicable) for evaluation purposes
- All projects must include meeting ADA requirements, and these costs must be included in the project application
- Project application must meet minimum competitive score to be deemed eligible and “of merit” (as determined by the OCTA Board)
- Any proposal to duplicate or replace existing local or OCTA service must be clearly detailed
- Complete applications must be approved by the city council and partner agencies prior to submittal to OCTA to demonstrate adequate community and elected official support for initial consideration
- Procurements associated with the project must follow FTA procurement policies
- Agencies submitting for funding must agree to follow applicable FTA requirements
- Agencies will be required to submit annual National Transit Database reporting information to OCTA

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on projects with firm financial commitments and overall project readiness as shown on the Project S scoring criteria. In addition, projects will be evaluated based upon existing and future usage, ease of connection, cost effectiveness, and local/regional benefits. Although a minimum of ten percent (10%) match funding for capital investments is required, projects that leverage M2 funds with a higher match rate are encouraged and will be more competitive.

Application Process

Project grants are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to fully evaluate the project proposal as outlined below.

- Complete application

- Provide five-year funding/operations plan
- Grants subject to cooperative funding agreement

The funding plan shall include, at a minimum, the following information:

- Financials (funding needs, minimum match commitments, funding availability, operations funding assurances, and public-private partnership arrangements)
- Project development and implementation schedule
- O&M facility management
- Service coordination plan (scheduling/ticketing for Metrolink and fixed-route service)
- Any additional information deemed relevant by the applicant

A call for projects for the initial funding cycle was held in 2012. No call for projects is envisioned in the immediate future. The Board will determine an appropriate time to authorize additional funding.

The final approved application (including funding plan) will serve as the basis for any funding agreement required under the program.

Application Guidelines

Project selection is based upon merit utilizing a series of qualitative and quantitative criteria. Candidate projects are required to submit a financial plan with sufficient data to enable an adequate evaluation of the application. Each jurisdiction is provided broad latitude in formatting, content, and approach. However, key elements described below must be clearly and concisely presented to enable timely and accurate assessment of the project.

Financial Details

Each candidate project application must include all phases through construction of facilities. The financial plan will include, at a minimum, the following information:

- Estimated project cost for each phase of development (planning, environmental, permitting, design, ROW acquisition, construction, and project oversight)
- Funding request for each phase of project implementation with match funding amounts and funding sources clearly identified
- Demonstrated financial commitments for minimum match commitments and ongoing operations
- Discussion of contingency planning for revenue shortfalls
- Revenue projections and methodology where commercial activity is expected to support implementation and/or operations costs
- Project readiness status

- Subscriber commitment for proposed station van services
- ROW status and strategy for acquisition
- Project's status in current local plans
- Realistic project schedule for each project phase

Scoring Criteria

The formal application must include feasibility and efficacy components to demonstrate transportation benefit to ensure the selected project(s) meet the spirit and intent of M2. Merit will be demonstrated through technical attributes and industry standard methodologies. The applications will be evaluated against the criteria identified in the Measure M2 voter pamphlet and fully discussed in the application:

- Match funding and level of commitment from private partners
- Operating subsidy per boarding for opening year
- Annualized cost per incremental passenger trip for opening year
- Project readiness including projected opening year and phase readiness
- Projected daily boardings with projection methodology fully presented
- Percent of projected ridership from commuter rail riders
- Projected average daily occupancy for station vans
- Ease of connections (average travel time to employment and recreation centers served)
- Planned employment densities per square mile for opening year
- Planned population densities per square mile for opening year

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the information described above, local agencies will be required to submit the following materials:

Council Resolution: A Council Resolution authorizing request for funding consideration with a commitment of project local match funding (local sources) and operating funds as shown in the funding plan.

Lease/Cost Sharing Agreements: Copies of leases, sponsorship, and/or advertising revenue documents. Confidential agreements may be included for reference when accompanied by affidavit from City Treasurer or Finance Director.

Project Documentation: If the proposed project has completed initial planning activities (such as PSR or equivalent, EIR, or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion or planning

phases. The applicant will be asked for detailed information only if necessary, to adequately evaluate the project application.

Operations Plan: In addition to the financial details, the operations plan submitted shall include the following technical data: a route map, draft timetable, headways, stop location listing, summary of vehicle types and characteristics, speed profile, fleet size, and any other applicable supporting documentation.

Approved Land Use Supporting Documentation: Any documentation which describes the transit supportive land use changes already in place to support the proposed guideway projects.

Reimbursements

The capital program is administered on a reimbursement basis. Capital reimbursements will be disbursed upon review and approval of a complete expense report, performance report, and consistent with the cooperative funding agreement. Local agency revenues provided to OCTA for ongoing operating assistance will be in accordance with terms identified in the cooperative funding agreement.

Project Cancellation

Projects deemed infeasible during the planning process will be cancelled and further expenditures will be prohibited except where necessitated to conclude the current phase.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits may be conducted by the OCTA Internal Audit Department or an authorized agent.

Comprehensive Transportation Funding Programs

Table 4-1 Point Breakdown for Transit Extensions to Metrolink (Project S) (For Fixed Guideway Preliminary Engineering Call for Projects Only)			
Financial Commitment/Partnership (20 points)		Transit Usage/Congestion Relief (16 points)	
Match funding (Complete Project; Capital)		Percent of Ridership from Commuter Rail Riders (Opening Year)	
>=30%	6	>=50%	8
29% to 20%	4	49% to 40%	6
19% to 11%	2	39% to 30%	4
10% (Program Minimum)	0	29% to 20%	2
		<20%	0
Five-Year Operations Funding Plan Submitted and OCTA Concurrence with Assumptions*		Projected Average Daily Ridership (Opening Year)	
Yes	10	>=10,000	8
No	0	9,999 to 8,500	6
		7,999 to 6,500	4
Level of Commitment from Private Partners		6,499 to 5,000	2
Binding Agreement	4	<5,000	0
Commitment Letter	2		
Project Readiness (8 points)		Ease of Connections (14 points)	
Opening Year		Number of Transit Modes Provided at Metrolink Station (Opening Year)	
By 2015	4	>9	8
By 2016	3	9 to 8	6
By 2017	2	7 to 6	4
By 2018	1	<6	2
Land Acquired for Total Project		Average Walking Distance to Proposed Connections (From Metrolink Station; Feet; Opening Year)	
Yes	4	<250	6
No	0	251 to 500	4
		501 to 750	2
		>500	1
Regional/Local Benefits (16 points)		Cost Effectiveness (16 points)	
Regional: Planned Employment (Jobs/Square Mile; Opening Year)**		Incremental Cost per Hour of System User Benefit****	
>15,500	8	\$15 to \$17.99	16
15,500 to 13,001	6	\$18 to \$20.99	12
13,000 to 8,500	4	\$21 to \$23.99	8
<8,500	2	>\$24	4
Regional: Daily Vehicle Miles Traveled Reduction (Opening Year)***		Approved Land Use (5 points)	
>2,000	4	Included in City Council-Approved Plan	
2,000 to 1,501	3	Yes	5
1,500 to 1,000	2	No	0
<1,000	1		
Local: Planned Population (Persons/Square Mile; Opening Year)**		Safety (5 points)	
>11,000	4	At-Grade Rail Crossings	
10,999 to 7,000	3	No	5
6,999 to 3,500	2	Yes	0
<3,500	1		
* May assume first three-years Congestion Mitigation Air Quality funded and no Project S funds for operations ** Average within 1/4 mile of each station *** Total within 2 miles of proposed route (one mile buffer) **** Incremental cost per hour of system user benefit from FTA "Summit" Program (in opening and horizon years)			

Comprehensive Transportation Funding Programs

Table 4-2
Point Breakdown for Transit Extension to Metrolink (Project S)
(For Bus and Station Van Program Only)

M2 Eligible	Yes	No
In Go Local Planning and/or 2011 Transit Study	Yes	No
Five-year Operations and Maintenance Plan	Yes	No
Total Project Cost (information only)	\$	(capital)
Financial Commitment/Partnership (18 points)		
Match funding (capital)		
≥50%	10 points	
40% - 49%	8 points	
30% - 39%	6 points	
20% - 29%	4 points	
11% - 19%	2 points	
Level of commitment from private partners		
Binding agreement	8 points	
Commitment letter	4 points	
Cost Effectiveness (20 points)		
Operating subsidy per boarding opening year		
≤\$4.50	10 points	
\$4.51 - \$8.50	8 points	
\$8.51 - \$14.99	6 points	
\$14.50 - \$18.00	4 points	
Annualized cost per incremental passenger opening year		
≤\$7.00	10 points	
\$7.01 - \$11.20	8 points	
\$11.21 - \$14.20	6 points	
\$14.21 - \$17.99	4 points	
≥\$18.00	2 points	
Project Readiness (20 points)		
Estimated opening year		
By 2012	10 points	
By 2013	8 points	
By 2014	4 points	
By 2015	2 point	
Phase readiness		
Planning and environmental complete	10 points	
ROW acquired or not applicable	5 points	
Maintenance facilities available	1 points	
Local/Regional Benefit (12 points)		
Planned employment densities per square mile (within 1/4 mile of route) opening year		
>15,000	6 points	
10,001 - 15,000	4 points	
5,001 - 10,000	2 points	
1,001 - 5,000	1 points	
Transit Usage - Shuttle Bus (20 points)		
Projected average daily boardings (first year)		
≥300	10 points	
201 - 299	8 points	
101 - 200	6 points	
31 - 100	4 points	
≤30	2 points	
Percent of projected ridership from commuter rail		
≥70%	10 points	
50% - 69%	6 points	
30% - 49%	3 points	
Transit Usage - Station Van (20 Points)		
Projected average daily occupancy (first year)		
≥100%	10 points	
90% - 99%	8 points	
80% - 89%	6 points	
Percent of projected ridership from commuter rail		
100%	10 points	
<100%	0 points	
Community Connections (10 points)		
Average travel time to station from employment/activity center		
1 - 10 minutes	5 points	
11 - 15 minutes	4 points	
16 - 20 minutes	3 points	
21 - 30 minutes	2 points	
Connectivity/activity centers served by project		
Senior center(s)	1 point	
Schools	1 point	
Retail centers (over 000k feet)	1 point	
Special event venues	1 point	
Major employment centers	1 point	
Connections to existing service	1 point	
5 points maximum		

Chapter 5 – Metrolink Gateways (Project T)

Overview

This M2 program establishes a competitive process for local agencies to convert Metrolink stations into regional gateways for enhanced operations related to high-speed rail service. Projects must meet specific criteria in order to compete for funding through this program. In addition, local agencies will be required to demonstrate the ability to fully fund operations on an ongoing basis using non-OCTA resources. Public-private partnerships are encouraged but not required.

Objectives

- Convert Metrolink stations(s) to regional gateways that connect Orange County with planned future high-speed rail systems.
- Deliver improvements that are necessary to connect planned future high-speed rail systems to stations(s) on the Orange County Metrolink route.

Project Participation Categories

Multi-modal transit facilities provide expanded transportation options for regional and long-distance travel. These “hubs” provide a vital link in the mobility chain. Availability of viable stations is a critical consideration for high speed rail service implementation. Each host community has unique needs and expectations related to high-speed rail systems. Conditions will differ from one location to the next and projects pursued under this program have significant latitude in how they address the challenge of delivering supporting facilities for high speed rail services. Converting a station may include modifying and/or relocating the station. The program categories listed below identify key project elements that can be pursued through the Project T funding source. Public-private partnerships and local funding sources may be used to leverage these elements.

- Station and passenger facilities necessary to support planned high-speed rail system³
- Parking structures related to expanded high-speed rail service
- Track improvements (e.g., track, switching, signal equipment)
- Traffic control enhancements for ingress/egress from public roadways
- Aesthetics limited to 10 percent (10%) of the Project T funds (specifically limited to: landscaping, non-standard lighting, and on-site signage)

³ Program should not build retail or other leasable space. Mixed Use and TOD elements will be the responsibility of others.

- On-site public art expenses limited to one percent (1%) of Measure M funds in order to improve the appearance and safety of the facility
- Off-site improvements cannot exceed 5 percent (5%) of Measure M funding request⁴
- Bond financing costs
- Construction Management Support (not to exceed 15-twenty percent (1520%) of construction-cost grant award)

Commercial facilities that are not transit related are not eligible for Measure M funds.

Eligibility Requirements

Minimum eligibility and participation requirements must be considered before a project funding application should be submitted. Adherence to strict funding guidelines is required by the Ordinance. Additional standards have been established to provide assurance that M2 funds are spent in the most prudent, effective manner. There is no guarantee that funding will be approved during a particular call for projects. If no acceptable project is identified during a funding cycle, a subsequent call for projects will be scheduled at an appropriate time.

- Station must be included as part of a planned future high-speed rail system.
- Station must be identified in constrained or unconstrained chapters of the 2008 Regional Transportation Plan for the initial M2 funding cycle
- Agency must demonstrate sufficient funding for first five years of operation with financial plan outlining funding strategy for ongoing O&M (cannot include OCTA funding sources)
- Project applications must be for complete projects (environmental clearance through construction)
- Project application must meet minimum competitive score to be deemed eligible and "of merit" (as determined by OCTA Board of Directors)
- Capital improvements must adhere to public bidding requirements
- Complete applications must be approved by the applicant City Council prior to submittal to OCTA to demonstrate adequate community and elected official support for initial consideration
- Applicant must be eligible to receive Measure M funding (established on an annual basis) to participate in this program

⁴ "Off-site" improvements adjacent to the project site such as monumentation, traffic control, etc.

Funding Estimates

The program will make an estimated \$186 million (nominal dollars) available during the initial 21-year period of the program (FY2011 through FY 2031). For the initial call for projects, bonds were issued in FY 2011 and FY 2012, making the maximum net programming amount of \$82.3 million available after deducting for bond costs. Funding for the remaining nine-year period of M2 will not be programmed until a future call for projects is warranted. This approach provides a hedge against economic uncertainty and preserves funding for future system expansion.

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on projects with firm funding commitments and overall project readiness as shown on Table 5-1. In addition, projects will be evaluated based upon existing and future transit usage, intermodal connectivity, and community land use attributes. Although a local match commitment is not required, projects that leverage M2 funds with at least 10 percent (10%) from other sources are encouraged and will be more competitive.

Application Process

Project grants are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to fully evaluate the project proposal as outline below.

Complete information application

- Provide funding/operations plan
- Grants subject to a cooperative funding agreement

A call for projects for the initial funding cycle was issued in January 2009. The need for a future call will be determined by the OCTA Board of Directors. Complete project applications must be submitted by the established due date to be considered eligible for consideration.

The funding plan shall include, at a minimum, the following information:

- Financials (Funding needs, match rate funding availability, operations funding assurances, public-private partnership arrangements, bond financing projections)
- Project development and implementation schedule
- High speed rail ridership projections
- Any additional information deemed relevant by the applicant

Applications will be reviewed by the Authority for consistency, accuracy and concurrence. Once applications have been completed in accordance with the program requirements,

the projects will be scored, ranked and submitted to the T2020 Committee and Board of Directors for consideration and funding approval.

The final approved application (including Financial Plan) will serve as the basis for any funding agreement required under the program.

Reimbursements

This program is administered on a reimbursement basis for capital improvements, planning design, ROW acquisition, and related bond financing costs. Reimbursements will be disbursed upon review and approval of a complete expense report, performance report, and consistent with the executed cooperative agreement.

Status Reports

Projects selected for funding will be subject to submittal of an annual financial plan update in order to receive project reimbursement payments during the following fiscal year. The updated financial plan will be due as a supplement to the annual Measure M eligibility process (typically due on June 30th).

Project Cancellation

Projects deemed infeasible during the planning process will be cancelled and further expenditures will be prohibited (except where necessitated to bring the current phase to a logical conclusion). ROW acquired for projects which are cancelled prior to construction will require repayment to the contributing funding program(s) within a reasonable time as determined by the Board.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be conducted by OCTA Internal Audit department or other authorized agent either through the normal annual process or on a schedule to be determined by the OCTA Board of Directors.

Proceeds from the sale of excess ROW acquired with program funding must be paid back to the project fund as described in the executed funding agreement.

Application Guidelines

Funding grants provided through M2 are determined through a competitive application process. Project selection is based upon merit utilizing a series of qualitative and quantitative criteria. Candidate projects are required to submit a financial plan with sufficient data to enable an adequate evaluation of the application. Each jurisdiction is provided broad latitude in formatting, content and approach. However, key elements described below must be clearly and concisely presented to enable timely and accurate assessment of the project.

Financial Details

Each candidate project must include all phases through construction of facilities and implementation of service. The financial plan will include, at a minimum, the following information:

- Estimated project cost for each phase of development (planning, environmental, permitting, design, ROW acquisition, construction, and project oversight)
- Funding request for each phase of project implementation with match funding amounts and sources clearly identified
- Realistic project schedule for each project phase
- Demonstrated financial commitments for match funding and ongoing operations (through first five years of operation)
- Discussion of contingency planning for revenue shortfalls
- Revenue projections and methodology where on-site commercial activity or advertising revenue is expected to support implementation and/or operations costs
- ROW status and strategy for acquisition
- Revenue sharing proposals (where applicable)

Technical Attributes

The formal application must include feasibility and efficacy components to demonstrate transportation benefit to ensure the selected project(s) meet the spirit and intent of M2. Merit will be demonstrated through technical attributes and industry standard methodologies. The following site-specific data will be included and fully discussed in the application:

- Current employment estimates within five-mile radius of project site (cite reference)
- Freeway lane miles within five-mile radius of site (provided by OCTA upon request)
- Planned job density within 1,500' radius of project boundary based upon current General Plan
- Planned housing density within 1,500' radius of project boundary based upon current General Plan

- Daily transit boardings within five-mile radius of project boundary (include rail and fixed route bus/shuttle)
- Daily transit boardings growth within five-mile radius of project boundary with projection methodology fully presented for opening day operations
- Description of all transit modes serviced by the site at time of application
- Discussion of new transit modes (including high speed rail) served by the site as a result of proposed project (opening day)
- Service coordination plan (how will proposed project facilitate transfer between transit services?)

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the funding plan described above, local agencies will be required to submit the following materials:

Council Resolution: A Council Resolution authorizing request for funding consideration with a commitment of project match funding (local sources) and operating funds as shown in the funding plan.

Lease/Cost Sharing Agreements: Copies of leases, cost sharing (match funding), and/or land dedication documents. Confidential agreements may be included by reference when accompanied by affidavit from City Treasurer or Finance Director.

Project Documentation: If proposed project has completed initial planning activities (such as PSR or equivalent, EIR, or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion or planning phases. The applicant will be asked for detailed information only if necessary, to adequately evaluate the project application.

Comprehensive Transportation Funding Programs

TABLE 5-1

Point Breakdown for Metrolink Gateways (Project T) Maximum Points = 100

Financial Commitment (30 points)		Transit Usage (20 points)	
Total Project Cost (information only)		Existing transit boardings (within 5 miles)	
\$ (capital)	(No Points)	>75,000 a day	4 points
		50,000 to 75,000 a day	3 points
		25,000 to 49,000 a day	2 points
		<25,000 a day	1 point
Percent of M2 for capital		Transit boardings growth (within 5 miles)	
50% or less	16 points	>20,000 daily increase	8 points
51% to 65%	12 points	15,000 to 20,000 daily increase	6 points
66% to 80%	8 points	10,000 to 14,900 daily increase	4 points
81% to 90%	4 points	<10,000 daily increase	2 points
Level of commitment from private partners		Consistent ridership projections	
Investment agreement (binding)	8 points	100% to 110% of OCTAM*	
Commitment letters	2 points	111% to 120% of OCTAM	
		121% to 140% of OCTAM	
		<i>*Projections below OCTAM get 8 points</i>	
OCTA concurrence with financial assumptions/analysis			
Yes	6 points		
No	0 points		
Readiness (20 points)		Intermodal Connections (18 points)	
High-speed rail system status		Number of current transit modes provided	
In constrained 2008 RTP	10 points	>6	5 points
Added in unconstrained RTP	2 points	4 to 6	3 points
		<4	1 point
Land acquired for total project		Future increase in the number of transit modes	
Yes	5 points	>5 added	10 points
No	0 points	3 to 5 added	6 points
		<3 added	2 points
Project design status		OCTA concurrence with intermodal analysis	
Design complete	5 points	Yes	3 points
Environmental complete	3 points	No	0 points
PSR equivalent complete	1 point		
Regional Markets / Land Use (12 points)			
Adjacent freeway lane miles (within five miles)			
>500 lane miles	3 points		
400 to 500 lane miles	2 points		
<400 lane miles	1 point		
Current employment (within 5 miles)			
>350,000	3 points		
200,000 to 350,000	2 points		
<200,000	1 point		
Planned job density within 1,500 feet			
>2.0 avg. floor area ratio	3 points		
1.5 to 2.0 avg. floor area ratio	2 points		
<1.5 avg. floor area ratio	1 point		
Planned housing density within 1,500 feet			
>35 dwelling units/acre			
20 to 35 dwelling units/acre			
<20 dwelling units/acre			

* OCTAM - Orange County Transportation Analysis Model

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Chapter 6 – Community-Based Transit/Circulators (Project V)

Overview

The M2 Community-Based Transit/Circulators Program, referred to as Project V, establishes a competitive process to enable local jurisdictions to develop community-based, local transit services that complement regional transit services and meet needs in areas not adequately serviced by regional transit. Project V services cannot duplicate or compete with existing OC Bus services or other existing services. Exceptions to this policy may be considered on a case-by-case basis.

Regional Transit: Regional Transit services are provided by OCTA, specifically through OC Bus routes 1 through 99 (and excluding those route sections that perform less than 10 boardings per RVH). Additional information on OCTA routes and schedules can be accessed from the OCTA website at www.octa.net.

Projects must meet specific criteria in order to compete for funding through this program. In addition, local jurisdictions will be required to demonstrate the ability to provide funding match for capital and ongoing local share of operations and maintenance (O&M) using non-OCTA resources. Public-private partnerships are encouraged but not required. However, such efforts need to be applied for by a CTFP eligible local agency. Local jurisdictions are also encouraged to partner and coordinate with each other.

General Program Objectives

- To provide community transit service that is safe, clean, and convenient.
- To encourage new, well-coordinated, flexible transportation systems customized to each community's needs.
- To develop financially sustainable local transit services that complement regional bus and rail service.
- To meet transportation needs in areas not served by regional transit with reliable and viable transit services.

Eligible Service Categories

The services currently eligible for this program generally fall into two service categories defined as Traditional Project V transit services and On-Demand mobility services. These categories allow for special operating characteristics to be considered in the evaluation and administration of distinctive transit delivery models. The eligible service types under each category are as follows:

Traditional Project V transit services include the following service types:

- fixed route
- deviated fixed route
- circulators and rubber-tire trolleys
- point-to-point shuttle services (event parking shuttles)

On-Demand (mobility) services¹ include the following service types:

- ride-hailing or transportation network companies (TNC)
- microtransit

Note: Emerging technology has enabled users (frequently through smart phones and app-based programs) to inform their mobility choices resulting in greater access and efficiency. To be considered for Project V funding, all On-Demand services must only be provided in a shared ride platform.

All Project V services must meet the Americans with Disabilities Act (ADA) requirements, which extend to ride-hailing or scheduling.

2024 Call for Projects Objectives (in order)

1. To continue funding existing projects² that are expiring.
2. To support expansion of existing projects² services.
3. To support new Traditional Project V services.
4. To allow for on-demand services that provide shared ride options.

Other Priorities to Promote Fiscal Responsibility:

- To consolidate continuing existing services into one grant as the project is extended.
- To engage in competitive procurements for service providers of all service types and re-procurements of service providers for all continuing existing services.

¹ On-Demand services involve similar service designs and characteristics including, but not limited to:

- Based on contracted mobility providers responding to user-initiated requests for transportation (ride-hailing).
- User trips occur within a designated service area or boundary.
- May include designated user pickup/drop-off locations within a suitable distance from desired destinations.
- Users have an expectation of ridesharing where all trips may include diversions and deviations to serve other user-requested trips in an efficient and effective manner.

² Existing Projects are defined as previously funded ongoing Project V services, which may expire and at minimum, meet the cost per boarding requirement.

2024 Call for Projects

The 2024 Call for Projects (call) will provide community-based transit/circulators across Orange County, which meet program objectives (emphasis will be focused on 2024 call objectives). For this call, OCTA shall program projects up to a seven-year period, from fiscal year (FY) 2024/25 – FY 2030/31. Specifics on the funding policies that apply to this call are identified in subsequent paragraphs. Each section should be read thoroughly before applying for funding. Applications should be prepared for the service type(s) that best fit the proposed projects.

Applications

In order for OCTA to consider a project for funding, applications will be prepared by the local agency utilizing the project application form, available electronically from OCTA. Agencies are required to submit electronic and hardcopy applications for the 2024 call by **5:00 PM PST on Thursday, January 25, 2024**. Late submittals will not be reviewed or considered. The local agency responsible for the project application must submit the application and any supporting documentation via OCFundtracker as outlined below.

A separate application package must be completed for each service category (Traditional Project V transit service or On-Demand service) and uploaded to OCFundtracker (<https://ocfundtracker.octa.net>). **One electronic copy via file upload to OCFundtracker and one (1) unbound printed hardcopy** of each application and any supporting documentation including KMZ files, must be submitted to OCTA by the application deadline. Hardcopy application packages shall be mailed or delivered in person to:

By mail:

Adrian Salazar
Orange County Transportation Authority
550 South Main Street
P.O. Box 14184
Orange, CA 92863-1584
Tel: (714) 560-5363

In person:

Orange County Transportation Authority
600 South Main Street
Orange, CA 92863-1584

Application Process

Project V allocations are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to fully evaluate the project proposal. An application for any proposed service must include a detailed funding/operations plan.

The project application shall include, at a minimum, the following information (see Scoring Criteria section for further information):

- Project need, goals and objectives.
- Project development and implementation schedule.
- Funding plan (funding needs, match funding commitment and source, operations funding assurances, passenger fare rate schedule, public-private partnership arrangements, and ADA considerations, if applicable).
- Proposed and/or ongoing service and operations plan.
- O&M facility management and vehicle storage or parking.
- KMZ file(s) of proposed service area and route boundaries, sufficient to support OCTA geocoding efforts.
- Ridership projections.
- Service Coordination Plan demonstrating support of proposed Project V service(s) with existing services such as OCTA transit services, existing Project V services, Metrolink, I-Shuttle, Anaheim Transportation Network and/or Senior Mobility Program (Project U).
- Request to merge existing and or new grants, include a multi-year corresponding financial plan by FY that shows the total combined revenues, expenditures and revenue vehicle service hours by year.
- Confirmation of competitive procurement or re-procurement plan. Services that are provided with agency employees are exempt from this requirement.
- Any additional information deemed relevant by the applicant and/or OCTA.

Complete project applications must be submitted by the established due date to be eligible for consideration.

Applications will be reviewed by OCTA for alignment and consistency with program requirements and goals. For applications completed in accordance with the program requirements, the projects will be scored, ranked, and, if score dictates, submitted to the Transit Committee and the Board for consideration and potential funding approval. The process is expected to be concluded by Spring 2024.

The final approved application (including funding plan) will serve as the basis for any cooperative agreements required under the program. The approved projects will be subject to the CTFP Guidelines for project delivery requirements.

Application Guidelines

Project selection is based upon merit utilizing a series of qualitative and quantitative criteria. Candidate projects are required to submit a financial plan with sufficient data to enable adequate evaluation of the application. Each agency is provided broad latitude in

formatting, content, and approach. Please ensure all required information listed under the preceding Application Process section is included. Key elements must be clearly and concisely presented to enable timely and accurate assessment of project applications.

Financial Details

Each candidate project application must include all phases through construction of facilities. The financial plan will include, at a minimum, the following information:

- Estimated project cost for each phase of development (Initial/Startup Marketing Cost to Establish Service, Capital — including equipment and vehicle acquisition, construction, if applicable, O&M, ongoing marketing, and project oversight).
- Preliminary cost estimates for O&M should be coordinated with OCTA and be based upon realistic estimates provided by applicable potential vendors.
- Funding request phase of project implementation with match funding amounts, match rate (%), and funding sources clearly identified.
- Consideration of ADA costs, if applicable.
- Demonstrated financial commitments for match funding and ongoing operations.
- User fare subsidy paid by the agency and intended for reimbursement through Project V, if applicable.
- Discussion of contingency planning for revenue shortfalls.
- Revenue projections and methodology where commercial activity is expected to support implementation and/or operations costs.
- Project readiness status.
- Realistic project schedule for each project phase.

Scoring Criteria

Specific scoring criteria will be used to evaluate the competitive program project applications. Emphasis will be placed on projects with firm financial commitments, overall project readiness, and consistency with the 2024 call objectives. In addition, projects will be evaluated based upon ridership projections, areas served, cost effectiveness, and local/regional benefits.

The formal application must include feasibility and efficacy components in order to demonstrate transportation benefits and to also ensure that selected project(s) meet the spirit and intent of M2.

Merit will be demonstrated through technical attributes and industry standard methodologies. The following data will be included and fully discussed in the application:

- Matching rate and funds.
- Level of commitment from non-applicant partners.
- Estimated capital, initial marketing, and continuing O&M costs.

- Projected daily boardings with projection methodology fully presented.
- Estimated operating cost per boarding and per RVH.
- Project readiness defined by a clear, accurate and reasonable operations plan, also includes initial operating period and service implementation startup plan for seasonal services or special event readiness.
- Community connections; connections to fixed route bus and rail.
- Projected annual visitors served by seasonal route(s).
- Community outreach supporting the proposed service.
- Agency experience deploying comparable services.

Each application can receive a maximum of 100 points. See Table 6-2 for scoring categories and percentage distribution.

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the information described above, local agencies will be required to submit the following materials:

Council Resolution: A council resolution or minute action authorizing request for funding consideration with a commitment of project match funding (local sources) and operating funds as shown in the funding plan. A resolution or minute action must be approved by the local agency's governing body. The resolution or minute action shall serve as the local agency's formal request for Project V funds and must state that matching funds will be provided by the agency. All funding requests must be listed in the resolution or minute action.

At minimum, a draft resolution must be submitted with the application by the January 25th deadline. **A final adopted resolution (or minute action) must be submitted to OCTA by Thursday, February 15, 2024, to be considered for funding recommendation.** A sample resolution is included in Exhibit 6-2. Local agencies, at a minimum, must include items a-m in Exhibit 6-2.

Lease/Cost Sharing Agreements: Copies of leases, sponsorship, and/or advertising revenue documents, including appropriate vehicle specifications and safety features. Confidential agreements may be included for reference when accompanied by affidavit from city treasurer or finance director.

Project Documentation: If the proposed project has completed initial planning activities, evidence of plan approval should be included with the application. Satisfactory evidence includes sponsor agency council or board action approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion of planning

phases. The applicant will be asked for detailed information only if necessary, to adequately evaluate the project application.

Operations Plan: In addition to the financial details indicated in this chapter, the operations plan submitted shall include the following technical data: a route map and geocoded service area, stop or pick up location listing, draft timetable that includes begin/end dates, frequency and cycle time, days of the week, start and end times; summary of vehicle types and specifications, fleet size, and vehicle maintenance plan, if applicable; projected annual revenue vehicle hours; ride-hailing or ride request process; ADA accommodations or comparable alternative; any other applicable supporting documentation.

Pre-Award Activities

Pre-award activities are allowable under Precept 6. A grantee may, at its own risk and without an executed OCTA Cooperative Agreement, obligate funds. Expenditures that are paid prior to an executed OCTA Cooperative Agreement, but after July 1 of the programmed FY must be identified in the grant application and must be submitted to OCTA for administrative approval prior to the implementation of the project.

OCTA staff is available to respond to applicant questions and provide guidance regarding Project V applications prior to the submittal deadline, upon request. In order to ensure the best use of M2 funds and assist eligible jurisdictions, applicants may engage in a pre-application process with OCTA staff in project planning, cost estimate development, and determination of likely projected competitiveness. Specific meeting times will be established once the call is initiated.

Application Review and Program Adoption

Applications will be reviewed by OCTA for consistency, accuracy, and concurrence. Applications determined to be complete and in accordance with program requirements and objectives will be scored, ranked, and submitted to the OCTA Transit Committee and OCTA Board for final consideration and funding approval.

The call schedule is detailed below:

Board authorization to issue call: November 13, 2023

Application submittal deadline: Thursday, January 25, 2024 at 5:00 PM PST

Final adopted resolution (or minute action) deadline: Thursday, February 15, 2024

Transit Committee/Board approval: Spring 2024

Funding Information

Agencies may be awarded, no more than \$592,000 annually for Traditional Project V services or service expansion, based on proposed RVH³ and no more than \$296,000 for On-Demand services in Year 1 of the call cycle. See Table 6-1 below for the maximum annual allocation for the 2024 call programming period. Funding will be available starting in FY 2024-25 and shall not extend beyond seven years. The minimum local match is ten percent (10%) for Traditional Project V services and capital/equipment and fifty (50%) for On-Demand services. Agencies will receive points for committing to a higher match rate. Agencies can consolidate existing continuing grants in the 2024 call to simplify project administration and can exceed the maximum annual allocations listed for continuing services, when merging multiple grants.

Table 6-1 Maximum Annual Project V Funding Allocation

Grant Year	Fiscal Year	Traditional Services	On-Demand Services
Year 1	FY 25	\$592,000	\$296,000
Year 2	FY 26	\$610,000	\$305,000
Year 3	FY 27	\$628,000	\$314,000
Year 4	FY 28	\$647,000	\$323,500
Year 5	FY 29	\$665,000	\$332,500
Year 6	FY 30	\$685,000	\$342,500
Year 7	FY 31	\$705,000	\$352,500

Note: FY 25 funds will be available July 1, 2024. Expenses incurred before this date will not be eligible for reimbursement.

Project Participation Categories

Transit needs may differ from one location to the next, and projects pursued under this program have significant latitude on how the challenge of providing community-based transit will be delivered. However, emphasis upon program 2024 call objectives is highly encouraged. The program categories listed below identify key project elements that can be pursued through Project V. The program categories eligible for funding through Project V are:

Capital – Eligible Expenditures

- Bus and vehicle leases/purchases for the purposes of providing Traditional Project V transit or microtransit services. If the purchase of vehicles is more cost

³ OCTA uses reported costs per RVH from FY 22-23 to determine annual maximum. Agency to populate proposed operations plan in application.

efficient than a lease, justification and supporting documentation must be provided. Vehicle purchase requests will be evaluated by OCTA for approval on the basis of cost effectiveness.

- Equipment for the deployment, implementation and use of Project V-funded services, including but not limited to:
 - Bike racks
 - Dispatch/routing software
 - Communications/passenger information equipment
 - Fare collection equipment
 - Reasonable passenger amenities, generally consistent with Chapter 3 (Project W eligible items)
 - ADA equipment for vehicles
- Major revenue service vehicle maintenance and repairs (e.g., replacement of transmission, engine, etc.).
- Maintenance facilities and fueling stations required for new and/or substantially revised or modified transit service and directly related to Project V service.
- Reasonable stop improvements and amenities (generally including signage, furniture and shelters and consistent with Chapter 3 Project W eligible items) for Project V-funded service stops only.
- Service vehicle wraps (including replacement).

If capital purchases (bus/vehicles, equipment, facilities, bus stop amenities, etc.) are provided with Project V funds, there is an expectation that these capital items will be used for their entire useful life and/or through the termination of the service. If termination occurs prior to the completion of the capital item's useful life and/or grant term, the local agency shall repay OCTA the same percentage of the sale price (or estimated value of the asset(s) based on straight line depreciation of the asset[s]), consistent with the Project V percentage of the initial purchase. Useful life shall be based upon OCTA's policy for service life, where applicable.

Initial/Start-up Marketing Costs to Establish Service – Eligible Expenditures

- Print copy, digital artwork and identity creation associated with publication, marketing, and initial deployment of service.
- Initial/start-up marketing costs to establish and publicize new and/or expanded services will be capped at \$80,000 (total).

Initial/Start-up Marketing costs will not be considered in the calculation of the O&M cost per boarding subsidy limitations outlined below. However, costs submitted for reimbursement would still require a minimum local match of ten percent (10%). OCTA will provide M2 (OC Go) logo decals for all Traditional Project V transit and microtransit service vehicles, as needed.

Operations and Maintenance (O&M) – Eligible Expenditures (Costs to Perform Service)

- Fixed route and deviated fixed route local circulator and trolley services.
- Special event shuttle services for events that will create significant congestion.
- Approved On-Demand services (contingent on proposed service plan, anticipated service performance, consistency with 2024 call objectives, and demonstration that ADA requirements can be met). Additional information on On-Demand services provided in subsequent paragraphs.
- Transportation services with prescribed periods (i.e., daily, weekend, seasonal, and/or special event) and spans (timeframes) of operations.
- Transportation services provided must be operated non-OCTA service providers.
- Expansion of existing services will only be considered if the existing service has clearly met minimum performance standards and will expire within the current call period.
- Ongoing vehicle maintenance (does not include capital replacement. e.g., engines, transmissions, etc.).
- Temporary off-site parking for special events subject to agreement with the property owner and approved by OCTA.
- Parking leases and vehicle storage fees for service operating fleet. Proportional reimbursement for vehicle storage at agency facility or property, with OCTA approval.
- Regular and ongoing marketing efforts, including expenditures related to seasonal or special event service schedules, marketing materials such as flyers, brochures and community outreach efforts.

O&M costs are subject to OCTA cost per boarding subsidy limitations discussed in subsequent sections. Reimbursement for regular and ongoing marketing efforts will be capped at \$25,000 annually and are included as part of the O&M cost.

Agencies using a contracted service provider are required to competitively procure.

Additional Information (On-Demand Services):

- Microtransit services may provide passenger pickup and drop-off at exclusively designated locations; or include door-to-door service within the proposed service area boundary.
- Ride-hailing services primarily consist of operators who are independent contractors providing door-to-door service within the service area boundary.
 - May have implications on contracts, cost, insurance, liability, performance, operations, etc.
- Some mobility providers for shared ride-hailing services may have age restrictions for youth travel.

- Considerations for microtransit service scalability and flexible deployment are required to right-size fleet to the desired service area and travel demand volumes/patterns.
- Agencies proposing shared ride-hailing services are encouraged to consider demand management options.
- Agencies using a contracted service provider are required to competitively procure.

Ineligible Categories

Project V funds may not be used for the following:

- Planning for new service (NOT AVAILABLE FOR 2024 CALL)
- Micromobility services (e.g., shared bicycle, scooters)
- Right-of-way (ROW) acquisition
- Services that duplicate or compete with existing transit services
 - In order to justify transit service is not being supplanted, local agencies must document and explain how their proposal will not compete with the existing transit services. Final determination of duplication of or competing with existing transit service will be determined by OCTA staff on a case-by-case basis.
- Fare subsidies (free shuttles are not considered subsidized fare for this program)
- Indirect costs

Project Requirements

All projects funded through Project V must comply with the CTFP Guidelines, unless specifically noted in the agreement with the local agency, and must comply with applicable state and federal laws, including ADA requirements for transit services.

Capital – Project Requirements

Project V funding is available to offset the costs of purchasing or leasing vehicles, equipment and other appropriate and reasonable capital amenities as described in Chapter 3, under eligible costs. Progress on capital projects must be reported to OCTA through the CTFP semi-annual review process. Agencies must inspect vehicle(s) to ensure they meet specifications prior to final acceptance and withhold retention until warranty issues and/or final acceptance is met and approved by the local agency.

If capital purchases (bus/vehicles, equipment, facilities, bus stop amenities, etc.) are provided with Project V funds, there is an expectation that these capital items will be used for their entire useful life and/or through the termination of the service. If termination occurs prior to the completion of the capital item's useful life and/or grant

term, the local agency shall repay OCTA the same percentage of the sale price (or estimated value of the asset(s) based on straight line depreciation of the asset[s]), consistent with the Project V percentage of the initial purchase. Useful life shall be based upon OCTA's policy for service life, where applicable.

O&M – Project Requirements

OCTA has established an operating reserve as part of this program that may be used to support the costs of O&M for Traditional Project V transit and On-Demand services. The operating reserve is subject to the following requirements:

- The OCTA subsidy allows awarded agencies to be reimbursed on a pro-rata basis, but not to exceed \$10.81 per boarding/user or 90 percent (90%) of net operating and maintenance costs⁴ for Traditional services and fifty percent (50%) of net operating costs for On-Demand services (after deducting fares and non-OCTA subsidies), whichever is less⁵.
- Project V service shall meet the minimum performance standard, which is a maximum cost per boarding of twice the per boarding subsidy. Should the service's cost per boarding exceed twice the per boarding subsidy as reported quarterly, OCTA will provide written notice to the local agency and request a City Council/ Board of Supervisor's response with direction to continue, restructure, or cancel the service. Only one written notification per fiscal year will be sent to allow sufficient time for the agency to make its decision. Performance standards for On-Demand shared ride-hailing or TNC services will be determined specifically for each service and may be based on cost per user, cost per mile, cost per hour, or other applicable performance measure.
- As part of the Project V service, local agencies must develop methods to measure ridership satisfaction and customer satisfaction (CS) based on customer surveys and on-time performance (OTP) based upon local service objectives. OCTA will work with agencies to establish appropriate OTP and CS performance metrics.
- Awarded agencies must submit monthly O&M costs and ridership and fare performance data to OCTA on a quarterly basis. This information will be used to provide a report to the OCTA Transit Committee and Board, which is anticipated to be provided on a semi-annual basis.
- Consistent with Federal law, ADA complementary paratransit or ADA comparable service is required for certain types of Project V funded services.

⁴ Net Operating Costs include regular and ongoing marketing expenses for reimbursement purposes.

⁵ Note: Reimbursement for Planning for New Service, Capital, and Initial Marketing Costs to Establish Service are not subject to OCTA cost per boarding subsidy limitations and may be reimbursed at up to 90% of total eligible phase costs, depending upon the local agencies' match commitment.

- For Project V-funded fixed-route services within the existing OC Access paratransit service areas, OC Access paratransit services will be provided independently with Project V-funds through OCTA Board policy.
- For Project V-funded non-fixed route services (i.e., on-demand, ride-hailing) or fixed route services that do not meet the criteria listed above, the local agency will be required to provide ADA comparable services and include cost for service or a funding plan as part of the project application.
- Agencies receiving Project V funds may be required to adopt a paratransit plan prior to starting operations.
- Agencies receiving Project V funds for scheduled fixed route services are required to provide scheduling information in the required format for General Transit Feed Specification (GTFS).
- In order to allow for market competition, new, ongoing, or continuing services must re-bid for a service contractor or service provider as soon as the current term expires or by June 30, 2026, whichever is earlier, unless the agency can provide documentation that they have gone through a competitive procurement process in FY 2022-23 or later. Project V services should be rebid through competitive procurement every three to seven years to ensure the agency is receiving the best rates. This requirement would not apply to services that are being provided by local agency staff.

Agency Match Requirements

Agencies are required to provide a minimum ten percent (10%) non-OCTA local match (net any fares collected) for Traditional Project V transit services O&M and capital. A minimum match of fifty percent (50%) is required for new or continuing On-Demand services funded through the 2024 call. The match may be comprised of any combination of private contributions, advertising revenues, and local discretionary funds. The match must be a local agency contribution and may not be made up of in-kind services. Capital match funding commitments in excess of ten percent (10%) are eligible for additional points. Traditional Project V transit services O&M match funding commitments in excess of twenty percent (20%) and On-Demand services O&M match funding commitments in excess of sixty percent (60%) are eligible for additional points in the application. The OCTA contribution for O&M will not exceed \$10.81 per boarding/user. Therefore, the actual match provided by the local agency may be greater than ten percent (10%) or fifty percent (50%) depending upon service type and ridership. Agency match commitments will be incorporated into cooperative agreements.

Eligibility Requirements

Minimum eligibility and participation requirements must be considered before a project funding application should be submitted. Adherence to strict funding guidelines is required by the M2 Ordinance. Additional standards have been established to provide assurance that M2 funds are spent in the most prudent and effective manner. There is no guarantee that funding will be approved during a particular call. If no acceptable project is identified during a funding cycle, a subsequent call may be scheduled at an appropriate time.

- Applicant must be eligible to receive M2 funding (established on an annual basis) to participate in this program.
- Support recommendations from OC Transit Vision, local transit planning efforts and goals of the Sustainable Communities Strategy, and 2024 call objectives.
- Supplement existing transit services (and commitments) and emphasize service to areas not served by transit.
- Proposed services may not duplicate or compete with existing transit services.
- Demonstrate availability of local share of O&M funding for the application's specific time horizon.
- Demonstration of cost reasonableness.
- Agency must have a financial plan outlining a funding strategy for ongoing O&M (maximum of seven years).
- Local agency will be required to enter into a cooperative funding agreement with OCTA.
- The project description must include information on how service is meeting ADA complementary or comparable service requirements noted under O&M in the Project Requirements section above, and these costs must be included in the project application.
- Complete applications must be approved by the City Council/Board of Supervisors and partner jurisdictions, if applicable, as part of the submittal to OCTA to demonstrate adequate community and elected official support, consistent with the resolution submittal deadline, for eligibility consideration.
- Local agencies will be required to submit National Transit Database data to OCTA, or local agency's operator must submit directly to the National Transit Database, if applicable.
- Proposed vehicle types must have appropriate specifications and safety equipment for service type and anticipated passenger loads.
- Must demonstrate that project meets competitive procurement requirement previously noted under the O&M – Project Requirements section.

Reimbursements

The initial marketing costs to establish service, capital, and O&M phases will be administered on a reimbursement basis. Initial marketing costs to establish service, capital, and O&M reimbursements will be disbursed upon review and approval of a complete invoice and accompanying expense reports uploaded to OCFundtracker, performance report, and consistent with cooperative funding agreement requirements and specifications.

OCTA's operating subsidy for O&M will be no more than Ten Dollars and Eighty-One cents (\$10.81) per boarding/user or Ninety Percent (90%) of net O&M costs, whichever is lower for Traditional Project V transit services and Fifty Percent (50%) of net costs for On-Demand services (after deducting fares and non-OCTA subsidies), whichever is less. Local agency matching commitment to OCTA for ongoing operating assistance will be in accordance with terms identified in the cooperative funding agreement.

Calculation of Payment

OCTA's operating subsidy will be no more than Ten Dollars and Eighty-One cents (\$10.81) per boarding/user OR Ninety Percent (90%) of net O&M costs for Traditional Project V transit services, whichever is lower. An example of a payment calculation to differentiate between the two scenarios is provided as follows:

SAMPLE PAYMENT CALCULATION	
ASSUMPTIONS: 10% MATCH and 1,500 BOARDINGS	
Operating Cost	\$23,000
Fare Revenue (deduct)	-\$ 3,000
Net Operating Cost	\$20,000
Agency Match (10%)	\$ 2,000
Agency Reimbursement (90% of net O&M)	\$18,000
or	
Operating Cost	\$23,000
Fare Revenue (deduct)	-\$ 3,000
Net Operating Cost	\$20,000
\$10.81 x Boardings (\$10.81 x 1,500)	\$16,215
Agency Match	\$ 3,785
Agency Reimbursement (\$10.81 per boarding/user)	\$16,215

Note: In this case, the local agency would be reimbursed for the **lower**, \$10.81 per boarding/user amount.

Scope Reductions/Modifications and Cost Savings

Agencies may request a scope change so long as the overall project benefits committed to in the Board-approved application can still be delivered. Any requests for scope modifications of an approved project must be submitted to OCTA staff in advance of the change to ensure consistency with the program requirements. Requests must include the status of the Project V grant, detailed description of the modification, rationale for the proposed modification, and potential impacts to the community and funding. Note: Requests to change the category of service (i.e., Traditional and On-Demand) will not be considered.

For scope changes that do not have significant impacts to Project V service operations, such as changes to stop locations along the same route or adjustments to operating hours on regularly scheduled days, OCTA staff will review and provide notification to the local agency of either approval or rejection of the scope change or if the modification warrants Board approval.

For all other scope changes, OCTA staff will review the modification against the original project scoring criteria, ensure that the proposed change delivers comparable or better benefits to the public, and confirm consistency with Project V Program requirements. Contingent on staff's evaluation, the scope modification will be presented to the Board for review and approval.

Factors that may be considered in determining when a scope change may be presented to the Board may also include the following from OCTA's service and fare change policy. This primarily applies to fixed route or seasonal services but may be adapted as applicable to other service types:

A Major Service or Scope Change is defined as a numerical standard, as expressed by the distribution of routes as measured against the existing level of service. The following is considered a major service change:

1. Route Alignment Reduction or Elimination –

Reducing an existing route by more than 50 percent of directional route miles or reducing an existing route by more than 50 percent of bus stops.

