



June 5, 2023