2. Route Alignment Extension or New Route –

Adding a new route or a route segment that increases directional route miles of an existing route by more than 50 percent and when more than 50 percent of the new service bus stops are along currently unserved street segments.

3. Route Level Service Hour Change –

Increase or decrease of the following levels of service on a route within 12 months:

Weekday service increase or decrease of 25 percent or more annualized vehicle revenue hours, or weekend service increase or decrease of 25 percent or more annualized vehicle revenue hours.

4. Systemwide Service Hour Change –

Increase or decrease of 25 percent of annualized vehicle revenue hours for all routes within 12 months.

If the proposed scope modification is approved by OCTA, any cost savings will be proportionally shared between OCTA and the grantee; for example, a reduction in Project V funds must be applied proportionally to maintain the approved local match percentage. All cost savings will be returned to the Project V Program for reallocation for subsequent calls.

Project Cancellation

Projects deemed infeasible during the planning or implementation process will be cancelled and further expenditures will be prohibited except where necessitated to bring the current phase to a logical conclusion.

For vehicles or capital equipment owned by local agencies that were funded through Project V, if the service is discontinued, agencies shall repay OCTA for the vehicles or capital equipment at the same percentage of the sale price, or estimated value based on straight line depreciation of the asset(s) consistent with the Project V percentage of the initial purchase. Useful life shall be based upon OCTA's policy for service/asset life, where applicable.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination. Cancellation by the local agency does not require OCTA approval but the local agency must notify OCTA as soon as possible.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall allocation, and/or other sanctions to be determined. Audits shall be conducted by the OCTA Internal Audit Department or other authorized agent either through the normal annual process or on a schedule to be determined by the OCTA Board.

Project V Branding

Projects awarded Project V funding are required to place M2 (OC Go) decals on the vehicles used for fixed-route, community shuttles, seasonal services and regular microtransit. Local agencies will coordinate with OCTA in regard to the sizing, placement, and furnishing of decals. The implementing agency will be required to certify actual placement and visibility on a reasonable basis.

For all awarded services, local agencies are required to place M2 logos on marketing and related service publication materials, including software applications.

Promotion of the OC Go logo is not intended to overpower or take away from the service operated by the local agency but is intended to ensure transparency regarding the local sales tax measure expenditures.

An example of the M2 OC Go logo is shown as follows:



Table 6-2
Community-Based Transit/Circulators (Project V)
Scoring Criteria

Category	Points Possible	Percent
Financial Commitment		15%
Matching Funds	15	
Cost Effectiveness		10%
Estimated Operating Cost per Boarding and per RVH	7	
Supporting Documentation for Projected Costs	3	
Project Readiness		10%
Project Implementation Schedule and Service Startup Plan	7	
Project Feasibility or Planning Study Completed	3	
Operations Plan/Service Type		25%
Service Type	10	
Draft Timetable, Frequencies, Headways, and Round-Trip Cycle Times	3	
Fleet Size, Vehicle Types & Specifications	3	
Route Map and KMZ file w/ Existing Transit Service and Stop Locations	3	
Estimation of Revenue Service Hours	2	
ADA Service Plan / Paratransit Plan	2	
Contingency Plan for Revenue Shortfalls	2	
Ridership Projection		5%
Funding Plan		10%
Partnership Arrangements	4	
Service Coordination Plan	3	
Cost of ADA Services Considered/Addressed	3	
Community Benefit		25%
Local and Regional Benefits	20	
Documented Outreach and Community Support	5	
Total	100	100%

Exhibit 6-1

Point Breakdown & Application Checklist for Community-Based Transit/Circulators (Project V)

Point Breakdown & Application Checklist can be found on the OCTA Project V Website:

www.octa.net/programs-projects/programs/funding-programs/call-for-projects/ctfp/community-based-circulators/

Exhibit 6-2

Sample Resolution for Community-Based Transit/Circulators Program (Project V)

Sample resolution template can be found on the OCTA Project V Website:

www.octa.net/programs-projects/programs/funding-programs/call-for-projects/ctfp/community-based-circulators/

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Chapter 7 – Regional Capacity Program (Project O)

Overview

The RCP (Project O) is a competitive program that will provide more than \$1 billion over a thirty-year period. The RCP replaces the Measure M local and regional streets and roads competitive programs (1991-2011).

Although each improvement category described in this chapter has specific eligible activities, the use of RCP funding is restricted to and must be consistent with the provisions outlined in Article XIX and the California State Controller's [Guidelines Relating to Gas Tax Expenditures](#) (March 2019). These Guidelines are available at the following link: https://www.sco.ca.gov/Files-AUD/Gas_Tax_Fund_Guidelines.pdf.

The MPAH serves as the backbone of Orange County's arterial street network. Improvements to the network are required to meet existing needs and address future demand. The RCP is made up of three (3) individual program categories which provide improvements to the network:

- The ACE improvement category complements freeway improvement initiatives underway and supplements development mitigation opportunities on arterials throughout the MPAH.
- The ICE improvement category provides funding for operational and capacity improvements at intersecting MPAH roadways.
- The FAST focuses upon street to freeway interchanges and includes added emphasis upon arterial transitions to interchanges.

Projects in the arterial, intersection, and interchange improvement categories are selected on a competitive basis. All projects must meet specific criteria in order to compete for funding through this program.

Also included under the RCP is the Regional Grade Separation Program (RGSP), which is meant to address vehicle delays and safety issues related to at-grade rail crossings. Seven rail crossing projects along the MPAH network were identified by the California Transportation Commission (CTC) to receive TCIF. TCIF allocations required an additional local funding commitment. The RGSP captures these prior funding commitments. Future calls for projects for grade separations are not anticipated.

Funding Estimates

Funding will be provided on a pay-as-you-go basis. The RCP will make an estimated \$1.5 billion (in 2022 dollars) available during the 30-year M2 program. Programming estimates are developed in conjunction with periodic calls for projects. Funding is shared with intersection, interchange and grade separation improvement categories. No predetermined funding has been set aside or established for street widening.

Programming Approach

Programming decisions are based upon project prioritization ranking, feasibility and readiness. Each round of funding has resulted in a diverse range of activities, cost and competitive score. Funding applications may seek financial assistance for planning, engineering, ROW, construction or a combination of these activities. Effective grant programs include a combination of project development as well as implementation projects. In order to ensure continued distribution of funding opportunities between small and large-scale projects, a tiered funding approach will be used.

Typically, OCTA has made approximately \$32 million available for each RCP (Project O) programming cycle. Category 1 projects are limited to those projects requesting \$5 million or less. Category 2 projects are defined as those requesting more than \$5 million in Measure M2 funds.

Tiered Funding Approach: The two-tiered funding (Tier 1 and Tier 2) approach will only be applicable to the RCP. This approach is proposed to prioritize high scoring projects while providing a balanced program with funding availability for small and large projects. The first tier is for projects scoring 50 points or higher, and the second tier is for all projects after first satisfying the Tier I ranking. Within Tier 1, two categories would be established with 60 percent (60%) (Category 1) of the M2 funds available for smaller projects (requesting \$5 million or less), and 40 percent (40%) (Category 2) of the M2 funds available for larger projects (requesting \$5 million or more). This approach is intended to broaden the distribution of M2 funds to higher scoring/lower cost projects and retain the ability to fund larger projects without placing formal funding caps on allocations. Any M2 funds not programmed in Tier I will be designated for Tier 2 allocation. A funding split between small and large projects is not recommended for Tier 2.

Applications may be for any project phase provided it represents a meaningful, logical terminus and is consistent with scoping from a previously funded project if applicable (i.e., if engineering was previously funded, the ROW and/or construction request must be for the same project scope).

	Category 1 (60%)	Category 2 (40%)
Tier I >=50	<ul style="list-style-type: none"> \$0 - \$5 million Score at least 50 points Logical, standalone project Unallocated balance shifts to Tier II for programming 	<ul style="list-style-type: none"> \$5+ million request Score at least 50 points Logical, standalone project Unallocated balance shifts to Tier II for programming
Tier II	<ul style="list-style-type: none"> Balance of unallocated funds from Tier I prioritization Request can be of any dollar value to compete in Tier II Multiple segments of the same project cannot be submitted under both categories. 	

2024 Call for Projects

Funding will be provided for the three RCP funding programs: ACE, ICE, and FAST. Chapter 7 details the specific program's intent, eligible project expenditures, ineligible project expenditures, and additional information that may be needed when applying for funds. Each section should be read thoroughly before applying for funding. Application should be prepared for the program that best fits the proposed project.

For this call, OCTA shall program projects for a three-year period (FY 24/25 – 26/27), based upon the current estimate of available funds. For specifics on the funding policies that apply to this call, refer to the Program Precepts as found in Section V of these guidelines.

Applications

In order for OCTA to consider a project for funding, applications will be prepared by the lead agency. A separate application package must be completed for each individual project. Multiple variations of the same project (i.e. with different local match rates) will not be considered. If funding is requested under multiple program components for a single project (i.e. arterials and intersections) a separate application must be prepared for each request. OCTA shall require agencies to submit both online and hardcopy applications for the 2024 call for projects by **5:00 p.m. on Thursday, October 26, 2023. Late and/or incomplete submittals will not be accepted.**

Since each funding program has slightly different application requirements, an "Internal Application Checklist Guide" has been provided for the three programs under the RCP

(Exhibits 7-1, 7-2, and 7-3). The checklist guide identifies the basic forms and documentation required for each of the program components. In addition, items required at the time of project submittal are differentiated from supplemental items due later. The appropriate **checklist must be provided as a cover sheet for each application submitted**. For any items that are required for the candidate project or program that are missing or incomplete, an explanation should be included in a cover letter with the application. In addition to this checklist guide, please review the **Attachments/Additional Information** section of each program component for a description of supplementary documentation which may be required to support your agency's project application in specific cases.

Additionally, **one (1) unbound hardcopy and one electronic copy on a USB, thumb drive, memory stick, or via electronic file upload and/or email** of the application and any supporting documentation must be submitted to OCTA by the application deadline. Please note, hardcopies of the supporting plans, drawings and/or specifications are to be in a minimum size of 11 x 17 inches.

Hardcopy applications should be mailed to:

OCTA
Attention: Adrian Salazar
600 S. Main Street
P.O. Box 14184 Orange, CA 92863-1584

Hardcopy applications can be hand delivered to:

600 S. Main Street
Orange, CA 92868

Electronic application copies can be sent via email to: asalazar@octa.net

Exhibit 7-1

Arterial Capacity Enhancement (ACE)

CTFP Application Checklist Guide

Planning – Environmental & Engineering

- CTFP Online Application – submitted through OCFundtracker
- Project Description, Scope of Work and Project Limits
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- ADT Counts and LOS Calculations
- Aerial Photo w/ Proposed Improvements Shown

Right-of-Way

- CTFP Online Application – submitted through OCFundtracker
- Project Description Detail (include plat maps and legal descriptions for proposed acquisitions)
- Detailed right-of-way Acquisition/Disposal Plan using the OCTA provided right-of-way acquisition/disposal plan form available for download at <https://ocfundtracker.octa.net>.
- Cost Estimate for Complete Project - ALL PHASES
 - Estimated right-of-way Cost by Parcel (Land, Improvements Taken, Severance, Goodwill, Incidental Expenses)*
- General Application Sample Resolution
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Aerial Strip Map w/ Existing and Proposed Improvements Shown
 - Include right-of-way Improvements and Parcels to be Acquired
- Preliminary Construction Layout Plans*
- ADT and LOS Calculations

Construction

- CTFP Online Application – submitted through OCFundtracker
- Project Description, Scope of Work and Project Limits
- Project Construction Specifications
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Project Development Documents - Project Report or Materials Report *
- Approved Project Construction Plans*
- ADT and LOS Calculations

NOTE: To qualify for the 10 percent (10%) local match discount for measurable improvement of PCI, please include documentation from the last two PMP biennial Measure M Eligibility submittals that provide average PCI for Overall System.

****Items are due after first application review. OCTA staff will contact you regarding those projects that will require this additional information.***

Exhibit 7-2

Intersection Capacity Enhancement (ICE)

CTFP Application Checklist Guide

Planning – Environmental & Engineering

- CTFP Online Application – submitted through OCFundtracker
- Project Description, Scope of Work and Project Limits
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS Calculations, and ADT for each leg of the intersection
- Aerial Photo w/ Proposed Improvements Shown

Right-of-Way

- CTFP Online Application – submitted through OCFundtracker
- Project Description Detail (include plat maps and legal descriptions for proposed acquisitions)
- Detailed right-of-way Acquisition/Disposal Plan using the OCTA provided right-of-way acquisition/disposal plan form available for download at <https://ocfundtracker.octa.net>.
- Cost Estimate for Complete Project - ALL PHASES
 - Estimated right-of-way Cost by Parcel (Land, Improvements Taken, Severance, Goodwill, Incidental Expenses) *
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS/ICU Calculations, and ADT for each leg of the intersection
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Aerial Strip Map w/ Existing and Proposed Improvements Shown
 - Include right-of-way Improvements and Parcels to be Acquired
- Preliminary Construction Layout Plans*

Construction

- CTFP Online Application – submitted through OCFundtracker
- Project Description, Scope of Work and Project Limits
- Project Construction Specifications
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS Calculations, and ADT for each leg of the intersection
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Project Development Documents - Project Report or Materials Report *
- Approved Project Construction Plans*

NOTE: To qualify for the 10 percent (10%) local match discount for measurable improvement of PCI, please include documentation from the last two PMP biennial Measure M Eligibility submittals that provide average PCI for Overall System.

****Items are due after first application review. OCTA staff will contact you regarding those projects that will require this additional information.***

Exhibit 7-3

Freeway Arterial/Streets Transition (FAST)

CTFP Application Checklist Guide

Planning – Environmental & Engineering

- CTFP Online Application – submitted through OCFundtracker
- Project Description, Scope of Work and Project Limits
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS Calculations, ADT for arterial and ramp exit volumes
- Caltrans Letter of Support
- Aerial Photo w/ Proposed Improvements Shown

Right-of-Way

- CTFP Online Application – submitted through OCFundtracker
- Project Description Detail (include plat maps and legal descriptions for proposed acquisitions)
- Detailed right-of-way Acquisition/Disposal Plan using the OCTA provided right-of-way acquisition/disposal plan form available for download at <https://ocfundtracker.octa.net>.
- Cost Estimate for Complete Project - ALL PHASES
 - Estimated right-of-way Cost by Parcel (Land, Improvements Taken, Severance, Goodwill, Incidental Expenses) *
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS Calculations, and ADT for each leg of the intersection
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Aerial Strip Map w/ Existing and Proposed Improvements Shown
 - Include right-of-way Improvements and Parcels to be Acquired
- Preliminary Construction Layout Plans*

Construction

- CTFP Online Application – submitted through OCFundtracker
- Project Description, Scope of Work and Project Limits
- Project Construction Specifications
- Cost Estimate for Complete Project - ALL PHASES
- General Application Sample Resolution
- Peak Hour Turning Movement Counts, LOS Calculations, and ADT for each leg of the intersection
- CEQA Compliance Form (CE, Negative Declaration, EIR)
- Project Development Documents - Project Report or Materials Report*
- Approved Project Construction Plans*
- Appropriate agreements between Caltrans and the project lead agency need to be in draft form and/or in place.

NOTE: To qualify for the 10 percent (10%) local match discount for measurable improvement of PCI, please include documentation from the last two PMP biennial Measure M Eligibility submittals that provide average PCI for Overall System.

****Items are due after first application review. OCTA staff will contact you regarding those projects that will require this additional information.***

Attachments

OCFundtracker Application

Agencies must submit a copy of the OCFundtracker application and scoring information with all application submittals. This document is created within the OCFundtracker web-based application.

"Project Cost Estimate" Form

Include a separate attachment listing all expenditures and costs for the project using the Revised Cost Estimate Form 10-3 provided by OCTA and available for download at <https://ocfundtracker.octa.net>. Another attachment may be included in addition if desired. Accurate unit prices and a detailed description of work, including design, will be critical when the candidate project is reviewed. For example, design applications should include major tasks that will be performed. ROW cost estimate should include parcel information (including project area needed), improvements taken, severance damages, ROW engineering, appraisal and legal costs. Construction should include a listing of all bid items including a maximum 10 percent (10%) allowance for contingencies and a maximum ~~15—20~~ percent (~~2015~~%) of M2 grant allowance for construction engineering/project management support, subject to match requirements. The anticipated disbursement of costs (e.g., Agency, Other, Non-Eligible) must also be completed. Agencies should reference the program from which funding is expected to be allocated when completing this portion of the form. Each of the funding programs described in these guidelines may have differing matching fund requirements.

If more than one project phase is requested to be funded, a separate project cost estimate form is to be completed for each phase, or each phase must be clearly indicated, and a subtotal prepared on this form. Separate forms should also be prepared if funding for project phases is being requested over multiple fiscal years.

"Sample Resolution" Form

A resolution or minute action must be approved by the local jurisdiction's governing body prior to the Board approval of grant funds. A sample resolution is included as Exhibit 7-4. Local agencies, at a minimum, must include items a-h. The mechanism selected shall serve as a formal request for CTFP funds and states that matching funds will be provided by the agency, if necessary. All project requests must be included in this action. **If a draft copy of the resolution is provided, the local jurisdiction must also provide the date the resolution will be finalized by the local jurisdiction's governing body.**

ROW Acquisition/Disposal Plan

For all projects requesting ROW phase funding, a detailed plan for acquisition/disposal of excess right-of-way, along with any reasonable labor costs expected, must be included. The ROW acquisition/disposal plan and labor cost estimate must be submitted using the "ROW acquisition/disposal plan" form provided by OCTA and available for download at <https://ocfundtracker.octa.net>.

Project Summary Information

For each application that is recommended for funding, the agency shall submit a PowerPoint presentation summarizing the pertinent project information for TAC review and discussion purposes. The presentation shall be no more than three (3) slides and should contain, at a minimum, a project description, project benefits, location map, and cost estimate. **OCTA staff will request the PowerPoint file when/if a project is recommended for funding.**

Pavement Management Supporting Documentation

The M2 Ordinance provides for a 10 percent (10%) reduction in the required local match if the agency can either:

- a. Show measurable improvement of paved road conditions during the previous reporting period defined as an overall weighted (by area) average system improvement of one Pavement Condition Index (PCI) point with no reduction in the overall weighted (by area) average PCI in the MPAH or local street categories;
- or
- b. Road pavement conditions during the previous reporting period within the highest 20% (20 percent) of the scale for road pavement conditions in conformance with OCTA Ordinance No. 3, defined as a PCI of 75 or higher, otherwise defined as in "good condition".

If an agency is electing to take the 10 percent (10%) local match reduction, **supporting documentation indicating either the PCI improvement or PCI scale must be provided.**

Additional Information

The following documentation should be included with your completed project application:

If a project includes more than one jurisdiction and is being submitted as a joint application, one agency shall act as lead agency and must provide a resolution of support from the other agency.

1. Letters of support for the candidate project (optional). As part of the application submittal projects that require Caltrans consent, review, or approval must have a letter of support or acknowledgement.
2. Geotechnical\materials reports for all applicable candidate projects (e.g., widening, intersection improvement, new roadway). The reports should contain sufficient detail for an accurate assessment of improvements needed and costs, since funding will be jeopardized if a project is unable to meet proposed schedule and costs.
3. Preliminary plans, if available for the project. The plans (1"=40' preferred) should be included in hard copy attachments at a minimum size of 11 x 17 inches and include:
 - a. Existing and proposed ROW (include plat maps and legal descriptions for proposed acquisitions).
 - b. Agency boundaries, dimensions and station numbers.
 - c. Existing and proposed project features such as: pavement width and edge of pavement, curb, gutter and sidewalk, raised median, driveway reconstruction, signal pole locations, etc.
 - d. Typical cross sections.
 - e. Proposed striping.
 - f. Structural sections per the materials report.
 - g. Proposed traffic signals, storm drains, bridges, railroad crossing improvements, safety lighting, etc.
 - h. If requesting funds for traffic signals, include traffic signal warrant(s) prepared by the City Traffic Engineer or City Engineer.
 - i. If the project includes construction, relocation, alteration or widening of any railroad crossing or facility, include a copy of the letter of intent sent to the railroad, a copy of which must be sent to the Public Utilities Commission (PUC). Any project including work of interest to a railroad will not be considered for eligibility until the railroad and PUC have been notified.
 - j. If the project is proposed as a staged project and additional funds will be necessary in subsequent calls for projects, the preliminary project statement should be accompanied with a complete preliminary estimate and schedule for the completion of the entire project.
 - k. If the project is proposed as a safety improvement, provide justifying accident data for the past three years and show the expected decrease in intersection or mid-block accident rate.

4. Current 24-hour traffic counts (taken for a typical mid-week period within the preceding 12-month period) for the proposed segment. Projects submitted without “current counts” will be considered incomplete and non-responsive.

Exhibit 7-4

Sample Resolution for Candidate Orange County Comprehensive Transportation Programs Projects

A resolution of the _____ City Council approving the submittal of _____ improvement project(s) to the Orange County Transportation Authority for funding under the Comprehensive Transportation Program

THE CITY COUNCIL OF THE CITY OF _____ HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS THAT:

- (a) WHEREAS, the City of _____ desires to implement the transportation improvements listed below; and
- (b) WHEREAS, the City of _____ has been declared by the Orange County Transportation Authority to meet the eligibility requirements to receive M2 "Fair Share" funds; and
- (c) WHEREAS, the City's Circulation Element is consistent with the County of Orange Master Plan of Arterial Highways; and
- (d) WHEREAS, the City of _____ will not use M2 funds to supplant Developer Fees or other commitments;
- (e) WHEREAS, the City/County must include all projects funded by Net Revenues in the seven-year Capital Improvement Program as part of the Measure M2 Ordinance eligibility requirement.
- (f) WHEREAS, the City of _____ will provide a minimum in __% in matching funds for the _____ project as required by the Orange County Comprehensive Transportation Funding Programs Guidelines; and
- (g) WHEREAS, the Orange County Transportation Authority intends to allocate funds for transportation improvement projects, if approved, within the incorporated cities and the County; and
- (h) WHEREAS, the City/County authorizes a formal amendment to the seven-year Capital Improvement Program to add projects approved for funding upon approval from the Orange County Transportation Authority Board of Directors, if necessary.

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Council of the City of _____ hereby requests the Orange County Transportation Authority allocate funds in the amounts specified in the City's application to said City from the Comprehensive Transportation Funding Programs. Said funds, if approved, shall be matched by funds from said City as required and shall be used as supplemental funding to aid the City in the improvement of the following street(s):

ADOPTED BY THE CITY COUNCIL on _____, 20____.

SIGNED AND APPROVED on _____, 20____.

City Clerk

Mayor

*Required language a-h

Application Review Process

OCTA staff will conduct a preliminary review of all applications for completeness and accuracy, request supplemental information (i.e., plans, aerial/strip maps, CEQA forms) for projects that appear to rank well during initial staff evaluations, and prepare a recommended program for the TSC. In addition, OCTA may hire a consultant(s) to verify information within individual applications such as, but not limited to, project scope, cost estimates, ADT and LOS. These applications will be selected through a random process.

The following guidelines will be used in reviewing project applications. Any application that does not meet these minimum guidelines must include an explanation of why the guidelines were not met:

1. The travel lane width should be no less than 11 feet (12 feet if adjacent to a raised median or other obstruction) for all arterial highways.
2. For divided roadways, the minimum median width should be no less than 10 feet to allow for turning movements. Divided roadways are defined as those with either a painted or raised median.
3. Arterial highways that are designated for uses in addition to automobile travel (e.g., bicycle, pedestrian, parking) shall provide additional ROW consistent with local jurisdiction standards to facilitate such uses.
4. An eight-lane roadway should provide for a continuous median, protected dual or single left-turn pockets as warranted at signalized intersections, single left-turn pockets at non-signalized intersections, and a right-turn lane at signalized intersections where determined necessary by traffic volumes. ROW for a free right-turn lane should be provided at locations warranted by traffic demand.
5. A six-lane divided roadway should provide a continuous median, protected dual or single left-turn pockets as warranted by existing traffic at all signalized intersections, and single left-turn pockets at non-signalized intersections. A right-turn option lane should also be provided as warranted by traffic demand.
6. A four-lane divided roadway should provide a continuous median, protected dual or single left-turn pockets at all signalized intersections, and a left-turn pocket at all non-signalized intersections. A right-turn lane should also be provided as warranted by traffic demand.
7. A four-lane undivided roadway shall provide for a single left-turn pocket at all intersections as warranted by traffic demand.

Applications will be reviewed by OCTA for consistency, accuracy and concurrence. Applications determined complete in accordance with the program requirements will be scored, ranked and submitted to the TSC, TAC and Board for consideration and funding approval.

Local agencies awarded funding will be notified as to which projects have been funded and from what sources after the Board takes action. A tentative call schedule is detailed below:

Board authorization to issue call: August 14, 2023

Application submittal deadline: October 26, 2023

TSC/TAC Review: February/March 2024

Committee/Board approval: April/May 2024

Funding

M2 RCP (Project O) funding will be used for this call.

The CTFP Guidelines include a provision that allows applicants to request ROW and/or construction funding prior to completion of the planning phase (including final design) provided that the phase is underway, substantially complete and the agency will complete the activities within six months of the start of the new phase programmed year. **A thorough review of eligible activities is not always possible during the call for projects evaluation period. As a result, it is possible that cost elements contained within an application and included in a funding recommendation may ultimately be deemed ineligible for program participation. The applicant is responsible for ensuring projects are implemented according to eligible activities contained within the program guidelines.**

Arterial Capacity Enhancements (ACE)

Overview

The MPAH serves as the backbone of Orange County's arterial street network. Improvements to the network are required to meet existing needs and address future traffic demand. The ACE improvement category complements freeway improvement initiatives underway, supplements development mitigation activities and enables improvements based upon existing deficiencies.

Projects in the ACE improvement category are selected on a competitive basis. Projects must meet specific criteria in order to compete for funding through this program.

Objectives

- Complete MPAH network through gap closures and construction of missing segments
- Relieve congestion by providing additional roadway capacity where needed
- Provide timely investment of M2 Revenues
- Leverage funding from other sources

Project Participation Categories

The ACE category provides capital improvement funding (including planning, design, ROW acquisition and construction) for capacity enhancements on the MPAH for the following:

- Gap closures – the construction of a roadway to its full MPAH build-out for the purpose of connecting two existing ends of that roadway by filling in a missing segment or for completing the terminus of an MPAH roadway. This applies to increased roadway capacity only as it relates to vehicular traffic.
- Roadway widening where additional capacity is needed
- New roads / extension of existing MPAH facility

Eligible Activities

- Planning, environmental clearance
- Design
- ROW acquisition
- Construction (including curb-to-curb, lighting, drainage, etc.)

Potentially Eligible Items

Below is a list of potentially eligible items. However, final determination of the eligibility of all project related costs will be made at the time of reimbursement. Prior to the submittal of an application for funding, or at any point in the project life cycle, local agencies may meet with OCTA staff to review the eligibility of project related costs.

Application review and approval does not guarantee the eligibility of all items.

- Direct environmental mitigation for projects funded by ACE (subject to limitations identified in precepts)
- Storm drains/catch basins/detention basins/bioswales/other pollutant discharge mitigation devices
- Sound walls (in conjunction with roadway improvement mitigation measures)
- Aesthetic improvements including landscaping within the project ROW (eligible improvements up to 10 percent (10%) of construction costs, provided costs are reasonable for the transportation benefit)
- ITS infrastructure (advance placement in anticipation of future project)
- Rehabilitation and/or resurfacing of existing pavement when necessitated by proposed improvement (such as change in profile and cross section)
- Improvements to private property if part of a ROW settlement agreement
- Utility relocation where the serving utility has prior rights as evidenced by a recorded legal document
- Roadway grading within the ROW (inclusive of any TCE and/or ROW agreement related improvements) should not exceed a depth for normal roadway excavation (e.g., structural section). Additional grading will be considered on a case-by-case basis. Agencies shall provide supporting documentation (e.g., soils reports, ROW agreements) to justify the additional grading.
- Additional ROW to accommodate significant pedestrian volumes or bikeways shown on a Master Plan of Bikeways or in conjunction with the "Complete Streets" effort. These will be considered for eligibility on a case-by-case basis during the application process.
- Installation of a pedestrian activated traffic signal where necessitated by pedestrian traffic warrants or other engineering criteria.

Environmental mitigation will be allowed only as required for the proposed roadway improvement, and only as contained in the environmental document. Program participation in environmental mitigation shall not exceed 25 percent (25%) of the total eligible construction costs.

Longitudinal storm drains are eligible for program participation when the storm drain is an incidental part (cost is less than 25 percent (25%) of the total eligible construction cost) of an eligible improvement. Program participation shall not exceed 10 percent (10%) of the cost of storm drain longitudinal/parallel and main lines. Storm drain inlets, connectors, laterals and cross culverts shall have full participation in ACE Program funding. Storm drains outside standard MPAH ROW widths are not eligible, excluding catch basins within reasonable distance and in general proximity to a project intersection (e.g., within ten feet of the curb return). Catch basins and drainage systems extending into adjacent areas (including public streets) shall not be eligible past the first catch basin designated by aforementioned criteria.

The relocation of detention basins/bioswales are potentially eligible dependent on prior rights and will be given consideration on a case-by-case basis (see Utility Relocations below).

Soundwalls are eligible only if they are required as part of the environmental mitigation for the proposed project and the Measure M contribution to the cost of soundwalls shall not exceed 25 percent (25%) of the total eligible construction costs. Aesthetic enhancements and landscaping in excess of minimum environmental mitigation requirements are subject to limitations described in this section above.

Roadway grading is eligible for structural sections if within the standard MPAH cross section for the facility (inclusive of any TCEs). Rough grading can be considered eligible, so long as it supports MPAH improvement(s) within the ROW and does not supplant developer (or any other project obligations). Any proposed rough grading outside of the MPAH ROW will be evaluated by OCTA on a case-by-case basis but must be tied to the MPAH improvement(s) and not supplant developer (or any other project obligations).

Utility Relocations

The expenses associated with the relocation of utilities are eligible for RCP reimbursement only when all conditions listed below have been met:

- The relocation is made necessary due to conflict with proposed improvements.
- The facility to be relocated is within the project right-of-way.
- It has been determined that the local agency is legally liable for either a portion of or all of the relocation costs.

Liability can be determined by property rights, franchise rights/agreements, state and local statutes/ordinances, permits, a finding by the local agency's counsel, or other recorded legal document. Documentation providing proof of the local agency's liability for the costs of utility relocation must be submitted at the time of a ~~with an initial~~ payment request (see Chapter 9). Utilities funded through enterprise funds shall not be eligible for reimbursement.

If a relocation is eligible to be reimbursed, and to be performed by the utility owner or by the utility owner's contractor, the work should be included in the ROW phase costs and clearly identified in the project application submittal. For eligible relocations to be performed during the construction phase by the local agency's contractor, the work should be included in the plans and specifications similar to other construction activities. Adjustment of existing utilities to grade (e.g., water valves, manhole frames and covers), due to new roadway cross sections are either eligible or not eligible in the construction phase subject to the limitations previously described (e.g., prior rights). New or relocated fire hydrants are ineligible.

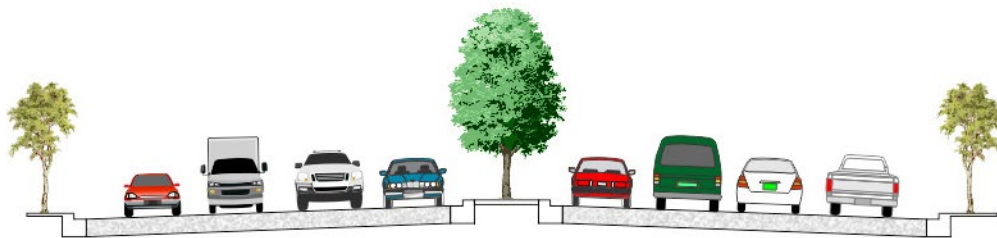
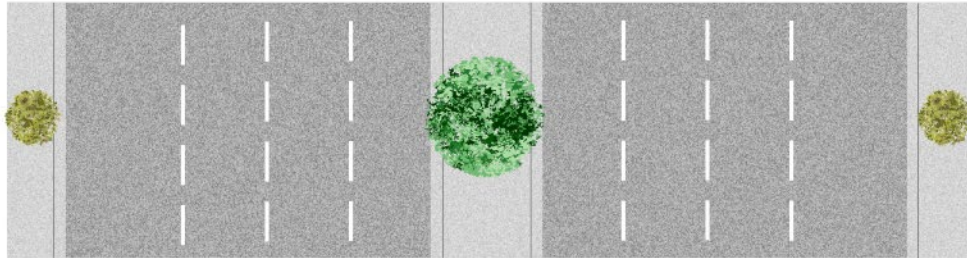
In all cases, eligible costs shall only include "in-kind" relocation. No reimbursements will be made for betterments above the cost of "in-kind" relocation. Additionally, costs submitted for program reimbursement must include any salvage credits received.

Ineligible Expenditures

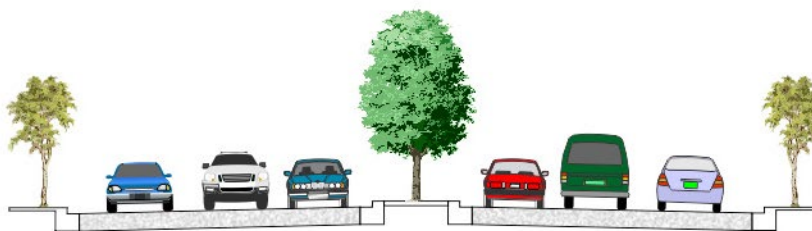
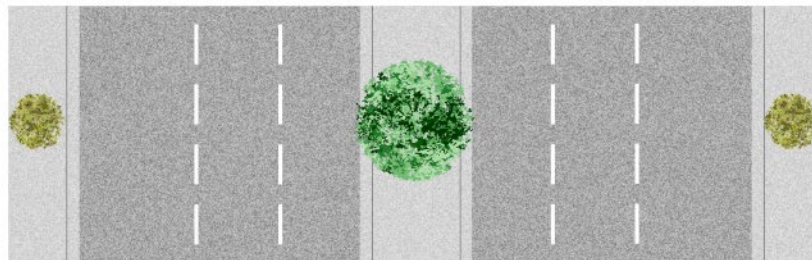
Items that are not eligible under the ACE Program are:

- Grading outside of the roadway ROW not related to a TCE or ROW agreement is generally considered ineligible but can be evaluated by OCTA on a case by case basis, but must be tied to the MPAH improvement(s) and not supplant developer (or any other project obligations).
- Rehabilitation ~~(unless there is a change in profile and cross section unless performed as component of capacity enhancement project)~~
- Reconstruction ~~(unless in ROW agreement or within project scope)(unless performed as component of capacity enhancement project)~~
- New Railroad Grade Separation Projects
- Enhanced landscaping, aesthetics and gateway treatments (landscaping that exceeds that necessary for normal erosion control and ornamental hardscape)
- ROW acquisition and construction costs for improvements greater than the typical ROW width for the applicable MPAH Roadway Classification. (See standard MPAH cross sections in Exhibit 7-5) Where full parcel acquisitions are necessary to meet typical ROW requirements for the MPAH classification, any excess parcels shall be disposed of in accordance with the provisions of these guidelines, State statutes as outlined in Article XIX and the California State Controllers Guidelines Relating to Gas Tax Expenditures.
- Utility Betterments
- Construction of new utilities

Exhibit 7-5 Standard MPAH Cross Sections

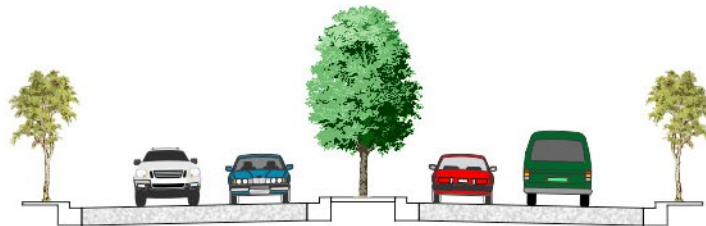
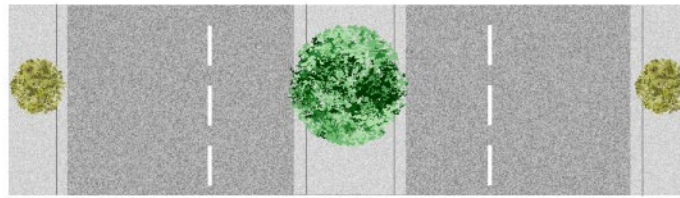


PRINCIPAL
144 FT
(8 LANES, DIVIDED)

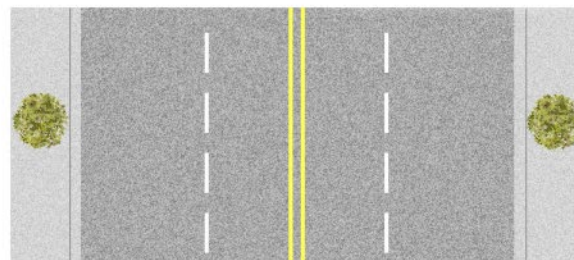


MAJOR
120FT
(6 LANES, DIVIDED)

Exhibit 7-5 *continued*
Standard MPAH Cross Sections

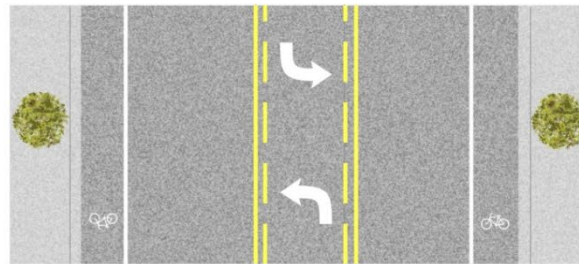


PRIMARY
100 FT
(4 LANES, DIVIDED)

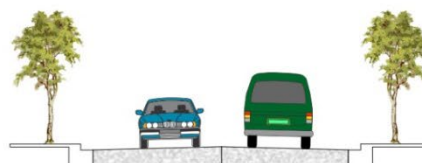
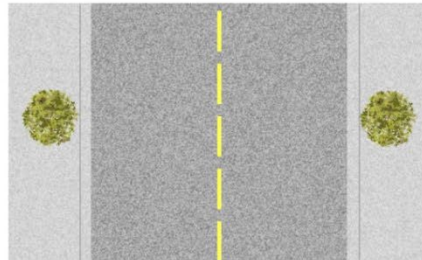


SECONDARY
80 FT
(4 LANES, UNDIVIDED)

Exhibit 7-5 *continued*
Standard MPAH Cross Sections



DIVIDED COLLECTOR
80 FT
(2 LANES, DIVIDED)



COLLECTOR
56 FT
(2 LANES, UNDIVIDED)

Master Plan of Arterial Highway Capacities

Below are the approximate roadway capacities that will be used in the determination of LOS:

<u>Type of Arterial</u>	<u>Level of Service (LOS)</u>				
	A .51 - .60 v/c	B .61 - .70 v/c	C .71 - .80 v/c	D .81 - .90 v/c	E .91 - 1.00 v/c
8 Lanes Divided	45,000	52,500	60,000	67,500	75,000
6 Lanes Divided	33,900	39,400	45,000	50,600	56,300
4 Lanes Divided	22,500	26,300	30,000	33,800	37,500
4 Lanes (Undivided)	15,000	17,500	20,000	22,500	25,000
2 Lanes Divided	9,000	12,000	15,000	20,000	22,000
2 Lanes (Undivided)	7,500	8,800	10,000	11,300	12,500

Note: Values are maximum Average Daily Traffic

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on existing usage, proposed Vehicle Miles Traveled (VMT), level of services benefits, local match rate funding and overall facility importance. Technical categories and point values are shown on Tables 7-1 and 7-2. Data sources and methodology are described below.

Projected/Current Average Daily Trips (ADT): Current ADT is the preferred method of measuring congestion. However, traffic counts projected to the year of opening for the project will be allowed as part of the competitive evaluation. These must be submitted along with current 24-hour traffic counts for the proposed segment for comparison purposes. The agency must submit the project's projected ADT, current ADT, the delta, and justification of the increase. Regarding "current" counts, these are defined as those taken for a typical mid-week period within the preceding 12-months. Projects submitted without "current counts" will be considered incomplete and non-responsive. Project applications using projected ADT must use traffic counts taken within the preceding 12 months. Project applications not using projected ADT may use traffic counts taken within the 36 months preceding the release date of the current call. **Note:** New facilities must be modeled through OCTAM and requests should be submitted to OCTA a minimum of six (6) weeks prior to application submittal deadline. **The OCTAM modeling request**

deadline is September 14, 2023 for the 2024 Call for Projects. If modeling requests are not submitted six (6) weeks prior to the application submittal deadline, the application will not be considered. For agencies where event, weekend, or seasonal traffic presents a significant issue, Average Annual Daily Traffic (AADT) counts can be used, provided the agency gives sufficient justification for the use of AADT.

VMT: Centerline length of segment proposed for improvement multiplied by the existing ADT for the proposed segment length. Measurements must be taken proximate to capacity increase. VMT for improvements covering multiple discrete count segments are calculated on a weighted average basis.

Current Project Readiness: This category is additive. Points are earned for the highest qualifying designation at the time applications are submitted. Local agency should select the most current phase of the project.

- Environmental Approvals – applies where all environmental clearances have been obtained on the project.
- Preliminary design (35 percent (35%) level) – will require certification from the City Engineer and is subject to verification.
- Final Design (PS&E) – applies where the jurisdiction's City Engineer or other authorized person has approved the final design.
- ROW (all offers issued) – applies where offers have been made for every parcel where acquisition is required and/or offers of dedication or orders of immediate possession have been received by the jurisdiction. Documentation of ROW possession will be required with application submittal.
- ROW (all easements and titles) – applies where no ROW is needed for the project or where all ROW has been acquired/dedicated.

Cost Benefit: Total project cost (including unfunded phases) divided by the existing ADT (or modeled ADT for new segments).

Funding Over-Match: The percentages shown apply to match rates above a jurisdiction's minimum local match rate requirement. M2 requires a 50 percent (50%) local match for RCP projects. This minimum match can be reduced by up to 25 percentage points if certain eligible components are met. If a jurisdiction's minimum match target is 30 percent (30%) and a local match of 45 percent (45%) is pledged, points are earned for the 15 percent (15%) over-match differential. The pledged amount is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project.

Transportation Significance: Roadway classification as shown in the current MPAH.

Operational Attributes (within the roadway): This category is additive. Each category, except Active Transit Routes, must be a new feature added as a part of the proposed

project. Only one feature can be selected for any qualifying category. For example, installation of a bike lane that is identified in an adopted ATP plan can be awarded points under "Bike Lanes" or "Active Transportation Focused Plan Elements," but not both.

- Pedestrian Facilities: Placement of a new sidewalk where **none currently exists** along an entire segment of proposed project.
- Meets MPAH configuration: Improvement of roadway to full MPAH standard for the segment classification.
- Active Transit Route(s): Segments served by fixed route public transit service.
- Bus Turnouts: Construction of bus turnouts.
- Bike Lanes: Installation of new bike lanes
- Median (Raised): Installation of a mid-block raised median where none exists today. Can be provided in conjunction with meeting MPAH standards.
- Safety Improvements: Project features that increase the safety of pedestrians. These elements can include the new installation of: median barriers, curb extensions, residential traffic diverters, pedestrian crossing islands, pedestrian activated signals, crosswalk enhancements, safety signage, and the addition, modification, or improvement of existing pedestrian signals. Other elements of safety may be considered on a case-by-case basis.
- Elements of Approved Active Transportation Plan/Active Transportation Focused Sections of other Types of Mobility Plans: Incorporate project features that are approved in an active transportation plan or if very focused, in active transportation focused sections of other types of plans that improve mobility. These elements can include bike infrastructure and pedestrian elements. Other elements of an active transportation plan may be considered on a case-by-case basis. Documentation of approved plan will be required with application submittal and assignment of points for active transportation focused sections of other types of plans will be considered on a case-by-case basis.
- Sustainability Elements: Includes the use of multiple complete street elements, the installation of solar lighting within the roadway cross section, or water conservation elements that reduce water consumption, compared to current usage within project limits; such as the replacement of existing landscaping with hardscape and/or "California Native" drought tolerant type landscaping; the replacement of existing sprinklers with drip irrigation systems; the installation of new "grey" or recycled water systems where such does not currently exist. Other elements of sustainability may be considered on a case-by-case basis. Points are awarded at construction phase only.
- Other (e.g., Golf cart paths in conformance with California Vehicle Code and which are demonstrated to remove vehicle trips from roadway).

Improvement Characteristics: Select one characteristic which best describes the project:

- Gap Closures: the construction of a roadway to its full MPAH build-out for the purpose of connecting two existing ends of that roadway by filling in a missing segment or for completing the terminus of an MPAH roadway. This applies to increased roadway capacity only as it relates to vehicular traffic.
- New Facility/Extensions: Construction of new roadways.
- Bridge crossing: Widening of bridge crossing within the project limits to full MPAH width. Widening beyond MPAH shall not qualify for Project O funding.
- Adds capacity: Addition of through traffic lanes.
- Improves traffic flow: Installation of a median, restricting cross street traffic, adding midblock turn lanes, or elimination of driveways.

LOS Improvement: This category is a product of the existing or projected LOS based upon volume/capacity -- or v/c -- and LOS improvement "with project". **Projects must meet a minimum existing or projected LOS of "D" (.81 v/c) "without project" condition to qualify for priority consideration for funding.** Existing LOS is determined using current 24-hour traffic counts for the proposed segment. However, for projects where traffic volumes follow unconventional patterns, unidirectional volumes may be proposed as an acceptable alternate methodology for determining LOS. If unidirectional volumes are used for LOS calculations, ADT for the proposed direction of improvement shall serve as the basis for ADT, cost benefit and vehicle miles travelled (VMT) scoring categories. Projects that do not meet the minimum LOS "D" can be submitted but are not guaranteed consideration as part of the competitive process.

If during the competitive process, it is determined that additional programming capacity exists after all eligible projects with LOS "D" have been funded, a consideration of projects with a minimum LOS "C" (.71 v/c) may be undertaken. Such consideration will be at the discretion of OCTA. Projects with a LOS better than "C" (.70 v/c) will not be considered.

Application Process

Project grants are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to evaluate the project proposal as outlined below. Detailed instructions and checklists are provided in this chapter.

Complete application

- Funding needs by phase and fiscal year
- Local committed match funding source, confirmed through city council resolution or minute order
- Supporting technical information (including current traffic counts)
- Project development and implementation schedule

- ROW status and detailed plan for acquisition/disposal of excess right-of-way. The ROW acquisition/disposal plan must be submitted using the "ROW acquisition/disposal plan" form provided by OCTA and available for download at <https://ocfundtracker.octa.net>.
- Any additional information deemed relevant by the applicant
- Grants subject to Master Funding Agreement

Calls are expected to be issued on an annual basis, or as determined by the Board. Complete project applications must be submitted by the established due date to be considered eligible for consideration.

Minimum Eligibility Requirements

Projects must have an existing or projected LOS "D" (.81 v/c) or worse to qualify for priority consideration for funding in this program.

All project roadways must be identified on the MPAH network. Local streets not shown on the MPAH are not eligible for funding through this program.

New Facilities

New facilities must be modeled through OCTAM. A local agency planning on submitting a request for funding for a new facility must submit a modeling request a minimum of six (6) weeks prior to the application submittal deadline. If modeling requests are not submitted six (6) weeks prior to the application submittal deadline, the application associated with the related project will not be considered. Any request for modeling **must be submitted to OCTA no later than September 14, 2023** for the 2024 Call for Projects.

Facility Modeling: For consistency purposes, all proposed new facilities will be modeled by OCTA using the most current version of OCTAM. Applicants may supplement their application with a locally-derived model with OCTAM used for validation purposes. The facility will be modeled with the lane capacity reflected in the application.

Average Daily Trips Determination: OCTAM will provide an "existing" ADT using a "with project" model run under current conditions. The ADT for the proposed segment will serve as the ADT value to be considered in the application.

LOS Improvement: LOS on existing facilities may be positively or negatively affected by a proposed new roadway segment through trip redistribution. A current condition model run is generated "with" and "without" the proposed project. The intent is to test the efficacy of the proposed segment. A comparison of these before and after project runs (using current traffic volumes) yields potential discernable changes in LOS. The greatest benefit is generally on a parallel facility directly adjacent to the proposed project. Trip distribution changes generally dissipate farther from the project. For evaluation purposes,

the segment LOS (determined through a simple volume / capacity calculation) for the “with” and “without project” will be used for the existing LOS and LOS improvement calculations.

Matching Funds

Local agencies are required to provide local match funding for each phase of the project. As prescribed by the M2 Ordinance, the minimum local match requirement is 50 percent (50%) with potential to reduce this amount if certain eligibility requirements are met. The amount pledged during the application process is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project. Actual project contributions by the local agency are dependent on final project costs and may not be equal to the committed match rate in the event of cost overruns. OCTA will not increase the funding grant to cover cost overruns. Ineligible expenditures do not contribute to the local match rate.

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the funding plan described above, local agencies will be required to submit the following materials:

Council Approval: A Council Resolution or Minute Order action authorizing request for funding consideration with a commitment of local match funding must be provided with the project application. **If a draft copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency’s governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA’s Board of Directors.

Project Documentation: If proposed project has completed initial planning activities (such as PSR or equivalent, EIR, or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion or planning phases. An electronic copy of the PSR and/or environmental document must be supplied as applicable. The applicant will be asked for additional detailed information if necessary, to adequately evaluate the project application.

Project Summary Information: With each application being recommended for funding, the agency shall submit a PowerPoint presentation summarizing the pertinent project information for review and discussion purposes. The presentation shall be no more than three (3) slides and should contain, at a minimum, a project description, project benefits, location map, and cost estimate. **OCTA staff will request the PowerPoint file when/if a project is recommended for funding.**

Reimbursements

This program is administered on a reimbursement basis for capital improvements, planning, design, and ROW acquisition. Reimbursements will be disbursed upon review and approval of an acceptable initial payment submittal, final report, and consistency with Master Funding Agreement or cooperative agreement if federal funds are awarded. The reimbursement process is more fully described in Chapter 9 of this manual.

Project Cancellation

If a local agency decides to cancel a project, for whatever reason, the agency shall notify OCTA as soon as possible. Projects deemed infeasible during the planning phase shall bring that phase to a logical conclusion, file a final report, and cancel remaining phases so that remaining funds can be reprogrammed without penalty. All ROW funding received for property acquisition prior to cancellation shall be repaid upon cancellation even if property has been acquired. All construction funding received prior to cancellation shall be repaid upon cancellation.

Cancelled projects will be eligible to reapply upon resolution of issues that led to original project termination. Agencies can resubmit an application for funding consideration once either the cancellation of the existing funding grant has been approved by the OCTA Board or is in the process of approval through the semi-annual review. In the event the OCTA Board does not approve the cancellation, the lead agency will be required to withdraw the application.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation, which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be conducted by OCTA's Internal Audit department or other authorized agent either through the normal annual process or on a schedule to be determined by the Board (see Chapter 10).

Proceeds from the sale of excess ROW acquired with program funding must be paid back to the project fund as described in Chapter 9 and the Master Funding Agreement.

Table 7-1
Regional Capacity Program
Street Widening Selection Criteria

Category	Points Possible	Percentage
Facility Usage		25%
Existing ADT & VMT	15	15%
Current Project Readiness	10	10%
Economic Effectiveness		15%
Cost Benefit	10	10%
Funding Over-Match	5	5%
Facility Importance		25%
Transportation Significance	10	10%
Operational Efficiency	15	15%
Benefit		35%
Improvement Characteristics	10	10%
Level of Improvement and Service	25	25%
Total	100	100%

Table 7-2 Street Widening Point Breakdown

ACE SCORING CRITERIA Point Breakdown for Arterial Capacity Enhancement Projects Maximum Points = 100

Facility Usage			Points: 25
Existing ADT & VMT			Max Points: 15
Existing ADT Range		Points	
45+	thousand	10	
40 – 44	thousand	8	
35 – 39	thousand	6	
30 – 34	thousand	5	
25 – 29	thousand	4	
20 – 24	thousand	3	
15 – 19	thousand	2	
10 – 14	thousand	1	
<10	thousand	0	
VMT Range		Points	
31+	thousand	10	
26 – 30	thousand	8	
22 – 25	thousand	6	
18 – 21	thousand	5	
14 – 17	thousand	4	
11 – 13	thousand	3	
08 – 10	thousand	2	
04 – 07	thousand	1	
<4	thousand	0	
Current Project Readiness			Max Points: 10
ROW (All Easement and Titles)		5	
Final Design (PS&E)		4	
Environmental Approvals		2	
Preliminary Design (35%)		2	
ROW (All Offers Issued)		2	
Economic Effectiveness			Points: 15
Cost Benefit (Total \$/ADT)			
Range*		Points	
< 49		10	
50 – 74		9	
75 – 99		7	
100 – 149		5	
150 – 199		4	
200 – 249		3	
250 – 299		2	
300 – 349		1	
350+		0	
Funding Over-Match (local match/project cost) minus minimum local match requirement.			
Range*		Points	
25+%		5	
20 – 24%		4	
15 – 19%		3	
10 – 14%		2	
05 – 09%		1	
00 – 04%		0	
*Range refers to % points above agency minimum requirement.			
Facility Importance			Points: 25
Transportation Significance Range		Points	
Principal or CMP Route		10	
Major		8	
Primary		6	
Secondary		4	
Collector		2	
Operational Attributes (within the roadway)			Max Points: 15
Meets MPAH Configs.		4	
Pedestrian Facilities (New)		4	
Bike Lanes (New)		4	
Active Transit Route(s)		2	
Bus Turnouts		2	
Median (Raised)		2	
Safety Improvements		3	
Active Transportation Focused Plan Elements		2	
Sustainability Elements		2	
Other		2	
Benefit			Points: 35
Improve Characteristics		Points	
Gap Closure		10	
New Facility/Extension		8	
Bridge Crossing		8	
Adds Capacity		6	
Improves Traffic Flow		2	
LOS Improvement			Max Points: 25
Existing LOS Starting Point Range (LOS Imp x LOS Starting Pt)		Points	
1.01+		5	
.96 – 1.00		4	
.91 – .95		3	
.86 – .90		2	
.81 – .85		1	
<.81		0	
LOS Improvements with Project (exist. Volume)			
Existing LOS Starting Point Range		Points	
.20+		5	
.16 – .20		4	
.10 – .15		3	
.05 – .09		2	
.01 – .05		1	
<.01		0	

Intersection Capacity Enhancements (ICE)

Overview

The MPAH serves as the backbone of Orange County's arterial street network. Intersections at each intersecting MPAH arterial throughout the County will continue to require improvements to mitigate current and future needs. The ICE improvement category complements roadway improvement initiatives underway and supplements development mitigation opportunities.

Projects in the ICE improvement category are selected on a competitive basis. Projects must meet specific criteria in order to compete for funding through this program.

For the purposes of the ICE improvement category, the limits of an intersection shall be defined as the area that includes all necessary (or planned) through lanes, turn pockets, and associated transitions required for the intersection. Project limits of up to a maximum of 600 feet for each intersection leg are allowable. Projects that, due to special circumstances, must exceed the 600-foot limit, shall include in their application the request for a technical variance. The project shall be presented to the TSC by the local agency to request approval of the variance.

Objectives

- Improve MPAH network capacity and throughput along MPAH facilities
- Relieve congestion at MPAH intersections by providing additional turn and through lane capacity
- Improve connectivity between neighboring jurisdictions by improving operations
- Provide timely investment of M2 revenues

Project Participation Categories

The ICE category provides capital improvement funding (including planning, design, ROW acquisition and construction) for intersection improvements on the MPAH network for the following:

- Intersection widening – constructing additional through lanes and turn lanes, extending turn lanes where appropriate, and signal equipment
- Street to street grade separation projects

Eligible Activities

- Planning, environmental clearance
- Design (plans, specifications, and estimates)
- ROW acquisition
- Construction (including bus turnouts, curb ramps, median, and striping)

Potentially Eligible Items

Below is a list of potentially eligible items. However, final determination of the eligibility of all project related costs will be made at the time of reimbursement. Prior to the submittal of an application for funding, or at any point in the project life cycle, local agencies may meet with OCTA staff to review the eligibility of project related costs.

Application review and approval does not guarantee the eligibility of all items.

- Required environmental mitigation for projects funded by ICE
- Storm drains/catch basins/detention basins/bioswales/other pollutant discharge mitigation devices
- Sound walls (in conjunction with roadway improvement mitigation measures)
- Aesthetic improvements including landscaping within the project ROW (eligible improvements up to 10 percent (10%) of construction costs, provided costs are reasonable for the transportation benefit)
- Signal equipment (as incidental component of program), including the installation or upgrade of pedestrian countdown heads
- Bicycle detection systems
- Rehabilitation and/or resurfacing of existing pavement when necessitated by proposed improvement (such as change in profile and cross section)
- Improvements to private property if part of a ROW settlement agreement
- Utility relocation where the serving utility has prior rights as evidenced by a recorded legal document and are located within the roadway right-of-way.
- Roadway grading within the ROW (inclusive of any TCEs and/or ROW agreement related improvements) should not exceed a depth for normal roadway excavation (e.g., structural section). Additional grading will be considered on a case-by-case basis. Agencies shall provide supporting documentation (e.g., soils reports, ROW agreements) to justify the additional grading.

Ineligible Items

- Grading outside of the roadway ROW not related to a TCE or ROW agreement is generally assumed to be ineligible but can be evaluated by OCTA on a case by case basis, but must be tied to the MPAH improvement(s) and not supplant developer (or any other project obligations).
- ROW acquisition greater than the typical ROW width for the applicable MPAH Roadway Classification. Additional turn lanes not exceeding 12 feet in width needed to maintain an intersection LOS D requiring ROW in excess of the typical ROW width for the applicable MPAH classification shall be fully eligible. Where full parcel acquisitions are necessary to meet typical ROW requirements for the MPAH classification any excess parcels shall be disposed of in accordance with State

statutes and the acquisition/disposal plan submitted in accordance with these guidelines.

- Enhanced landscaping and aesthetic improvements (landscaping that exceeds that necessary for normal erosion control and ornamental hardscape).

Environmental mitigation will be allowed only as required for the proposed roadway improvement and only as contained in the environmental document. Program participation in environmental mitigation shall not exceed 25 percent (25%) of the total eligible project costs.

Longitudinal storm drains are eligible for program participation when the storm drain is an incidental part (cost is less than 25 percent (25%) of the total eligible improvement cost) of an eligible improvement. Program participation shall not exceed 10 percent (10%) of the cost of storm drain longitudinal/parallel and main lines. Storm drain inlets, connectors, laterals and cross culverts shall have full participation in ICE improvement category funding. Storm drains outside standard MPAH ROW widths are not eligible, excluding catch basins within reasonable distance and in general proximity to a project intersection (e.g., within ten feet of the curb return). Catch basins and drainage systems extending into adjacent areas (including public streets) shall not be eligible past the first catch basin.

Soundwalls are eligible only if they are required as part of the environmental clearance for the proposed project and shall not exceed 25 percent (25%) of the total eligible project costs. Aesthetic enhancements and landscaping in excess of minimum environmental mitigation requirements are subject to limitations described in the "Potentially Eligible Item" section above.

The relocation of detention basins/bioswales/other pollutant discharge mitigation devices are potentially eligible dependent on who has prior rights and will be given consideration on a case-by-case basis (see utility relocations below).

Roadway grading is eligible for structural sections if within the standard MPAH cross section for the facility (inclusive of any TCEs). Rough grading can be considered eligible, so long as it supports MPAH improvement(s) within the ROW and does not supplant developer (or any other project obligations). Any proposed rough grading outside of the MPAH ROW, will be evaluated by OCTA on a case-by-case basis but must be tied to the MPAH improvement(s) and not supplant developer (or any other project obligations).

Utility Relocations

The expenses associated with the relocation of utilities are eligible for RCP reimbursement only when all conditions listed below have been met:

- The relocation is made necessary due to conflict with proposed improvements.
- The facility to be relocated is within the project right-of-way.

- It has been determined that the local agency is legally liable for either a portion of or all of the relocation costs.

Liability can be determined by property rights, franchise rights/agreements, state and local statutes/ordinances, permits, a finding by the local agency's counsel, or other recorded legal document. Documentation providing proof of the local agency's liability for the costs of utility relocation must be submitted at the time of a ~~with an initial~~ payment request (see Chapter 9). Utilities funded through enterprise funds shall not be eligible for reimbursement.

If a relocation is eligible to be reimbursed, and to be performed by the utility owner or by the utility owner's contractor, the work should be included in the ROW phase costs and clearly identified in the project application submittal. For eligible relocations to be performed during the construction phase by the local agency's contractor, the work should be included in the plans and specifications similar to other construction activities. Adjustment of existing utilities to grade (e.g., water valves, manhole frames and covers), due to new roadway cross sections are either eligible or not eligible in the construction phase subject to the limitations previously described (e.g., prior rights). New or relocated fire hydrants are ineligible.

In all cases, eligible costs shall only include "in-kind" relocation. No reimbursements will be made for betterments above the cost of "in-kind" relocation. Additionally, costs submitted for program reimbursement must include any salvage credits received.

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on existing usage, LOS benefits, local match funding, and overall facility importance. Technical categories and point values are shown on Tables 7-3 and 7-4. Data sources and methodology are described below.

Projected/Current Average Daily Trips (ADT): Current ADT is the preferred method of measuring congestion. However, traffic counts projected to the year of opening for the project will be allowed as part of the competitive evaluation. These must be submitted along with current 24-hour traffic counts for the proposed segment for comparison purposes. The agency must submit the project's projected ADT, current ADT, the delta, and justification of the increase. Regarding "current" counts, these are defined as those taken for a typical mid-week period within the preceding 12-months. Project applications using projected ADT must use traffic counts taken within the preceding 12 months. Project applications not using projected ADT may use traffic counts taken within the preceding 36 months. Project applications without "current" counts will be deemed incomplete and non-responsive. Average ADT for the east and west legs of the intersection will be added to the average ADT for the north and south legs.

For agencies where event or seasonal traffic presents a significant issue, AADT counts can be used, provided the agency gives sufficient justification for the use of AADT.

Current Project Readiness: This category is additive. Points are earned for each satisfied readiness stage at the time applications are submitted. Local agency should select the most current phase of the project.

- Environmental Approvals – applies where all environmental clearances have been obtained on the project.
- Preliminary design (35 percent (35%) level) – will require certification from the City Engineer and is subject to verification.
- Final Design (PS&E) – applies where the jurisdiction's City Engineer or other authorized person has approved the final design.
- ROW (all offers issued) – applies where offers have been made for every parcel where acquisition is required and/or offers of dedication or orders of immediate possession have been received by the jurisdiction. Documentation of ROW possession will be required with application submittal.
- ROW (all easements and titles) – applies where no ROW is needed for the project or where all ROW has been acquired/dedicated.

Cost Benefit: Total project cost (included unfunded phases) divided by the existing ADT (or modeled ADT for new segments).

Funding Over-Match: The percentages shown apply to match rates above a jurisdiction's minimum match rate requirement. M2 requires a 50 percent (50%) local match for RCP projects. This minimum match can be reduced by up to 25 percentage points if certain eligible components are met. If a jurisdiction's minimum match target is 30 percent (30%) and a local match of 45 percent (45%) is pledged, points are earned for the 15 percent (15%) over-match. The pledged amount is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project.

Coordination with Contiguous project: Projects that complement a proposed arterial improvement project with a similar implementation schedule earn points in this category. This category is intended to recognize large projects that segregate intersection components from arterial components for funding purposes.

Transportation Significance: Roadway classification as shown in the current MPAH.

Operational Attributes (within the roadway): This category is additive. Each category must be a new feature added as a part of the proposed project. Only one feature can be selected for any qualifying category. For example, installation of a bike lane that is identified in an adopted ATP plan can be awarded points under "Bike Lanes" or "Active Transportation Focused Plan Elements," but not both.

- Bike Lanes: Extension of bike lanes through intersection
- Bus Turnouts: Construction of a bus turnout as a new feature.
- Lowers density: Addition of through travel lanes.
- Channels traffic: Addition and/or extension of turn pockets (other than free right turn).
- Free right turn: installation of new free right or conversion of an existing right turn to free right
- Protected/permissive left turn: Convert from protected to protected/permissive
- Pedestrian Facilities: Placement of a new sidewalk if none currently exists.
- Grade separations: Street to street grade separations and do not apply to rail grade separation projects which are covered by the grade separation program category.
- Safety Improvements: Project features that increase the safety of pedestrians. These elements can include the new installation of: median barriers, curb extensions, residential traffic diverters, pedestrian crossing islands, pedestrian activated signals, crosswalk enhancements, safety signage, and the addition, modification, or improvement of existing pedestrian signals. Other elements of safety may be considered on a case-by-case basis.
- Elements of Approved Active Transportation Plan/Active Transportation Focused Sections of other Types of Mobility Plans: Incorporate project features that are approved in an active transportation plan or if very focused, in active transportation focused sections of other types of plans that improve mobility. These elements can include bike infrastructure and pedestrian elements. Other elements of an active transportation plan may be considered on a case-by-case basis. Documentation of approved plan will be required with application submittal and assignment of points for active transportation focused sections of other types of plans will be considered on a case by case basis.
- Sustainability Elements: Includes the use of multiple complete street elements, the installation of solar lighting within the roadway cross section, or water conservation elements that reduce water consumption, compared to current usage within project limits; such as the replacement of existing landscaping with hardscape and/or "California Native" drought tolerant type landscaping; the replacement of existing sprinklers with drip irrigation systems; the installation of new "grey" or recycled water systems where such does not currently exist. Other elements of sustainability may be considered on a case-by-case basis. Points are awarded at construction phase only.

LOS Improvement: This category is a product of the existing or projected LOS based upon v/c and LOS improvement "with project" using ICU calculation with 1,700 vehicles per lane per hour and a .05 clearance interval. Calculations will be based upon "current" arterial link and turning movement counts projected to opening year. **Projects must**

meet a minimum existing or projected LOS of "D" (.81 v/c) to qualify for priority consideration for funding. Existing LOS is determined using peak hour traffic counts/turning movements AM/PM peak periods for the proposed segment utilizing ICU methodology and using 1,700 vehicles per lane/per hour and a .05 clearance interval.

For projects where traffic volumes follow unconventional patterns (e.g. unidirectional congestion, large disparity between AM and PM peaks, etc.) HCM 2010 may be proposed as an alternate methodology for determining LOS. HCM calculations must use SYNCHRO and be supported with complete calculation documentation using standard industry approaches and current signal timing plans. If an alternative methodology is proposed, all analysis **must be submitted to OCTA for review no later than September 14, 2023** for the 2024 Call for Projects. OCTA will contract with an independent third-party firm to review the technical analysis. The cost for the review will be charged to the applicant.

Projects that do not meet the minimum LOS "D" can be submitted but are not guaranteed consideration as part of the competitive process.

If during the competitive process, it is determined that additional programming capacity exists after all eligible projects with LOS "D" have been funded, a consideration of projects with a minimum LOS "C" (.71 v/c) may be undertaken. Such consideration will be at the discretion of OCTA. Projects with a LOS better than "C" (.70 v/c) will not be considered.

Application Process

Project grants are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to evaluate the project proposal as outlined below. Detailed instructions and checklists are provided in this chapter.

Complete application

- Funding needs by phase and fiscal year
- Local match funding source, confirmed through city council resolution or minute order
- Supporting technical information (including current arterial link and turning movement counts)
- Project development and implementation schedule
- ROW status and a detailed plan for acquisition/disposal of excess right-of-way. The ROW acquisition/disposal plan must be submitted using the "ROW acquisition/disposal plan" form provided by OCTA and available for download at <https://ocfundtracker.octa.net>.
- Any additional information deemed relevant by the applicant
 - Grants subject to master funding agreement

Calls for projects are expected to be issued on an annual basis, or as determined by the Board. Complete project applications must be submitted by the established due date to be considered eligible for consideration.

Minimum Eligibility Requirements

Projects must have an existing or projected LOS "D" (.81 v/c) or worse to qualify for priority consideration for funding in this program.

All project roadways must be identified on the MPAH network. Local streets not shown on the MPAH are not eligible for funding through this program.

Matching Funds

Local agencies are required to provide local match funding for each phase of the project. As prescribed by the M2 Ordinance, the minimum local match requirement is 50 percent (50%) with potential to reduce this amount if certain eligibility requirements are met. The amount pledged during the application process is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project. Actual project contributions by the local agency are dependent on final project costs and may not be equal to the committed match rate in the event of cost overruns. OCTA will not increase the funding grant to cover cost overruns. Ineligible expenditures do not contribute to the local match rate.

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the funding plan described above, local agencies will be required to submit the following materials:

Council Approval: A Council Resolution or Minute Order action authorizing request for funding consideration with a commitment of local match funding must be provided with the project application. **If a draft copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency's governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA's Board of Directors.

Project Documentation: If proposed project has completed initial planning activities (such as PSR or equivalent, EIR, or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion or planning phases. An electronic copy of the PSR and/or environmental document must be supplied as applicable. The applicant will be asked for additional detailed information only if necessary, to adequately evaluate the project application.

Project Summary Information: With each application being recommended for funding, the agency shall submit a PowerPoint presentation summarizing the pertinent project information for review and discussion purposes. The presentation shall be no more than three (3) slides and should contain, at a minimum, a project description, project benefits, location map, and cost estimate. **OCTA staff will request the PowerPoint file when/if a project is recommended for funding.**

Reimbursements

This program is administered on a reimbursement basis for capital improvements, planning, design, and ROW acquisition. Reimbursements will be disbursed upon review and approval of an acceptable initial payment submittal, final report and consistency with Master Funding Agreement or cooperative agreement. The reimbursement process is more fully described in Chapter 9 of this manual.

Project Cancellation

If a local agency decides to cancel a project, for whatever reason, the agency shall notify OCTA as soon as possible. Projects deemed infeasible during the planning phase shall bring that phase to a logical conclusion, file a final report, and cancel remaining phases so that remaining funds can be reprogrammed without penalty. ROW funding received for property acquisition prior to cancellation shall be repaid upon cancellation even if property has been acquired. Construction funding received prior to cancellation shall be repaid upon cancellation.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be conducted by OCTA's Internal Audit department or other authorized agent either through the normal annual process or on a schedule to be determined by the Board (see Chapter 10).

Proceeds from the sale of excess ROW acquired with program funding must be paid back to the project fund as described in Chapter 9 and the Master Funding Agreement.

Table 7-3
Regional Capacity Program
Intersection Improvement Selection Criteria

Category	Points Possible	Percentage
Facility Usage		25%
Existing ADT	15	15%
Current Project Readiness	10	10%
Economic Effectiveness		20%
Cost Benefit	10	10%
Funding Over-Match	5	5%
Coordination with Contiguous Project	5	5%
Facility Importance		30%
Transportation Significance	10	10%
Operational Efficiency	20	20%
Benefit		25%
LOS Improvement	25	25%
Total	100	100%

Table 7-4 Intersection Widening Point Breakdown

ICE SCORING CRITERIA

Point Breakdown for Intersection Capacity Enhancement Projects

Maximum Points = 100

Facility Usage Points: 25			Facility Importance Points: 30		
ADT Range*		Points	Transportation Significance Range		Points
60+	thousand	15	Principal or CMP Route		10
55 – 59	thousand	13	Major		8
50 – 54	thousand	11	Primary		6
45 – 49	thousand	9	Secondary		4
40 – 44	thousand	7	Collector		2
35 – 39	thousand	5	Operational Attributes (within the roadway) Max Points: 20		
30 – 34	thousand	3	Grade Separations		10
25 – 29	thousand	1	Bike Lanes		5
*AVG ADT for east and west legs plus AVG ADT for north and south legs of intersection.			Pedestrian Facilities (New)		5
Current Project Readiness Max Points: 10			Bus Turnouts		4
ROW (All Easement and Titles)		5	Free Right		4
Final Design (PS&E)		4	Lowers Density		3
Environmental Approvals		2	Channels Traffic		3
Preliminary Design (35%)		2	Protected/Permissive Left Turn		2
ROW (All Offers Issued)		2	Safety Improvements		3
Points are additive. Design and ROW limited to highest qualifying designation.			Active Transportation Focused Plan Elements		2
Sustainability Elements					2
Economic Effectiveness Points: 20			Benefit Points: 25		
Cost Benefit (Total \$/ADT) Range*		Points	LOS Improvement Max Points: 25		
< 20		10	Calculation: LOS Imp x LOS Starting Point		
21 – 30		9	Existing LOS (Peak Hour) Range		Points
31 – 50		7	1.01+		5
51 – 75		5	.96 – 1.00		4
76 – 100		3	.91 – .95		3
>100		1	.86 – .90		2
*= Total Cost/Average ADT			.81 – .85		1
Funding Over-Match (local match/project cost) minus minimum local match requirement.			<.81		0
Range*		Points	LOS Reduction w/ Project (existing Volume) Range		
25+%		5	.20+		5
20 – 24%		4	.16 – .20		4
15 – 19%		3	.10 – .15		3
10 – 14%		2	.05 – .09		2
05 – 09%		1	.01 – .04		1
00 – 04%		0	<.01		0
Coordination with Contiguous Project Range		Points			
Yes		5			
No		0			
Coordination with ACE Project with similar implementation schedule.					

Freeway Arterial/Streets Transitions (FAST)

Overview

The MPAH serves as the backbone of Orange County's arterial street network. Current and future needs at existing interchanges along MPAH highways and freeways will need to be addressed in order to improve connectivity between freeways and MPAH arterials. The interchange improvement program complements roadway improvement initiatives underway as well, and supplements development mitigation opportunities.

Projects in the FAST improvement category are selected on a competitive basis. Projects must meet specific criteria in order to compete for funding through this program.

Objectives

- Improve transition to and from Orange County freeways with emphasis on MPAH performance
- Provide timely investment of M2 revenues

Project Participation Categories

The FAST category provides capital improvement funding (including planning, design, ROW acquisition and construction) for interchange improvements on the MPAH network for the following:

- MPAH facility interchange connections to Orange County freeways (including on-ramp, off-ramp and arterial improvements)

Eligible Activities

- Planning, environmental clearance
- Design
- ROW acquisition
- Construction (including ramps, intersection and structural improvements/reconstruction incidental to project)
- Signal equipment (as incidental component of the program)

Potentially Eligible Items

Below is a list of potentially eligible items. However, final determination of the eligibility of all project related costs will be made at the time of reimbursement. Prior to the submittal of an application for funding, or at any point in the project life cycle, local agencies may meet with OCTA staff to review the eligibility of project related costs.

Application review and approval does not guarantee the eligibility of all items.

- Direct environmental mitigation for projects funded by FAST (details below)
- Storm drains/catch basins/detention basins/bioswales/other pollutant discharge mitigation devices (details below)
- Aesthetic improvements including landscaping within the project ROW (eligible improvements up to 10 percent (10%) of construction costs, provided costs are reasonable for the transportation benefit)
- Rehabilitation and/or resurfacing of existing pavement when necessitated by proposed improvement (such as change in profile and cross section)
- Improvements to private property if part of a ROW settlement agreement
- Utility relocation where the serving utility has prior rights as evidenced by a recorded legal document
- Roadway grading within the ROW shall not exceed a depth for normal roadway excavation (e.g. structural section) or as required by TCEs, and/or ROW agreement related improvements. Additional grading will be considered on a case by case basis. Agencies shall provide supporting documentation (e.g. soils reports, ROW agreements) to justify the additional grading.
- Auxiliary lanes if necessitated by interchange improvements
- Soundwalls (in conjunction with roadway improvement mitigation measures)

Environmental mitigation will be allowed only as required for the proposed roadway improvement, and only as contained in the environmental document. Program participation in environmental mitigation shall not exceed 25 percent (25%) of the total eligible project costs.

Longitudinal storm drains are eligible for program participation when the storm drain is an incidental part (cost is less than 25 percent (25%) of the total eligible improvement cost) of an eligible improvement. Program participation shall not exceed 10 percent (10%) of the cost of storm drain longitudinal/parallel and main lines. Storm drain inlets, connectors, laterals and cross culverts shall have full participation in FAST improvement category funding. Storm drains outside standard MPAH ROW widths are not eligible, excluding catch basins within reasonable distance and in general proximity to a project intersection (e.g. within ten feet of the curb return). Catch basins and drainage systems extending into adjacent areas (including public streets) shall not be eligible past the first catch basin.

Soundwalls are eligible only if they are required as part of the environmental mitigation for the proposed project and shall not exceed 25 percent (25%) of the total eligible project cost. Aesthetic enhancements and landscaping in excess of minimum environmental mitigation requirements are eligible at up to 10 percent (10%) of the total eligible construction costs, provided costs are reasonable for the transportation benefit.

The relocation of detention basins/bioswales are potentially eligible dependent on prior rights and will be giving consideration on a case by case basis (see utility relocations below).

Roadway grading is eligible for structural sections if within the standard MPAH cross section for the facility (inclusive of any TCEs). Rough grading can be considered eligible, so long as it supports MPAH improvement(s) within the ROW and does not supplant developer (or any other project obligations). Any proposed rough grading outside of the MPAH ROW, will be evaluated by OCTA on a case-by-case basis but must be tied to the MPAH improvement(s) and not supplant developer (or any other project obligations).

Utility Relocations

The expenses associated with the relocation of utilities are eligible for RCP reimbursement only when:

- The relocation is made necessary due to conflict with proposed improvements.
- The facility to be relocated is within the project right-of-way.
- It has been determined that the local agency is legally liable for either a portion of or all of the relocation costs.

Liability can be determined by property rights, franchise rights/agreements, state and local statutes/ordinances, permits, a finding by the local agency's counsel, or other recorded legal document. Documentation providing proof of the local agency's liability for the costs of utility relocation must be submitted at the time of a ~~with an initial~~ payment request (see Chapter 9). Utilities funded through enterprise funds shall not be eligible for reimbursement.

If a relocation is eligible to be reimbursed, and to be performed by the utility owner or by the utility owner's contractor, the work should be included in the ROW phase costs and clearly identified in the project application submittal. For eligible relocations to be performed during the construction phase by the local agency's contractor, the work should be included in the plans and specifications similar to other construction activities. Adjustment of existing utilities to grade (e.g. water valves, manhole frames and covers), due to new roadway cross sections are either eligible or not eligible in the construction phase subject to the limitations previously described (e.g. prior rights). New or relocated fire hydrants are ineligible.

In all cases, eligible costs shall only include "in-kind" relocation. No reimbursements will be made for betterments above the cost of "in-kind" relocation. Additionally, costs submitted for program reimbursement must be reduced by any salvage credits received.

Ineligible Projects

- Seismic retrofit projects (unless combined with eligible capacity enhancements)

- Grading outside of the roadway ROW not related to a TCE or ROW agreement is generally assumed to be ineligible but can be evaluated by OCTA on a case by case basis but must be tied to the MPAH improvement(s) and not supplant developer (or any other project obligations).
- Enhanced landscaping, aesthetics and gateway treatments (landscaping that exceeds that necessary for normal erosion control and ornamental hardscape).

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on existing usage, level of services benefits, local match funding and overall facility importance. Technical categories and point values are shown on Tables 7-5 and 7-6. Data sources and methodology are described below.

Projected/Current Average Daily Trips (ADT): Current ADT is the preferred method of measuring congestion. However, traffic counts and ramp volumes projected to the year of opening for the project will be allowed as part of the competitive evaluation. These must be submitted along with current 24-hour traffic counts for the proposed segment for comparison purposes. The agency must submit the project's projected ADT, current ADT, the delta, and justification of the increase. Regarding "current" counts, these are defined as those taken for a typical mid-week period within the preceding 12 months. Project applications using projected ADT must use traffic counts taken within the preceding 12 months. Project applications not using projected ADT may use traffic counts taken within the preceding 36 months. Project applications without "current" counts will be deemed incomplete and non-responsive. Average ramp intersection volume for each interchange ramp will be used for the current counts. New facilities will rely on projected ramp volume based upon Caltrans approved projection.

For agencies where event or seasonal traffic presents a significant issue, AADT counts can be used, provided the agency gives sufficient justification for the use of AADT.

Current Project Readiness: This category is additive. Points are earned for each satisfied readiness stage at the time applications are submitted. Local agency should select the most current phase of the project.

- Environmental Approvals – applies where all environmental clearances have been obtained on the project.
- Preliminary design (35 percent (35%) level) – will require certification from the City Engineer and is subject to verification.
- Final Design (PS&E) – applies where the jurisdiction's City Engineer or other authorized person has approved the final design.
- ROW (all offers issued) – applies where offers have been made for every parcel where acquisition is required and/or offers of dedication or orders of immediate

possession have been received by the jurisdiction. Documentation of ROW possession will be required with application submittal.

- ROW (all easements and titles) – applies where no ROW is needed for the project or where all ROW has been acquired/dedicated.

Cost Benefit: Total project cost (including unfunded phases) divided by the existing ADT (or modeled ADT for new segments).

Funding Over-Match: The percentages shown apply to match rates above a jurisdiction's minimum local match requirement. M2 requires a 50 percent (50%) local match for RCP projects. This minimum match can be reduced by up to 25 percentage points if certain eligible components are met. If a jurisdiction's minimum match target is 30 percent (30%) and a local match of 45 percent (45%) is pledged, points are earned for the 15 percent (15%) over-match. The pledged amount is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project.

Coordination with Freeway Project: Interchanges planned to coincide with or accommodate programmed freeway improvements receive points in this category.

Transportation Significance: Roadway classification as shown in the current MPAH.

Operational Attributes (within the roadway): This category is additive. Each category, except Active Transit Routes, must be a new feature added as a part of the proposed project. Only one feature can be selected for any qualifying category. For example, installation of a bike lane that is identified in an adopted ATP plan can be awarded points under "Bike Lanes" or "Active Transportation Focused Plan Elements," but not both.

- Eliminate left turn conflicts: Ramp intersection reconfiguration which does not permit left turns onto ramps.
- Coordinated signal: Ramp intersections within a coordinated corridor where coordination did not previously exist.
- Add turn lanes: Increase in number of turn lanes on arterial.
- Add traffic control: Signalization of ramp intersection.
- Enhanced ramp storage: Extension or widening of existing ramp to improve off-street storage capacity.
- Pedestrian facilities: Add crosswalk and/or sidewalk to ramp or bridge crossing within context of interchange improvements.
- Active Transit Route: facility contains a currently active OCTA transit route
- Safety Improvements: Project features that increase the safety of pedestrians. These elements can include the new installation of: intersection median barriers, curb extensions, pedestrian crossing islands, crosswalk enhancements, safety signage, and the addition, modification, or improvement of existing pedestrian signals. Other elements of safety may be considered on a case-by-case basis.

- Elements of Approved Active Transportation Plan/Active Transportation Focused Sections of other Types of Mobility Plans: Incorporate project features that are approved in an active transportation plan or if very focused, in active transportation focused sections of other types of plans that improve mobility. These elements can include bike infrastructure and pedestrian elements. Other elements of an active transportation plan may be considered on a case-by-case basis. Documentation of approved plan will be required with application submittal and assignment of points for active transportation focused sections of other types of plans will be considered on a case-by-case basis.
- Sustainability Elements: Includes the use of multiple complete street elements, the installation of solar lighting within the roadway cross section, or water conservation elements that reduce water consumption, compared to current usage within project limits; such as the replacement of existing landscaping with hardscape and/or "California Native" drought tolerant type landscaping; the replacement of existing sprinklers with drip irrigation systems; the installation of new "grey" or recycled water systems where such does not currently exist. Other elements of sustainability may be considered on a case by case basis. Points are awarded at construction phase only.

LOS Improvement: This category is a product of the existing or projected LOS based upon v/c and LOS improvement "with project" for arterial based improvements and ICU for intersection-based improvements. **Projects must meet a minimum existing or projected LOS of "D" (.81 v/c) to qualify for priority consideration for funding.** Existing LOS is determined using current 24-hour traffic counts for arterials and peak hour turning movements at intersections for the proposed segment. However, for projects where traffic volumes follow unconventional patterns (e.g. unidirectional congestion, large disparity between AM and PM peaks, etc.) alternate methodologies for determining LOS can be proposed. If HCM 2010 is proposed for intersections as an alternative methodology, all analysis **must be submitted to OCTA no later than September 14, 2023** and the cost for independent review shall be reimbursed by the applicant. Projects that do not meet the minimum LOS "D" can be submitted but are not guaranteed consideration as part of the competitive process.

If during the competitive process, it is determined that additional programming capacity exists after all eligible projects with LOS "D" have been funded, a consideration of projects with a minimum LOS "C" (.71 v/c) may be undertaken. Such consideration will be at the discretion of OCTA. Projects with a LOS better than "C" (.70 v/c) will not be considered.

Improvement Characteristics: Select the attribute that best fits your project definition.

- New facility: New interchange where none exists.
- Partial facility: New interchange which does not provide full access.

- Interchange reconstruction: improvement of existing interchange to provide additional arterial capacity (widening of overcrossing or undercrossing).
- Ramp reconfiguration: Widening of ramp or arterial to improve turning movements or other operational efficiencies.
- Ramp metering: Installation of metering on ramp.

Application Process

Project grants are determined through a competitive application process. Local agencies seeking funding must complete a formal application and provide supporting documentation that will be used to evaluate the project proposal as outlined below.

Complete application

- Funding needs by phase and fiscal year
- Local match funding source
- Supporting technical information
- Project development and implementation schedule
- ROW status and a detailed plan for acquisition/disposal of excess right-of-way. The ROW acquisition/disposal plan must be submitted using the "ROW acquisition/disposal plan" form provided by OCTA and available for download at <https://ocfundtracker.octa.net>.
- Any additional information deemed relevant by the applicant
 - Grants subject to a Master Funding Agreement or cooperative agreement if federal funds are awarded

Calls for projects are expected to be issued on an annual basis, or as determined by the OCTA Board of Directors. Complete project applications must be submitted by the established due date to be considered eligible for consideration.

Minimum Eligibility Requirements

Projects must have an existing or projected LOS "D" (.81 v/c) or worse to qualify for priority consideration for funding in this program. Worst peak hour period is used for this evaluation and eligibility purposes.

Matching Funds

Local agencies are required to provide local match funding for each phase of the project. As prescribed by the M2 Ordinance, a 50 percent (50%) minimum local match is required. A lower local match may be permitted if certain eligibility criteria are met. The amount pledged during the application process is considered the committed match rate and will be required, at a minimum, from the local agency throughout the life of the project. Actual project contributions by the local agency are dependent on final project costs and

may not be equal to the committed match rate in the event of cost overruns. OCTA will not increase the funding grant to cover cost overruns. Ineligible expenditures do not contribute to the local match rate.

Reimbursements

This program is administered on a reimbursement basis for capital improvements, planning, design, and ROW acquisition. Reimbursements will be disbursed upon review and approval of an acceptable initial payment submittal, final report and consistency with Master Funding Agreement. The reimbursement process is described in Chapter 9.

Caltrans Coordination

Caltrans is not eligible to submit applications or receive payment under this program. Only cities or the County of Orange may submit applications and receive funds. This program was designed to benefit local agencies.

Coordination with Caltrans will be essential for most, if not all, of the projects submitted for this program. Local agencies should therefore establish contacts with the Caltrans District 12 Office (Project Development Branch) to ensure that candidate projects have been reviewed and approved by Caltrans. All other affected agencies should be consulted as well.

Agencies submitting projects for this program must have confirmation from Caltrans that the proposed improvement is consistent with other freeway improvements as evidenced by an agreement or other formal document.

Applications should be submitted so that interchange projects are done in conjunction with construction of other freeway improvements whenever possible. However, if the interchange project can be done in advance of the freeway project, verification and/or supporting documentation must be submitted showing the interchange improvement has merit for advanced construction and that it will be compatible with the freeway design and operation. Additionally, the interchange improvements should take into account the ultimate freeway improvements if the interchange is to be improved in advance.

Project Cancellation

If a local agency decides to cancel a project, for whatever reason, the agency shall notify OCTA as soon as possible. Projects deemed infeasible during the planning phase shall bring that phase to a logical conclusion, file a final report, and cancel remaining phases so that remaining funds can be reprogrammed without penalty. ROW funding received for property acquisition prior to cancellation shall be repaid upon cancellation even if property has been acquired. Construction funding received prior to cancellation shall be repaid upon cancellation.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be conducted by OCTA's Internal Audit department or other authorized agent either through the normal annual process or on a schedule to be determined by the Board (see Chapter 10).

Proceeds from the sale of excess ROW acquired with program funding must be paid back to the project fund as described in Chapter 9 and Master Funding Agreement.

Other Application Materials

Supporting documentation will be required to fully consider each project application. In addition to the funding plan described above, local agencies will be required to submit the following materials:

Council Approval: A Council Resolution or minute order authorizing request for funding consideration with a commitment of local match funding must be provided with the project application. **If a *draft* copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency's governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA's Board of Directors.

Project Documentation: If proposed project has completed initial planning activities (such as PSR or equivalent, EIR, or design), evidence of approval should be included with the application. Satisfactory evidence includes project approval signature page, engineer-stamped site plan, or other summary information to demonstrate completion of planning phases. An electronic copy of the PSR and/or environmental document must be supplied as applicable. The applicant will be asked for additional detailed information only if necessary, to adequately evaluate the project application.

Project Summary Information: With each application being recommended for funding, the agency shall submit a PowerPoint presentation summarizing the pertinent project information for review and discussion purposes. The presentation shall be no more than three (3) slides and should contain, at a minimum, a project description, project benefits, location map, and cost estimate. **OCTA staff will request the PowerPoint file when/if a project is recommended for funding.**

Table 7-5
Freeway/Arterial Street Transitions
Interchange Improvement Selection Criteria

Category	Points Possible	Percentage
Facility Usage		20%
Existing ADT	10	10%
Current Project Readiness	10	10%
Economic Effectiveness		25%
Cost Benefit	10	10%
Matching Funds	10	10%
Coordination with Freeway Project	5	5%
Facility Importance		25%
Transportation Significance	10	10%
Operational Efficiencies	15	15%
Benefit		30%
Existing LOS	10	10%
LOS Reduction w/ Project	10	10%
Improvement Characteristics	10	10%
Total	100	100%

Regional Grade Separation Program (RGSP)

Background

Seven rail crossing projects along the MPAH network were identified by the CTC to receive Trade Corridors Improvement Funds (TCIF). These TCIF allocations required an additional local funding commitment. To meet this need, the Board approved the commitment of \$160 million in RCP (Project O) funds to be allocated from M2. The RGSP captures these prior funding commitments.

Future calls for projects for grade separations are not anticipated.

Chapter 8 – Regional Traffic Signal Synchronization Program (Project P)

Overview

The RTSSP (Project P) includes competitive funding for the coordination of traffic signals across jurisdictional boundaries including project based operational and maintenance funding. OCTA will provide funding priority to programs and projects, which are multi-jurisdictional in nature.

The RTSSP is based on the Traffic Signal Synchronization Master Plan (Master Plan). The Board adopted the Master Plan as an element of the MPAH on July 26, 2010. The Master Plan defines the foundation of the RTSSP. The Master Plan consists of the following components:

- Regional signal synchronization network
- Priority corridors for accelerated signal synchronization
- Definition of Traffic Forums
- Model agreements presenting roles and responsibilities for Project P
- Signal synchronization regional assessment every three years
 - NOTE: For Call for Projects 2024, Priority Corridors are an eligible inclusion, but no additional points will be awarded. A Priority Corridor is on the Signal Synchronization Network.

The Master Plan will be reviewed and updated by OCTA. Local agencies are required to adopt and maintain a Local Traffic Signal Synchronization Plan (Local Plan) that is consistent with the Master Plan and shall issue a report on the status and performance of its traffic signal synchronization activities. Details on both the Master Plan and requirements for Local Plan development are available in the [Guidelines for the Preparation of Local Signal Synchronization Plans](#) (updated April 2023). These guidelines are available at the following link: <https://www.octa.net/pdf/CTFPGuidelines2024.pdf>.

The remainder of this chapter details the key components of the RTSSP:

- Funding guidelines for the competitive call for projects
- 2024 Call for Projects

Projects compete for funding as part of the RTSSP. Projects submitted by local agencies as part of the call must meet specific criteria. Projects are rated based on scoring criteria and are selected based on their competitive ratings.

Objectives

- Synchronize traffic signals across jurisdictions.
 - Monitor and regularly improve the synchronization.
 - Synchronize signals on a corridor, intersecting crossing arterial and/or route basis reflecting existing traffic patterns in contiguous zones or road segments that have common operations.

2024 Call for Projects

The following information provides an overview of the 2024 RTSSP (Project P) Call for Projects:

1. Projects must result in new, optimized, and field-implemented coordination timing.
2. Project shall be a single contiguous corridor or set of contiguous corridors related to each other. Multiple corridors and related systems of corridors that form a “grid” may be submitted as a single optimized timing project. However, the total number of corridors per project will be limited to three (3), and the total number of signalized intersections between these corridors is limited to fifty (50).
3. Projects selected will be programmed after July 1 of the programmed year (July 1 – June 30).
4. Project delays resulting in a time extension request will fall within the process outlined in the CTFP Guidelines.
5. Projects are funded for a grant period of three (3) years and are divided into two phases:
 - a. Primary Implementation (PI) – includes the required implementation of optimized signal timing as well as any signal improvements proposed as part of a project. A report is required at the conclusion of this phase to document work completed during the PI phase. This PI Report shall be submitted with the final report.
 - b. Ongoing Operations and Maintenance (O&M) – includes the required monitoring and improving optimized signal timing in addition to any optional communications and/or detection support. O&M will begin after the optimized signal timing is implemented and be required for the remainder of the project (typically 2 Years). A O&M Report is required at the conclusion of this phase to document work completed during the O&M phase and shall be submitted with the final report.
6. Projects shall include a Before and After Study. This study shall collect morning, mid-day, and evening peak periods using travel times, average speeds, green lights to red lights, stops per mile, and the derived corridor synchronization performance index (CSPI) metric. This information shall be collected both before and after signal timing changes have been implemented and approved by all agencies. The study shall compare the information collected both before and after the timing changes.

Comparisons should identify the absolute and percent differences for the entire corridor, by segment, direction, and time period. Segments will be defined by major traffic movements as observed during the project (e.g. commuting segments between freeways, pedestrian-friendly segments in a downtown area, etc.). The Before and After study shall also include field inventory, count data, modeling data, and Greenhouse Gas calculations. The Before and After Study shall be submitted as part of the PI Report.

7. Any corridor or portion of a corridor funded through this call cannot re-apply for funding until the three-year grant period is completed and a final report has been submitted to OCTA.
8. This chapter identifies the selection criteria for projects, eligible activities, minimum project requirements, data compatibility required as part of any funded project, and other key information.
9. Participants in the OCTA Countywide Signal Synchronization Baseline Project (Baseline Project) may elect to waive data collection, timing development, and timing implementation tasks in their application. A waiver will only be accepted if all participating agencies (excluding Caltrans) execute a cooperative agreement with OCTA by no later than the date the funding recommendations are presented to the TSC, as these tasks will be covered in the Baseline Project. Note that "Before" and "After" studies and tasks in the O&M phase will still be required as part of Project P.

Additional details of the specific program's intent, eligible project expenditures, ineligible project expenditures, and additional information that may be needed when applying for funds are included in this chapter. Each section should be read thoroughly before applying for funding. Applications should be prepared for the program that best fits the proposed project.

For specifics on the funding policies that apply to this call, refer to the Program Precepts in Section IV of these guidelines.

Applications

In order for OCTA to consider a project for funding, applications will be prepared by the local agency responsible for the project application. OCTA shall require agencies to submit applications for the call for projects by **5:00 p.m. on Thursday, October 26, 2023**. Late and/or incomplete submittals will not be reviewed or considered. The local agency responsible for the project application must submit the application and any supporting documentation via OCFundtracker as outlined below.

A separate application package must be completed for each individual project and uploaded to OCFundtracker. **One (1) unbound printed hardcopy and one electronic copy on a USB, thumb drive, memory stick, or via electronic file upload and/or email** of each complete application shall also be mailed or delivered to:

Orange County Transportation Authority
550 South Main Street
P.O. Box 14184
Orange, California 92863-1584
Attn: Adrian Salazar
Email: asalazar@octa.net

Application Process

Project grants are determined through a competitive application process administered by OCTA. Agencies seeking funding must complete an online application, a supplemental application in the latest format, and provide supporting documentation that will be used to evaluate the project proposal as outlined below. Key information to be provided as part of the application process includes:

- Funding needs by phase and fiscal year
- Percent match rate per phase including funds type, source, and description (minimum 20 percent (20%))
- Lead agency (default – local agency)
- Lead and supporting agencies' contact information
- Supporting technical information
- Project development and implementation schedule
- Environmental clearances and other permits
- Any additional information deemed relevant by the applicant
- Complete photographic field review (including cabinet interiors and communication facilities) for all projects that exceed one million dollars in capital improvements. Original photos shall be uploaded to OCFundtracker or included with electronic copy of application.

A call for projects for the funding cycle will be issued as determined by the Board. Complete project applications must be submitted by the established due dates to be considered eligible for consideration.

An application should be submitted for a single corridor or route corridor project. Multiple corridors that form a "grid" may be submitted as separate or single project(s). However, the total number of corridors per route or grid corridor projects will be limited to three (3) and the total number of intersections between these corridors are limited to fifty (50). A single corridor project not proposed as a connected route or grid project may be submitted and is not subject to the 50-intersection limit. The following instructions should be used in developing project applications.

Applications will be reviewed by OCTA for consistency, accuracy, and concurrence. Once applications have been completed in accordance with the Program requirements, the

projects will be scored, ranked, and submitted to the TSC, TAC, and the Board for consideration and funding approval. OCTA reserves the right to evaluate submitted project costs for reasonableness as part of the review and selection process and suggest potential revisions to make the cost more appropriate. Grants will be subject to funding agreements with OCTA.

Other Application Materials

Supporting documentation is required to fully consider each project application. A Supplemental Application (available on the OCTA website and OCFundtracker) is required to be completed for each project application and included in the electronic submittal. **Any Supplemental Application not submitted in the 2024 format will NOT be considered.** The template is distributed with other application materials at the issuance of the Call for Projects. In addition to the funding plan described above, local agencies will be required to submit additional materials.

Lead Agency: Eligible jurisdictions consistent with Measure M2 ordinance definitions and requirements.

Participating Agencies: All participating agencies must be identified and adopted City Council resolutions or Minute Order actions authorizing the participating agency's support of the project under the lead agency must be included. If the application claims Caltrans as a participant, then it shall contain a letter of support from Caltrans for the specific project and letters of support from all applicable agencies pledging to sign a cooperative agreement with Caltrans at the start of the project. The lead agency shall also pledge this commitment in the cover letter of the application. The required Caltrans fee will be a line item in the improvements list. The applicable agencies will be required to cover the required 20% match for the Caltrans line items. All agencies that have a Caltrans intersection/ramp in their jurisdiction are required to sign a cooperative agreement with Caltrans in order for the entire project to claim Caltrans as a participant.

Council Approval: A Council Resolution or Minute Order action authorizing request for funding consideration with a commitment of project local match funding must be provided with the project application from all participating agencies. **If a draft copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency's governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA's Board of Directors.

Lead Agency

This Program is administered through a single lead agency: See Lead Agency definition above.

Local Agency Lead: Only the lead agency will receive payments in accordance with the CTFP Guidelines regarding payment for costs related to project for optimized signal timing development, capital improvements, planning, and related design. Payments will be disbursed consistent with Chapter 9. The lead agency is responsible for reimbursing other agencies as part of the effort. Additionally, the lead agency is also responsible for ensuring that all agencies participating in the project provide the local match proposed in the project application.

OCTA Lead (NOT AVAILABLE FOR 2024 CALL FOR PROJECTS): OCTA may, at the request of the involved local agencies, act as the lead agency for RTSSP projects. If the involved local agencies would like OCTA to implement a project on the signal synchronization network, the local agency shall work cooperatively with OCTA to develop the scope of work and cost elements of the project. For example, accounting for OCTA's administrative and project management efforts by incorporating an additional 10 percent of the total project cost when calculating the Cost Benefit of the project. The lead local agency shall contact OCTA with **a written request at least four weeks prior to deadline for submittal of the project grant application**. Applications must be prepared by a designated local agency acting in a lead capacity during grant preparation. Applications must include a complete photographic field review (as outlined above) when submitted. The application will be scored using the criteria outlined in the following sections. Based on local agency interest and OCTA resource availability, a limited number of projects can be developed and implemented by OCTA.

If any projects that are designated as OCTA led are awarded funding, OCTA will then be responsible for implementation of the project, including optimized signal timing development, capital improvements, planning, and related design. OCTA will implement the project based on the cost estimates developed in the application. Project elements may be modified based on final costs with the agreement of all participating agencies. OCTA will be responsible for ensuring that all agencies participating in the project provide the local match as identified in the project application (minimum 20 percent (20%)).

OCFundtracker Application Components

Final applications MUST be submitted via OCFundtracker and in hard copy format. Selection criteria must be inputted as part of the OCFundtracker online application and includes the following categories of information:

Transportation Significance, Number of Jurisdictions, Project Scale, Economic Effectiveness, Project Characteristics, Current Project Status, and Funding Match Rate.

Application Review and Program Adoption

OCTA staff will conduct a preliminary review of all applications for completeness and accuracy, may request supplemental information for projects during initial staff

evaluations, and prepare a recommended program of projects to the TSC and TAC. In addition, OCTA may hire a consultant(s) to verify information within individual applications including, but not limited to, project scope, cost estimates, vehicle miles traveled, and average daily traffic.

Final programming recommendations will be provided to the TSC and TAC for approval. Recommendations will be presented to the Board, who will approve projects for funding under the CTFP.

Local agencies awarded funding will be notified as to which projects have been funded and from what sources after the Board takes action. A tentative call schedule is detailed below:

Board authorization to issue call: August 14, 2023

Application submittal deadline: October 26, 2023

TSC/TAC Review: February/March 2024

Committee/Board approval: April/May 2024

Checklist Guide

The "Project P Regional Traffic Signal Synchronization Program Application Checklist" has been provided for the RTSSP (Exhibit 8-1). The checklist identifies the basic documentation required for the program. In addition to items required at the time of project submittal, additional items that are not specified may be requested later. The checklist should be provided as a table of contents for **each** application submitted. For any items that are required for the candidate project or program that are missing or incomplete, an explanation should be included in a cover letter with the application.

Sample Resolution Form

A resolution or minute action must be approved by the local agency's governing body. A sample resolution is included as Exhibit 8-2. Local agencies, at a minimum, must include items a-h from the sample resolution. The mechanism selected shall serve as a formal request for RTSSP funds and will state that matching funds will be provided by the agency, if necessary. All project requests (i.e., multiple corridors proposed for RTSSP funds) must be included in this action.

Project Definition

Local agencies are required to submit complete projects that, at minimum, result in field-implemented coordinated timing. Project tasks that are eligible for funding can consist of design, engineering, construction, and construction management. Partial projects that include design improvements, but do not field implement the improvements are ineligible.

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Projects must consist of a corridor along the priority corridor network, signal synchronization network, or the MPAH. Projects previously awarded RTSSP funding must be complete with a Final Report submitted to OCTA. Projects can be the full length of the corridor or a segment that complies with the minimum project requirements identified later in the chapter.

All participating agencies (except Caltrans) in the application must be participants of the OCTA Baseline Project in order to be eligible to waive the data collection, timing development, and timing implementation tasks of the Project P project.

Applicant agency and owning agency must demonstrate through simulation, or actual vehicle counts showing Origin – Destination that proposed linked corridors do form a route. A “grid” project shall consist of one main corridor that is specifically identified in the application with a maximum of two crossing corridors to make a grid. Grid projects shall also be multijurisdictional with a minimum of two local agencies, excluding Caltrans. For a grid project, applicant agency and owning agency must demonstrate through simulation or actual vehicle counts the following:

- Show that timing changes on the main corridor will greatly impact the crossing corridor(s)
- Crossing corridors shall have closely spaced signals in close proximity to the main corridor with timing changes along these crossings impacting the operation of the main corridor

All corridors in the grid shall individually meet the Minimum Eligibility Requirements and, as part of the project, travel time studies shall also be collected along all corridors making the grid.

Multimodal consideration of bicyclists and pedestrians along or crossing the intersection or roadway may enhance overall circulation. Therefore, active transportation elements may be included as part of the project as outlined in the following section.

Eligible Activities

The primary purpose of Project P is to provide funding for projects that develop and maintain corridor-based, multi-jurisdictional signal synchronization along corridors throughout Orange County. All projects funded by Project P must be corridor-based and have a signal coordination component that includes the following:

- Developing and implementing new signal synchronization timing parameters based on current travel patterns, and federal and state traffic signal timing mandates and guidance, including but not limited to the Manual on Uniform Traffic Control Devices (MUTCD). These tasks may be waived if the applicants (excluding Caltrans) are participating in the Baseline Project.

- Monitor, maintain (minimum quarterly/maximum monthly) and/or regularly improve the newly implemented signal synchronization timing and parameters for the remainder of the project. As part of the closeout process, an O&M Report is required to document activities of the O&M phase.
- “Before” and “after” studies for the project comparing travel times, average speeds, ratio of green lights passed to red lights stopped (greens per red), average stops per mile, and emissions of greenhouse gases. The results of the “before” and “after” studies shall be included in the PI Report.

In addition to developing optimized signal timing, a project may include other improvements, as long as they contribute to the goal of multi-agency signal synchronization of corridors throughout Orange County. These improvements are restricted to the signal synchronization project limits (main corridor) but may include synchronization with traffic signalized intersections on the MPAH that are within 2,700 feet from either direction of the project corridor. These offset signals; however, will not be counted towards the total number of signals on the project (for implementation of timing plans only). Projects waiving the development of optimized signal timing through the participation of the Baseline Project are eligible to include signal improvements at offset signals, as the Baseline Project will be evaluating timing countywide. No additional funds will be allocated for offset signals. All offset signal improvements must adhere to the CTFP Guidelines for eligibility. All improvements must be designed to enhance the specific project. Expenditures related to the design of systems, permitting, and environmental clearance are eligible for funding.

Caltrans encroachment permits and agency to Caltrans Cooperative Agreement fees are eligible activities. This includes Caltrans labor, such as expenses for reviewing signal timing plans, providing signal timing parameters, and providing existing timing sheets, etc. Applicant must specify how the project intends to handle Caltrans intersections.

Ineligible Expenditures

- Isolated traffic signal improvements
- Traffic hardware (pole, mast arms, lights, electrical, signs, etc.)
- Regular signal operation and maintenance (such as replacement of light bulbs or communication repairs)
- Field display equipment (Traffic signal heads other than pedestrian countdown, or special bicycle, or Transit Vehicle signal heads)
- Feasibility studies
- Relocation of utilities except for electrical service requirements
- Right-of-way
- Rewiring of complete intersection because of age or isolated mitigation

Funding Estimates

The streets and roads component of M2 is to receive 32 percent (32%) of net revenues, 4 percent (4%) of which are allocated for the RTSSP. The RTSSP will make an estimated \$270 million (2009 dollars) available over the course of the 30-year M2 Program. Programming estimates are developed in conjunction with a call for projects cycle corresponding to concurrent funding agreements with all local agencies.

The RTSSP targets over 2,000 intersections across Orange County for coordinated operations. Because of the limited amount of funds available for the RTSSP, project cap of \$75,000 per signal or \$250,000 per project corridor mile included as part of each project (whichever is higher) has been established for this call for projects. Note that offset signals will not be counted towards the total number of signals on the project for purposes of calculating the project cap.

Selection Criteria

Specific selection criteria will be used to evaluate competitive program project applications. Emphasis is placed on furthering the overall goal of multi-jurisdictional, corridor-based signal synchronization.

Transportation Significance: Points are awarded for projects that include offset signals along the project corridor, route, or grid. These offset signals do not count towards the project cap; however, are in relatively close proximity to affect the operation of the corridor(s). The applicant shall identify the number of offset signals on the corridor and the percentage of those offset signals that will be included in the project.

Vehicle miles traveled (VMT) is calculated as the centerline length of segment(s) on the corridor, route, or grid proposed for synchronization multiplied by the existing average daily traffic (ADT) for the proposed segment(s) length. For instance, for a three-mile segment with one-mile interval ADT data at of 200 vehicles, 300 vehicles, and 400 vehicles, the VMT would be calculated as:

$$200 \text{ vehicles} * 1 \text{ mile} + 300 \text{ vehicles} * 1 \text{ mile} + 400 \text{ vehicles} * 1 \text{ mile} = 900 \text{ vehicle miles.}$$

VMT should be calculated by the smallest segmentation on which the city typically collects ADT data. ADT must be based upon actual count information taken within 36 months preceding the application date and include 24-hour, midweek, bi-directional counts for each segment. All supporting data shall be organized in order in which they appear for the calculation of the VMT. Data from the OCTA Traffic Flow Map may not be used. Furthermore, outdated and/or non-compliant counts may result in project ineligibility (maximum: 25 points).

Economic Effectiveness: Total project cost divided by Existing VMT. If the applicant is electing OCTA to be the lead agency, the total project cost in this calculation must also

include an additional 10 percent (10%) of the total project for OCTA administrative and project management efforts. This additional 10% is used to determine the project effectiveness only and is not counted towards the overall project budget cap (maximum: 10 points).

Project Characteristics: Points are awarded based on the project's average improvement score. Eligible improvements for each intersection are assigned an improvement score based on factors, such as priority for overall signal operations and existing conditions. Intersection improvement scores are then averaged together, and the average project score is used in the point breakdown table in the Project Characteristics. For instance, a maximum score of 50 is awarded to projects that are timing only without any capital improvements or average scores accumulate if a signal synchronization project is combined with eligible improvements. The following improvements and requirements only apply to signalized intersections that are part of the application.

Eligible Improvements		Score Based on Status	
Signal Timing (No Capital)		Online	Offline
	Timing Only	50	30
	Timing + Traffic Responsive (license only)	50	15
	Timing + Peer-to-Peer (configuration only)	50	40
	Timing + Traffic Adaptive (license only)	40	1
Signal Communication		No Time Source	Time Source
	Above ground (e.g., wireless, cellular, etc.)	50	30
	Fiber Optic underground	25	15
	All other (e.g., copper, aerial fiber, GPS, etc.)	5	1
Field Elements		None/5+ Years	Within 5 years
	ATC signal controller	50	10
	Signal cabinet on existing foundation	30	10
	Signal cabinet on new foundation	15	5
	BBS/USP (attached)	20	10
	BBS/UPS on existing foundation	10	5
	BBS/UPS on new foundation	5	1
	CCTV	30	10
	Vehicle detection (ATSPM inputs + counts)	50	30
	Vehicle detection (ATSPM inputs)	40	20
	Vehicle detection + bicycle detection	30	15
	Vehicle detection	30	15
	Bicycle detection	30	15

Eligible Improvements		Score Based on Status	
	Pedestrian detection (audible)	50	30
	Pedestrian detection	30	15
	Active transportation/pedestrian safety	50	30
	Transit Signal Priority	30	10
	EVP (hybrid or GPS)	40	10
	EVP (infrared)	30	10
	Speed feedback signs (existing post)	40	10
	Speed feedback signs (new post)	20	10
	Corridor Performance Monitoring	40	10
Minor Signal Operational Improvements		None/5+ Years	Within 5 years
	Channelization	40	20
	Signal phasing improvement	50	25
TMC/TOC		None/10+ Years	Within 10 years
	Central System (server, licenses, workstations)	40	20
	Display (video wall, VMS, etc.)	30	10
	UPS	20	5
Caltrans		Participation	No Participation
	Cooperative Agreement	50	25

Signal Timing (No Capital). Improvements in this category can only be selected if the entire project is a timing only project without any field improvements. Scores for this improvement category can be claimed for any one of the following depending on the status of the signal, whether is it online (connected to a central system and active) or offline (either connected and not active or not connected to a central system):

- Traffic Responsive only if all signals, in at least one agency on the project, are included in the system.
- Peer-to-Peer program on traffic control devices that have existing connectivity.
- Adaptive traffic signal systems only if all signals, in at least one agency on the project, are included in the system.

Signal Communication. Scores for this improvement category varies depending on the type of improvement coupled with the existing status of the signal, whether there is an existing reliable time source (e.g., GPS, master controller, direct connection to central system, etc.) that will keep the signal in synchronization along the corridor:

- Above ground communication installations, such as wireless radios and cellular devices, that are quick to build are the preferred medium to ensure all signals are online and operating. This should not include any construction between signalized intersections.

- New or upgraded fiber optic communication systems
 - New contemporary communication system improvements (e.g., Ethernet) including all conduits, pull boxes, fiber optic and/or copper cabling (not to exceed 120 strands), network switches and distribution systems. These systems should be sufficiently sized for the needs/capacity of the Intelligent Transportation System (ITS) network. Excess capacity is deemed non-participating and also, cannot be used as part of the required project match.
 - Software and hardware for system traffic control.
 - Control and monitoring interconnect conduit (including upgrades or replacement of existing systems).
 - Communication closure systems of conduit, cable, and associated equipment that are outside of project limits but complete a designated communications link to an existing network for the Advanced Transportation Management System (ATMS) for an agency or agencies. Only communication links that are installed from a central location and/or communications hub to the project corridor that does not currently have a fiber connection to a central location are eligible.
- All other communication mediums, such as GPS clocks, copper twisted pair or aerial interconnect between signalized intersections, are eligible to ensure signals are online and in operation but are not encouraged.

Field Elements. This improvement category is focused on the field equipment/devices that will ensure the signals are enhanced to support advanced signal operations. Scores for this improvement category will vary depending on the existing lifespan of equipment/devices being upgraded. It is the applicant agency's responsibility to ensure the appropriate score is assigned, and OCTA may request for supporting documentation.

- Traffic signal controller replacement of antiquated units with Advanced Transportation controller (ATC) units. ATC shall comply with latest industry standards.
- Controller cabinet (assemblies) replacements that can be shown to enhance signal synchronization.
- Traffic signal Battery Backup System (BBS) or Uninterruptible Power Supply (UPS) that includes cabinet, batteries, and necessary configurations.
- Closed Circuit Television (CCTV). Intelligent cameras that include analytics, such as automated continuous counts are the preferred solution. If implemented, these cameras may require a data sharing agreement with OCTA in the future.
- Vehicle Detection System (VDS)
 - The ideal implementation for signal operations is a detection system that will increase the number of inputs, including separate bicycle and pedestrian detection inputs, into the signal controller for the purpose of signal performance

measures, such as Automated Traffic Signal Performance Measures (ATSPM). Additionally, inputs that are specifically set to capture turning movement counts at the intersection.

- Inductive loops, video detection, radar, sonar, thermal, hybrids thereof, and other types of vehicle detection systems that can distinguish bicycles. This includes implementing a separate bicycle minimum and/or clearance parameter in the traffic signal controller.
- Installation of new and/or improved traffic control devices to improve the accessibility, mobility, and safety of the facility for pedestrians and bicyclists. Americans with Disabilities Act (ADA) compliant pedestrian signals include, but not limited to, tactile and audible buttons in countdown signal heads.
- Active Transportation/Pedestrian Safety related elements
 - High-Intensity Activated crosswalk signaling systems (HAWK) Pedestrian detection modules Bicycle detection modules.
 - Rectangular Rapid Flashing Beacon Systems (RRFB) including striping, legends, and signage.
- Transit Signal Priority (TSP) intersection control equipment only.
- Emergency Vehicle Preempt (EVP) intersection control equipment only.
- Corridor Performance Monitoring implementations, such as Bluetooth and/or connected vehicle roadside units for signals on the project. If implemented, these items will require a data sharing agreement with OCTA.

Minor Signal Operational Improvements. Scores for this improvement category will vary depending on the existing lifespan. It is the applicant agency's responsibility to ensure the appropriate score is assigned, and OCTA may request for supporting documentation.

- Channelization (signing, striping, raised pavement markers, in lane flashing guidance or warning marking systems, and legends) improvements required for traffic signal phasing.
- Traffic signal phasing improvements that will improve traffic flow and system performance including protected permissive left turn phasing and shared pedestrian phasing, excluding display equipment and other ineligible activities as mentioned in these guidelines.

Traffic Management Center (TMC)/Traffic Operations Center (TOC). Scores for this improvement category will vary depending on the existing lifespan of equipment or software being upgraded. It is the applicant agency's responsibility to ensure the appropriate score is assigned, and OCTA may request for supporting documentation.

- Central system
 - New TMCs or TOCs, such as a new Advanced Traffic Management System (ATMS). Any project funded under this category should plan for center-to-center communication (C2C) with nearby agencies and/or OCTA.

- Upgrades to existing TMCs or TOCs. Any project funded under this category should plan for C2C with nearby agencies and/or OCTA.
- Motorist information systems (up to 10 percent (10%) of total project costs for PI phase only).
- Automated Traffic Signal Performance Measures (ATSPM) system can only be implemented if all signals, in at least one agency on the project, are included in the system, which will also be used during the O&M phase of the project. If implemented, these items will require a data sharing agreement with OCTA.
- Video display equipment, including wall monitors, screens, mounting cabinets, and optical engines (up to 10 percent (10%) of total construction costs for PI phase only).
- Uninterruptible Power Supply (UPS) for ATMS shall solely provide electrical power for ATMS Server(s), one dedicated workstation ~~workstation~~ station (console terminal) and related communications devices. UPS for ATMS is not intended to provide power to entire TMC, and approval of request for UPS is at the sole discretion of OCTA.

Caltrans. Scores for this category will depend on the commitment of a cooperative agreement with Caltrans that results in active Caltrans participation and inclusion of Caltrans as a partnering agency. The associated timing fee is an eligible expense. Note that if a cooperative agreement with Caltrans will not be executed, the participating agencies will still be responsible for modeling any Caltrans signalized intersections within the project limits.

Each project intersection that has proposed improvements will receive an average score per the specific improvements noted above and the project's score will be an average of all intersection averages (maximum: 20 points).

Project Scale: Points are earned for including more intersections along the signal synchronization network. For a grid, the number of signals and percent of signals being retimed will only be calculated for the corridor that is designated as the Main Corridor (maximum: 20 points).

Note: Due to the length of Pacific Coast Highway (PCH) and the fact that broad portions of it are a Caltrans' owned facility, for CTFP project scoring purposes only, the "Percent of Main Corridor Being Retimed" scoring criteria (identified in Table 8-1) can be divided into the four following segments.

1. San Gabriel River (Los Angeles County Line) to North of Goldenwest Street
2. Goldenwest Street to School/State Park
3. South of School State Park to Doheny Park Road

4. South of Doheny Park Road to County Line

If an application is proposed to span two or more segments of PCH the “Percent of Main Corridor Being Retimed” calculation will be based upon the number of signals in the project application divided by total number of signals in the applicable segments.

Number of Jurisdictions: Points are earned for including multiple local agencies as part of the project (maximum: 10 points).

Current Project Status: Points are earned based on the current status of the project development. Points for re-timing of a corridor can be claimed only if at least 75% of the previous project (RTSSP or Measure M Signal Improvement Program) is part of the new application OR at least 75% of the corridor (on MPAH) has never been funded. Points can also be claimed for applicants who provide evidence that they can complete primary implementation within twelve months. Agencies that receive points for this category **cannot request delays or time extensions throughout the life of the project.** Note: Applications that designate OCTA as the lead agency or are participating in the Baseline Project are not eligible to claim implementation within 12 months (maximum: 10 points).

Funding Match: The percentages shown in Table 8-1 apply to overall match rates. M2 requires a 20 percent (20%) local match for RTSSP projects. Project match rates above 20 percent (20%) are limited to dollar match only (maximum: 5 points).

Table 8-1 Point Breakdown

RTSSP SCORING CRITERIA

Point Breakdown for Regional Traffic Signal Synchronization Program Projects

Maximum Points = 100

Transportation Significance	Points: 25
Inclusion of offset signals within 2700'	Points
90% or above	10
50 – 89%	5
< 50%	0
OR	
Participation in the Baseline Project	10
AND	
Vehicle Miles Traveled (VMT)	
Range	Points
250+ thousand	15
200 - 249 thousand	10
150 - 199 thousand	6
100 - 149 thousand	3
0 - 99 thousand	1
<u>Calculation:</u> ADT x segment length (Applies only to coordinated segments of project)	

Economic Effectiveness	Points: 10
Cost Benefit (Total \$/VMT)	
Range	Points
< 3	10
3 – 5	9
6 – 8	8
9 – 11	7
12 – 14	6
15 - 17	5
18 – 20	4
21 – 23	3
24 – 26	2
27+	1

Project Characteristics	Max Points: 20
Project Average Improvement Score	
Range	Points
45 – 50	20
35 – 44	15
25 – 34	10
15 – 24	5
5 – 14	2
0 – 4	1

Project Scale	Points: 20
Number of Signals on Main Corridor Coordinated by Project	
Range	Points
50+	10
40 - 49	8
30 - 39	6
20 - 29	4
10 - 19	2
< 10	0
AND	
Percent of Main Corridor Signals Being Retimed	
Range	Points
90% or above	10
80 - 89%	8
70 - 79%	6
60 - 69%	4
50 - 59%	2
< 50%	0
<u>Calculation:</u> Number of signals in project divided by total signals in full corridor length.	

Number of Jurisdictions	Points: 10
Total Number of Involved Jurisdictions	
Range	Points
5 or more	10
4	8
3	6
2	4
1	0

Current Project Status	Points: 10
Project Status	Point
Re-timing 75% of previous project	5
Timing 75% of new eligible project	5
Implementation within 12 months	5

Funding Match	Points: 5
Overall Match %	Point
50+%	5
40 - 49%	4
35 - 39%	3
30 - 34%	2
25 - 29%	1
< 25%	0

Minimum Eligibility Requirements

All local agencies may participate in the RTSSP. Caltrans facilities are eligible for the RTSSP, but Caltrans cannot act as the lead agency. Local agencies will be required to provide a minimum of 20 percent (20%) matching funds for eligible projects (see definition of matching funds below).

The goal of the RTSSP is to provide regional signal synchronization that crosses jurisdictional, geographical, or physical boundaries. To be eligible for RTSSP funding, a project must meet the following requirements:

1. Be on a street segment that is part of the signal synchronization network, or the MPAH. The project must be consistent with Local Signal Synchronization Plans and support the Regional Traffic Signal Synchronization Master Plan goals.
2. Be multi-jurisdictional, have documented support from all participating local agencies (cities, County, or Caltrans) and a minimum of 20 signals.

or

Be multi-jurisdictional, have documented support from all participating local agencies (cities, County, or Caltrans) and a minimum distance of five miles.

or

Include at minimum three local agencies, have documented support from all participating local agencies (cities, County, or Caltrans), and have a minimum intersection density of four intersections per mile with a minimum of eight signals.

or

Include the full length of the signal synchronization network corridor, or MPAH corridor.

Matching Funds

Local agencies along the corridor are required to provide a minimum local match funding of 20 percent (20%) for each phase of the project. As prescribed by the M2 Ordinance, this includes local sources, M2 Fair Share, and other public or private sources (herein referred to as a “cash match”). Projects can designate local matching funds as cash match, in-kind match provided by local agency staff and equipment, or a combination of both.

“In-kind match” is defined as those actions that local agencies will do in support of the project including staffing commitment and/or new eligible signal system investment related to improved signal synchronization. Examples of staffing commitment include, but are not limited to, implementation of intersection or system timing parameters, review of timing documentation, meeting participation, conducting or assisting in before/after

studies, and other similar efforts that directly enhance the signal synchronization project. Please note, any over-match commitment is subject to the same audit and requirements as in-kind match.

Administrative staff time for documentation of in-kind services is ineligible. Staff time charged to a project is limited to the caps as described in these guidelines. Allowable signal system investment would be improvements that are “eligible activities” per the funding guidelines, which can be shown to improve signal synchronization and would not include any prior investments made by the agency. For OCTA-led projects, match for equipment shall be in cash except when an agency elects to purchase equipment per the application. Project match beyond 20 percent (20%) is limited to cash match only.

In-kind match must be defined for each local agency as part of the supplemental application. In-kind match must be identified as staffing commitment and/or new signal system investment. The supplemental application template will include a section to input in-kind match type as well as additional data related to the match:

- Staffing commitment
 - Staff position
 - Number of hours
 - Hourly (fully burdened) rate
 - Total cost
- New signal system investment (limited to eligible activities)
 - Cost of any signal system investment
 - Benefit to project

For OCTA-led projects, O&M activities will be permitted in-kind match only for local agency oversight functions. Contract activities will require cash match. Local agency contributions identified as cash match in the application cannot be converted into in-kind match.

OCTA staff will review in detail the presented cash and in-kind match by local agency for reasonableness.

Additionally, for projects designating OCTA as lead agency, a consultant traffic engineering firm may be contracted to provide staff and services to implement the project. Therefore, in-kind match designated as staffing commitment under an OCTA-led agency option shall be limited. The following will be used as a guide for staffing commitment, when the local agency develops the application:

- Primary Implementation (PI) (12 months)
 - Project Administration - Each local agency traffic engineer or equivalent participates in approximately 10-15 hours per month of project administration (meetings, review of reports, minutes, and other administration).

- Signal Synchronization Timing - Each local agency traffic engineer or equivalent reviews consultant developed draft and final timing plans for intersections within the local agency, approximately 2-4 hours per local agency intersection.
- Before and After Study - Each local agency traffic engineer or equivalent reviews consultant developed draft and final project Before and After Study, approximately 2-5 hours per local agency.
- Engineering design/review - Each local agency traffic engineer or equivalent reviews consultant developed engineer design within the local agency, approximately 2-4 hours per affected local agency intersection.
- System integration - Each local agency traffic engineer or equivalent provides support for this function (hours vary depending on improvements).
- Construction management - Each local agency traffic engineer or equivalent provides construction management support including inspection (hours vary depending on improvements).
- Ongoing O&M (24 months) - Each local agency traffic engineer or equivalent participates in continued project level meetings of 2-5 hours per local agency per month to review consultant traffic engineering progress. In addition, each local agency traffic engineer or equivalent reviews consultant developed draft and O&M Report.

For projects designating a local agency as lead, the above may be used as a guide with additional local match related to implementation, development, design, monitoring and other costs that the local agency may choose to include as local match. For instance, O&M may be performed by in-house staff and be calculated using a different formula (e.g., 2-5 hours per local agency signal for 24 months).

Participating agencies pledging in-kind services shall be responsible for keeping track of said hours and/or improvements. In-kind services are part of the total project cost. As indicated in the Precepts, ~~"Construction Engineering, Construction Management, Material Testing, Engineering Support, and/or Project Management construction support"~~ shall not exceed 15-20 percent (1520%) of the ~~total eligible project cost~~ M2 grant, subject to the match requirement. For OCTA-led projects, an in-kind services match report will be requested throughout the project to ensure agencies meet their promised in-kind match. All submissions shall include backup documentation, such as accounting/payroll detailed summaries, third-party invoices (consultant, contractor, and equipment) and are subject to Audit.

Project Cancellation

If a local agency decides to cancel a project, for whatever reason, the agency shall notify OCTA as soon as possible. Projects deemed infeasible shall bring that phase to a logical

conclusion, file a final report, and cancel remaining phases so that remaining funds can be reprogrammed without penalty.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

If a lead agency decides to cancel a project before completion of the entire project, for whatever reason, the agency shall notify OCTA as soon as possible. It is the responsibility of the project lead agency to repay OCTA for any funds received.

Project Extensions

Local agencies are provided at least 36 months to expend the funds from the date of encumbrance. Agencies can request timely-use of funds extensions through the SAR in accordance with the CTFP guidelines. Local agencies should issue a separate NTP when combining contracts for both the PI and O&M phases. NTP requirement should be identified in the initial contract/agreement to avoid obligation of both phases at the same time. If this procedure is followed by the local agency the NTP date will be considered the date of encumbrance for the O&M phase.

Audits

All M2 payments are subject to audit. Local agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in loss of future funding. Misuse or misrepresentation of M2 funding will require remediation which may include repayment, reduction in overall grant, and/or other sanctions to be determined. Audits shall be conducted by OCTA Internal Audit Department or other authorized agent either through the normal annual process or on a schedule to be determined by the Board.

Data Compatibility

All count data, including average daily traffic (ADT) and intersection turning movement (ITM), collected as part of any funded project shall be provided to OCTA in Microsoft Excel format. Any data files containing numeric intersection or node identifiers shall use the same node identification (ID) numbers as is stored and maintained by OCTA. OCTA will provide a listing of intersections and corresponding unique node ID numbers upon request. Each count data filename shall describe the year the counts were collected, agency, type of count file, intersection name, and OCTA node ID number. As an example, a turning movement count file recently collected for the intersection of Harbor Boulevard and Wilson Street in the City of Costa Mesa would be given the filename 2020_CostaMesa_ITM_Harbor-Wilson_4534.xls.

All traffic signal synchronization data collected and compiled as part of any funded project for both existing (before) and final optimized (after) conditions shall be provided to OCTA

in Synchro version 10 or later format. This data shall include validated network layout, node, link, lane, volume, timing, and phase data for all coordinated times. The nodes for these files shall also correspond to the OCTA node ID numbers.

Project Summary Information

For each application that is recommended for funding, the agency shall submit a PowerPoint presentation summarizing the pertinent project information for TAC review and discussion purposes. The presentation shall be no more than three (3) slides and should contain, at a minimum, a project description, project benefits, location map, and cost estimate. **OCTA staff will request the PowerPoint file when/if a project is recommended for funding.**

Exhibit 8-1

Project P – Regional Traffic Signal Synchronization Program Application Checklist

Project P Application Checklist		Page
RTSSP Online Application – submitted through OCFundTracker <ul style="list-style-type: none">a. Transportation Significanceb. Economic Effectivenessc. Project Characteristicsd. Project Scalee. Number of Jurisdictionsf. Current Project Statusg. Funding Over-Matchh. Cabinet photos, equipment specifications, as-built drawings, cabinet drawings, etc.		Online
Section 1: Key Technical Information <ul style="list-style-type: none">a. Name of Project Corridor/Grid/Routeb. Project Limitsc. Project Lengthd. Number of Signalized Intersections Along Corridore. Participating Agencies/Traffic Forum Membersf. Lead Agencyg. Designation of the corridor to synchronizeh. Project start and end datei. Previous fundingj. Contact Informationk. Signalized intersections that are part of the projectl. Offset signalized intersections that are part of the projectm. Project Map Depicting the Project Limits		
Section 2: Regional Significance		
Section 3: Acknowledgement of Required Tasks		
Section 4: Funding Needs/Costs for Proposed Project by Task <ul style="list-style-type: none">a. Summary of Project Costb. Summary of Cost by Agencyc. Summary of Intersection Improvement Costs		
Section 5: Detailed Local Match Commitment		
Section 6: Project Schedule for the 3 Year Grant Period by Task <ul style="list-style-type: none">a. Project State and End Datesb. Project Schedule by Task		
Appendices <ul style="list-style-type: none">a. Calculations and Estimated Pointsb. Agency Improvement Calculationsc. Vehicle Miles Traveled (VMT)d. Agency Resolutions and Letters of Supporte. Additional Information (Optional)		

Exhibit 8-2

Sample Resolution for Orange County Regional Traffic Signal Synchronization Program Projects

A resolution of the _____ City Council approving the submittal of _____ improvement project(s) to the Orange County Transportation Authority for funding under the competitive Measure M2 Regional Traffic Signal Synchronization Program.

THE CITY COUNCIL OF THE CITY OF _____ HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS THAT:

- a) WHEREAS, the Measure M2 Regional Traffic Signal Synchronization Program targets over 2,000 signalized intersections across Orange County to maintain traffic signal synchronization, improve traffic flow, and reduce congestion across jurisdictions; and
- b) WHEREAS, the City of _____ has been declared by the Orange County Transportation Authority to meet the eligibility requirements to receive revenues as part of Measure M2;
- c) WHEREAS, the CITY must include all projects funded by Net Revenues in the seven-year Capital Improvement Program as part of the Renewed Measure M Ordinance eligibility requirement.
- d) WHEREAS, the CITY authorizes a formal amendment to the seven-year Capital Improvement Program to add projects approved for funding upon approval from the Orange County Transportation Authority Board of Directors, if necessary.
- e) WHEREAS, the City of _____ has currently adopted a Local Signal Synchronization Plan consistent with the Regional Traffic Signal Synchronization Master Plan as a key component of local agencies' efforts to synchronizing traffic signals across local agencies' boundaries; and
- f) WHEREAS, the City of _____ will provide matching funds for each project as required by the Comprehensive Transportation Funding Programs Procedures Manual; and
- g) WHEREAS, the City of _____ will not use Renewed Measure M funds to supplant Developer Fees or other commitments; and
- h) WHEREAS, the City of _____ desires to implement multi-jurisdictional signal synchronization listed below; and

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Council of the City of _____ hereby requests the Orange County Transportation Authority allocate funds in the amounts specified in the City's application to said City from the Regional Traffic Signal Synchronization Program. Said funds, if approved, shall be matched by funds from said City as required and shall be used as supplemental funding to aid the City in signal synchronization along the following street(s):

*Required language a-h

Chapter 9 – Reimbursements and Reporting

Procedures for Receiving Funds

An implementing agency must encumber funds OCTA awards to a project phase within the fiscal year the grant is programmed (July 1-June 30). Prior to the encumbrance of funds, an agency must have a fully executed letter agreement with OCTA. An agency encumbers funds by awarding a contract, completing the appraisal or issuing an offer letter for one parcel of right-of-way, or by providing expense reports with supporting documentation to prove an agency's workforce costs (provided that the agency intends to complete the phase with agency staff). OCTA shall consider the primary contract(s) or the contract with the largest dollar amount, associated with the phase's tasks, when an agency uses a contract to show encumbrance of CTFP funds. Once an agency encumbers CTFP funds for a phase, it can begin the process for receiving payment of the funds.¹⁰

OCTA will release funds through two payments. The initial payment will provide up to 75 percent (75%) of the CTFP grant share of the contract award or grant programmed amount, whichever is less. OCTA will disburse the final payment, 25 percent (25%) of eligible funds, after it approves the final report (See Precept 34).

For situations where a grant exceeds \$2 million, the final report retention shall be capped at \$500,000 per project phase but shall in no case be less than 10 percent (10%) of the grant for that phase. Should the 75/25 payment distribution ratio result in a final payment retention that exceeds \$500,000, the payment percentages will be adjusted to meet the \$500,000 cap until the 10 percent (10%) threshold is reached (See Precept 35).

Agencies shall submit payment requests to OCTA in a timely fashion. The M2 Ordinance requires the submittal of a final report within 180 days of the project phase completion date (See M2 Ordinance/definitions/Precept 36). Failure to submit a final report within the 180-day time frame will result in an agency being found ineligible to receive net revenues. Per the M2 Ordinance, no provision for extension is allowed. The term "project phase completion" refers to the date that the local agency has paid the final contractor/consultant invoice (including retention) for work performed and any pending litigation has been adjudicated for the engineering phase or for the ROW phase, and all liens/claims have been settled for the construction phase.

OCTA will provide a separate CTFP payment supplement that includes sample forms and instructions for payment submittals and can be downloaded from the OCFundtracker

¹⁰ Funds from state and federal sources funds will undertake a separate process. Local agencies must contact Caltrans local assistance for reimbursement.

database. Payment submittals are described in this chapter and must be submitted through OCTA's online database, OCFundtracker: <http://ocfundtracker.octa.net>. Detailed instructions for OCFundtracker are available online at the previously mentioned website. Staff is also available to assist agencies with this process. Agencies must upload appropriate backup documentation to the database. OCTA may request hardcopy payment requests.

Availability of Funds

The funds granted by OCTA for each phase will be available on July 1, the first day of the fiscal year in which the funds are programmed and upon implementation of the letter agreement for the specific project.

Cancellation of Project

If a local agency decides to cancel a project, for whatever reason, the agency shall notify OCTA as soon as possible. Projects deemed infeasible during the planning phase shall bring that phase to a logical conclusion, file a final report, and cancel remaining phases so that remaining funds can be reprogrammed without penalty. ROW funding received for property acquisition prior to cancellation shall be repaid upon cancellation, regardless of whether property has been purchased or not. Construction funding received prior to cancellation shall be repaid upon cancellation.

Cancelled projects will be eligible for re-application upon resolution of issues that led to original project termination.

Project O - Regional Capacity Program Initial Payment

Payment Requests

~~An agency shall use the report and checklist provided in the CTFP Payment Supplement (see https://ocfundtracker.octa.net/report_payment_excel.asp) in order to determine the reporting and documentation requirements for initial payment requests.~~ Payment requirements are located in the Guidelines. Staff may request additional documentation that is not listed on the checklist prior to approving the request.

The checklists and interactive electronic versions of all payment forms can be downloaded via OCFundtracker at <http://ocfundtracker.octa.net>.

OCTA usually releases funds through two payments. The initial payment will constitute 75 percent (75%) of the eligible contract award or allocation amount, whichever is less. In addition to the bid abstract, OCTA will require local agencies to submit appropriate backup documentation for all project phases to support the initial payment request. OCTA will release the final payment of remaining balance, usually the final 25 percent (25%) of CTFP grant funds, when the project is complete and OCTA accepts the final report. The balance is determined based on final costs for CTFP eligible program expenditures. Prior to submitting the report, review the program specific section in these guidelines that addresses the final report process.

OCTA will reimburse costs associated with the Measure M informational signs (fabrication, installation, and removal) and do not count against a project's grant. Measure M informational "Funded By" sign removal costs should be requested in the Final Report.

Prior to submitting an initial payment request, a local agency may request a meeting with OCTA staff to determine eligible/ineligible items prior to requesting reimbursement.

Below is additional information regarding the documentation requirements of initial payment requests:

1. Invoice – For initial payments, an agency shall invoice for 75 percent (75%) of the CTFP grant share of the primary contract(s) amount or grant programmed amount, whichever is less. For situations where a grant exceeds \$2 million, the final report retention shall be capped at \$500,000 per project phase but shall in no case be less than 10 percent (10%) of the grant for that phase. Should the 75/25 payment distribution ratio result in a final payment retention that exceeds \$500,000, the payment percentages will be adjusted to meet the \$500,000 cap until the 10 percent (10%) threshold is reached (See Precept 35). Agencies seeking initial payment for the planning, environmental and preliminary engineering work performed by local agency forces, must submit payroll records and City Council budget allocation with the initial payment request. The payroll records should identify the project name, date of expenditures, amount, and employee position. It is recommended that a unique

project key be created for each project and all project charges be billed under that job code. OCTA staff can provide a sample of acceptable form of payroll report upon local agency request.

2. Project Certification Letter – The public works director, or appropriate equivalent, shall submit a certification letter, with applicable statements, using the Project Certification Form 10-2. This will include the certification that the project being reimbursed has met the signage requirements laid out in Precept 21.
3. Documentation of the Contract Award – The agency shall submit a minute order, agency resolution, or other council/board action showing award of the contract and the contract amount. After contract award, the agency shall submit the project name, contractor/consultant company name, and project scope including bid/task list, for each contract. The city clerk, clerk of the board, or appropriate equivalent shall certify minutes. Agencies that use on-call consultants shall submit a purchase order or Notice to Proceed (NTP) that includes the project-specific scope of work for the contractor.
4. Revised Cost Estimate – The agency shall use the format provided in the Revised Costs Estimate Form 10-3.
5. Work Schedule – OCTA prefers a complete project schedule, but an agency may provide as little as the expected start and completion dates for preliminary engineering, final engineering, right-of-way, and construction phases on the Engineering & Construction Phase Initial Report Form 10-1A.
6. ROW Documents – Each parcel shall include an appraiser's report, written offer letter, ~~plat map, and legal description~~ legal description with map, square footage of parcel(s), plat map (where applicable), and parcel map (where applicable). Agencies may submit equivalent documentation for OCTA's consideration on a case-by-case basis. Agencies attempting to acquire five or more parcels for a project shall include a parcel location map. Initial payments for ROW will be considered after submittal of documentation of an issuance of an offer. ~~ROW agreement with the property owners and/or upon City Council Resolution initiating a property acquisition in accordance with the Code of Civil Procedure per §1230.010, et. seq.~~
7. Plans, Specifications, & Estimate (PS&E) Certification – Agencies shall submit a PS&E certification using the PS&E Certification Form 10-4. The agency engineer shall certify that the local agency properly prepared and approved plans and specifications in accordance with authorized procedures and adopted standards, followed approved scope of work, and incorporated materials report.
8. Layout Plans – An agency shall not submit layout plans that print on paper larger than 11 inches by 17 inches.

9. Documentation of Decision to Use Local Agency Forces – For all project phases, for any work performed by local agency forces in lieu of a primary contract, local agency must document that local agency forces could perform the work more cost effectively or timely than a contractor; and documentation of this decision can be supplied in case of audit.
10. Documentation Supporting Local Agency Liability for Utility Relocation Costs – Local agency liability can be supported by the documentation of property rights, franchise rights/agreements, state and local statutes/ordinances, permits, or a finding by the local agency's counsel.

Reimbursement

OCTA shall not reimburse for a project prior to the beginning of the fiscal year of the grant. If an agency receives an advancement and begins work prior to the start of the fiscal year of the grant, the agency may request an initial payment against the grant. If an agency receives an advancement and completes a project prior to the start of the fiscal year of the grant, OCTA shall disburse the grant in a single payment. OCTA must accept the final report prior to issuing a payment.

Calculation of Payment

Once an agency encumbers Measure M funds, the agency may request a maximum of 75 percent (75%) of the CTFP share of the contract award amount or programmed grant amount, whichever is less. For situations where a grant exceeds \$2 million, (See Precept 36). An example of calculating the initial funding request for a standard 75/25 payment is described below.

Example:

CTFP Grant Allocation	OCTA Match Rate	Local Agency Match Rate
\$200,000	80%	20%

Step 1

Eligible Expenses x OCTA Match Rate = Product
 \$ 225,000.00 X 80% = \$ 180,000.00

Step 2

Check if Product is greater than or less than
 CTFP Allocation Amount: \$200,000

Step 3

Use the lower of the Product or Allocation \$ 180,000.00
 In this case the \$180,000 amount is less

Step 4

Then multiply the \$180,000 amount by 75% (Initial Payment Percentage)

2024 Call for Pro

As of 5/13/2024

\$180,000	X	75%	=	\$135,000.00
Invoice Amount				

Project O - Regional Capacity Program Final Report and Payment Process

The remaining CTFP funds are reimbursed to the lead agency following completion of the final reporting process. This final payment is calculated by considering the grant allocation amount, the minimum local agency match rate, how much has been previously reimbursed as part of the initial payment, and the total eligible costs that can be applied to the grant (see program specific eligibility sections). M2 funds are applied proportionally to all eligible project expenses. Prior to submitting the Final Report, review the following section which includes items important to the final reporting process. The CTFP Payment Supplement provides additional instructions and sample forms to complete payment requests. Payment requirements are located in this chapter.

Project Cost Changes

If the contract price is lower than the amount programmed, and the agency requested additional items and/or change orders during construction/study, OCTA may approve the additional costs during the review of the final report. OCTA will review these reports to:

1. Determine that the agency submitted proper justification for the change order(s)
2. Determine if the items are eligible for reimbursement
3. Confirm that expenses are within the project's original scope of work
4. The lead agency should provide information supporting the need for the change orders in the final report. Changes in project limits for construction projects are not eligible for reimbursement.

Final Payment Documentation Requirements

The items listed below are to be submitted to complete the final reporting process.

1. Invoice - For final payments, an agency shall invoice for the remaining balance of the OCTA share of eligible costs contract amount or up to the grant programmed amount, whichever is less. Final payment request invoices shall normally be approximately 25 percent (25%) of the eligible funds. Interest earned by an agency for initial payments received shall be applied to and deducted from the final payment balance amount.
2. Project Certification Letter – The public works director, or appropriate equivalent, shall submit a certification letter, with applicable statements, using the Project Certification Form 10-2. This will include the certification that the project being reimbursed has met the signage requirements laid out in Precept 21.
3. Documentation of the Contract Award – The agency shall submit a minute order, agency resolution, or other council/board action showing award of the contract and the contract amount. After contract award, the agency shall submit the project name,

contractor/consultant company name, and project scope including bid/task list, for each contract. The city clerk, clerk of the board, or appropriate equivalent shall certify minutes. Agencies that use on-call consultants ~~shall~~ would need to submit a purchase order or NTP that includes the scope of work for the contractor.

4. PS&E Certification – Agencies shall submit a PS&E certification using the PS&E Certification Form 10-4. The agency engineer shall certify that the local agency properly prepared and approved plans and specifications in accordance with authorized procedures and adopted standards, followed approved scope of work, and incorporated materials report.
5. Final Report Form – The local agency shall prepare a final report form using the Engineering & Construction Phase Final Report Form 10-5A.
6. Division of Costs – Supportive material shall equal the Division of Costs Form 10-6 totals that are located in the final report form.

~~7. OCTA shall reimburse general lump sum pay items, appraisal cost, and design, and construction engineering in the same ratio as the total ROW acquisition or construction costs. For instances~~

Where ineligible costs are twenty percent (20%) or greater of the overall project cost, indicating considerable work outside of the goal and purpose of Project O, shared project costs that cannot be directly attributed to the eligible or ineligible work, will be prorated based on the share of the project that is eligible compared to ineligible.

~~7.8.~~ Proof of Project Payment – The required documentation that will be submitted includes approved contract invoices and may also include, but is not limited to, supportive material for agency work forces, equipment, material, and corresponding proof of payment. Additional records are required to be maintained as outlined in the Audit (Chapter 10).

~~8.9.~~ Layout Plans – An agency shall not submit layout plans that print on paper larger than 11 inches by 17 inches (where applicable). Agencies shall submit the most recently updated final design plans or “as-built” plans.

~~9.10.~~ Documentation of Decision to Use Local Agency Forces or Agency Work Force – For all project phases, for any work performed by local agency forces or agency work force in lieu of a primary contract for that phase, local agency must document that local agency forces could perform the work more cost effectively ~~or, more~~ timely than a contractor or provide other appropriate justification. Documentation of this decision ~~can be supplied in case of~~ would also be required for audit.

- ~~10.11.~~ Documentation Supporting Local Agency Liability for Utility Relocation Costs – Local agency liability can be supported by the documentation of property rights, franchise rights/agreements, state and local statutes/ordinances, permits, or a finding by the local agency's counsel.
- ~~11.12.~~ ROW Documents – Each parcel shall include an appraiser's report, written offer letter, ~~plat map, and legal description~~ legal description with map, square footage of parcel(s), plat map (where applicable), and parcel map (where applicable). Agencies may submit equivalent documentation for OCTA's considerations on a case-by-case basis. Agencies attempting to acquire five or more parcels for a project shall include a parcel location map.
- ~~12.13.~~ Summary of ROW Acquisition – Agencies shall submit a summary of ROW acquisition as described in the Summary of ROW acquisition Form 10-5B.
- ~~13.14.~~ Notice of Completion – An agency shall submit The Notice of Completion form to certify the phase completion date (Form 10-7). See Definition 22 for phase completion date.
- ~~14.15.~~ Before and After Project Photos (implementation and construction phases where applicable) – photographs showing the project before and after the improvements. Photographs should be high quality resolution images in JPEG or PNG file formats.

Electronic copies of all payment forms can be downloaded from OCFundtracker.

Timely Final Reports

OCTA will work with local agencies to ensure the timeliness of final reports by utilizing the following procedures:

1. Local agencies ~~to should~~ notify OCTA of the project phase completion date within 30 days of completion.
2. Local agencies to file a final report within 180 days of project phase completion date.
3. OCTA to issue a notification to the project manager, public works directors or TAC representative(s) 90 days after the project completion date, as reported in OCFundtracker, to remind local agencies that the final report is due in 90 days. OCTA staff will provide guidance to assist in preparation of the final report.
4. OCTA ~~to may~~ issue a final notice letter to the project manager, public works directors or TAC representative(s) with a copy to the agency's management and finance director if OCTA does not receive the final report within 180 days of the project completion date. The final notice letter will inform the local agencies that if OCTA does not receive a response to the final notice letter and the final report within 180

days, then the funds will be unencumbered and OCTA shall request that the agency return disbursed funds, plus interest.

5. OCTA to issue the final payment to local agencies within 60 days of receiving the complete final report and all supporting documentation.

Failure to Submit Final Report

Agencies who fail to submit a Final Report will be required to repay applicable M2 funds received for the project in a manner consistent with the Master Funding Agreement and/or will be found ineligible to receive M2 Net Revenues.

Excess Right-of-Way

Agencies that use Net Revenues (through CTFP or LFS programs) to acquire project ROW shall dispose of land deemed in excess of the proposed transportation use. Excess land sold by the lead agency will be disposed of in accordance with the process established in Government Code, Article 8, Surplus Land, Section 54220-54232, etc. Seq. and the ROW acquisition/disposal plan submitted as part of the application process. The agency shall return proceeds from the sale to OCTA. OCTA shall return the funds to the program of origin for future use.

Proceeds from the sale of excess ROW shall be returned to OCTA in proportion to the amount of M2 funds used in the purchase.

Agencies shall submit ROW documents for all parcels utilizing M2 Net Revenues. Agencies must submit the following documents:

- Summary of the ROW required for the project
- Plat maps and legal descriptions for ROW acquisitions
- Parcel location map
- Identification of anticipated excess right-of-way, if any
- Appraisal reports for excess right-of-way
- ROW acquisition/disposal plan

OCTA shall consider excess ROW with a value of \$10,000.00 or less as an uneconomic remnant. OCTA shall determine if excess ROW is to be considered an uneconomic remnant.

The agency shall submit a fair market value appraisal report for the excess land of each parcel. Appraisers must conduct appraisals in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP). If an agency suspects that the excess ROW has a value of \$10,000.00 or less, the agency may conduct a limited fair market value appraisal to confirm the value of the excess right-of-way. The agency shall submit the appraisals with the ROW final report.

OCTA shall retain from the final payment the value of excess ROW that is proportional to OCTA's percentage match rate to the project up to OCTA's match rate of ROW grant. However, if the local agency provided additional funds beyond what was originally estimated, OCTA will be reimbursed based on its proportional share of the cost of right-of-way.

An agency may include incidental expenditures from the disposal of property in their final report for the ROW grant.

An agency shall begin the process to sell excess ROW within 60 days after acceptance of the construction improvements.

OCTA shall not close out the ROW grant or construction grant until the agency and OCTA resolve questions regarding excess right-of-way.

Example:

OCTA's ROW grant:	\$500,000
OCTA grant match rate	75%

Parcel Costs:

Cost – Parcel 1:	\$300,000
Cost – Parcel 2:	\$380,000
Cost – Parcel 3:	\$120,000
Cost – Parcel 4:	<u>\$100,000</u>

Total ROW Costs:	\$900,000
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Payment with no excess ROW:	\$500,000
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Excess right-of-way

Value of excess ROW for parcel 1:	\$200,000
Value of excess ROW for parcel 2:	\$105,000
Value of excess ROW for parcel 3:	\$ 0
Value of excess ROW for parcel 4:	<u>\$ 0</u>

Total Value of excess ROW:	\$305,000
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OCTA contribution to ROW acquisition:

CTFP ROW contribution ÷ Agency total cost of right-of-way

$$\$500,000 \div \$900,000 = 56\%$$

OCTA's shall reduce the final ROW payment by:

Parcel 1:	\$200,000 x 56% =	\$112,000	
Parcel 2:	\$105,000 x 56% =	+	<u>\$58,800</u>

Total:	\$170,800
Payment (incorporating excess right-of-way):	\$500,000
	- \$170,800
	\$329,200

Agency Work Force and Equipment Rental

An agency must provide supporting documentation for work completed by agency staff or the use of agency work force. The decision or justification that local agency forces could perform the work more cost effectively, more timely than a contractor or other justification must be documented. It is recommended that a unique project job key be created for each project and all project charges be billed under that job code. The agency shall multiply the fully burdened labor rate by the number of hours for each staff person assigned to the project. An agency may add ~~actual~~ overhead costs at an allowable rate up to 30 percent (30%) of payroll and fringe benefits. ~~Where an agency due to size cannot calculate its specific overhead rate, an agency may refer to the Cost Accounting Policies and Procedures Manual (CAPP) of the California Uniform Public Construction Cost Accounting Commission, which allows for a fixed overhead rate billing dependent on city size. Where an agency has actual overhead costs that exceed 30 percent (30%), these will be accepted when a fully audited cost allocation plan is provided and approved by the appropriate governmental entity listed in the CAPP or 2 Code of Federal Regulations Part 225.~~

An agency must provide supporting documentation for equipment used by local agency staff. An agency may use local agency or Caltrans surcharge and equipment rental rates.

Technical and/or Field Review

Once an agency submits a final report for a project, OCTA shall review the report for compliance with the CTFP Guidelines and may conduct a technical and/or field review. As part of the technical/field review of a CTFP project, OCTA may:

- review ROW acquisitions and the potential for excess right-of-way
- compare hourly breakdown of staff time compared to staff time sheets
- conduct a project field review – ensure improvements are within scope
- review items that agencies self-certify
- verification of the reasonableness of project costs

OCTA may review all phases of the project.

OCTA will use the project cost estimate forms submitted with the application and revised where appropriate, project accounting records and the final report as the primary items to conduct the review. Agencies must maintain separate records for projects (i.e.,

expenditures, interest) to ensure compliance. OCTA will only reimburse eligible CTFP items listed on the cost estimate. The implementing agency is expected to complete the entire scope of work as presented in the original application.

See Chapter 10 for independent audit requirements beyond the technical/field review.

Reporting of Local Fair Share (LFS)

For the purposes of reporting non-project work (maintenance, repair, and other non-project related costs) funded by Measure M LFS funds, the Measure M2 expenditure report cited M2 Ordinance, Section III(B)(8) shall satisfy reporting requirements. If LFS funds are used for projects, the local agency shall also include ~~a list of those~~ projects and the utilized LFS funds and/or other Measure M2 funds in the ~~Project Final Report cited in Section III(B)(9)~~ Measure M2 expenditure report.

Project P - Regional Traffic Signal Synchronization Program Reimbursements and Reporting Requirements

The previous sections of this chapter outline the process and requirements regarding reimbursements and reporting for all competitive programs that are part of Measure M2. A lead agency shall also use the following additional reporting and documentation requirements specific to any competitive project funded through RTSSP (Project P) as part of the reimbursement process.

Procedures for Receiving Funds

RTSSP (Project P) funds projects with a three (3) year grant. Projects are divided into two components for the purposes of reimbursements and reporting: PI and Ongoing O&M.

Primary Implementation (PI) includes the following:

- Project administration (required)
- Developing and implementing optimized signal synchronization timing (required)
- Producing a PI Report, which includes the Before and After Study for the proposed project (required)
- Engineering design of signal improvements for the project (optional)
- System integration (optional)
- Proposed signal improvements, construction support, and contingency (optional):
 - New or upgraded detection
 - New or upgraded communication systems
 - Intersection/field system modernization and replacement
 - Minor signal operation improvements

- Traffic management centers
- Real-time traffic actuated operations and demonstration projects
- Contingencies (optional)
- Construction management (optional)

Ongoing Operation and Maintenance (O&M) includes the following:

- Monitoring and improving optimized signal timing (required)
- Communications support (optional)
- Detection support (optional)
- O&M report (required)

A lead agency must encumber funds OCTA allocates to a project within the fiscal year of the grant and after funding agreements with OCTA are executed. A lead agency encumbers funds by awarding a contract or providing expense reports to prove the lead or a participating agency's workforce costs, provided that the lead agency intends to complete the PI with lead agency or participating agency staff. Once an agency encumbers RTSSP (Project P) funds for PI, it can begin the process for receiving payment of the funds. Note that only the lead agency will receive payment of funds from OCTA. Any funds that are due to other participating agencies are the responsibility of the lead agency and not OCTA.

The project lead agency must submit payment requests through OCTA's online database, [OCFundtracker](#). Additional details about the retention caps, timely payment requests, project closeout, and payment are available in Chapter 9.

Availability of Funds

The funds allocated for projects will be available to project lead agencies July 1st of the programmed year and after funding agreements with OCTA are executed.

Initial Payment Requests for Primary Implementation

The initial payment will provide up to 75 percent (75%) of funds for the PI of the project. The following information specific to the RTSSP (Project P) Project is provided regarding the documentation requirements for initial payment of PI after an agency encumbers funds for the project.

The interactive electronic versions of all payment forms can be downloaded via OCFundtracker.

The final report has been provided so a lead agency can determine the reporting and documentation required for an initial payment request. Staff may request additional

documentation that is not listed on the PI Report prior to approving the request. The [checklist and](#) electronic versions of the forms are available through OCFundtracker.

Below is additional information regarding documentation requirements for RTSSP payment requests. ~~The CTFP Payment Supplement provides instructions and sample forms for the items listed.~~

- Invoice - For initial payments, the lead agency shall invoice for 75 percent (75%) of the [CTFP grant share of the](#) contract amount or [grant programmed](#) amount of the project's PI, whichever is less. For final payments of the PI, the lead agency shall invoice the remaining balance of the project's PI phase contract amount or programmed amount, whichever is less
- Project Certification Letter (initial and final)
- Revised Cost Estimate (initial)
- PS&E Certification (initial and final)
- Certification of Phase (initial)
- Report Submission
- Division of Cost Schedule (final)
- Work Schedule - OCTA requires a complete project schedule, including expected start and completion dates for tasks in the PI and Ongoing O&M phases (initial and final)
- ROW Documents - No requirements as ROW is not a part of RTSSP
- [Before and After Project Photos \(PI phase\) – photographs showing the project before and after the improvements. Photographs should be high quality resolution images in JPEG or PNG file formats \(final\).](#)

Details on other aspects on Initial Payment Requests for PI including project advancement and reimbursement is available in this chapter.

Example of Initial Reimbursement for Primary Implementation (PI):

**CTFP Grant
Allocation**

\$960,000.00

**OCTA Match
Rate**

80%

**Local Agency
Match Rate**

20%

Step 1

Eligible Expenses x OCTA Match Rate = Product
 $\$1,000,000.00 \times 80\% = \$800,000.00$

Step 2

Check if Product is greater than or less than CTFP Grant Allocation Amount:
 \$800,000 vs \$960,000

Step 3

Use the lower of the Product or CTFP Grant Allocation
 In this case, the \$800,000.00 amount is lower

Step 4

Then multiply the amount by 75% (Initial Payment Percentage)

\$800,000.00	x	75%	=	\$600,000.00
				Invoice Amount

Final Payment Requests for Primary Implementation

OCTA will release the remaining balance to the lead agency, approximately 25 percent (25%) of funds for the PI, when the project's PI phase is complete and OCTA receives the project Before and After Study. The balance is determined based on the final costs for the eligible RTSSP expenditures. The Before and After Study is defined as the following:

This study shall at minimum collect morning and evening peak period using travel times, average speeds, green lights to red lights, stops per mile, and the derived CSPI metric. In addition, greenhouse gas and gasoline savings should be identified. This information shall be developed both before any signal timing changes have been made and after the PI. The study shall compare the information collected both before and after the timing changes. Comparisons shall identify the absolute and percent differences for the entire corridor, by segment, direction, and time period. Segments will be defined by major traffic movements as observed during the project (e.g. commuting segments between freeways, pedestrian-friendly segments in a downtown area, etc.).

The PI Report, which includes the Before and After Study for RTSSP, shall be included as a requirement at the end of the Primary Implementation phase and as part of the Final Report as required by the M2 Ordinance, Attachment B, Section III.A.9.

Payment Requests for Ongoing Operations and Maintenance

The payments for the Ongoing O&M portion of the project award will cover the remainder of the grant period after the PI phase is completed and will be paid as a reimbursement upon proof of work/payment and receipt of invoice. The invoice should include the Final O&M report with details on the ongoing O&M work done including the required (1) work monitoring and improving optimized signal timing; and optional (2) communications and detection support.

O&M Report

The O&M Report shall be completed in accordance with all CTFP Guidelines upon the end of the O&M phase. In addition, the O&M Report shall summarize the O&M period, documenting the O&M efforts and procedures for continuing maintenance. At a minimum, the O&M Report shall include when travel runs were conducted and issues and solutions throughout the phase. The report shall document all planned and programmed improvements on the study corridor as well as recommendations for further infrastructure improvements that would likely enhance the corridor signal coordination project results.

Project X - Environmental Cleanup Program Reimbursements & Reporting Requirements

~~The CTFP Payment Supplement provides instructions and sample forms for ECP (Project X) projects.~~ The interactive electronic versions of all payment forms can be downloaded via OCFundtracker. These processes are applicable to the Tier 1 and Tier 2 Grant Programs:

Initial payments:

1. Invoice – For initial payments, an agency shall invoice for 75 percent (75%) of the CTFP grant share of the contract amount or grant programmed-amount, whichever is less. For situations where a grant exceeds \$2 million, the final report retention shall be capped at \$500,000 per project phase; but, shall in no case be less than 10 percent (10%) of the grant for that phase. Should the 75/25 payment distribution ratio result in a final payment retention that exceeds \$500,000, the payment percentages will be adjusted to meet the \$500,000 cap until the 10 percent (10%) threshold is reached (See Precept -35).
2. Project Certification Letter – The public works director, or appropriate equivalent, shall submit a certification letter, with applicable statements, using the Project Certification Form 10-2.
3. Documentation of the Contract Award – The agency shall submit a minute order, agency resolution, or other council/board action showing award of the contract and the contract amount. After contract award, the agency shall submit the project name, contractor/consultant company name, and project scope including bid/task list, for each contract. The city clerk, clerk of the board, or appropriate equivalent shall certify minutes. Agencies that use on-call consultants shall submit a purchase order that includes the scope of work for the contractor.
4. Revised Cost Estimate – The agency shall use the format provided in the Revised Costs Estimate Form 10-3.
5. PS&E Certification – The agency shall provide PS&E certification using the PS&E Certification Form 10-4. The agency engineer shall certify that the local agency properly prepared and approved plans and specifications in accordance with authorized procedures and adopted standards, followed approved scope of work, and incorporated materials report.
6. ECP (Project X) Initial Payment - The agency shall prepare an initial payment report form using the ECP Initial Payment Report 10-5A. Form 10-15 must be submitted
7. Location Maps of Installation – The agency shall provide a map that shows the specific locations Best Management Practices (BMP) devices were installed with catch basin identification numbers, as applicable.

Final Reporting Process:

The items listed below are to be submitted to complete the final reporting process. A final report must be filed within 180 days of the project phase completion. Additionally, an exception to Precept 29: agencies may appeal to the ECAC and the OCTA Board on any issues that the agency and OCTA cannot resolve, as such are the approving bodies for this program.

1. Invoice – For final payments, an agency shall invoice for the remaining balance of ~~the~~ the OCTA share of contract amount eligible costs or up to the grant programmed amount, whichever is less. Final payment request invoices shall normally be approximately 25 percent (25%) of the eligible funds. Interest earned by an agency for initial payments received shall be applied to and deducted from the final payment balance amount.
2. Project Certification Letter – The public works director, or appropriate equivalent, shall submit a certification letter, with applicable statements, using the Project Certification Form 10-2.
3. Documentation of the Contract Award – The agency shall submit a minute order, agency resolution, or other council/board action showing award of the contract and the contract amount. After contract award, the agency shall submit the project name, contractor/consultant company name, and project scope including bid/task list, for each contract. The city clerk, clerk of the board, or appropriate equivalent shall certify minutes. Agencies that use on-call consultants would need to ~~shall~~ submit a purchase order or NTP that includes the scope of work for the contractor.
4. PS&E Certification – Agencies shall submit a PS&E certification using the PS&E Certification Form 10-4.
5. Final Report Division of Costs Schedule – The agency shall use the format provided in Form 10-6.
6. Certification of Phase Completion – ~~An~~ The agency shall certify the phase completion date using the Form 10-7. See definition 22 for phase completion date.
7. ECP (Project X) Final Report Form 10-16 – The agency shall prepare a final report form using the ECP Final Report Form 10-16.
8. Location Maps of Installation – The agency shall provide a map that shows the specific locations BMP devices were installed with catch basin identification numbers, as applicable.-
9. Proof of Project Payment – The required documentation that will be submitted includes approved contract invoices and may also include, but is not limited to,

supportive material for agency work forces, equipment, material, and corresponding proof of payment. Additional records are required to be maintained as outlined in the Audit chapter.

10. Form 10-17 (where applicable) Supporting documentation for O&M costs (if used as local match).

For Tier 1 of the ECP (Project X), where ongoing O&M of the project were pledged as a local match, as part of the semi-annual review reporting process, OCTA will verify local agency O&M expenditures to ensure local match commitments are being met. Local agencies must complete the In-Kind O&M Report Form 10-17 for each ECP (Project X) grant as part of their semi-annual review updates.

Chapter 10 – Audits

Independent Audit Process Overview

Independent audits of CTFP projects may be initiated by OCTA's Internal Audit Department (or agent thereof). The project information on file at OCTA will serve as the primary source of information for each audit. However, additional information may be requested of local agencies.

Accurate records detailing specific expenditures for each CTFP project must be maintained by local agencies. These records must show that proper accounting and cash management procedures were followed, the project was completed in accordance with the application and the CTFP guidelines, and that all records and documentation related to the project were adequately maintained. Consistent with the M2 Ordinance, local agencies must also establish a separate fund accounting system for Measure M funds transactions and expenditures.

Local agencies must maintain a complete set of records in accordance with generally accepted accounting principles, and with reasonable notice, shall permit the authorized representatives of OCTA to inspect and audit all work, materials, payroll, contracts, books, accounts, and other data and for a period of five (5) years after final payment by OCTA for CTFP projects. For the LFS program, it shall be for a period of five (5) years after expenditure of funds or five (5) years after final payment of debt service where LFS revenues were pledged, whichever is longer. OCTA has the right to reproduce any such books, records, and accounts. The provision with respect to audits should be extended to/and included in contracts with the local agency's contractor(s).

Record Requirements to Demonstrate Compliance

A description of the required records is given below.

Contracts

For all contract expenses the following records must be maintained:

1. The original executed contract
2. Evidence the procurement of contracted public works and architectural and engineering services followed applicable state laws and local agency procurement requirements
3. All contractor invoices received
4. All contract change order documents
5. Proof of payment to contractors
6. Project "as built" or other final plans

7. Sign-off on completion by Local Agency (letter of acceptance)

Materials and other

For all materials and other miscellaneous expenses charged to the Comprehensive Transportation Programs project, the following records must be maintained:

1. Original invoice and purchase order
2. Proof of delivery
3. Evidence of reasonableness of price, if total cost of purchase is over \$~~51~~,000.
4. Proof of payment

Direct labor

For all direct labor charged to a project, including engineering labor, the following records must be maintained:

1. Summary time sheets showing total time charged to the project by the different individuals working on it
2. Individual time sheets or timecards showing the total time worked by the individual for each period (day, week, etc.) and the different tasks to which the individual's time was charged
3. Personnel files showing the individuals' pay rates
4. Payroll reports showing the computations of paychecks for the applicable periods

Equipment

Equipment rental charges related to a project shall be documented by the following records:

1. Vendor's or local agency's invoice showing hours, rate, and type of equipment and location of rented equipment
2. Evidence of quotes obtained to determine best rate (documented phone quotes are acceptable)
3. Documentation of project need for equipment

Local agency work force

For all construction ~~phase~~-work performed by local agency work forces ~~and~~, the decision that local agency forces could perform the work more cost effectively, ~~or~~ more timely than a contractor or other justification must be documented.

Chapter 11 – Environmental Cleanup Program (Project X)

Overview

The ECP, herein referred to as Project X, provides M2 revenues to improve overall water quality in Orange County from transportation-generated pollution. Specifically, OCTA's Ordinance No. 3 (Ordinance), dated July 24, 2006, provides that 2 percent (2%) of gross M2 revenues be dedicated to protecting Orange County beaches and waterways from the conveyance of urban runoff associated with transportation-generated pollution. Project X ensures that funds will be used on a countywide competitive basis to meet federal Clean Water Act standards for controlling transportation-generated pollution by funding nationally recognized Best Management Practices (BMPs).

As required by the Ordinance, an Environmental Cleanup Allocation Committee (ECAC), representing a broad cross-section of the water quality community, was formed in October 2007 to provide guidance on program design and funding. The goal of Project X is to fund projects on a countywide, competitive basis. This will assist the County of Orange and Orange County cities in reducing transportation-related water quality pollution by meeting Clean Water Act standards for local waterways and beaches.

Proposed projects must demonstrate a direct nexus (connection) to a reduction of transportation-related pollution as developed and defined by the ECAC in conformity with the Ordinance. All proposing agencies must demonstrate an understanding of how their proposed projects meet the following transportation pollution nexus definition:

- Transportation-related activities can be a contributor of pollutants and/or impairments to receiving waters via aerial deposition, storm, and non-storm water discharges. Transportation-related activities are associated with the operation, construction, and maintenance of public roads, highways, and other ground transportation systems.
- The conveyance of transportation-related pollutants to surface and groundwater can occur from precipitation, runoff, and leachate entering or discharging from public roads, highways, and other ground transportation systems via drainage systems, such as catch basins, curbs, gutters, ditches, manmade channels, retention basins, or storm drains. The quality and quantity of these discharges vary considerably and are affected by hydrology, geology, land use, season, and sequence and discharge of hydrologic events.
- Pollutant sources can encompass right-of-way, properties, facilities, and activities related to motor vehicles, highway maintenance, construction site runoff, maintenance facility runoff, illegal dumping, spills, and landscaping care. Pollutant categories include but are not limited to metals (such as copper, lead, and zinc), organic chemicals and compounds (hydrocarbons), pesticides, sediment, nutrients (nitrogen and phosphorus), litter, oxygen demanding substances (decaying

vegetation, animal waste, and other organic matter), groundwater dewatering discharges, and pathogenic material.

Project X funds are designed to supplement, not supplant, existing water quality programs. Proposed projects must improve and not replace existing pollution reduction efforts by an eligible party. Funds will be awarded to the most competitive projects with the highest benefit to water quality.

The intent of Project X is to provide funding for water quality projects that do not replace existing transportation water quality expenditures. In other words, if a project has components which would replace features already in place or which would fulfill project specific mitigation, those components would not be eligible for funding consideration. Some upgrades and expansions may be eligible with appropriate supporting justification.

Proposed projects, which support compliance with the 2015 adopted Trash Provisions, are eligible for Project X funding provided the funds do not replace established and programmed funds and the funds are not applied to any mandated project design features or required mitigation measures.

The eligibility of the project and its components will be determined during the evaluation process. Contact Adrian Salazar at (714) 560-5363, or asalazar@octa.net with questions.

Tier 1 Grant Program

Overview

The Tier 1 Grant Program is designed to mitigate the more visible forms of pollutants, such as litter and debris, which collect on roadways and in the catch basins (storm drains) prior to being deposited in waterways and the ocean. It consists of grant funding for Orange County local governments to purchase equipment and upgrades for existing catch basins and other related BMPs (i.e., “street-scale” low flow diversion projects). Examples include screens, filters, and inserts for catch basins, as well as other devices designed to remove the above-mentioned pollutants. To date, 13 Tier 1 calls for projects have been held. Through this process, many of the opportunities for street-scale BMPs have been fulfilled. Water quality projects, regardless of technology, are eligible for Tier 1 funding provided they have a verifiable benefit to water quality and fall within the maximum per project programming cap. The intent of this funding program is for project applicants to complete the work generally within one year from the letter agreement execution date.

Tier 1 Project Types

Tier 1 projects funded in the past include the following types. A description of each project type is provided below:

- 1) Automatic Retractable Screen and other debris screens or inserts: screen or insert units prevent debris from entering the storm drain system.
- 2) Irrigation system retrofits with non-spraying heads to reduce runoff: these projects decrease runoff from highway medians by using more efficient irrigation systems and/or replacing existing landscape to reduce the amount of water used in irrigation.
- 3) Continuous Deflection Separator (CDS): CDS units screen, separate, and trap debris, sediment, oil, and grease from storm water runoff.
- 4) Linear Radial Gross Solid Removal Device (GSRD): GSRDs are certified full capture systems which efficiently remove large solids from runoff water flows.
- 5) Marina Trash Skimmer: these devices draw in floating debris, such as plastics, bottles, paper, oil sheen, and driftwood. The installation of marina trash skimmers will reduce the amount of trash and debris reaching the open ocean.
- 6) Bioswales and Bioretention systems: pollutants and sediments are captured and subsequently removed from stormwater runoff.
- 7) Trash Boom: a floating boom placed across a channel captures trash and debris that have reached flood channels from being further conveyed to downstream receiving waters.

Pre-Application Process

In order to ensure the best use of M2 funds and assist eligible jurisdictions with the Tier 1 Grant Program, applicants may engage in a pre-application process with OCTA staff in project planning, cost estimate development, and determination of likely projected competitiveness. Specific meeting times will be established once the call is initiated. After the call for projects deadline and submittal of the grant application, applicants will not be able to change the content of the application or scope of the project.

Eligible Applicants

Project X funds can be used to implement transportation-related water quality improvement projects to assist Orange County cities and the County of Orange to meet federal Clean Water Act standards for urban runoff and State Water Resources Control Board requirements for trash capture. Applicants eligible for Project X funds include the 34 Orange County cities plus the County of Orange. Eligible applicants must meet the transportation requirements discussed in the M2 Ordinance.

Third parties, such as water and wastewater public entities, environmental resource organizations, nonprofit 501(c) environmental institutions, and homeowners' associations cannot act as the lead agency for a proposed project; however, these agencies can coordinate with an eligible Orange County city and/or the County of Orange.

Two or more agencies may participate in a project. If a joint application among agencies and/or third-party entities is submitted, a preliminary agreement with joint or third-party entities must be provided as part of the application. In order to meet Ordinance requirements, an eligible applicant must be the lead agency for the funding application. If a project includes more than one jurisdiction and is being submitted as a joint application, one agency shall act as lead agency and must provide a resolution of support from all joint applicants.

Each eligible jurisdiction must meet the eligibility criteria as set forth in Chapter 1 of these guidelines.

Project Programming

The Tier 1 Grant Program approach is designed to be consistent with Chapter 2 of the CTFP Guidelines regarding the provisions below:

- Program Consolidation
- Funding Projections
- Project Cost Escalation
- Programming Adjustments
- Programming Policies

- Schedule Change Requests
- Timely-Use of Funds
- Project Advancements
- Semi-Annual Review

Refer to Chapter 2 for explanations of the above provisions.

Funding Estimates

Approximately \$3.5 million is available for the 2024 Tier 1 call for projects.

The maximum amount for the Tier 1 Grant Program is \$600,000 per project. The maximum amount that an eligible local agency can receive in this funding period is \$600,000.

Matching Funds

For the Tier 1 Grant Program, a minimum local match of 20 percent (20%) of the eligible project cost is required. The matching funds shall be provided as a cash contribution.

Retroactive expenditures cannot be credited towards the matching fund threshold or project expenditures.

Overmatch

For the Tier 1 Grant Program, administering agencies may “overmatch” Project X projects; that is, additional cash match may be provided for the project. Applicants will receive additional points in the evaluation process for matching with cash above the minimum requirement. Proposals that exceed the 20 percent (20%) minimum funding match will be given an additional one-half point for every five percent (5%) over the minimum cash match (up to five bonus points).

Additionally, administering agencies must commit to cover any future cost overruns if the project is underfunded. Any work not eligible for Project X reimbursement must be funded by other means by the project applicant and cannot count as match. These non-eligible items should not be included in the cost estimate breakdown in the application.

Reimbursements

For the Tier 1 Grant Program, OCTA will release funds through two payments. The initial payment will constitute 75 percent (75%) of the CTFP grant share of the contract award or grant programmed amount at contract award, whichever is less. OCTA will disburse the final payment, approximately 25 percent (25%) of eligible funds, after approval of the final report. Further information on reimbursements can be located within Chapter 9 of the CTFP Guidelines.

Scope Reductions/Modifications and Cost Savings

Any proposed scope modifications, such as a change in BMP device quantities and/or the adjustment of device locations of an approved project must be submitted to OCTA staff for review and approval in advance of the change to ensure consistency with Tier 1 Grant Program requirements. The proposed modifications must mitigate the same pollutants, affect the same waterways, and meet all other provisions as stipulated in these guidelines.

OCTA staff will review and provide notification to the local agency of either approval or rejection of the scope change or if the modification warrants Board approval. If the proposed scope modification is approved by OCTA, any cost savings will be proportionally shared between OCTA and the grantee; for example, a reduction in Project X funds must be applied proportionally to maintain the approved local match percentage. All cost savings will be returned to the Tier 1 Grant Program for reallocation for subsequent calls for projects.

2024 Tier 1 Call for Projects

The Tier 1 call will be open for 60 days. 2024 Tier 1 Call for Projects applications must be received by OCTA **no later than 5:00 p.m. on Thursday, April 25, 2024**. OCTA allocates funds on July 1 of each year. **Tier 1 projects are not eligible for delay requests**; please refer to Precept 17 for additional information. Funds will become available upon execution of a letter agreement. Projects that do not award construction contracts by December 31, 2025 will not be considered.

After Tier 1 applications are reviewed by OCTA, an advisory panel will review and rank projects. Following a review by the ECAC, a recommended priority list of projects will be forwarded to the OCTA Board for approval in fall 2024. Funds allocated for projects are final once approved by the OCTA Board. No additional funds will be allocated to the project. Grantees are responsible for any costs exceeding the allocated amount.

Tier 1 Selection Criteria

OCTA will evaluate all proposals that meet the mandatory prerequisites based on competitive selection criteria (Exhibit 11-1) with the following categories:

- Project Need, Transportation Nexus, and Water Quality Benefits (15 points)
- Cost/Benefit (16 points)
- Pollutant Reduction Benefits (12 points)
- Effectiveness Against More Visible Forms of Pollutants (10 points)
- Justification for Project Devices Considered and Proposed (5 points)
- Proposed Device Performance Efficiency and/or Effectiveness (6 points)
- Project Readiness (6 points)
- Secondary attributes* (5 points)
- Methodology for Measuring Pollutant Reduction Before and After Implementation (10 points)
- Operations and Maintenance Plan (15 points)

**Note: Project elements which may qualify for points under the "secondary attributes" category do not need to be eligible expenditures. See Eligible Expenditures and Ineligible Expenditures sections for further information.*

Each proposal can receive a maximum of 100 points, exclusive of five bonus points for cash overmatch. See Exhibit 11-1 for scoring categories and point distribution.

Exhibit 11-1 (Tier 1 Scoring Criteria)

Scoring Criteria		Points Possible												
1. Describe the need for the selected BMP(s), including nexus to transportation pollutants, and detail the benefits to water quality the BMP(s) will achieve. (up to 15 Points)		15												
2. Cost/Benefit (Up to 16 points): Based on information provided by the applicant, a cost/benefit calculation will be conducted to compare the total project cost to the area of priority land uses treated by the proposed BMP(s). Applicant is required to provide ¹ : <ul style="list-style-type: none"> Types(s) of BMP(s) proposed Number of each BMP type Total drainage area(s) contributing to each BMP type Percent of drainage area(s) that is/are considered priority land uses (i.e., high density residential, industrial, commercial, mixed urban, public transportation stations) <p>The applicant must also provide geospatial information (through ArcGIS and/or Google Earth) that identifies the drainage area(s) and BMP location(s) for the project.</p>		16												
3. Pollutant Reduction Benefits: Based on treatment capacity and BMP type, project benefit will be calculated using the scoring equation: $(A \times 3) + (B \times 3) + (C \times 6) =$ (up to 12 points) ¹		12												
<table border="1"> <thead> <tr> <th>Line</th><th>Factor</th><th>Points Available</th></tr> </thead> <tbody> <tr> <td>A</td><td>Fractional percent of 1 year, 1-hour event flowrate discharging from priority land uses to the BMP(s)</td><td>0 to 1</td></tr> <tr> <td>B</td><td>Fractional percent of 85th percentile, 24-hr design event that is treated by a low-impact development (LID) or treatment control BMP²</td><td>0 to 1.5</td></tr> <tr> <td>C</td><td>BMP Multiplier: <ul style="list-style-type: none"> 1/3 point for high capacity systems 2/3 point for filters/biofilters 1 point for zero-discharge BMPs </td><td>0 to 1</td></tr> </tbody> </table>			Line	Factor	Points Available	A	Fractional percent of 1 year, 1-hour event flowrate discharging from priority land uses to the BMP(s)	0 to 1	B	Fractional percent of 85th percentile, 24-hr design event that is treated by a low-impact development (LID) or treatment control BMP ²	0 to 1.5	C	BMP Multiplier: <ul style="list-style-type: none"> 1/3 point for high capacity systems 2/3 point for filters/biofilters 1 point for zero-discharge BMPs 	0 to 1
Line	Factor	Points Available												
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C	BMP Multiplier: <ul style="list-style-type: none"> 1/3 point for high capacity systems 2/3 point for filters/biofilters 1 point for zero-discharge BMPs 	0 to 1												
¹ Applicants are not expected to calculate the score for question 2 and question 3. OCTA's technical consultant will provide the analysis for these questions based on the application materials provided by the applicant.														
² Examples include high-capacity systems (i.e., hydrodynamic separators), filters/biofilters, or zero-discharge BMPs (i.e., retention/infiltration).														
4. How effective will the proposed project be in dealing with the more visible forms of pollutants, such as a litter and debris? (up to 10 points)		10												
5. What other BMP types were considered for this project? Why was the proposed BMP chosen? (5 points)		5												
6. Provide information on proposed BMP performance efficiency and/or effectiveness, including pollutant capture, storage capacity, flow capacity, etc. (up to 6 points)		6												
7. Project Readiness: The project schedule will be reviewed by the evaluation committee to determine when the proposed BMP will be operational following OCTA Board of Directors approval. (up to 6 points):		6												
Less than 4 Months	(6 points)	8 - 12 months (2 points)												
4 - 8 months	(4 points)	More than 12 months (1 point)												

Comprehensive Transportation Funding Programs



8. Secondary Attributes: Will the proposed project provide any benefits beyond water quality improvement (i.e., water use efficiency, public awareness, flooding control, recreation, habitat, sustainability)? (up to 5 points)	5
9. What is the methodology for measuring pollutant reduction before and after the BMP is implemented? How frequently will monitoring and performance assessment occur? (up to 10 points)	10
10. Provide an O&M plan for the lifespan of the proposed project. Include schedule of inspections, cleaning, removal and disposal of pollutants, repairs, etc. (up to 15 points)	15
	<hr/>
	100
11. BONUS: Are local matching funds in excess of the 20% minimum cash being proposed? If yes, at what percentage? (.5 point for each 5% cash overmatch, up to 5 points)	5
	<hr/>
	105

Application Process

The following information, which is to be completed within the Tier 1 Grant Application Form, available electronically from OCTA, is required to evaluate and select projects. A checklist is included in the Tier 1 Grant Application Form to assist eligible agencies in assembling project proposals. The following project information will be necessary as part of the application process:

- Project Title
- Lead Agency Information
- Proposed Schedule
- Project Management
- Description and Scope of Proposed Project
- Integrated Regional Water Management Plan (IRWMP) identification (if applicable)
- Project Readiness
- Performance Metrics
- Detailed Project Estimate
- Minimum 20% Local Match (cash match only)
- Joint-Application (if applicable)

In addition to the completed Tier 1 Grant Application, the following documentation is required as part of the application process:

- Project design or concept drawings, including preliminary design calculations, of proposed BMPs.
- Precise maps to show tributary drainage area and proposed location(s) for BMP installation including geospatial information (through ArcGIS and/or Google Earth)
- Digital project site photos
- Preliminary agreements with joint and/or third-party entities if part of the funding application (if applicable)
- A city council resolution specific to each proposed project and funding commitment must be approved by the local jurisdiction's governing body prior to the Board approval of grant funds. A sample resolution is included as Exhibit 11-2. **Local agencies, at a minimum, must include items a-l.** The mechanism selected shall serve as a formal request for CTFP funds and states that matching funds will be provided by the agency. A final resolution authorizing a request for funding consideration with a commitment of local match funding must be provided with the project application. **If a draft copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency's governing body.** For a project to be considered for funding the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the programming recommendations being presented to OCTA's Board.

One unbound original hardcopy and one electronic copy of the complete application form and supporting documentation materials must be submitted to OCTA by the application deadline. Electronic application materials can be submitted via email as an attachment, or via a link to an online storage device site, such as DropBox or OneDrive. Submittal via USB drive is also allowed. CD/DVD files will not be accepted. There is no maximum length for proposals. All pages must be numbered and printed on 8 1/2 x 11 sheets of white paper. Use separate sheets of paper if necessary. Maps and drawings can be included on 11 x 17 sheets, folded into the proposal. The original proposal should be left unbound for reproduction purposes.

Application materials are to be submitted by the call for projects deadline to the following OCTA staff email and via hardcopy by mail or in person:

Adrian Salazar
Orange County Transportation Authority
asalazar@octa.net

By mail:
Adrian Salazar
Orange County Transportation Authority
P.O. Box 14184
Orange, CA 92863-1584
Tel: (714) 560-5363

In person:
Orange County Transportation Authority
600 South Main Street
Orange, CA 92863-1584

Note: if submitting via email, please note that certain attachments may be subject to file size or file type restrictions, which may prevent emails from being successfully sent to OCTA. OCTA staff will provide a confirmation email that the application was successfully received by the deadline.

Applications are considered final once the electronic application has been submitted. OCTA will document the submittal date and time and download the files for storage and application review. Any applications that do not contain all required information and documentation will be disqualified. Revisions may be allowed if changes are made prior to the application deadline.

Exhibit 11-2 (Tier 1 Sample Resolution)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL/BOARD OF THE CITY/COUNTY OF _____

AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 1 GRANT PROGRAM
UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR
(PROJECT NAME).

- (a) WHEREAS, Orange County Local Transportation Ordinance No. 3, dated July 24, 2006, and is known and cited as the Renewed Measure M Transportation Ordinance and Investment Plan makes funds available through the Environmental Cleanup Program to help protect Orange County beaches and waterways from transportation-generated pollution (urban runoff) and improve overall water quality; and
 - (b) WHEREAS, the Environmental Cleanup, Tier 1 Grant Program consists of funding purchases and installation to catch basins with Best Management Practices, such as screens, filters, inserts, and other "street-scale" low flow diversion projects; and
 - (c) WHEREAS, OCTA has established the procedures and criteria for reviewing proposals; and
 - (d) WHEREAS, (ADMINISTERING AGENCY) possesses authority to nominate water quality improvement projects that have a transportation pollution nexus to finance and construct the proposed project; and
 - (e) WHEREAS, by formal action the (GOVERNING BODY) authorizes the nomination of (PROJECT NAME), including all understanding and assurances contained therein, and authorizes the person identified as the official representative of the (ADMINISTERING AGENCY) to act in connection with the nomination and to provide such additional information as may be required; and
 - (f) WHEREAS, the (ADMINISTERING AGENCY) will maintain and operate the equipment acquired and installed; and
 - (g) WHEREAS, the (ADMINISTERING AGENCY) will give OCTA's representatives access to and the right to examine all records, books, papers or documents related to the funded Tier 1 Grant Project; and
 - (h) WHEREAS, the (ADMINISTERING AGENCY) will cause work on the project to be commenced within a reasonable time after receipt of notification from OCTA and that the project will be carried to completion with reasonable diligence; and
 - (i) WHEREAS, the (ADMINISTERING AGENCY) will comply where applicable with provisions of the California Environmental Quality Act, the National Environmental Policy Act, the American with Disabilities Act, and any other federal, state, and/or local laws, rules and/or regulations; and
 - (j) WHEREAS, the (ADMINISTERING AGENCY) must include all projects funded by Net Revenues in the seven-year Capital Improvement Program as part of the Renewed Measure M Ordinance eligibility requirement; and
 - (k) WHEREAS, the (ADMINISTERING AGENCY) authorizes a formal amendment to the seven-year Capital Improvement Program to add projects approved for funding upon approval from the Orange County Transportation Authority Board of Directors; and
 - (l) WHEREAS, the City/County of _____ will provide a minimum of 20% in matching funds for the (PROJECT NAME) as required by the Orange County Comprehensive Transportation Funding Programs Guidelines.
- NOW, THEREFORE, BE IT RESOLVED that the City/County of _____ hereby authorizes (NAME OF AGENCY REPRESENTATIVE) as the official representative of the (ADMINISTERING AGENCY) to accept funds for the Environmental Cleanup, Tier 1 Grant Program for (PROJECT NAME).
- BE IT FURTHER RESOLVED that the City/County of _____ agrees to fund its share of the project costs and any additional costs over the identified programmed amount.

Eligible Expenditures

- Tier 1 projects must meet the transportation nexus as outlined previously in this chapter.
- Project X funds must be for capital improvements.
- For Tier 1, construction support construction management, project management and final design (for Project X Tier 1 projects only), combined costs cannot exceed 2015 percent (2015%) of the M2 grant subject to match requirement.~~total construction cost.~~
- Project X funds can only be used for facilities that are in public ownership for public use; however, water quality improvements on private property, which are connected to municipal separate storm sewer systems, are eligible if part of a right of way agreement (For example, a homeowner association can coordinate through an eligible agency for funding if the proposed project is connected to a public facility). Administering agencies shall provide supporting documentation to justify improvements on private property.
- Reducing volume of surface flows is an integral factor of improving water quality, therefore, projects that have water-saving features (i.e., drip systems) are eligible for funding consideration.

Ineligible Expenditures

- O&M costs are not eligible expenditures. O&M costs cannot be utilized as a source of matching funds.
- Project X funds are not to be used for planning but can be used for final design, subject to the restrictions above.
- Expenditures prior to the grantee executed letter agreement date cannot be considered eligible for funding or match.
- Landscaping installation and replacement are not eligible for funding consideration.
- Replacement of equipment funded with Project X funds that is still within its anticipated useful life (based on manufacturer's specifications).
- Capital equipment purchases related to regular on-going street maintenance efforts, including, but not limited to: trash receptacles, vacuum trucks and/or equipment, street sweepers, signage, etc.

Reporting and Reimbursement

A final report must be filed within 180 days of the project being completed with information as shown in Form 10-16. See Chapter 9 for the process and requirements regarding reimbursements and reporting for the Tier 1 Grant Program.

Additionally, an exception to Precept #36: Agencies may appeal to the ECAC and the OCTA Board on any issues that the agency and OCTA cannot resolve, as such are the reviewing and approving bodies, respectively, for this program.

Technical and/or Field Review

Once an agency submits a final report for a project, OCTA shall review the report for compliance with the CTFP guidelines and may conduct a field review. OCTA will use the project cost estimate forms submitted with the application and revised where appropriate, project accounting records and the final report as the primary items to conduct the review. Agencies must maintain separate records for projects (i.e., expenditures, interest) to ensure compliance. Only CTFP eligible items listed on a project's cost estimate form will be reimbursed. See Chapter 10 for independent audit requirements beyond the technical and/or field review.

Additional Information

Questions regarding these procedures and criteria should be directed to:

By mail:

Adrian Salazar

Orange County Transportation Authority

P.O. Box 14184

Orange, CA 92863-1584

Tel: (714) 560-5363

In person:

Orange County Transportation Authority

600 South Main Street

Orange, CA 92863-1584

Via email:

asalazar@octa.net

Tier 2 Grant Program

The Tier 2 Grant Program consists of funding larger scale, potentially multi-jurisdictional, capital-intensive structural treatment BMP projects. Proposed projects will be evaluated based on their water quality improvement benefits and cost-effectiveness under the scoring criteria guidelines. Examples of large-scale BMPs include constructed wetlands, detention/infiltration basins and other large BMPs that mitigate litter and debris, heavy metals, organic chemicals, sediment, nutrients, and other transportation-related pollutants. Funds will be awarded through a competitive grant process geared towards awarding funds to the highest scoring, most cost-effective projects.

For the 2024 call for projects (call), applicants will use a web-based platform called OC Stormwater Tools (OCST) as part of the application process. The OCST platform was originally developed by Orange County Public Works (OCPW). The OCST platform has been in use for over five years supporting Orange County cities and the County of Orange in managing stormwater BMP inventories, establishing facility delineations, and modeling the performance of the BMPs. It is maintained by OCPW. In 2022, OCTA and OCPW partnered to develop the Planning Module in OCST. The OCST Planning Module allows users to access mapping layers to view priority areas, evaluate the performance of candidate BMPs, and submit selected projects for consideration in the Tier 2 Grant Program, in combination with traditional application forms. Use of the OCST Planning Module to submit the project drainage area and facility design information is a requirement for Tier 2 funding applicants.

Pre-Application Process

In order to facilitate a jurisdiction's best use of Project X funds, Tier 2 applicants may engage in a pre-application process with OCTA staff to assist jurisdictions in project planning, proposal and cost estimate development, and determination of likely projected competitiveness in the scoring criteria. The pre-application timeframe is defined as the time between the initiation of the call and one week prior to the application deadline date. After the call deadline and submittal of the grant application, applicants will not be able to change the content of their application or scope of the project.

Eligible Applicants

Project X funds can be used to implement transportation-related water quality improvement projects to assist Orange County cities and the County of Orange meet federal Clean Water Act standards for urban runoff. Applicants eligible for Project X funds include the 34 Orange County cities plus the County of Orange. Eligible applicants must meet the transportation requirements discussed in the M2 Ordinance.

For Tier 2 multi-agency collaborations, eligible jurisdictions may partner with other entities such as special districts and non-profits, but the lead agency must be an M2 eligible jurisdiction.

Third parties, such as water and wastewater public entities, environmental resource organizations, non-profit 501(c) environmental institutions, and homeowners' associations cannot act as the lead agency for a proposed project, however; these agencies can coordinate with an M2 eligible Orange County city and/or the County of Orange to submit a project application. All project partners must contribute to the project in some capacity (i.e., monetary contribution, time contribution, etc.).

Two or more agencies may participate in a project. If a joint application among agencies and/or an application is submitted for the benefit of third-party entities is submitted, a preliminary agreement with joint or third-party entities must be provided as part of the application. In order to meet M2 Ordinance requirements, an eligible applicant must be the lead agency for the funding application. If a project includes more than one jurisdiction and is being submitted as a joint application, one agency shall act as the lead agency and must provide a resolution of support from the partnering agency. In addition, the applicant shall provide a schedule by which the lead agency will obtain a final agreement with a third party. The final agreement must be executed prior to contract award date.

Each eligible jurisdiction must meet the eligibility criteria as set forth in Chapter 1 of the Comprehensive Transportation Funding Program (CTFP) Guidelines. For example, to apply for CTFP funding, local agencies must fulfill an annual eligibility process. Eligibility packages are due to OCTA by June 30 of each year. The M2 Eligibility Preparation Manual outlines the eligibility requirements in detail.

In order for an applicant to accept Project X funding for their proposed project, OCTA has certain requirements that must be met. These requirements include adhering to the OCTA CTFP Guidelines; meeting a ten-year BMP Operations and Maintenance (O&M) commitment; and commitment to maintain and monitor the project commensurate with the design life.

Project Programming

The Tier 2 Grant Program is designed to be consistent with Chapter 2 of the CTFP Guidelines regarding the provisions below:

- Program Consolidation
- Sequential Programming Process
- Funding Projections
- Project Cost Escalation
- Programming Adjustments
- Project Readiness

- Programming Policies
- Schedule Change Requests
- Timely-Use of Funds
- Project Advancements
- Semi-Annual Review

Refer to Chapter 2 for explanations of the above provisions.

Funding Estimates

Approximately \$15 million is available for the 2024 Tier 2 call. The maximum amount for the Tier 2 Grant Program is \$2.5 million per project. The maximum amount that an eligible local agency can receive in this funding period is \$2.5 million.

2024 Tier 2 Call Implementation Timeline

The Tier 2 call will be open for 90 days. 2024 Tier 2 call applications must be received by OCTA **no later than 5:00 PM on Thursday, May 16, 2024**. OCTA is seeking applications for projects, which can be awarded no later than December 31, 2025. Funds will become available upon execution of a letter agreement. Projects that do not award construction contracts by December 31, 2025 will not be considered.

After Tier 2 applications are reviewed by OCTA staff for completeness and accuracy, an evaluation panel will review and rank projects. Following review and recommendation by the ECAC, a recommended priority list of projects will be presented to the OCTA Board for approval. Funding amounts allocated for projects are final once approved by the OCTA Board. No additional funds will be allocated to the project. Grantees are responsible for any costs exceeding the allocated amount.

Matching Funds

For the Tier 2 Grant Program, a minimum local match of fifty percent (50%) of the eligible project phase cost is required. The matching funds shall be provided by cash contributions. Previously completed phases of a project may not be attributed to the match. Prior expenditures cannot be used as matching funds. There is a potential to reduce matching funds up to 15 percent (15%) for project readiness (at time of application submittal) as follows:

- Environmental (5%): The environmental document has been completed and certified.
- Design (5%): The project has completed 100% design plans.
- Right of Way (5%): This reduction applies to only those projects that require right of way acquisition, and acquisition has been completed.

If a joint application among agencies and/or third-party project partners is submitted,

matching funds documentation must clearly identify the entity providing the funds for each line item in the matching funds description. Additionally, preliminary agreements are required to be submitted with the grant application that contains the matching funds commitments from a supporting agency.

Matching rate commitments identified in the project grant application shall remain constant throughout the project. Match rate commitments may not be reduced for any reason.

Operations and Maintenance

Applicants must submit a draft BMP O&M Plan covering a minimum of ten years after project completion. The BMP O&M Plan must document (through the resolution) project O&M financial commitment and sustainability for ten years. Applicants must include project assessment and monitoring of performance as part of the O&M Plan. OCTA may request to review this plan from time to time.

For guidance, please refer to Section 2.8 and Appendix G of the Technical Guidance Document for the Preparation of Conceptual/Preliminary and/or Project Water Quality Management Plans at:

<https://ocgov.app.box.com/v/SDR-WQIP-Clearinghouse/file/252490400944>

Eligible Expenditures

- Tier 2 projects must meet the transportation nexus as outlined previously in this chapter.
- Project X funds are designed to fund capital improvements. Tier 2 funds are designed to be strictly used for project construction costs, although up to ten percent (10%) of the total grant may be used for preliminary project design, environmental, and engineering costs.
- For Tier 2, construction ~~support management and project management~~ cannot exceed ~~2015~~ percent (~~2015~~%) of the ~~M2 grant subject to match requirement total construction costs~~.
- Project X funds can only be used for facilities that are in public ownership for public use; however, water quality improvements on private property, which are connected to municipal separate storm sewer systems, are eligible if part of a right of way agreement (For example, a homeowner's association coordinate through an eligible agency for funding if the proposed project is connected to a public facility). Agencies shall provide supporting documentation to justify improvements on private property.

Ineligible Expenditures (including, but not limited to)

- Non-capital expenses for enhancements such as education, recreation, etc.

- Expenditures prior to letter agreement execution
- Amenities such as benches, lighting, signage, waste receptacles, etc.
- Landscaping and vegetation not directly related to improving water quality (i.e., ornamental shrubs, trees)
- Irrigation (sprinklers or drip systems) not directly related to plant establishment of water quality features
- Trails/sidewalks, unless contributing to water quality improvement
- O&M
- Planning activities beyond ten percent (10%) of grant
- Replacement of existing water quality features still within anticipated useful life (based on manufacturer's specifications).

Reimbursements

For the Tier 2 Grant Program, OCTA will typically release funds through two payments. The initial payment will constitute 75 percent (75%) of the CFTP grant share of the contract award or grant programmed amount at time of award, whichever is lower. OCTA will disburse the final payment, approximately 25 percent (25%) of eligible funds, after approval of the final report. Further information on reimbursements can be found within Chapter 9 of the CTFP Guidelines.

Additionally, administering agencies must commit to cover any future cost overruns if the project is underfunded. Any work not eligible for Project X reimbursement must be funded through other means by the project applicant and cannot count as match. These non-eligible items should not be included in the cost estimate breakdown in the application.

Scope Reductions and Cost Savings

Any proposed scope reductions of an approved project must be submitted to OCTA to ensure consistency with the Tier 2 Grant Program requirements. If the proposed scope reduction is approved by OCTA, cost savings will be proportionally shared between OCTA and the grantee. A reduction in Project X funds must be applied proportionally to maintain the approved local match percentage. All cost savings will be returned to the Tier 2 Grant Program for reallocation to subsequent calls.

Tier 2 Selection Criteria

OCTA will evaluate all proposals that meet the mandatory prerequisites based on competitive selection criteria (Exhibit 11-3) with the following categories:

- Problem and source identification
- Project design
- Project implementation and readiness
- Project benefits

- Performance metrics

Each proposal can receive a maximum of 100 points. Tier 2 selection criteria include both technical scoring criteria –70 percent (70%) weighting – and non-technical scoring criteria –30 percent (30%) weighting.

A focus on several overarching concepts is emphasized in the funding guidelines and scoring criteria:

- Focus on a clear and measurable transportation nexus, defined as total lane miles in the project catchment area, as defined by the MPAH
- Priority in the scoring criteria is given to projects in areas of highest water quality need, as established by predicted pollutant loading, receiving water monitoring, and the extent of impairment of receiving waters (i.e., higher priority given to 303(d) listed water bodies or project in a water quality plan)
- Quantification of project benefits where possible in terms of a load reduction metric (pollutants or water volumes)
- Emphasis on cost beneficial projects
- Emphasis on project readiness, and ability to leverage funding
- Emphasis on other regional and environmental benefits
- Emphasis on multi-jurisdictional and public benefits

Application Process

The technical scoring will be calculated wholly within the OCST Planning Module. The Tier 2 Grant Application Form (available electronically from OCTA) is required to evaluate general project information, funding, and to score non-technical project components. See Exhibit 11-3 for Tier 2 Scoring Criteria.

The applicant will be required to enter the technical project information into the OCST Planning Module (<https://planning.ocstormwatertools.org/>), populate the project with attributes necessary to quantify performance, and elect to share the project with OCTA within the Planning Module.

OCST Planning Module Project Entry

Complete the workflow for adding the project in the OCST Planning Module. The Planning Module Project workflow includes the following steps:

1. Log in to <https://planning.ocstormwatertools.org/>. If a user is not yet registered in this system, use the “Create Account” button to set username and password; permission to act on behalf of a city or the County will be assigned by the system administrators.
2. Under “Quick Actions”, select “Add a Project”.

3. Complete the Project Basics form using the same project name as in the Application Form. Enter project information such as Project Name, Description, and Primary Contact Person. Check the box to compute metrics for the OCTA M2 Tier 2 Grant Program.
4. Select "OCTA M2 Tier 2 Grant Program" to view scores (this does not enable sharing with OCTA, it will just calculate scoring metrics for the project for applicant review).
5. On the "Stormwater Treatments / Proposed Treatment BMPs" page, enter BMP type and location, and modeling attributes (a set of key design parameters used to estimate performance). More than one BMP can be entered within a project.
6. On the "Stormwater Treatments / Delineations" page, define the upstream delineation using the web map.
7. On the "Stormwater Treatments / Modeled Performance and Grant Metrics" page, select "Calculate" to review modeling results and preliminary grant scoring metrics for the project.
8. Review results.
9. On the "Review and Share" page, click the button to "Share" the project with the OCTA M2 Tier 2 Grant Program. This will add the project to the grant application reviewers dashboard. While a project is being shared it cannot be edited.

If an applicant believes an edit is needed, or if a change is requested by OCTA, the applicant may "Revoke" the project sharing status, make the edit, and re-share the project. Projects must be shared with the OCTA M2 Tier 2 Grant Program before the call for projects closes in order for the application to be considered eligible for funding.

Important Note: All Tier 2 score metrics computed by the Planning Module are preliminary. Final project scores will be calculated by OCTA after the call is closed, including comparisons between submitted projects.

In addition to entering project information into the OCST Planning Module and the Tier 2 Grant Application Form, the following items are required to be included within the submitted proposal:

- Project design or concept drawings, including preliminary design calculations, of proposed BMP. This should clearly justify the modeling attributes entered into the OCST Planning Module.
- Environmental Document (if applicable)
- Preliminary Cooperative Agreement(s) with joint and/or third-party entities (if applicable)
- Project Cost Estimate
- Maps
- Project site photos

- Project master schedule
- City Council resolution specific to the project and funding commitment must be approved by the local jurisdiction's governing body prior to the Board approval of grant funds. A sample resolution is included as Exhibit 11-4. **Local agencies, at a minimum, must include items a-l.** The mechanism selected shall serve as a formal request for CTFP funds and states that matching funds will be provided by the agency. A final resolution authorizing a request for funding consideration with a commitment of local match funding must be provided with the project application. **If a draft copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency's governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA's Board.
- 10-year draft BMP O&M Plan

For the Tier 2 Grant Program, one unbound original and one electronic copy of the complete application form and supporting documentation materials must be submitted to OCTA by the application deadline. Electronic application materials can be submitted via email as an attachment, or via a link to an online storage device site, such as DropBox or OneDrive. Submittal via USB drive is allowed. CD/DVD files will not be accepted.

There is no maximum length for proposals. All pages must be numbered and printed on 8 1/2 x 11 sheets of white paper. Use separate sheets of paper if necessary. Maps and drawings can be included on 11 x 17 sheets, folded into the proposal. *The original proposal should be left unbound for reproduction purposes.*

Application materials are to be submitted by the call for projects deadline to the following OCTA staff email and via hardcopy by mail or in person:

Adrian Salazar

Orange County Transportation Authority

asalazar@octa.net

By mail:

Adrian Salazar

Orange County Transportation Authority

P.O. Box 14184

Orange, CA 92863-1584

In person:

Orange County Transportation Authority

600 South Main Street

Orange, CA 92863-1584

Tel: (714) 560-5363

Note: if submitting via email, please note that certain attachments may be subject to file size or file type restrictions, which may prevent emails from being successfully sent to OCTA. OCTA staff will provide a confirmation email that the application was successfully received by the deadline.

Applications are considered final once the electronic application has been submitted. OCTA will document the submittal date and time and download the files for storage and application review. Any applications that do not contain all required information and documentation will be disqualified. Revisions may be allowed if changes are made prior to the application deadline.

Reporting and Reimbursement

The Tier 2 Grant Program is consistent with Chapter 9 of the CTFP Guidelines regarding the process and requirements of reimbursements and reporting including semi-annual reviews. Upon completion of project construction, a 10-year final BMP O&M Plan is required to be submitted along with the final report.

Additionally, an exception to Precept #39: Agencies may appeal to the ECAC and the OCTA Board on any issues that the agency and OCTA cannot resolve.

Technical and/or Field Review

Once an agency submits a final report for a project, OCTA shall review the report for compliance with the CTFP Guidelines and may conduct a field review. OCTA will use the project cost estimate forms submitted with the application and revised where appropriate, project accounting records and the final report as the primary items to conduct the review. Agencies must maintain separate records for projects (i.e., expenditures, interest) to ensure compliance. Only CTFP eligible items listed on a project's cost estimate form will be reimbursed. See Chapter 10 for independent audit requirements beyond the technical and/or field review.

Exhibit 11-3 Tier 2 Scoring Criteria

Technical Scoring – 70 points (Points awarded based on scoring metrics computed within OCST Planning Module)		
Scoring Metric	Description	Points
Transportation Priority Index (TPI)	The TPI is developed based on density of roadway lane miles within pre-defined catchment areas.	5
WQ Need Analysis	WQ Need is based on the presence of TMDLs and 303(d) list impairments, as well as receiving water quality monitoring data.	40
BMP Performance	BMP performance is a normalized score based on the total inflow volume, Water Quality Load Reduction Index, the ratio of wet to dry weather pollutant load reduction, and project cost.	25
Non-technical Scoring – 30 points (Points awarded based upon information provided by applicant)		
Multiple Benefits <ul style="list-style-type: none"> • Drainage • Recreation • Habitat • Water Resources 	Describe the benefits of the proposed project above and beyond water quality improvement (load reduction benefit).	10
Cost/Benefit	Describe how the project is designed to maximize benefits while reducing costs, such as by aligning with parallel project efforts in the region and/or obtaining additional sources of funding beyond the minimum required match.	10
Regional Benefit	Describe how the proposed project would provide a regional benefit.	5
Project Readiness	Describe the proposed project's readiness with regard to concept development, cost estimates, design, environmental compliance, and construction documents.	5
Total		100

Exhibit 11-4 SAMPLE AGENCY RESOLUTION REQUESTING FUNDS FOR PROPOSED PROJECT

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL/BOARD OF THE CITY/COUNTY OF _____
AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 2 GRANT
PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR
(NAME OF PROPOSAL) PROJECT.

(a) WHEREAS, Orange County Local Transportation Ordinance No. 3, dated July 24, 2006, and is known and cited as the Renewed Measure M Transportation Ordinance and Investment Plan makes funds available through the Environmental Cleanup Program to help protect Orange County beaches and waterways from transportation-generated pollution (urban runoff) and improve overall water quality; and

(b) WHEREAS, the Environmental Cleanup, Tier 2 Grant Program consists of funding regional, potentially multi-jurisdictional, capital-intensive projects, such as constructed wetlands, detention/infiltration basins and bioswales, which mitigate pollutants including litter and debris, heavy metals, organic chemicals, sediment, and nutrients; and

(c) WHEREAS, OCTA has established the procedures and criteria for reviewing proposals; and

(d) WHEREAS, (ADMINISTERING AGENCY) possesses authority to nominate water quality improvement projects that have a transportation pollution nexus to finance and construct the proposed project; and

(e) WHEREAS, by formal action the (GOVERNING BODY) authorizes the nomination of (NAME OF PROPOSAL), including all understanding and assurances contained therein, and authorizes the person identified as the official representative of the (ADMINISTERING AGENCY) to act in connection with the nomination and to provide such additional information as may be required; and

(f) WHEREAS, the (ADMINISTERING AGENCY) will maintain and operate the equipment acquired and installed; and

(g) WHEREAS, the (ADMINISTERING AGENCY) will give OCTA's representatives access to and the right to examine all records, books, papers or documents related to the funded Tier 2 Grant Project; and

(h) WHEREAS, the (ADMINISTERING AGENCY) will cause work on the project to be commenced within a reasonable time after receipt of notification from OCTA and that the project will be carried to completion with reasonable diligence; and

(i) WHEREAS, the (ADMINISTERING AGENCY) will comply where applicable with provisions of the California Environmental Quality Act, the National Environmental Policy Act, the American with Disabilities Act, and any other federal, state, and/or local laws, rules and/or regulations; and

(j) WHEREAS, the (ADMINISTERING AGENCY) must include all projects funded by Net Revenues in the seven-year Capital Improvement Program as part of the Renewed Measure M Ordinance eligibility requirement; and

(k) WHEREAS, the (ADMINISTERING AGENCY) authorizes a formal amendment to the seven-year Capital Improvement Program to add projects approved for funding upon approval from the Orange County Transportation Authority Board of Directors; and

(l) WHEREAS, the City/County of _____ is committing to a minimum match of up to 50% for the (PROJECT NAME) as required by the Orange County Comprehensive Transportation Funding Programs Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the City/County of _____, hereby authorizes (NAME OF AGENCY REPRESENTATIVE) as the official representative of the (ADMINISTERING AGENCY) to accept funds for the Environmental Cleanup, Tier 2 Grant Program for (NAME OF PROPOSAL).

BE IT FURTHER RESOLVED that the City/County of _____, agrees to fund its share of the project costs and support any additional costs over the grant funding.

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COMMITTEE TRANSMITTAL

May 13, 2024

To: Members of the Board of Directors

From: Andrea West, Clerk of the Board

Subject: Comprehensive Transportation Funding Programs – 2024 Call for Projects Programming Recommendations

Regional Transportation Planning Committee Meeting of May 6, 2024

Present: Directors Do, Dumitru, Federico, Foley, Harper, and Stephens

Absent: Khan

Committee Vote

This item was passed by the Members present.

Committee Recommendations

- A. Approve the award of \$18.72 million in 2024 Regional Capacity Program (Project O) funds to six local jurisdiction projects.
- B. Approve the award of \$12.89 million in 2024 Regional Traffic Signal Synchronization Program (Project P) funds to five local jurisdiction projects.



May 6, 2024

To: Regional Transportation Planning Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Comprehensive Transportation Funding Programs – 2024 Call for Projects Programming Recommendations

Overview

The Orange County Transportation Authority issued the 2024 Measure M2 Comprehensive Transportation Funding Programs Regional Capacity Program and Regional Traffic Signal Synchronization Program call for projects in August 2023. Project Applications were due in October 2023. A list of projects recommended for funding is presented for Board of Directors' review and approval.

Recommendations

- A. Approve the award of \$18.72 million in 2024 Regional Capacity Program (Project O) funds to six local jurisdiction projects.
- B. Approve the award of \$12.89 million in 2024 Regional Traffic Signal Synchronization Program (Project P) funds to five local jurisdiction projects.

Background

The Regional Capacity Program (RCP), Project O, is the Measure M2 (M2) competitive funding program through which the Orange County Transportation Authority (OCTA) supports street and road improvement projects. The Regional Traffic Signal Synchronization Program (RTSSP), Project P, is the M2 competitive program that provides funding for regional signal synchronization projects.

Both programs are included in the Comprehensive Transportation Funding Programs (CTFP) which include all of the competitive M2 programs that provide grants to local agencies for transit, streets and roads, and environmental cleanup. These programs are subject to an annual call for projects (call) which is guided by the Board of Directors (Board)-approved CTFP guidelines. The CTFP guidelines are updated before each call and include scoring criteria that are developed in collaboration with the OCTA Technical Advisory Committee (TAC), which is comprised of representatives from the 35 local jurisdictions. The guidelines and the call are ultimately approved for release by the Board.

The CTFP guidelines for the 2024 call were approved by the Board on August 14, 2023. At that meeting, the Board also authorized the issuance of the current call. The available funding, based on the cash flow that was prepared at that time, was reported as approximately \$45 million in competitive M2 funds to support regional roadway and signal synchronization projects throughout Orange County.

Discussion

RCP

OCTA received six applications requesting a total of \$21.41 million in funding as further detailed in Attachment A. The applications were reviewed for eligibility, consistency, adherence to the guidelines, and overall M2 program objectives aimed at completing a balanced regional network. Applications were evaluated and ranked based on the scoring criteria identified in the guidelines. During the review process, staff worked with local jurisdictions to address technical issues such as application scoring corrections, scope of work clarifications, and refinement of final project funding requests.

Based upon these reviews and project consistency with the guidelines, staff recommends funding for all six projects, totaling \$18.72 million (with inflationary adjustments as appropriate). The recommended programming amount is lower than the originally requested amount, which is the result of OCTA's detailed application review. The revised recommended grant amount reflects only the project scope components and amounts that are eligible per CTFP guidelines. Attachment B provides more detail on the programming recommendations. The recommended M2 RCP funding will support six projects in the cities of Dana Point, Garden Grove, Irvine, Laguna Niguel, Santa Ana, and Yorba Linda.

Of the six recommended projects, three will provide arterial improvement benefits with grants for the engineering, right-of-way (ROW), and/or construction phases, and three will provide intersection capacity enhancements with ROW and construction phase grants. Implementation of these projects in aggregate is anticipated to produce notable congestion relief in Orange County, while enhancing the arterial system overall.

RTSSP

OCTA received six applications requesting a total of \$13.91 million in RTSSP funding. These applications were also reviewed for eligibility, consistency, and adherence to guidelines and overall program objectives. During the review process, one project application was withdrawn by the local jurisdiction, reducing the overall requested funding of this call to \$13.53 million. Attachment A has more detail on the submitted projects. Staff worked with the sponsoring local jurisdictions to address technical issues of final project funding requests.

Staff recommends award of \$12.89 million to fund five RTSSP projects. The revised recommended grant amount is a result of application review related to construction cost refinements and scope of work clarifications. All five of the recommended projects are anticipated to be implemented by the local jurisdictions in fiscal year 2024-25. Additional details on the RTSSP-recommended projects are provided in Attachment C.

The table below provides an overall summary of the funding recommendations:

2024 CTFP Call Summary (\$ in millions)			
	RCP	RTSSP	Total
Number of Applications Recommended for Approval	6	5	11
Amount Recommended for Approval (escalated)	\$18.72	\$12.89	\$31.61

These recommendations are consistent with the 2024 guidelines approved by the Board. As such, staff recommends programming \$31.61 million for 11 projects under the RCP and RTSSP. These awards bring the total amount of M2 grants by OCTA to local agencies to more than \$556 million since 2011 in support of the development of a safe, efficient, and modern roadway system. A map displaying the 2024 RCP and RTSSP recommended project awards is provided in Attachment D.

The recommendations were presented to both the OCTA Technical Steering Committee (TSC) and TAC in March 2024, and both committees voted to support staff's recommendations. The TSC and TAC asked questions related to the difference between the funding target and the awards. The committees also discussed working with staff to review the guidelines as part of the next funding cycle in response to inflationary cost pressures, maintaining an aging roadway network, and consideration for multimodal solutions. The funding target for each year's RCP and RTSSP call is established based on a cash flow estimate that considers M2 revenues and existing awards. It also assumes the continuation of annual calls into the future at a similar annual target. Any funds not awarded simply stay in the cash flow in the same program for future years. This is relevant because there appears to be a significant funding need, which may manifest within the next two to five years based on capital improvement plans submitted by the local jurisdictions. The M2 Ordinance requires M2 funds dedicated to specific projects and programs, such as the RCP and RTSSP, to be used for its voter-approved intent. The CTFP guidelines fulfill this commitment to the taxpayers. Staff will work to provide the TAC with more details on near-term anticipated projects, as well as a better understanding of the M2 voter commitments and opportunities to address some of the current issues through other means.

Next Steps

With Board approval of these recommendations, staff will initiate the execution of letter agreements between OCTA and the appropriate local jurisdictions. As these projects advance, staff will continue to monitor their status and project delivery through the semi-annual review process.

Summary

Programming recommendations that will award \$31.61 million to 11 projects in M2 2024 RCP and RTSSP funds are presented for Board approval.

Attachments

- A. 2024 Measure M2 Call for Projects – Applications Received
- B. 2024 M2 Regional Capacity Program (Project O) Call for Projects – Programming Recommendations
- C. 2024 M2 Regional Traffic Signal Synchronization Program (Project P) Call for Projects – Programming Recommendations
- D. 2024 Recommended Project O & P Awards Map

Prepared by:



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Approved by:



Kia Mortazavi
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2024 Measure M2 Call for Projects – Applications Received

Regional Capacity Program (Project O) Applications							
Agency	Project	Fund	Phase	Match Rate	Total M2 Request	Match	Total Cost
Dana Point	Stonehill Drive Improvement Project	ACE	ENG	25%	\$ 515,250	\$ 171,750	\$ 687,000
Garden Grove	Garden Grove Boulevard/Harbor Boulevard Intersection Improvement	ICE	CON	25%	\$ 4,274,963	\$ 1,424,987	\$ 5,699,950
Irvine	Jeffery Road and Barranca Parkway Intersection Improvements	ICE	ROW, CON	25%	\$ 1,104,221	\$ 368,074	\$ 1,472,295
Laguna Niguel	Crown Valley Parkway Westbound Improvement Project	ACE	ROW, CON	25%	\$ 11,177,179	\$ 3,725,726	\$ 14,902,905
Santa Ana	Dyer Road Improvements (SR-55 to 700' E/O Pullman Street)	ACE	ENG	25%	\$ 2,365,200	\$ 788,400	\$ 3,153,600
Yorba Linda	Yorba Linda Boulevard/Savi Ranch Parkway Improvements	ICE	ROW	25%	\$ 1,971,000	\$ 657,000	\$ 2,628,000
REQUESTED TOTALS					\$ 21,407,813	\$ 7,135,937	\$ 28,543,750

Regional Traffic Signal Synchronization Program (Project P) Applications							
Agency	Project ¹	Fund	Signals	Match Rate	Total M2 Request	Match	Total Cost
Anaheim	Ball Road-Taft Avenue Traffic Signal Synchronization Project ²	RTSSP	37	20%	\$ 1,756,774	\$ 439,194	\$ 2,195,968
Laguna Hills	Paseo De Valencia - Moulton Parkway Confluence Bypass Corridor	RTSSP	20	20%	\$ 1,498,451	\$ 374,613	\$ 1,873,064
Laguna Niguel	Alicia Parkway RTSSP Project	RTSSP	40	20%	\$ 2,974,355	\$ 743,589	\$ 3,717,944
Rancho Santa Margarita	Antonio Parkway - Avenida De Las Banderas - Avenida Empresa RTSSP Project	RTSSP	38	20%	\$ 2,655,656	\$ 663,914	\$ 3,319,570
Santa Ana	Kraemer Boulevard/Glassell Street/Grand Avenue RTSSP Corridor	RTSSP	62	20%	\$ 4,647,224	\$ 1,161,806	\$ 5,809,030
REQUESTED TOTALS					\$ 13,532,460	\$ 3,383,116	\$ 16,915,576

Acronyms:

E/O - East of
 ACE - Arterial Capacity Enhancements
 CON - Construction
 ENG - Engineering
 ICE - Intersection Capacity Enhancements
 M2 - Measure M2
 OCTA - Orange County Transportation Authority
 ROW - Right-of-Way
 RTSSP - Regional Traffic Signal Synchronization Program
 SR-55 - State Route 55

1. The City of San Clemente submitted but then withdrew a Project P application totaling \$473k for timing work on El Camino Real that overlapped with OCTA's Countywide Baseline Project.

**2024 M2 Regional Capacity Program (Project O) Call for Projects -
Programming Recommendations**

Agency	Fiscal Year	Project	Fund	Phase	M2 Funding Engineering	M2 Funding Right-of-Way	M2 Funding Construction*	Total M2 Funding	Estimated Match	Total Programming	Match Rate
Dana Point	24/25	Stonehill Drive Improvement Project ¹	ACE	ENG	\$ 330,000			\$ 330,000	\$ 110,000	\$ 440,000	25%
Garden Grove	25/26	Garden Grove Boulevard/Harbor Boulevard Intersection Improvement ²	ICE	CON			\$ 3,957,107	\$ 3,957,107	\$ 2,130,750	\$ 6,087,856	35%
Irvine	25/26	Jeffery Road and Barranca Parkway Intersection Improvements ³	ICE	ROW, CON		\$ 89,049	\$ 926,065	\$ 1,015,113	\$ 338,372	\$ 1,353,485	25%
Laguna Niguel	24/25, 25/26	Crown Valley Parkway Westbound Improvement Project ⁴	ACE	ROW, CON		\$ 1,781,514	\$ 7,671,014	\$ 9,452,528	\$ 3,150,842	\$ 12,603,371	25%
Santa Ana	24/25	Dyer Road Improvements (SR-55 to 700' E/O Pullman Street)	ACE	ENG			\$ 2,365,200	\$ 2,365,200	\$ 788,400	\$ 3,153,600	25%
Yorba Linda	24/25	Yorba Linda Boulevard/Savi Ranch Parkway Improvements ⁵	ICE	ROW		\$ 1,601,700		\$ 1,601,700	\$ 533,900	\$ 2,135,600	25%
PROGRAMMING TOTALS					\$ 330,000	\$ 3,472,263	\$ 14,919,385	\$ 18,721,648	\$ 7,052,264	\$ 25,773,912	

*Includes escalation of 2.6% for all right-of-way and construction projects programmed for fiscal year 2025/26.

Acronyms:

ACE - Arterial Capacity Enhancements	ICE - Intersection Capacity Enhancements	ROW - Right-of-Way
CON - Construction	M2 - Measure M2	SR-55 - State Route 55
CTFP - Comprehensive Transportation Funding Programs		
E/O - East of	MPAH - Master Plan of Arterial Highways	
ENG - Engineering	OCTA - Orange County Transportation Authority	

1. Applicant requested additional funding but award is reduced to reflect eligibility of items within project scope. Total project cost is \$687k. The OCTA grant plus local match is listed as \$440K; an additional \$247k will be needed from local sources.
2. Applicant requested additional funding but award is reduced to reflect eligibility of items within project scope and correct match reduction. Total project cost is \$6.48 million. The OCTA grant plus local match is listed as \$6.08 million; an additional \$548k is to come from local sources.
3. Applicant requested additional funding but award is reduced to reflect eligibility of items within project scope. Total project cost is \$1.47 million. The OCTA grant plus local match is \$1.35 million; an additional \$158K is to come from local sources.
4. Applicant requested additional funding but award is reduced to reflect eligibility of items within project scope. The recommended grant includes a minor exception to the CTFP guidelines to allow work within 600 feet from intersection for the benefit of the MPAH to reach a logical terminus on Forbes Road, south of the intersection. Total project cost is \$14.5 million. The OCTA grant plus local match is \$12.6 million; an additional \$2.21 million is to come from local sources.
5. Applicant requested additional funding but award is reduced to reflect eligibility of items within project scope. The recommended grant includes a minor exception to the CTFP guidelines to allow work within a 600 feet from intersection for the benefit of the MPAH to reach a logical terminus on Mirage Street. Total project cost is \$2.63 million. The OCTA grant plus local match is \$2.14 million; an additional \$492k is to come from local sources.

**2024 M2 Regional Traffic Signal Synchronization Program (Project P) Call for Projects -
Programming Recommendations**

Agency	Fiscal Year	Project ¹	M2 Funding Primary Implementation	M2 Funding Operations & Maintenance	Total M2 Funding	Match	Total Programming	Match Rate
Anaheim	24/25	Ball Road-Taft Avenue Traffic Signal Synchronization Project ²	\$ 1,264,038	\$ 106,560	\$ 1,370,598	\$ 342,650	\$ 1,713,248	20%
Laguna Hills	24/25	Paseo De Valencia - Moulton Parkway Confluence Bypass Corridor ^{3,4}	\$ 1,274,666	\$ 73,440	\$ 1,348,106	\$ 337,026	\$ 1,685,132	20%
Laguna Niguel	24/25	Alicia Parkway RTSSP Project ⁵	\$ 2,765,019	\$ 225,600	\$ 2,990,619	\$ 747,655	\$ 3,738,274	20%
Rancho Santa Margarita	24/25	Antonio Parkway - Avenida De Las Banderas - Avenida Empresa RTSSP Project ⁶	\$ 2,466,004	\$ 147,600	\$ 2,613,604	\$ 653,401	\$ 3,267,005	20%
Santa Ana	24/25	Kraemer Boulevard/Glassell Street/Grand Avenue RTSSP Corridor ⁷	\$ 4,425,166	\$ 143,360	\$ 4,568,526	\$ 1,142,132	\$ 5,710,658	20%
PROGRAMMING TOTALS			\$ 12,194,893	\$ 696,560	\$ 12,891,453	\$ 3,222,864	\$ 16,114,317	

Acronyms:

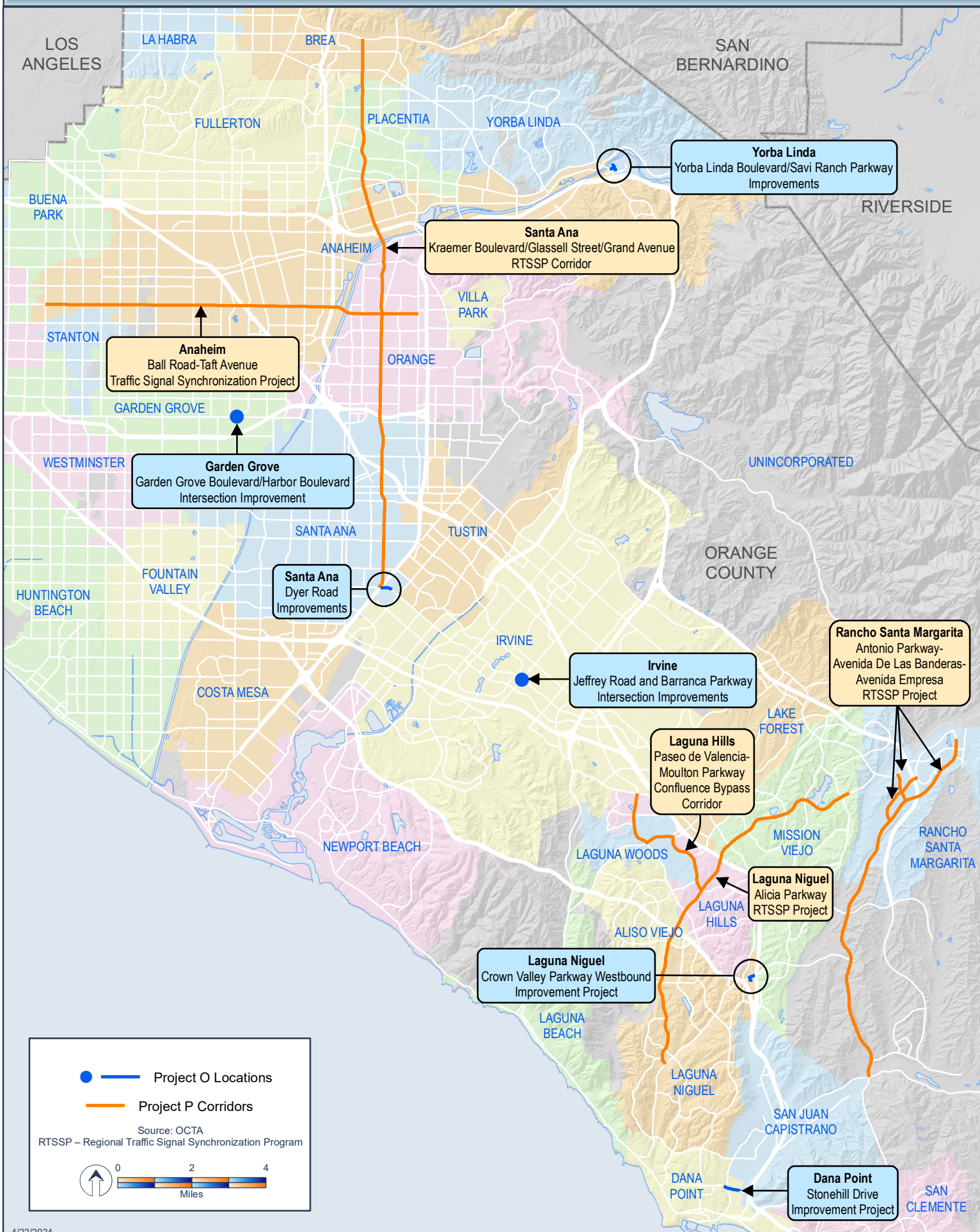
M2 - Measure M2

RTSSP - Regional Traffic Signal Synchronization Program

1. The City of San Clemente submitted but then withdrew a Project P application totaling \$473k for timing work on El Camino Real that overlapped with OCTA's Countywide Baseline Project.
2. Project partners include Caltrans and City of Orange.
3. Project partner includes City of Laguna Woods.
4. Coordination with Alicia Parkway RTSSP project to achieve minimum signal count.
5. Project partners include Cities of Aliso Viejo, Caltrans, Laguna Hills, and Mission Viejo.
6. Project partners include Caltrans and County of Orange.
7. Project partners include Cities of Anaheim, Brea, Caltrans, Placentia, and Orange.

2024 Recommended Project O & P Awards

ATTACHMENT D





Comprehensive Transportation Funding Programs

2024 Call for Projects

Programming Recommendations

Program	Project O	Project P
Goals and Objective	Project O provides funding to complete the MPAH. In addition, the program provides for intersection improvements and other projects to help improve street operations and reduce congestion.	Project P targets to coordinate over 2,000 signalized intersections in the County across jurisdictional boundaries including cities, County of Orange, and Caltrans.
% of M2 Allocation	10% of M2 Net Revenues	4% of M2 Net Revenues
Call Amount (on average)	Approximately \$30 million awarded per call.	Approximately \$10.5 million awarded per call.
Impact	Through 13 calls, 180 projects awarded, more than \$387 million (includes leveraged external funds).	Through 13 calls, 112 projects awarded, more than \$137 million (includes leveraged external funds).



Closes gaps in the local road network



Improves intersections to enhance street operations



Provides better interfaces with the highway system



Project O funds awarded to date: \$363.4 million

Project O Examples



Newport
Boulevard
Improvements
*City of
Newport Beach*



Grand Avenue
Improvements
City of Santa Ana



Brookhurst
Street
Improvements
City of Anaheim



Bastanchury
Road
Improvements
City of Yorba Linda



Reduces travel times, stops, and delays



Invests in future-proofing the system



Improves traffic flow and makes the system more efficient



Project P funds awarded to date: \$129.4 million

Project P Examples



Irvine Center Drive /
Edinger Avenue
City of Irvine



Marguerite
Parkway
*City of
Mission Viejo*



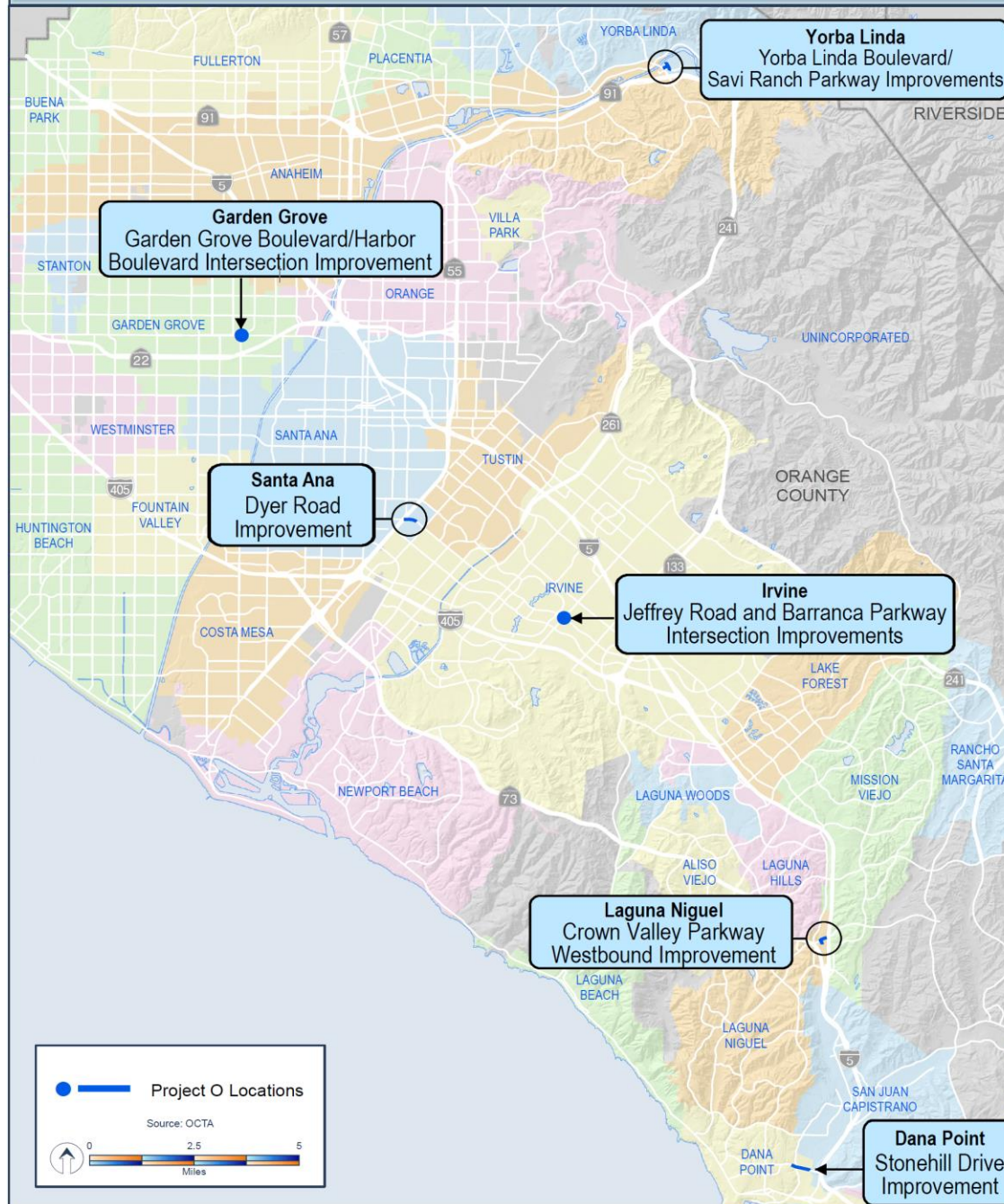
Edinger Avenue
City of Fountain Valley

Staff Recommendations

- Approve the 2024 RCP to fund **six projects**, totaling **\$18.72 million**
- Approve the 2024 RTSSP to fund **five projects**, totaling **\$12.89 million**

RCP - Regional Capacity Program

RTSSP - Regional Traffic Signal Synchronization Program



Project O Recommendations

Approve six projects totaling \$18.72 million in RCP funds

- \$12.15 million for roadway improvements
- \$6.57 million for intersection enhancements



Project P Recommendations

Approve five projects totaling \$12.89 million in RTSSP funds

- Improvements to 194 signals along 50 miles of streets
- Coordination of traffic flow across 12 local jurisdictions

2024 Call Timeline and Milestones

- March 27, 2024 – Technical Advisory Committee
- May 6, 2024 – Regional Transportation Planning Committee
- May 13, 2024 – OCTA Board Final Approval
- July 1, 2024 – Programming of 2024 Project O & Project P Grants
(subject to Board Approval)

Board – Board of Directors

OCTA – Orange County Transportation Authority



COMMITTEE TRANSMITTAL

May 13, 2024

To: Members of the Board of Directors

From: Andrea West, Clerk of the Board

Subject: Coastal Rail Resiliency Study Updates

Regional Transportation Planning Committee Meeting of May 6, 2024

Present: Directors Do, Dumitru, Federico, Foley, Harper, and Stephens

Absent: Khan

Committee Vote

This item was passed by the Members present.

Committee Recommendation

Direct staff to further develop the updated concepts in the Initial Assessment and return to the Board of Directors with a comprehensive plan to integrate both engineering and sand nourishment solutions to help protect the rail corridor in the immediate timeframe and explore efforts to expedite the process.



May 6, 2024

To: Members of the Board of Directors
From: Darrell E. Johnson, Chief Executive Officer
Subject: Coastal Rail Resiliency Study Updates

Overview

On March 11, 2024, staff provided an update on coastal rail emergencies in south San Clemente as well as a progress report on planning for short and mid-term railroad protection measures through the Coastal Rail Resiliency Study. As part of this effort, an Initial Assessment was conducted to identify areas where the railroad tracks were under immediate threat of being undermined leading to passenger rail service disruptions. Based on the Board of Directors, public, and other stakeholders' input, staff has incorporated updates to the initial conceptual solutions for consideration and direction on next steps.

Recommendation

Direct staff to further develop the updated concepts in the Initial Assessment and return to the Board of Directors with a comprehensive plan to integrate both engineering and sand nourishment solutions to help protect the rail corridor in the immediate timeframe.

Background

The Orange County Transportation Authority (OCTA) owns the Orange Rail Subdivision in Orange County, between the cities of Fullerton and San Clemente. In July 2023, the Board of Directors (Board) authorized the preparation of the South Coast Rail Infrastructure Feasibility Study and Alternative Concepts Analysis (also known as the Coastal Rail Resiliency Study [Study]) to assess existing and future risks, as well as challenges with the maintenance and operation of rail services along the Los Angeles - San Diego - San Luis Obispo (LOSSAN) Rail Corridor in south Orange County.

The Study area includes the cities of Dana Point and San Clemente and unincorporated portions of Orange and San Diego counties, spanning approximately seven miles. The Study began in fall 2023 and will identify and

assess solutions to protect the existing rail corridor in place for the short term (next decade-plus) and mid term, approximately 30 years.

A separate but equally important long-term study, including the potential relocation of the rail line inland, is also planned. Given the complexity and regional significance of potentially realigning the rail corridor, OCTA and other regional transportation agencies have requested that the State lead this study.

Discussion

The Study's objective is to address ongoing challenges with the rail line along the southern Orange County coast. The following discussion provides an overview of the Study's Initial Assessment, including feedback provided to date.

The Initial Assessment evaluated and identified areas along the seven-mile stretch of the Study area that pose an imminent threat to rail operations. The Initial Assessment includes preliminary potential solutions to address the identified at-risk areas in the City of San Clemente, where coastal storm surges, combined with failing slopes and other environmental factors, have resulted in extended passenger rail service disruptions since 2021. These service disruptions not only have a significant effect on the service quality but also impact service reliability, a distinguishing characteristic in attracting users to public transit.

As part of the Study, OCTA held listening sessions to obtain feedback on the challenges and opportunities identified in the Initial Assessment. A wide array of stakeholders have been and will continue to be engaged including community groups, interested parties, as well as local, state, and federal agencies. Between January and April 2024, OCTA hosted eight listening sessions and nine focus meetings. Listening sessions have occurred at the technical staff level with participants from the cities of Dana Point, San Clemente, California Department of Transportation, County of Orange, LOSSAN, the Southern California Regional Rail Authority (Metrolink), and others.

Listening sessions and focus meetings have also been held with resource agencies (California Coastal Commission [CCC], U.S. Army Corps of Engineers [USACE], California State Lands Commission, etc.), California State Parks, University of California, Irvine, University of California, Santa Cruz, major employers, freight and goods movement stakeholders, emergency responders, coastal and marine habitat community-based organizations, residential groups, and the general public. Two additional listening sessions are planned for May 2024. One will be held with local, state, and federal elected officials and

their staff, and a second listening session for the general public will be held in the City of San Clemente.

A wide range of comments and input have been received on the Initial Assessment and the Study as a whole. The feedback includes but is not limited to the following suggestions and concerns:

- Consider other natural solutions (sand, living shoreline, etc.)
- Seek partnering opportunities (city, county, state, etc.)
- Integrate the previous work of others into the Study as appropriate
- Support for following the prescribed environmental processes
- Consider the impacts of armoring and its effects on coastal erosion
- Support for early, comprehensive, preventive action
- Obligation for OCTA to keep the railroad operational
- Continue coordinated streamlined communication of service disruptions
- Concern regarding impacts to employee commute patterns and regional tourism
- Consult coastal and marine habitat experts

Updated Initial Assessment Concepts

The Initial Assessment, conducted early in the Study process, identified four areas in need of immediate attention to avoid additional railroad closures. Three of these areas are just north of the San Clemente Pier and the fourth area is in the vicinity of San Clemente State Beach. Three of the four areas face challenges on the seaward side, either lacking a beach or insufficient beach. One of the four areas faced challenges inland of the railroad where a portion of the hillside collapsed in January 2024, leading to the most recent two-month passenger rail closure earlier this year at Mariposa Point, Mile Post 204.2. The potential solutions identified in the Initial Assessment at a conceptual level included:

- Additional riprap proposed to be placed to protect the rail line from coastal erosion where little or no beach remains
- A catchment wall proposed to be built to address potential additional landslides from the hillside inland of the tracks
- An engineered revetment proposed to protect the rail line from the eroding coast where sufficient beach still remains to allow for engineered revetment to be placed

Sand nourishment was not initially contemplated to be integrated simultaneously with the aforementioned potential solutions since there is currently no mechanism to secure the necessary permits on a concurrent

timeframe. Attachment A includes a map of the four Initial Assessment areas in need of immediate attention.

As noted above, a majority of comments received to date involve the need to integrate the addition of sand, also referred to as sand nourishment, in conjunction with the potential solutions of placing additional riprap and engineered revetment. OCTA has had ongoing meetings with state regulatory agencies to discuss opportunities to integrate sand nourishment as a component of the potential solutions that would provide immediate protection for the rail line.

Under the traditional project implementation process, mitigation would be required to offset any project-related impacts. Currently, the CCC requires mitigation by permittees contributing to a sand mitigation fund. However, it is not certain that the sand mitigation fund would provide placement of sand in the actual vicinity of the project site and the timing also remains uncertain.

In light of the comments received to date indicating an overwhelming interest in sand being placed in the vicinity of the project sites, the proposed updated potential solutions would provide more than sufficient sand to mitigate potential impacts. As previously noted, the current expedited permitting processes do not have a mechanism to enable the permitting of sand nourishment in an expeditious manner. However, the CCC and USACE have indicated a willingness to find solutions that would enable concurrent approval of riprap placement, catchment wall, and engineered revetment along with sand nourishment. Attachment B includes OCTA letters to the CCC and USACE, requesting their assistance to help expedite the permitting processes to address imminent threats to the railroad in south Orange County.

Two scenarios have been prepared to determine the estimated timeframe it would take to implement potential solutions to address the reinforcement areas. The scenarios highlight the importance of expedited permitting. One scenario outlines the typical permit process and the other outlines an expedited permit process. The distinguishing factor between the two scenarios is under the typical permitting timeline, work can only start once the permit has been authorized by the CCC and USACE, whereas the expedited permit timeframe enables the work to start while OCTA finalizes the permit process. Both timeframes assume advance coordination with the CCC on the appropriate permit process. It could potentially take up to two years to obtain the regulatory permits under the typical permit timeline. This timeline places uninterrupted passenger rail service in jeopardy because of the imminent threats identified in the Initial Assessment. Attachment C presents an estimated timeframe for the typical permitting process. Attachment D presents an estimated timeframe for the expedited permitting process.

Updated Initial Assessment Concepts Risks

The Initial Assessment potential solutions development process occurred through a planning-level study and without the benefit of survey work. Consequently, detailed engineering, scope refinement, cost estimates, and schedule assumptions are subject to change as more information becomes available. The timelines also assume there is sufficient funding for all potential solutions proposed, which includes sand nourishment, riprap placement, engineered revetment, and catchment wall. The California Transportation Commission has granted OCTA \$12 million to perform preliminary engineering and complete environmental phases. This funding is provided through the Local Transportation Climate Adaptation Program grant and a request to accept the grant and provide the required match is being recommended through a separate Board item on the same agenda as this report. Staff is currently working with the State on grant opportunities for implementation. It is important to note that further discussions are needed with the CCC and USACE to determine the appropriate permit path that would expedite the process as the timing of the permits also affects costs.

The sand nourishment component assumes the CCC and USACE would permit armoring and sand nourishment on a parallel path. However, the actual construction sequencing requires further development such as how the sand can be delivered to the desired location as one example. Off-shore dredging may be the most efficient method given initial estimated sand volume needed and limited accessibility considerations. There is very limited vehicular access to make trucking viable and using rail cars does not allow for getting the sand to the toe of rail slope where the sand should be placed. Close coordination with the passenger and freight operators would be necessary and likely require service disruptions to allow for work windows within the busy rail line schedule.

Next Steps

Following the conclusion of the remaining listening sessions, staff will be focused on the following activities.

- Continuing to refine the initial concepts to protect the rail tracks that are at immediate risk should the Board support staff recommendations for taking early actions
- Working with regulatory agencies to coordinate the permitting of the initial concepts inclusive of sand nourishment which is critical to the scope and schedule of the effort
- Exploring the logistics of sand delivery as part of the initial concept refinement

- Pursuing external funding opportunities necessary to implement the initial concepts as they are refined
- Developing the short- and mid-term proposed solutions in due consideration of input received and seek opportunities to coordinate the development and/or implementation with the work of other agencies
- Keeping the Board apprised of the progress while continuing to listen and inform the interested parties about the development of the protection measures

Summary

As a part of the Coastal Rail Resiliency Study, an Initial Assessment identified several areas of the railroad that are under immediate threat, which could lead to additional railroad service disruptions. An update on feedback of the Initial Assessment, including preliminary updated potential solutions, is presented for consideration. Upon Board approval, staff will develop a comprehensive plan to integrate engineering and sand nourishment solutions to protect the rail corridor in the immediate timeframe.

Attachments

- A. Coastal Rail Resiliency Study Map
- B. Letters to California Coastal Commission and United States Army Corps of Engineers
- C. Coastal Rail Resiliency Study: Initial Assessment Estimated Project Timeline (typical permit process)
- D. Coastal Rail Resiliency Study: Initial Assessment Estimated Project Timeline (expedited permit process)

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Approved by:

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Coastal Rail Resiliency Study Map

Areas of Immediate Concern

- Address imminent threats to avoid rail service interruptions
- Identify and address seaward areas most vulnerable to beach erosion and wave impacts
- Identify and address inland areas most vulnerable to slope failure
- Potential solutions need to be in place or substantially underway by fall 2024 ahead of next storm season

Area	Location (MP)	Challenge
1	203.80 – 203.90	Ongoing deterioration of existing riprap protection
2	204.00 – 204.40	Erosion - no beach at high tide and direct wave attack damaging existing riprap protection
3*	204.00 – 204.50	Steep bluffs with high potential for failure that could impact the rail infrastructure
4	206.00 - 206.67	Near San Clemente State Beach - erosion exposing areas of limited to no riprap protection

*The inland slope experienced a failure in late January 2024 within a portion of Area 3, resulting in a passenger rail shutdown for approximately two months

*Short and medium solutions have yet to be determined



**AFFILIATED AGENCIES**

*Orange County
Transit District*

*Local Transportation
Authority*

*Service Authority for
Freeway Emergencies*

*Consolidated Transportation
Service Agency*

*Congestion Management
Agency*

April 19, 2024

Dr. Kate Huckelbridge
Executive Director
California Coastal Commission
455 Market Street, Suite 300
San Francisco, CA 94105

Via email: Kate.Huckelbridge@coastal.ca.gov

Subject: Path Forward for Immediate Actions to Protect Coastal Rail Infrastructure and Public Beach Access

Dear Dr. Huckelbridge:

Thank you for taking the time to meet with the Orange County Transportation Authority (OCTA) team on April 16, 2024. It is encouraging that our agencies can align our respective missions to protect critical rail infrastructure and ensure coastal protection and public beach access. We appreciate the collaborative relationship we have developed with the California Coastal Commission (Commission) over the last several years as OCTA has faced multiple challenges related to climate changes affecting a seven-mile stretch of the State-sponsored Los Angeles-San Diego-San Luis Obispo (LOSSAN) Rail Corridor in south Orange County, resulting in impacts to critical infrastructure including suspension of state-sponsored intercity passenger rail service as well as Metrolink service and freight rail service.

I would like to provide a synopsis of the discussion at our April 16, 2024, meeting and look forward to partnering to address the various outstanding matters. We are encouraged by the Commission's understanding and support of OCTA's goal to protect the rail corridor from imminent threats of closure while considering sand as a project feature on a concurrent permit path. This approach would off-set any potential environmental impacts that could result from the placement of the riprap, and engineered revetment, as well as protective measures on the inland side of the track. Our proposal is to advance the protective measures and expedite the permitting process in anticipation of the 2024 winter storm season. We also appreciate the Commission's acknowledgment and understanding of the challenges that come with procuring, sourcing, and delivering sand to this area in a timely manner. Collectively, our agencies strive to both expedite the permit path to provide measures that would benefit the traveling public and provide access to a diminishing coastal resource in light of climate change affecting coastal erosion and accretion trends.

Dr. Kate Huckelbridge

April 19, 2024

Page 2

OCTA looks forward to working closely with you and your team to accomplish the challenging tasks that are in front of us. Some of the outstanding items that will require focused meetings between our agencies include:

- a. Present updated concepts for reinforcement areas to the Commission as soon as possible, understanding that this is a dynamic situation
- b. Discuss approach to resolving purported "unpermitted rocks"
- c. Discuss remaining activities for the Cyprus Shore and Mariposa Emergency Coastal Develop Permits and opportunities to make localized mitigation rather than the generalized measures.
- d. Work toward a programmatic permit approach to maintain the rail line on an ongoing basis

Thank you for your leadership and solutions-oriented vision to align the common goals of our respective agencies to identify and implement expeditious solutions to protect critical coastal rail infrastructure while ensuring and enhancing coastal public access.

If you have questions or need additional information, please do not hesitate to contact me at (714) 560-5741 or Dan Phu at (714) 560-5907.

Sincerely,



Kia Mortazavi
Executive Director

KM:dp

c: Karl Schwing, California Coastal Commission
Dani Ziff, California Coastal Commission
Dan Phu, OCTA



AFFILIATED AGENCIES

*Orange County
Transit District*

*Local Transportation
Authority*

*Service Authority for
Freeway Emergencies*

*Consolidated Transportation
Service Agency*

*Congestion Management
Agency*

April 9, 2024

Colonel Andrew J. Baker
District Commander, Los Angeles District
United States Army Corps of Engineers
915 Wilshire Boulevard
Los Angeles, CA 90017

Subject: Immediate Actions Needed on Orange County Transportation Authority's Coastal Rail Line

Dear Colonel Baker:

The Orange County Transportation Authority (OCTA) appreciates the long-standing successful relationship with the Los Angeles District of the United States Army Corps of Engineers' (USACE) office. In 2009, OCTA and USACE collaborated to implement the Water Resources Development Act agreement. This agreement culminated in a successful, first-of-its-kind, USACE-approved advanced mitigation permit for a complex program of freeway projects funded by Orange County's half-cent transportation sales tax, Measure M2. The agreement allowed OCTA to streamline the delivery of its projects, saving taxpayers dollars while allowing USACE to deliver an earlier and more comprehensive mitigation program. I am writing to seek your support in engaging in another collaboration to address risks to the integrity of vital rail infrastructure in our local coastal zone.

Over the last several years, OCTA has faced several challenges along a seven-mile stretch of the railroad in south Orange County, resulting in multiple passenger rail and freight service suspensions. OCTA owns approximately 40 miles of the rail line in Orange County that is part of the 351-mile Los Angeles – San Diego – San Luis Obispo Rail (LOSSAN) Corridor, which travels through a six-county coastal region in Southern California. As you may be aware, this rail line is part of the Strategic Rail Corridor Network. Furthermore, the LOSSAN Corridor is the second busiest intercity passenger rail corridor in the United States and the busiest state-supported Amtrak route as well as supporting supporting Class I railroad connections to the Port of San Diego.

In response to the risks facing our coastal infrastructure, OCTA has initiated a short/mid-term planning study to identify solutions to protect the railroad in place for the foreseeable future. There will be a companion long-term study to assess options such as relocation of the tracks. As a first step in the short/mid-term assessment, four critical areas have been identified that need immediate attention. As a last line of defense, some of the immediate solutions contemplated include the placement of riprap and engineered revetment to protect the railroad. In late March, OCTA staff met with USACE Regulatory and Civil Works staff to discuss streamlining opportunities to include sand replenishment as part of the solutions to address the

Colonel Andrew J. Baker

April 9, 2024

Page 2

need for immediate action. OCTA's goal for this recent meeting was to explore the potential to piggyback onto USACE's current sand nourishment project in the City of San Clemente by utilizing the same contractor and borrow site for additional sand. The feedback from the meeting was that such an approach was not viable. As a result, I would like an opportunity to discuss how OCTA and USACE can partner to expedite the regulatory permitting and approval processes for an independent project to place sand and riprap/engineered revetment along the critically threatened areas of this railroad to minimize risks of compromising the functionality of the rail corridor.

As part of the stakeholder engagement process with USACE, OCTA shared the initial riprap and engineered revetment concepts with your team. The feedback received from USACE staff indicates that sand nourishment is an important part of the immediate solution. Notwithstanding our ability to identify, permit, and procure a source site that can provide sufficient, suitable sand to protect the railroad, it is our coastal engineers' professional opinion that the riprap/engineered revetment must be part of the solution, along with an appropriate amount of sand. Our challenge will be to align the timeframes for revetment measures with sand nourishment efforts.

Thank you in advance for your consideration in identifying ways for us to again successfully partner and implement expeditious solutions to protect critical coastal rail infrastructure while accommodating current USACE requirements. If you have questions or need additional information please contact Kia Mortazavi, Executive Director, Planning, at (714) 560-5741.

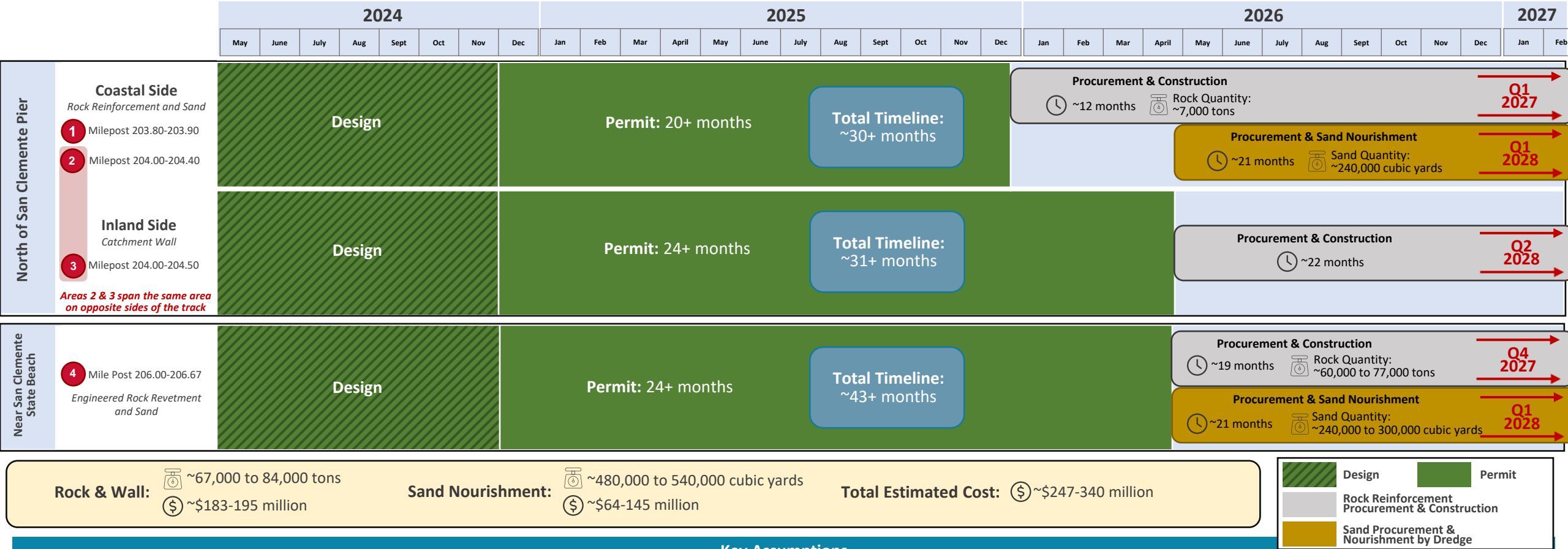
Sincerely,



Darrell E. Johnson
Chief Executive Officer

DEJ:dp

c: The Honorable Mike Levin, U.S. House of Representatives
Tim Jackson, United States Army Corps of Engineers
Cori Farrar, United States Army Corps of Engineers
Susie Ming, United States Army Corps of Engineers
Doland Cheung, United States Army Corps of Engineers
Kia Mortazavi, OCTA



Key Assumptions

Environmental Compliance & Permitting:

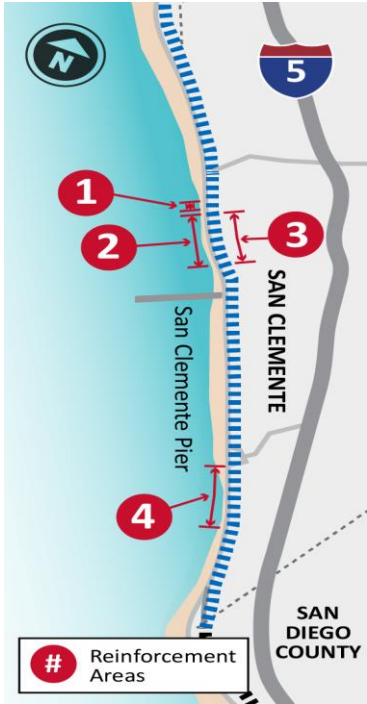
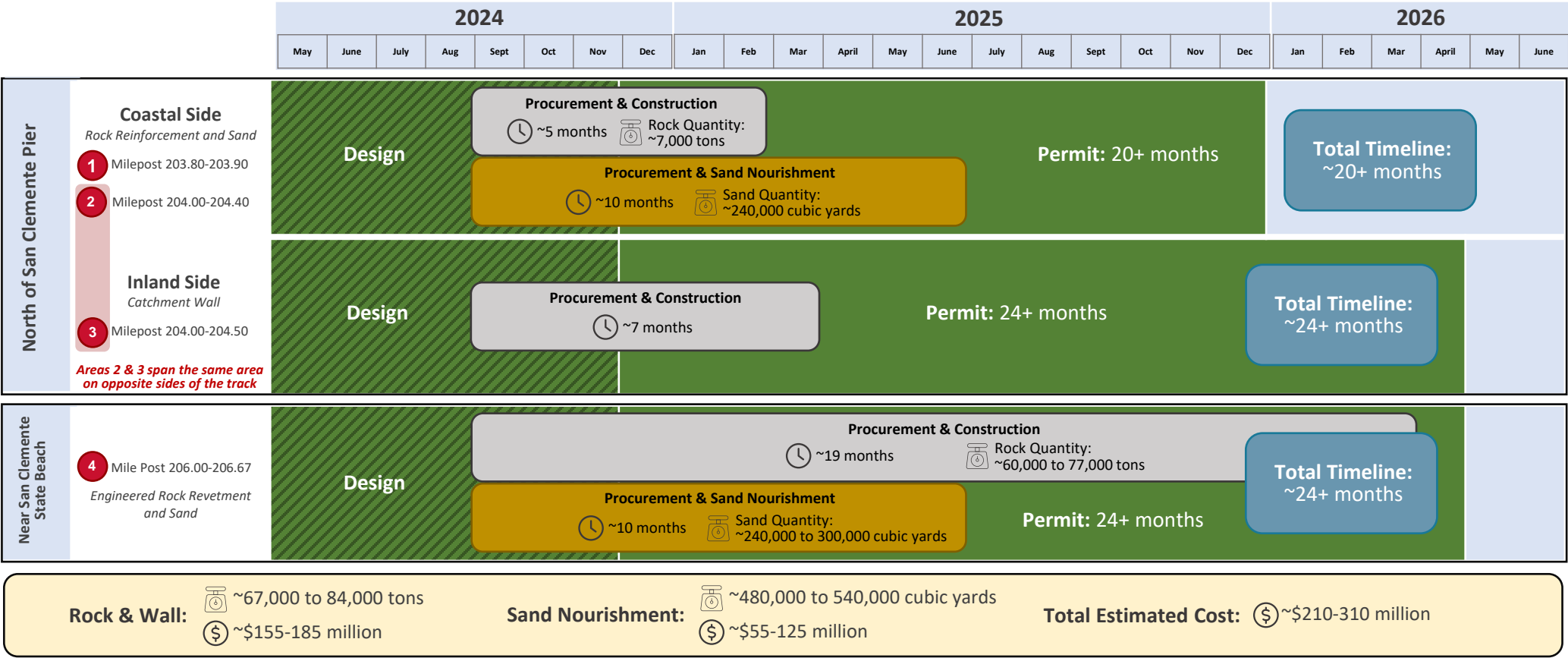
- Assumes all work qualifies under the California Environmental Quality Act emergency provisions and National Environmental Policy Act Categorical Exclusion
- California Coastal Commission
 - A Coastal Development Permit would require completed permitting process prior to work beginning
 - All work assumes advance coordination with Coastal Commission on appropriate permit process.
- U.S. Army Corps of Engineers
 - Anticipates requirement of a Nationwide Permit 13

Construction & Sand Nourishment:

- Catchment wall construction timeline assumes no sensitive species, habitat, and/or aquatic resources that require additional permitting
- Sand nourishment schedule assumes OCTA can procure sand via dredging by fall 2026
- Assumes ~480,000 to 540,000 cubic yards of sand nourishment through one cycle, pending permits, dredge, and borrow source availability

Schedule and cost are preliminary and subject to change

Coastal Rail Resiliency Study: Initial Assessment Estimated Project Timeline (expedited permit process)



Key Assumptions

Environmental Compliance & Permitting:

- Assumes all work qualifies under the California Environmental Quality Act emergency provisions and National Environmental Policy Act Categorical Exclusion
- California Coastal Commission
 - All work assumes advance coordination with Coastal Commission on appropriate permit process.
- U.S. Army Corps of Engineers
 - Assumes Regional General Permit (RGP 63) for sand nourishment
 - Nationwide Permit 13 (if applicable, adds a minimum of 6 months)

Construction & Sand Nourishment:

- Catchment wall construction timeline assumes no sensitive species, habitat, and/or aquatic resources that require additional permitting
- Sand nourishment schedule assumes OCTA can procure sand via dredging by fall 2024, otherwise timeline requires a minimum of one to two more years for next available dredger scheduled in the area
- Assumes ~480,000 to 540,000 cubic yards of sand nourishment through one cycle, pending permits, dredge, and borrow source availability

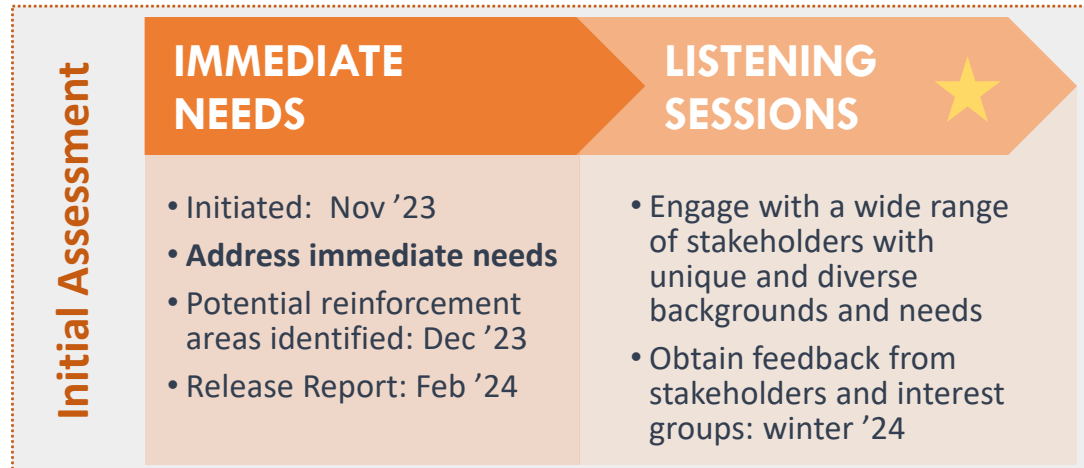
Schedule and cost are preliminary and subject to change



Initial Assessment
Updated Conceptual Reinforcement Areas



Short- and Mid-Term Study Milestones

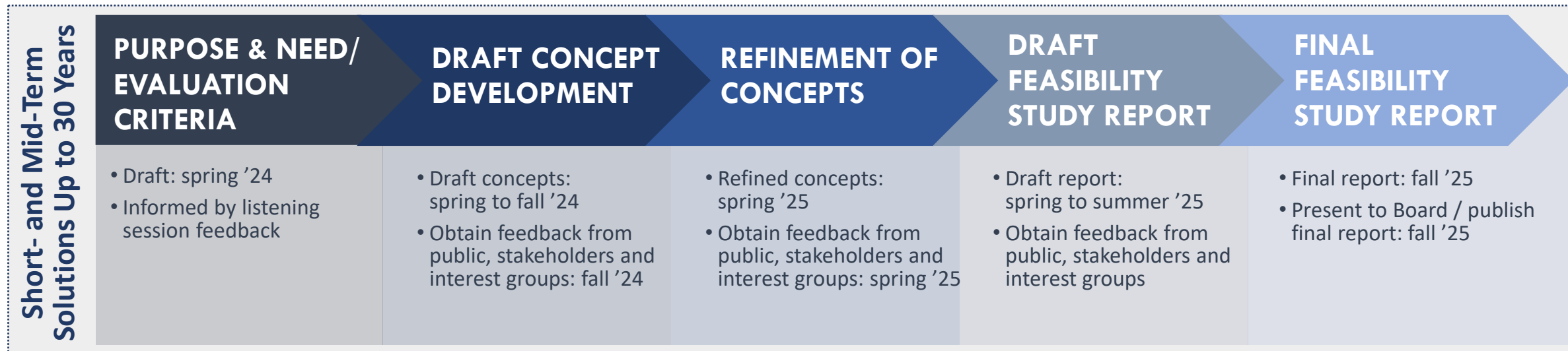


The first step of the Coastal Rail Resiliency Study is to address the most vulnerable areas through the initial assessment (left).

The study then looks at protecting the rail line in place for up to 30 years (below).

These activities are occurring simultaneously.

Board – Board of Directors ★ – Current Phase



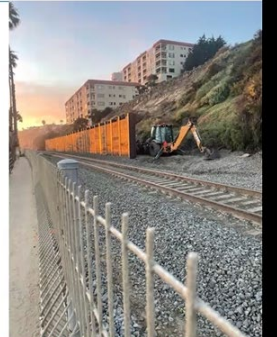
Coastal Rail Resiliency Study / Initial Assessment Feedback To Date

- Consider other natural solutions (sand, living shoreline, etc.)
- Seek partnering opportunities (city, county, state, etc.)
- Integrate the previous work of others into the Study, as appropriate
- The need to follow the prescribed environmental processes
- Consider the impacts of armoring and its effects on coastal erosion
- Support for early, comprehensive, preventive action
- Obligation for OCTA to keep the railroad operational
- Continue coordinated streamlined communication of service disruption
- Concern regarding impacts to employee commute patterns and regional tourism
- Consult coastal and marine habitat experts



Initial Assessment

- Address Owner/Operators concerns regarding imminent issues affecting the railroad
- Focused on protecting rail operations, track infrastructure, and maintaining railroad service
- Identified Areas of Concern
 - Monitoring Areas
 - Potential Reinforcement Areas
- Identify Next Steps



COASTAL RAIL RESILIENCY STUDY

14



Regulatory Agencies Coordination

Coordinated with:

- California Coastal Commission
- United States Army Corps of Engineers
- San Diego Regional Water Quality Control Board

Discussed:

- Existing challenges with the railroad
- OCTA supportive of regional sand nourishment efforts
- Expedited permitting process to protect critical rail infrastructure and recreational resources
- Technical processes

STATE OF CALIFORNIA - NATURAL RESOURCES AGENCY
CALIFORNIA COASTAL COMMISSION
3025 DUBLIN STREET OFFICE
301 E. OCEAN BLVD., SUITE 300
LONG BEACH, CALIF. 90802-4000
PHONE: (562) 593-6171
FAX: (562) 593-6544
WEB: WWW.COASTAL.CA.GOV

GAVIN NEWSOM, GOVERNOR

EMERGENCY COASTAL DEVELOPMENT PERMIT
Emergency CDP G-5-23-0060 (Casa Romantica)
Issue Date: October 17, 2023

Permittee: City of San Clemente

Emergency Location: Western Slope of the Casa Romantica Property at 415 Avenida Granada, San Clemente, Orange County (APN(s): 692-012-38 and 692-012-39)

Emergency Description: The bluff seaward of the Casa Romantica building initially failed on April 27, 2023. This bluff failure caused portions of the slope to slide towards the railroad tracks and the adjacent Reef Gate condominium complex located at 423 Avenida Granada. On May 12, 2023, the City began emergency slope stabilization repair to abate the continuous movement of the slope. This work involved using heavy construction equipment to remove the large mound of soil at the north end of the landslide and placed soil against the slope nearest Casa Romantica to help stabilize the slope. On June 2, 2023, that emergency work was completed. On June 3, 2023, the slope began to move again. That same day the contractor came on site to regrade and reshape the slope to help with the stabilization of Casa Romantica. This work was completed on June 4, 2023. On June 5, 2023, the slope started moving again and continued to slide and move towards the railroad tracks. On June 30, 2023, Orange County Transportation Authority was granted an Emergency Coastal Development Permit (ECDP No. G-5-23-0056) for the installation of a temporary steel pile and timber lagging barrier wall. The purpose of the wall is to prevent slope-side material from falling on the track. However, the debris wall does not provide stabilization for the Casa Romantica building. Construction of the temporary steel pile and timber lagging barrier wall was completed on July 13, 2023.

The City conducted borings behind the landslide and encountered two weak and adversely oriented clay beds within the bedrock underlying the site. It appears that the initial landslide occurred on the upper clay bed and a second failure later occurred on the lower clay bed. The City completed a slope stability analysis for the upper and lower clay bed, both of which indicate unstable conditions for the Casa Romantica building. Currently, portions of the Casa Romantica building are yellow tagged and cannot be occupied at this time.

The City of San Clemente is concerned that if the bluff continues to fail, portions of the Casa Romantica building will be damaged, with the potential to slide down the slope and send debris onto the railroad track and/or the adjacent Reef Gate Condominium building. In order to protect life and property, more substantial work is needed to secure the Casa Romantica building and site.

Enclosure: ECDP Acceptance Form
cc: (via email)

AGENCY: GAVIN NEWSOM, GOVERNOR

MISSION

April 15, 2024
Permit Application Number: 5-23-0701

OF INTENT TO ISSUE PERMIT
(on satisfaction of special conditions)

THIS NOTICE IS TO INFORM THE APPLICANT OF THE REQUIREMENTS TO OBTAIN A VALID AND EFFECTIVE COASTAL DEVELOPMENT PERMIT (CDP). A Coastal Development Permit for the development approved but is not yet effective. Development on the site CDP is effective. In order for the CDP to be effective, the CDP to the applicant, and the applicant must sign and on staff cannot issue the CDP until the applicant has to issuance. Special Conditions, a list of all the Special attached.

The Commission's approval of the CDP is valid for two years from the date of approval. To prevent expiration of the CDP, you must fulfill the "prior to issuance" Special Conditions, obtain and sign the CDP, and commence development within two years of the approval date specified below. You may apply for an extension of the permit pursuant to the Commission's regulations at Cal. Code Regs. title 14, section 13169.

On April 12, 2024, the California Coastal Commission approved Coastal Development Permit No. 5-23-0701 requested by Southern California Regional Rail Authority (SCRRRA) and Orange County Transportation Authority (OCTA) subject to the attached conditions, for development consisting of: Request for continued temporary authorization of development undertaken under an emergency coastal development permit to construct an approximately 250 ft. long, 12 ft. high, soldier pile and timber lagging barrier wall, more specifically described in the application filed in the Commission offices. Commission staff will not issue the CDP until the "prior to issuance" special conditions have been satisfied.

The development is within the coastal zone within the railroad right-of-way (ROW) seaward of the Casa Romantica Cultural Center and Garden located at 415 Avenida Granada at Orange Subdivision Mile Post 204.6, San Clemente, Orange County (Latitude: 33.421186; Longitude: 117.620978)

If you have any questions regarding how to fulfill the "prior to issuance" Special Conditions for CDP No. 5-23-0701, please contact the Coastal Program Analyst identified below.

Updated Initial Assessment Approach

- Address imminent threats to avoid interruptions to rail operations
- Identify and address areas most vulnerable to seaward beach erosion and wave impacts
- Identify and address areas most vulnerable to inland slope failure
- Consider potential environmental impacts and permit requirements
- Incorporate public and agency input
- Establish reasonable implementation timelines



Multi-Benefit Solution: Provide necessary reinforcement to protect and preserve rail infrastructure, which includes sand nourishment to offset potential impacts.

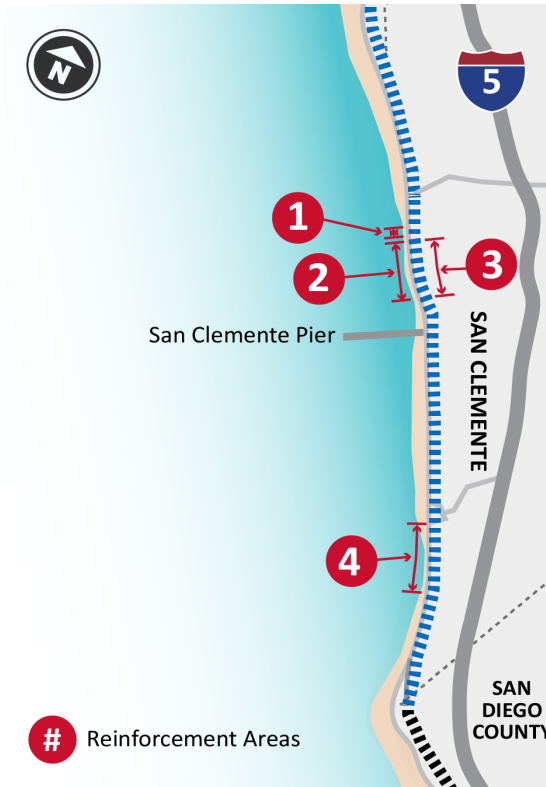
Initial Assessment Purpose and Need

- Four reinforcement areas were identified in December 2023
- Potential solutions need to be in place or substantially underway by fall 2024 ahead of next storm season
- Potential solutions evaluated at a conceptual level considering different materials, performance, costs, methods, and schedule

Area	Location (MP)	Challenge	Updated Potential Solutions
1	203.80 – 203.90	Ongoing deterioration of existing riprap protection	Rock (repair existing riprap) and sand nourishment
2	204.00 – 204.40	Erosion - no beach at high tide and direct wave attack damaging existing riprap protection	Rock (repair existing riprap) and sand nourishment
3*	204.00 – 204.50	Steep bluffs with high potential for failure that could impact the rail infrastructure	Catchment wall
4	206.00 - 206.67	Near San Clemente State Beach - erosion exposing areas of limited to no riprap protection	Engineered rock revetment and sand nourishment

*The inland slope experienced a failure in late January 2024 within a portion of Area 3, resulting in a passenger rail shutdown for approximately two months

MP – Mile Post



Preliminary concepts; assumptions are subject to change as more information becomes available.

Reinforcement Areas 1 & 2: Updated Potential Solution

Existing Condition:

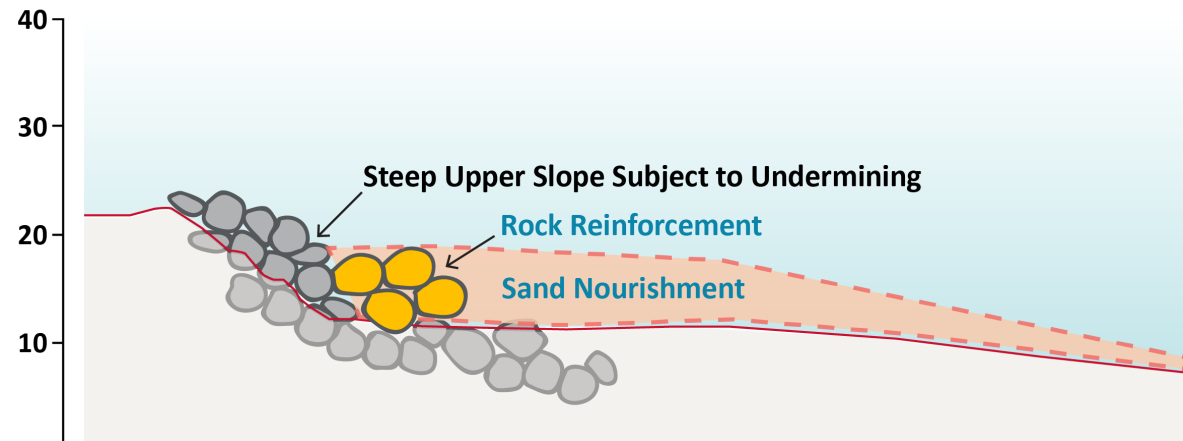


MP 203.80 – 203.90 and 204.00 – 204.40

Potential Solution:

Rock (repair existing riprap) and sand nourishment

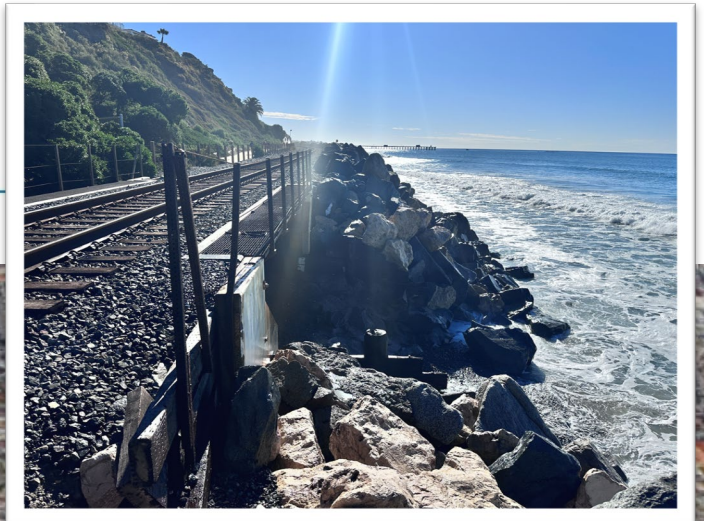
- Place 2-ton to 6-ton rock gradation
- Minimize rock encroachment on the beach
- Sand nourishment to add approximately 50-ft-wide beach fronting rock
- Prioritize eroded and over-steepened areas
- Locations based on LiDAR survey and on-the-ground evaluation



Preliminary concepts; assumptions are subject to change as more information becomes available.

Reinforcement Areas 1 & 2: Location

Preliminary concepts; assumptions are subject to change as more information becomes available.



MP 203.80

Area 1

MP 204.40

Area 2

ROCK REINFORCEMENT

- Approximately 7,000 tons of 2-ton to 6-ton rocks

SAND NOURISHMENT

- Sand nourishment to create approximately 50-foot-wide beach between MP 203.80 and 204.40
- Approximately 240,000 cubic yards of sand needed

Reinforcement Area 3: Updated Potential Solution

Existing Condition:

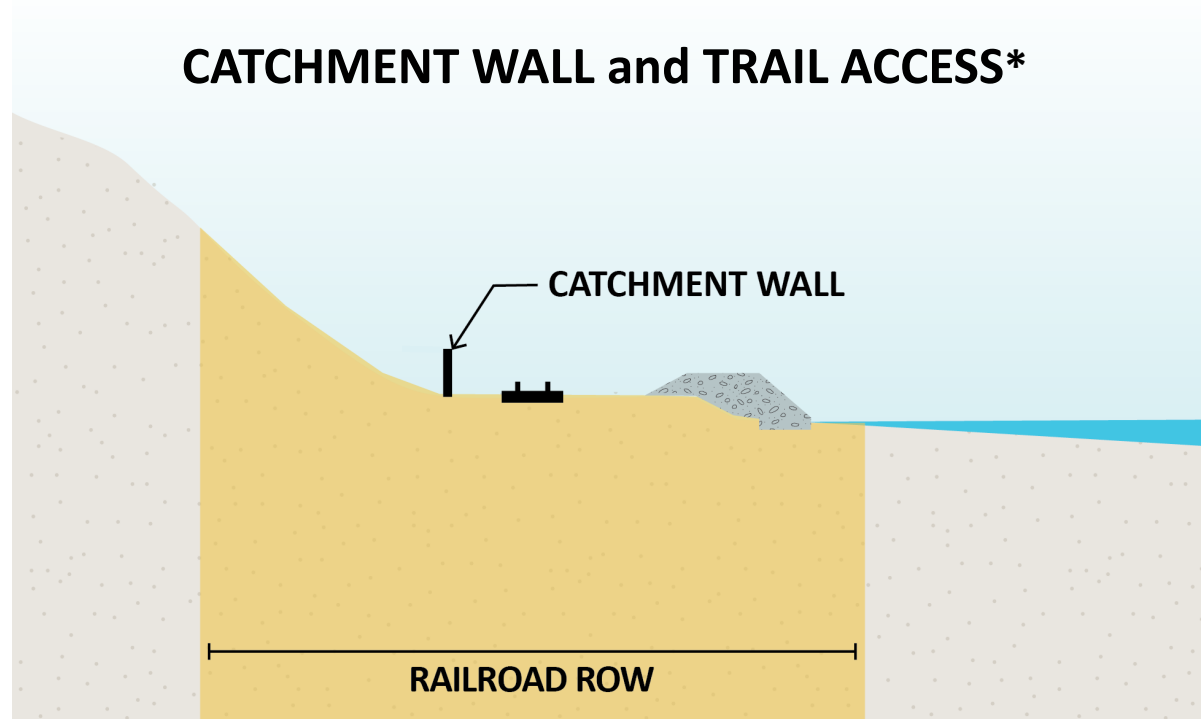


MP 204.00 – 204.50

Steep bluffs with a history of failure and high potential for additional movement that could impact the railroad infrastructure.

ROW - Right-of-Way

Potential Solution:



*Extend existing catchment wall. OCTA will work with the City of San Clemente to maintain and restore trail access.

Preliminary concepts; assumptions are subject to change as more information becomes available.

Reinforcement Area 4: Updated Potential Solution

Existing Condition:



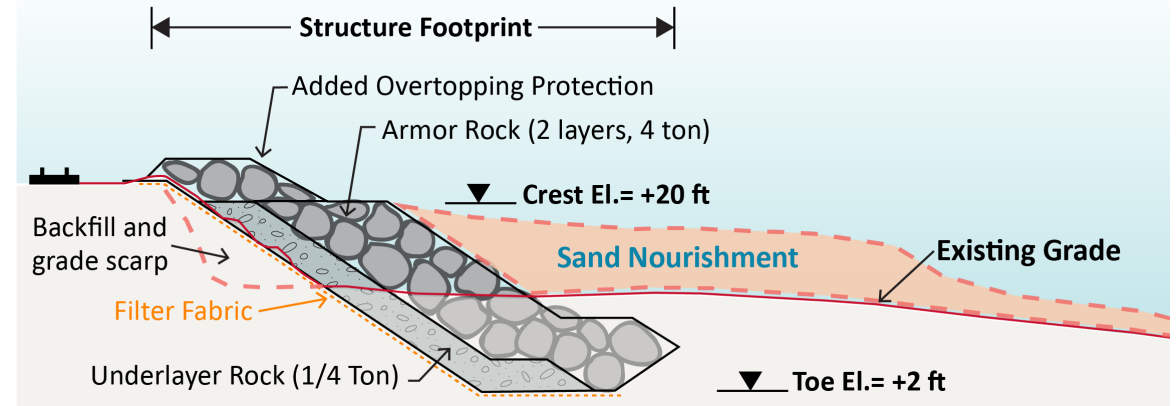
MP 206.00 - 206.67

Near San Clemente State Beach - erosion exposing areas of limited to no riprap protection.

Updated Potential Solution:

Engineered rock revetment and sand nourishment

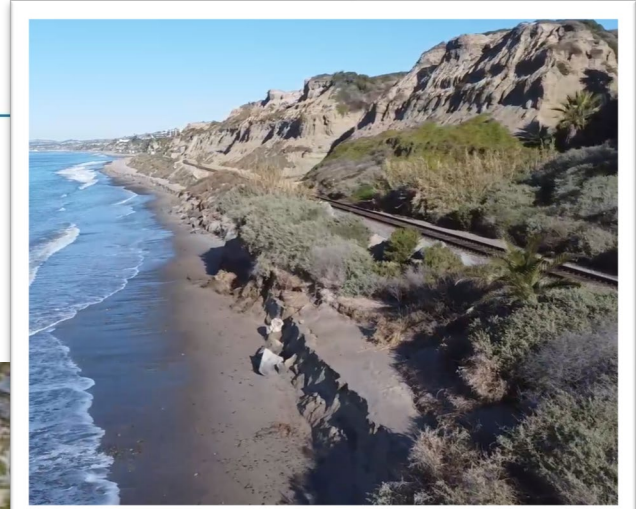
- Place geotextile filter fabric
- Place approximately 1/4-ton rock gradation for underlayer
- Place approximately 4-ton rock gradation
- Create approximately 80 to 100-foot-wide beach through sand nourishment fronting engineered rock revetment
- Locations based on LiDAR survey and on-the-ground evaluation



Preliminary concepts; assumptions are subject to change as more information becomes available.

Reinforcement Area 4: Location

Preliminary concepts; assumptions are subject to change as more information becomes available.



MP 206.00

MP 206.67

Area 4: MP 206.00 - 206.67

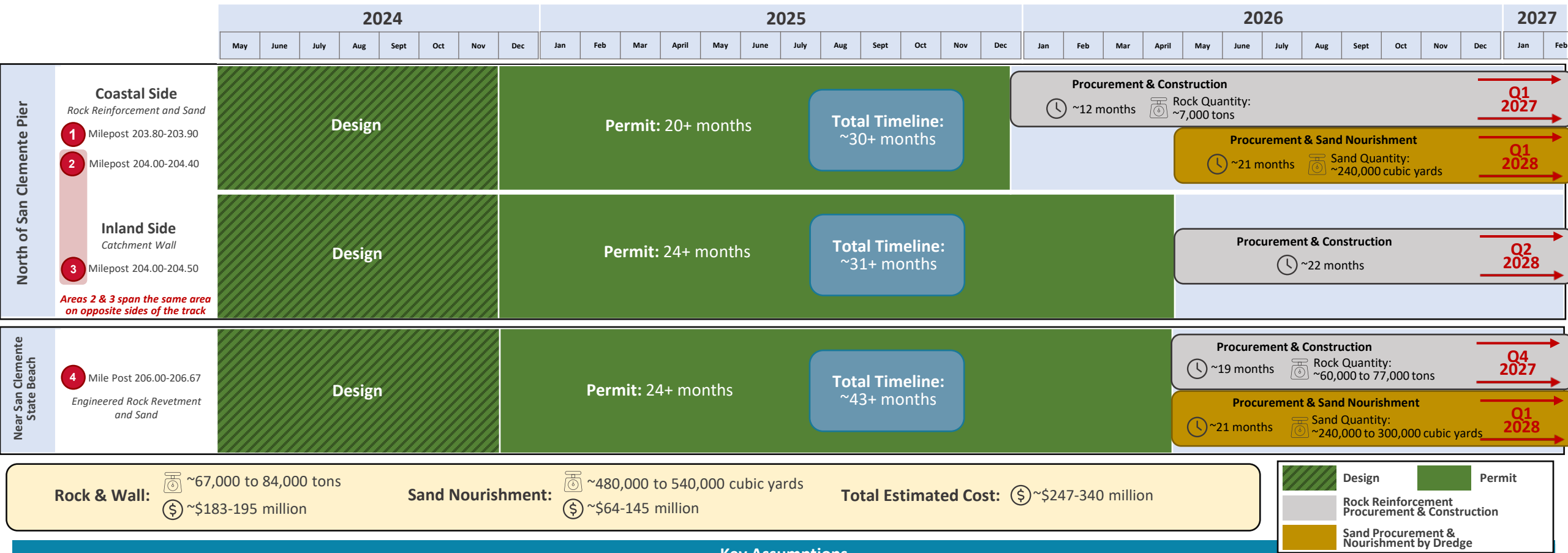
ROCK REINFORCEMENT

- Approximately 60,000 to 77,000 tons of rock

SAND NOURISHMENT

- Sand nourishment to create approximately 80 to 100-foot-wide beach between MP 206.00 and 206.67
- Approximately 240,000 to 300,000 cubic yards of sand

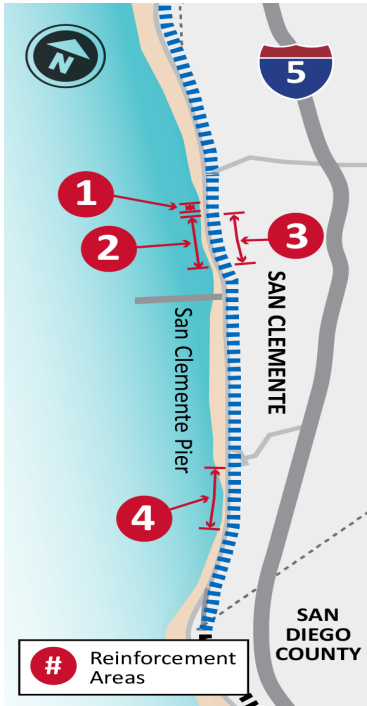
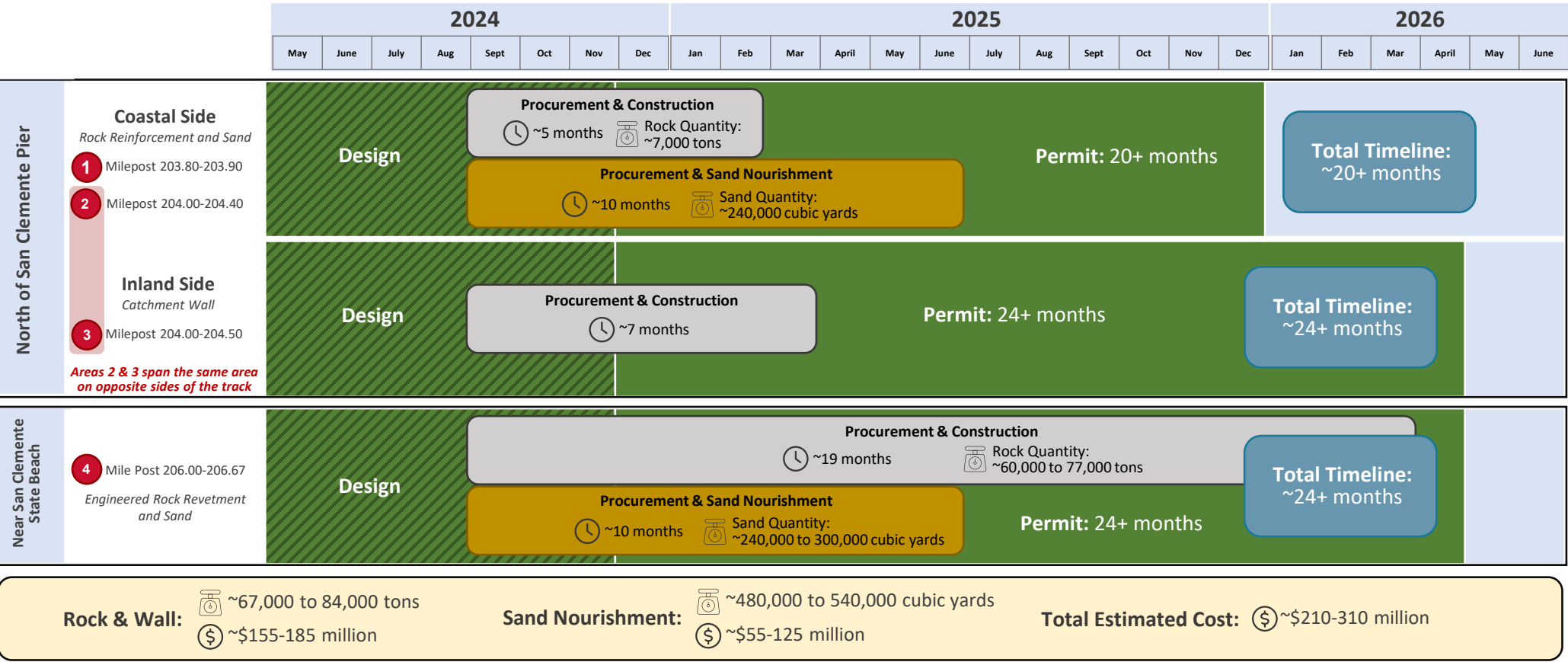
Coastal Rail Resiliency Study: Initial Assessment Estimated Project Timeline (typical permit process)



- Key Assumptions
- Environmental Compliance & Permitting:**
 - Assumes all work qualifies under the California Environmental Quality Act emergency provisions and National Environmental Policy Act Categorical Exclusion
 - California Coastal Commission
 - A Coastal Development Permit would require completed permitting process prior to work beginning
 - All work assumes advance coordination with Coastal Commission on appropriate permit process.
 - U.S. Army Corps of Engineers
 - Anticipates requirement of a Nationwide Permit 13

Construction & Sand Nourishment:
 - Catchment wall construction timeline assumes no sensitive species, habitat, and/or aquatic resources that require additional permitting
 - Sand nourishment schedule assumes OCTA can procure sand via dredging by fall 2026
 - Assumes ~480,000 to 540,000 cubic yards of sand nourishment through one cycle, pending permits, dredge, and borrow source availability
- Schedule and cost are preliminary and subject to change

Coastal Rail Resiliency Study: Initial Assessment Estimated Project Timeline (expedited permit process)



Key Assumptions

Environmental Compliance & Permitting: <ul style="list-style-type: none">Assumes all work qualifies under the California Environmental Quality Act emergency provisions and National Environmental Policy Act Categorical ExclusionCalifornia Coastal Commission<ul style="list-style-type: none">All work assumes advance coordination with Coastal Commission on appropriate permit process.U.S. Army Corps of Engineers<ul style="list-style-type: none">Assumes Regional General Permit (RGP 63) for sand nourishmentNationwide Permit 13 (if applicable, adds a minimum of 6 months)	Construction & Sand Nourishment: <ul style="list-style-type: none">Catchment wall construction timeline assumes no sensitive species, habitat, and/or aquatic resources that require additional permittingSand nourishment schedule assumes OCTA can procure sand via dredging by fall 2024, otherwise timeline requires a minimum of one to two more years for next available dredger scheduled in the areaAssumes ~480,000 to 540,000 cubic yards of sand nourishment through one cycle, pending permits, dredge, and borrow source availability
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Schedule and cost are preliminary and subject to change



Fiscal Year 2024-25 Budget Workshop



Orange County Transportation Authority

2024 Board & CEO Initiatives



Tam T. Nguyen
Chair



Darrell E. Johnson
Chief Executive Officer



Budget Themes



Cautious Economic Climate

- Softening sales tax receipts
- State budget deficit
- Strong reserve levels



Sustainability & Resiliency Focus

- Ongoing zero-emission bus and infrastructure investment
- Continuing coastal rail resiliency planning



Stable Express Lanes Operations

- 91 Express Lanes continues meeting commitments
- 405 Express Lanes performing as forecasted heading into first full year of operations



Enhanced Transit Services

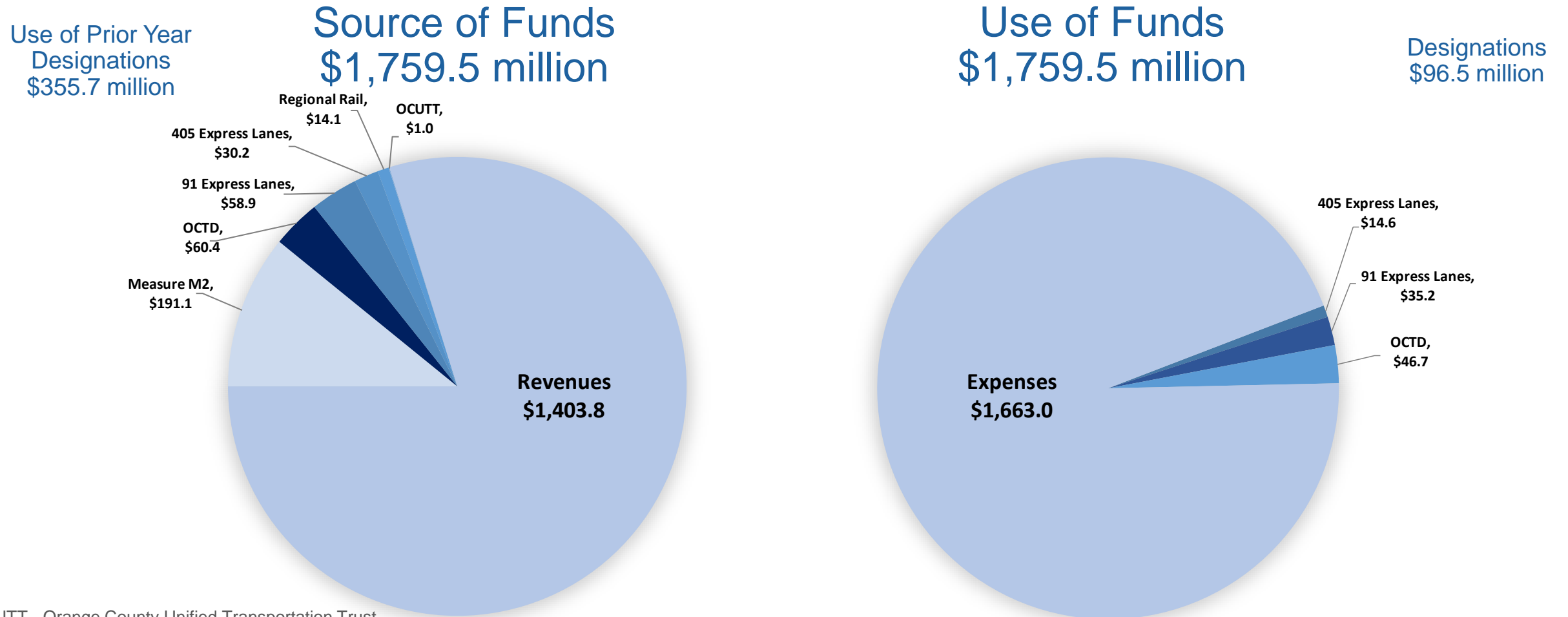
- Enhancing OC Bus through additional service
- Implementing Metrolink rail service optimization model
- Commencing OC Streetcar pre-revenue service activities



Measure M2 Commitment

- Delivering M2 Next 10 Plan as promised
- Funding for cities and County on track through formula and competitive programs

Budget Overview



OCUTT - Orange County Unified Transportation Trust
OCTD - Orange County Transit District

Planned Use of Prior Year Designations

In Millions Fund	Program	FY 2023-24 Approved Budget	FY 2024-25 Proposed Budget
Local Transportation Authority Measure M2	<i>Freeways, Streets & Roads, and M2 Transit</i>	\$ 210.8	\$ 191.1
Orange County Transit District	<i>Bus Capital</i>	75.7	60.4
91 Express Lanes	<i>SR-91 Corridor Improvements</i>	36.0	58.9
405 Express Lanes	<i>Express Lanes</i>	61.2	30.2
Regional Rail	<i>Regional Rail Capital</i>	9.8	14.1
Orange County Unified Transportation Trust	<i>Freeways</i>	1.0	1.0
Additional Retiree Benefit Account (ARBA) Fund	<i>ARBA Contributions</i>	0.3	-
Total Use of Prior Year Designations		\$ 394.8	\$ 355.7

FY – Fiscal Year

Budget Sources & Uses

In Millions	FY 2023-24	FY 2024-25	
Sources	Approved Budget	Proposed Budget	Change \$
Revenues	\$ 1,303.7	\$ 1,403.8	\$ 100.1
Use of Prior Year Designations	394.8	355.7	(39.1)
Total Revenue / Use of Designations	\$ 1,698.5	\$ 1,759.5	\$ 61.0
Uses			
Salaries and Benefits	\$ 208.5	\$ 212.0	\$ 3.5
LOSSAN Funded Salaries and Benefits	4.1	4.5	0.4
Services and Supplies	475.6	471.9	(3.7)
Contributions to Other Agencies	211.7	227.2	15.5
Interest/Debt Service	77.8	75.3	(2.5)
Capital	673.0	672.1	(0.9)
Designations	47.8	96.5	48.7
Total Expenditures / Designations	\$ 1,698.5	\$ 1,759.5	\$ 61.0

Revenues

In Millions Sources	FY 2023-24	FY 2024-25	Change \$
	Approved Budget	Proposed Budget	
M2 Local Transportation Authority 1/2 Cent Sales Tax	\$461.6	\$441.9	(\$19.7)
State Grants	52.0	233.8	181.8
Local Transportation Fund 1/4 Cent Sales Tax	230.7	222.2	(8.5)
Federal Grants	271.6	188.6	(83.0)
Express Lanes (Toll and Non-Toll)	77.3	103.1	25.8
Interest	83.4	91.7	8.3
State Transit Assistance	51.3	51.0	(0.3)
Passenger Fares	40.5	36.5	(4.0)
Property Tax	18.4	18.8	0.4
Other	12.8	12.9	0.1
Advertising	4.1	3.3	(0.8)
Subtotal Sources	\$ 1,303.7	\$ 1,403.8	\$ 100.1
Use of Prior Year Designations	394.8	355.7	(39.1)
Total Revenues / Use of Designations	\$ 1,698.5	\$ 1,759.5	\$ 61.0

SB 125 Funding

In Millions Projects	SB 125 Total Allocated Funds	FY 2024-25 SB 125 Funding	Alternative Funding	Project Impact
Bus Operations	\$ 11.2	\$ 1.4	OCTD capital replacement fund	Slight impact to long-term service levels
Bus Capital	65.3	37.8	OCTD capital replacement fund	Delay in procurement of ZEB buses
Total OC Bus	\$ 76.5	\$ 39.2		
Regional Rail Operations	\$ 135.7	\$ 26.0	M2 Project R	Major impact to long-term service levels
Regional Rail Capital	109.3	-	M2 Project R	Major impact to long-term service levels
Total Regional Rail	\$ 245.0	\$ 26.0		
Local Rail Operations	\$ 59.4	\$ -	M2 Project S	Less funds for future projects
Total Local Rail	\$ 59.4	\$ -		
Total	\$ 380.9	\$ 65.2		

SB 125 – Chapter 54, Statutes of 2023
ZEB – Zero-Emission Bus

Sales Tax Revenues

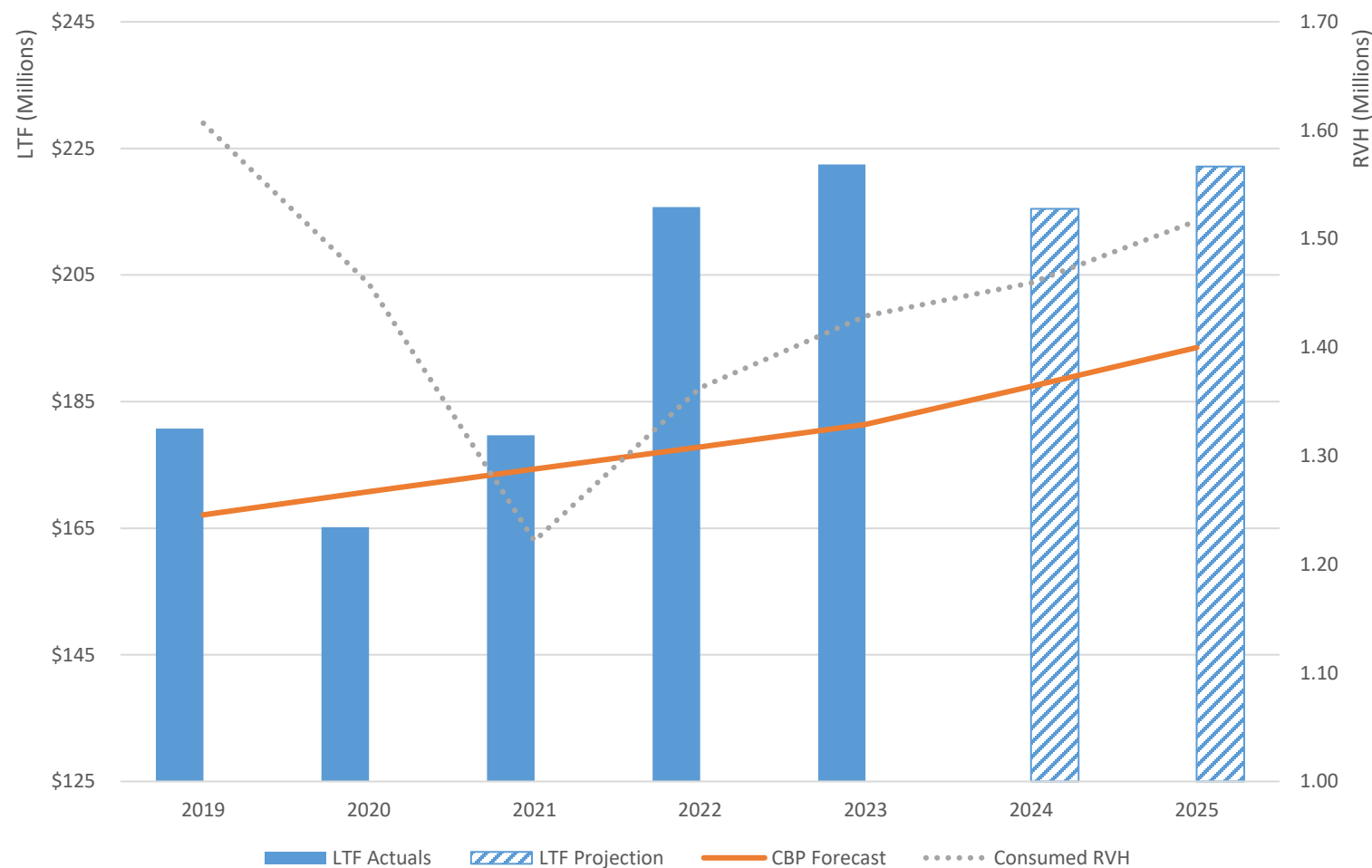
In Millions

Sales Tax

		LTA		LTF
FY 2023-24 Approved Budget	\$	461.6	\$	230.7
FY 2023-24 Year-End Estimate		427.8		215.5
FY 2024-25 Sales Tax Growth Rate		3.3%		3.1%
FY 2024-25 Proposed Budget	\$	441.9	\$	222.2

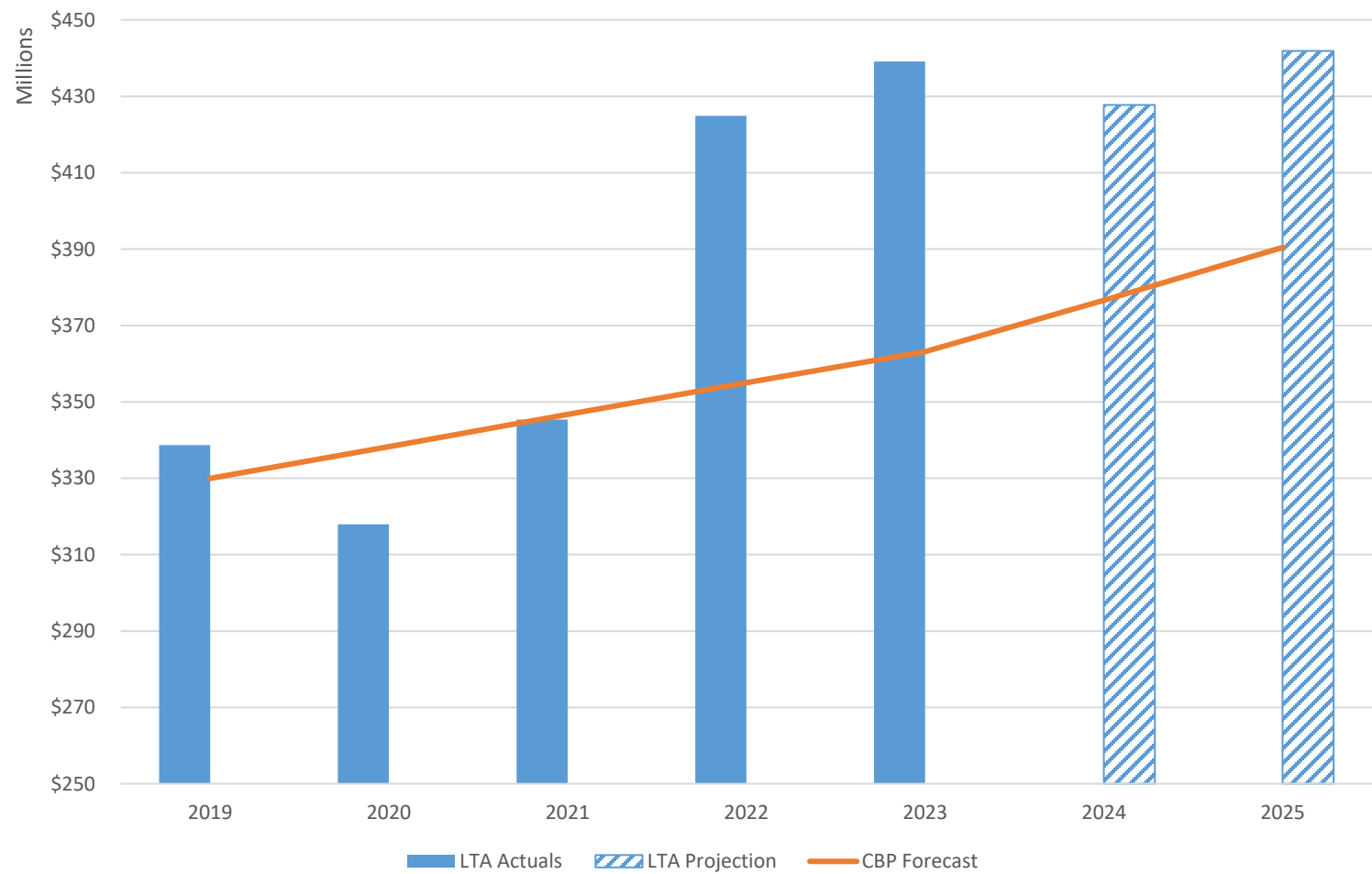
LTA - Local Transportation Authority
LTF – Local Transportation Fund

Local Transportation Fund Sales Tax Revenue History



LTF – Local Transportation Fund
CBP – Comprehensive Business Plan
RVH – Revenue Vehicle Hours

Local Transportation Authority Sales Tax Revenue History



LTA – Local Transportation Authority

Reserves

- **Bus Program**

- 60-day working capital
- Capital replacement fund
- Long-term operating reserve

- **Measure M2 Program**

- Economic uncertainty of \$2.4 billion assumed

- **91 Express Lanes Program**

- Fully funded reserves

- **405 Express Lanes Program**

- Establishing reserves based on current operations

Expenditures

In Millions Uses	FY 2023-24 Approved Budget	FY 2024-25 Proposed Budget	Change \$
Salaries and Benefits	\$ 212.6	\$ 216.5	\$ 3.9
OCTA Salaries and Benefits	208.5	212.0	3.5
LOSSAN Funded Salaries and Benefits	4.1	4.5	0.4
Services and Supplies	\$ 475.6	\$ 471.9	\$ (3.7)
Professional and Outside Services	258.1	247.1	(11.0)
Contract Transportation Services	153.5	151.2	(2.3)
Maintenance Parts & Fuel	32.7	28.0	(4.7)
General & Administration	18.8	32.7	13.9
Insurance Claims/Premiums	12.5	12.9	0.4
Contributions to Other Agencies	\$ 211.7	\$ 227.2	\$ 15.5
Contributions to Other Agencies	74.6	102.0	27.4
Measure M2 Local Fair Share	81.0	80.2	(0.8)
Measure M2 Regional Capacity	56.1	45.0	(11.1)
Interest / Debt Service	\$ 77.8	\$ 75.3	\$ (2.5)
Interest Expense	49.4	47.5	(1.9)
Long-Term Debt Principal Payments	28.4	27.8	(0.6)
Capital	\$ 673.0	\$ 672.1	\$ (0.9)
Subtotal Uses	\$ 1,650.7	\$ 1,663.0	\$ 12.3
Designations	47.8	96.5	48.7
Total Expenditures / Designations	\$ 1,698.5	\$ 1,759.5	\$ 61.0

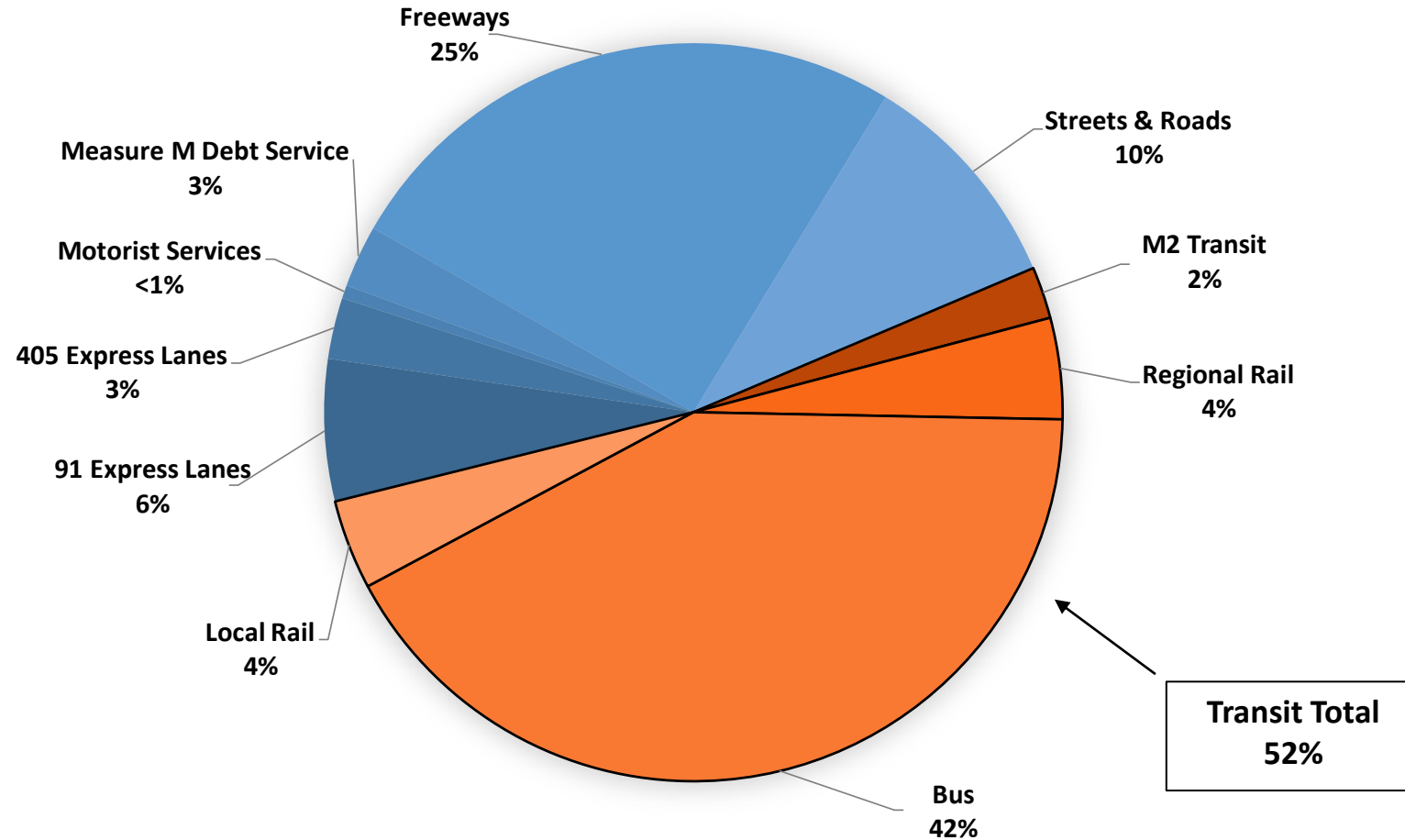
Key Expenditures by Fund

General Fund	Technical Infrastructure and Business Systems Support	\$	24,758,756	Software and hardware acquisition, maintenance, and licensing
	Transportation Planning and Studies	\$	2,700,250	Transit corridor and regional mobility studies
	Anaheim Transportation Network	\$	1,069,088	Anaheim Transportation Network federal grant pass-through
Measure M2	I-5, SR-73 to El Toro Road (Project C)	\$	115,648,700	Construction capital, right-of-way capital, and construction management services
	SR-55, I-405 to SR-91 (Project F)	\$	115,570,208	Right-of-way capital, utilities, and support services
	SR-91, SR-55 to SR-57 (Project I)	\$	94,605,064	Construction, right-of-way capital, and utilities funded by 91 Express Lanes
	Local Fair Share (Project Q)	\$	80,693,815	18 percent of M2 net revenues to local agencies for streets and roads
	Regional Capacity Program (Project O)	\$	45,604,000	Competitive funding for local agency streets and roads projects
	I-405, SR-73 to I-605 (Project K)	\$	41,876,268	Right-of-way capital and utilities
	Regional Traffic Signal Synchronization (Project P)	\$	31,199,700	Signal synchronization projects to be implemented along OC Corridors
	I-5, I-405 to SR-55 (Project B)	\$	30,428,075	Right-of-way capital, utilities, and construction management
	Community-Based Transit Circulator (Project V)	\$	23,325,000	Payments to local jurisdictions to operate community transit circulators
	Clean-up Highway/Street Runoff (Project X)	\$	22,303,150	Payments for M2 environmental cleanup program projects
	Senior Mobility and Non-Emergency Medical Programs (Project U)	\$	8,694,196	Senior Non-Emergency Medical Transportation and Senior Mobility Program payments to local agencies
	Freeway Environmental Mitigation	\$	5,303,747	M2 mitigation program endowment, property acquisition, and restoration projects
	Local Transportation Authority (LTA) - California Department of Tax and Fee Administration (CDTFA)	\$	4,375,001	LTA CDTFA fees for the collection and distribution of the local sales tax
	SR-57, Orangewood Ave. to Katella Ave. (Project G)	\$	3,832,679	Right-of-way capital and and construction management
	I-605, Katella Ave. Interchange (Project M)	\$	3,110,000	Construction management and right-of-way utilities
	Safe Transit Stops (Project W)	\$	1,208,000	Grants to cities for previously approved bus stop improvement projects
Measure M2 Debt	Tax-Exempt Bonds	\$	54,873,900	Interest and principal payment for Measure M2 bonds
Local Rail	OC Streetcar	\$	81,773,984	Construction, construction management, right-of-way, site work, and pre-revenue
91 Express Lanes	91 Express Lanes	\$	31,002,055	Contracted operations and express lanes toll management system
405 Express Lanes	405 Express Lanes	\$	56,325,395	Contracted operations, right-of-way capital, toll management, and back office system
Internal Service Funds	Workers' Compensation	\$	6,607,000	Claims expense and liability insurance related to workers' compensation
	Personal Liability and Property Damage Legal, Insurance, and Claims	\$	5,485,333	Legal fees, liability and property insurance, and broker services
Motorist Services	Motorist Services	\$	11,277,247	Freeway Service Patrol (FSP) tow service, 511 program, and call box maintenance

Key Expenditures by Fund (Continued)

Regional Rail	Southern California Regional Rail Authority (SCRRA) Budget	\$	53,207,206	Metrolink operating subsidy and special train services
	Cyprus Shore Slope Stabilization	\$	16,770,000	Required regulatory mitigation, right-of-way capital, and project closeout
	Mission Viejo/Laguna Niguel Slope Stabilization	\$	5,970,000	Construction and construction management
	San Juan Creek Bridge Replacement	\$	5,150,000	Right-of-way capital, utility, and support services
	Regional Rail Transit Police Services	\$	3,250,247	Orange County Sheriff's contract for railroad transit police services
	Regional Rail Project Support (Project R)	\$	2,575,250	Project management support for rail capital projects
	Orange County Maintenance Facility	\$	1,170,000	Right-of-way support services and cooperative agreements
OCTD	Bus Purchases	\$	92,986,000	Fixed-route revenue vehicle purchases
	Contracted Fixed-Route Services	\$	61,928,003	Contracted fixed-route fixed and variable costs
	Transit Security & Operations Center	\$	58,869,000	Construction and construction management
	Paratransit Services	\$	56,848,913	Americans with Disabilities Act (ADA) ACCESS service and ADA supplemental taxi services
	Bus Base and Transit Center Projects	\$	42,580,300	Facility maintenance and upgrades at bus bases and transit centers
	Directly Operated Fixed Route Services and Supplies	\$	19,813,758	General services and supplies for directly operated facilities
	Fuels	\$	19,565,238	Compressed natural gas (CNG), gasoline, hydrogen fuel, and electricity costs
	Farebox Replacement	\$	12,717,712	Replacement of fareboxes for fixed-route fleet
	Bus Transit Police Services	\$	10,806,952	Orange County Sheriff's transit police services
	Maintenance Parts	\$	5,347,852	Maintenance parts for revenue vehicles
	Utilities	\$	3,611,352	Gas, electric, water, and waste management for all OCTA owned locations
	Local Transportation Fund (LTF) - External Contributions	\$	3,473,821	Southern California Association of Governments (SCAG) and Laguna Beach Municipal Transit Lines
	Transit Technology and Communications	\$	2,768,000	On-board video surveillance system administration and Integrated transportation management system services
	Contracted Special Agency Services	\$	2,635,500	OCTA subsidy of transportation services provided by agencies for senior and disabled passengers
	Tires	\$	2,025,394	Tire replacement and leasing for OCTA owned revenue vehicles
	Bus Operations Support Vehicles	\$	1,938,500	OCTA non-revenue vehicles to support bus operations
	iShuttle Operations	\$	1,302,199	Contribution to the Irvine iShuttle service as part of funding exchange
	Vanpool Program	\$	1,285,591	OCTA Vanpool program subsidy and outreach for vanpools
	Customer Information Center	\$	1,235,880	Operating costs for call center to provide information on OCTA's bus program
	OC Flex Service	\$	1,153,442	Operating costs for contract transportation on-demand bus services
	CNG Equipment Operations & Maintenance	\$	1,102,552	Operations and maintenance of compressed natural gas (CNG) equipment at all bases
ARBA	Additional Retiree Benefit Account (ARBA) Payments	\$	1,856,804	ARBA benefit payment
OCUTT	Orange County Unified Transportation Trust (OCUTT)	\$	1,135,000	Freeway project study report and project initiation documents
		\$	1,398,731,076	These items represent 85 percent of the proposed budget expenditures

Total Budget by Program



Bus Assumptions

- Fixed-Route OC Bus Service
 - Budgeted service hours anticipated to increase by 3.4 percent, from 1.47 million to 1.52 million
- Paratransit Service Demand
 - Total trips projected to decrease from 1.48 million to 1.42 million
- Major Transit Capital Initiatives
 - Fixed-route bus purchases
 - Transit Security and Operations Center construction
 - Second hydrogen fueling station

OCTD Sources & Uses

In Millions	FY 2023-24		FY 2024-25	
	Approved	Proposed	Change	
Operating Sources	Budget	Budget	\$	
Local Transportation Fund Sales Tax	\$ 220.0	\$ 213.3	\$ (6.7)	
Federal Operating Grants	43.6	73.1	29.5	
Passenger Fares	40.5	36.5	(4.0)	
Interest Income	26.5	27.4	0.9	
Property Taxes	18.4	18.8	0.4	
State Transit Assistance	26.2	12.6	(13.6)	
Other OCTD Revenue	11.4	10.2	(1.2)	
Regional Rail Funds	6.4	6.1	(0.3)	
State Operating Grants	0.2	2.0	1.8	
Vanpool Revenue	1.1	1.2	0.1	
Reimbursements from Other Agencies	0.1	0.2	0.1	
Total Revenue / Use of Designations	\$ 394.4	\$ 401.4	\$ 7.0	

Operating Uses

Salary and Benefits	\$ 140.7	\$ 141.5	\$ 0.8
Contracted Fixed-Route Services	63.4	61.9	(1.5)
Paratransit Services	58.8	59.4	0.6
Overhead Allocation	49.9	54.5	4.6
Operating Services & Supplies	19.1	24.4	5.3
Directly Operated Fixed Route Services and Supplies	12.9	19.8	6.9
Fuels	22.0	19.6	(2.4)
Bus Transit Police Services	9.7	10.8	1.1
Maintenance Parts	8.0	5.3	(2.7)
Special Programs	5.0	2.9	(2.1)
Rail and M2 Transit Extensions	1.7	1.3	(0.4)
Long-term Operating Designation	3.1	-	(3.1)
Total Expenditures / Designations	\$ 394.4	\$ 401.4	\$ 7.0

In Millions	FY 2023-24		FY 2024-25	
	Approved	Proposed	Change	
Capital Sources	Budget	Budget	\$	
State Capital Grants	\$ 34.4	\$ 126.5	\$ 92.1	
State Transit Assistance	25.1	39.0	13.9	
Federal Capital Grants	95.2	29.9	(65.3)	
Use of Prior Year Designations	75.7	60.4	(15.3)	
Total Revenue / Use of Designations	\$ 230.4	\$ 255.8	\$ 25.4	

Capital Uses

Capital Projects	\$ 212.0	\$ 209.1	\$ (2.9)
Capital Designation	18.4	46.7	28.3
Total Expenditures / Designations	\$ 230.4	\$ 255.8	\$ 25.4

Zero-Emissions Bus Pilot Program

FY 2024-25	
In Millions	Proposed Budget
Zero Emission Bus Capital	
Vehicles	
(40) Fixed-Route Bus, 40-foot Fuel Cell Electric	\$ 62.0
(6) Fixed-Route Bus, 60-foot Fuel Cell Electric	15.0
(10) Fixed-Route Bus, 40-foot Battery Electric	12.5
(10) Paratransit Vehicle, 22-foot Battery Electric	3.3
Infrastructure	
Hydrogen Fueling Station	13.5
Electric Vehicle Battery Chargers	6.1
Hydrogen Fueling Tank	5.7
Metered Electrical Switchgear	4.3
Total	\$ 122.4

Regional Rail Assumptions

- Metrolink Operations

- Metrolink implementing rail service optimization model
- Operations primarily funded by M2 High Frequency Metrolink Service funds and state operating grants

- Metrolink Capital

- Capital budget includes Cyprus Shore slope stabilization, Mission Viejo/Laguna Niguel slope stabilization, and the San Juan Creek Bridge replacement project
- Capital funded by M2 High Frequency Metrolink Service funds, use of prior year designations, and Federal capital grants

Regional Rail Sources & Uses

In Millions	FY 2023-24	FY 2024-25	
Operating Sources	Approved Budget	Proposed Budget	Change \$
Measure M2 Sales Tax	\$ 48.8	\$ 39.7	\$ (9.1)
State Operating Grants	-	26.0	26.0
Interest Income	6.0	6.1	0.1
Proceeds Sale of Capital Asset	1.9	1.9	-
Other Commuter Rail Revenue	0.0	1.4	1.4
Federal Operating Grants	-	0.1	0.1
Use of Prior Year Designations	5.9	-	(5.9)
Total Revenue / Use of Designations	\$ 62.6	\$ 75.2	\$ 12.6

In Millions	FY 2023-24	FY 2024-25	
Operating Uses	Approved Budget	Proposed Budget	Change \$
SCRRA Operating Subsidy	\$ 41.1	\$ 53.2	\$ 12.1
Operating Expenses	10.2	10.5	0.3
Contributions to Operating Services	6.4	6.2	(0.2)
Overhead Allocation	4.9	5.3	0.4
Designations	-	-	-
Total Expenditures / Designations	\$ 62.6	\$ 75.2	\$ 12.6

In Millions	FY 2023-24	FY 2024-25	
Capital Sources	Approved Budget	Proposed Budget	Change \$
Measure M2 Sales Tax	\$ 5.0	\$ 14.7	\$ 9.7
Federal Capital Grants	4.2	1.2	(3.0)
91 Express Lanes	10.0	-	(10.0)
State Capital Grants	0.6	-	(0.6)
Use of Prior Year Designations	3.9	14.1	10.2
Total Revenue / Use of Designations	\$ 23.7	\$ 30.0	\$ 6.3

In Millions	FY 2023-24	FY 2024-25	
Capital Uses	Approved Budget	Proposed Budget	Change \$
Capital Projects	\$ 23.7	\$ 30.0	\$ 6.3
Total Expenditures / Designations	\$ 23.7	\$ 30.0	\$ 6.3

Regional Rail Capital Summary

In Millions	FY 2024-25 Proposed Budget
Regional Rail Capital	
Cyprus Shore Slope Stabilization	\$ 16.8
Mission Viejo/Laguna Niguel Slope Stabilization	6.0
San Juan Creek Bridge Replacement	5.2
Orange County Maintenance Facility	1.1
Irvine Station Improvements	0.8
Anaheim Canyon Metrolink Station	0.1
Total	\$ 30.0

Local Rail Assumptions

- Capital Assumptions
 - Continued construction to be funded by the federal full funding grant agreement, state funds, and M2 revenue
- Operating Assumptions
 - Implementation of pre-revenue service

M2 Freeways Summary

In Millions

Freeways

FY 2024-25 Proposed Budget

State Route 55, Interstate 405 to State Route 91 (Project F)	\$	115.6
Interstate 5, State Route 73 to El Toro Road (Project C)		115.6
State Route 91, State Route 55 to State Route 57 (Project I)		94.6
Interstate 405, State Route 73 to Interstate 605 (Project K)		41.9
Interstate 5, Interstate 405 to State Route 55 (Project B)		30.4
State Route 57, Orangewood Avenue to Katella Avenue (Project G)		3.8
Interstate 605, Katella Avenue Interchange (Project M)		3.1
Interstate 5, El Toro Road Interchange (Project D)		0.1
Total	\$	405.1

M2 City/County Contributions

		FY 2024-25 Proposed Budget
In Millions		
Measure M2 Streets & Roads		
Local Fair Share (Project Q)	\$	80.7
Regional Capacity Program (Project O)		45.8
Regional Traffic Signal Synchronization (Project P)		31.2
Subtotal	\$	157.7
In Millions		
Measure M2 Transit		
Community-Based Transit Circulator (Project V)	\$	23.3
Senior Mobility and Non-Emergency Medical Programs (Project U)		8.7
Safe Transit Stops (Project W)		1.2
Subtotal	\$	33.2
In Millions		
Measure M2 Environmental		
Clean-up Highway/Street Runoff (Project X)	\$	22.3
Freeway Environmental Mitigation		5.3
Subtotal	\$	27.6
Grand Total	\$	218.5

91 Express Lanes Sources & Uses

In Millions	FY 2023-24	FY 2024-25	
Operating Sources	Approved Budget	Proposed Budget	Change \$
Toll Revenue	\$ 48.7	\$ 53.0	\$ 4.3
Interest Income	6.9	7.6	0.7
Non-Toll Revenue	5.0	5.3	0.3
Reimbursement from Other Agencies	0.4	0.6	0.2
Use of Prior Year Designations	0.4	-	(0.4)
Total Revenue / Use of Designations	\$ 61.4	\$ 66.5	\$ 5.1

Operating Uses

Professional Services	\$ 10.7	\$ 9.3	\$ (1.4)
Tollroad Management Contract	8.0	7.8	(0.2)
Overhead Allocation	4.6	4.2	(0.4)
Leases & Other Office Expenses	0.9	1.0	0.1
Insurance Claims/Premiums	0.4	0.9	0.5
Debt & Interest Expense	10.8	8.1	(2.7)
Designations	26.0	35.2	9.2
Total Expenditures / Designations	\$ 61.4	\$ 66.5	\$ 5.1

In Millions	FY 2023-24	FY 2024-25	
Capital Sources	Approved Budget	Proposed Budget	Change \$
Use of Prior Year Designations	\$ 35.5	\$ 58.9	\$ 23.4
Total Revenue / Use of Designations	\$ 35.5	\$ 58.9	\$ 23.4

Capital Uses

SR-91 Corridor Contributions	\$ 31.3	\$ 55.0	\$ 23.7
Capital	4.2	3.9	(0.3)
Total Expenditures / Designations	\$ 35.5	\$ 58.9	\$ 23.4

405 Express Lanes Sources & Uses

In Millions	FY 2023-24 Approved Budget	FY 2024-25 Proposed Budget	Change \$
Operating Sources			
Toll Revenue	\$ 23.0	\$ 43.3	\$ 20.3
Non-Toll Revenue	0.6	1.6	1.0
Use of Prior Year Designations	4.2	-	(4.2)
Total Revenue / Use of Designations	\$ 27.8	\$ 44.9	\$ 17.1
Operating Uses			
Tollroad Management Contract	\$ 12.4	\$ 15.5	\$ 3.1
Professional Services	11.8	10.6	(1.2)
Overhead Allocation	3.6	4.2	0.6
Designations	-	14.6	14.6
Total Expenditures / Designations	\$ 27.8	\$ 44.9	\$ 17.1

In Millions	FY 2023-24 Approved Budget	FY 2024-25 Proposed Budget	Change \$
Capital Sources			
Use of Prior Year Designations	\$ 57.0	\$ 30.2	\$ (26.8)
Total Revenue / Use of Designations	\$ 57.0	\$ 30.2	\$ (26.8)
Capital Uses			
Capital	\$ 44.9	\$ 17.9	\$ (27.0)
Interest Expense	12.1	12.3	0.2
Total Expenditures / Designations	\$ 57.0	\$ 30.2	\$ (26.8)

Motorist Services Assumptions

- Motorist Services budget of \$13 million consistent with current fiscal year
- Motorist Services programs include:
 - Freeway Service Patrol
 - Call Box
 - 511 Program

Motorist Services Sources & Uses

In Millions	FY 2023-24 Approved Budget	FY 2024-25 Proposed Budget	Change \$
Operating Sources			
Measure M2 Sales Tax	\$ 5.7	\$ 5.8	\$ 0.1
Department of Motor Vehicles Fees	2.9	2.9	-
Senate Bill 1 (SB-1) Revenue	1.9	1.9	-
State Highway Account Revenue	1.6	1.5	(0.1)
Interest Income	0.1	0.1	-
Total Revenue / Use of Designations	\$ 12.2	\$ 12.2	\$ -

Operating Uses

Freeway Service Patrol Services	\$ 9.5	\$ 9.5	\$ -
Overhead Allocation	1.8	1.7	(0.1)
511 Program & Other Office Expenses	0.5	0.6	0.1
Call Box Maintenance Services & Support	0.4	0.4	-
Total Expenditures / Designations	\$ 12.2	\$ 12.2	\$ -

In Millions	FY 2023-24 Approved Budget	FY 2024-25 Proposed Budget	Change \$
Capital Sources			
State Highway Account Revenue	\$ 0.7	\$ 0.8	\$ 0.1
Total Revenue / Use of Designations	\$ 0.7	\$ 0.8	\$ 0.1
Capital Uses			
Capital	\$ 0.7	\$ 0.8	\$ 0.1
Total Expenditures / Designations	\$ 0.7	\$ 0.8	\$ 0.1

Staffing Levels

OCTA Staffing	FY 2023-24 Full-time Equivalent	FY 2024-25 Full-time Equivalent	FY 2024-25 New Hires	FY 2024-25 Reductions	Difference
Administrative	532.5	532.5	-	-	-
Union	819.0	798.0	3.0	(24.0)	(21.0)
Coach Operators	623.0	599.0	-	(24.0)	(24.0)
Maintenance	155.0	158.0	3.0	-	3.0
Facility Technicians and Parts Clerks	41.0	41.0	-	-	-
OCTA Positions	1,351.5	1,330.5	3.0	(24.0)	(21.0)
LOSSAN Funded OCTA Positions	18.0	18.0	-	-	-
Total Authority Positions	1,369.5	1,348.5	3.0	(24.0)	(21.0)

*15 administrative positions identified to potentially be added at a future date

Employee Compensation Assumptions

- Employees Subject to Collective Bargaining Agreement
 - Coach Operators (599 employees)
 - Collective bargaining agreement effective through April 30, 2024
 - Maintenance (158 employees)
 - Collective bargaining agreement effective through September 30, 2025
 - Facilities technicians and parts clerks (41 employees)
 - Collective bargaining agreement effective through March 31, 2027
- Administrative Employees (532.5 + 18 LOSSAN employees)
 - Employees are not represented
 - Compensation governed by the Personnel and Salary Resolution, which is approved annually as part of the budget
 - Salary grade ranges are developed based upon scope, level of work performed, and external market data
 - Recommended salary modernization grade plan

Personnel and Salary Resolutions

- Pertaining to Administrative employees
 - Employees are at-will
 - Administrative employees do not receive cost-of-living adjustments, step increases, or automatic increases of any type
- Merit Pool of 4 percent
 - Salary increases are based on a pay-for-performance program
 - Every employee has a performance plan and receives an annual performance review
 - Base-building adjustment to annual salary
- Bonus Pool of 4 percent
 - Non-base building – does not increase annual salary
 - Bonuses are given throughout the year for specific, exceptional performance in a defined goal area
 - Part of employee rewards and recognition strategy

Next Steps

- Committee meetings and one-on-one meetings with Board Members May 13 - June 9
- Public Hearing Preview – Finance & Administration Committee May 22
- Public Hearing – Board (Public Hearing and approval) June 10
- Back-up Public Hearing – Board (Public Hearing and approval) June 24

FISCAL YEAR 2024-25 PROPOSED BUDGET

IS AVAILABLE AT THE LOCATION BELOW:

[https://www.dropbox.com/scl/fo/wlv3zzv4pbr1gs54dypww/
ACJ-
XOKDAK7Prd5PKj_PE4w?rlkey=bjy03n9kaatbgjh50z46lu0sj
&st=o2ohk2c6&dl=0](https://www.dropbox.com/scl/fo/wlv3zzv4pbr1gs54dypww/ACJ-XOKDAK7Prd5PKj_PE4w?rlkey=bjy03n9kaatbgjh50z46lu0sj&st=o2ohk2c6&dl=0)

OR

ON FILE IN THE CLERK OF THE BOARD'S OFFICE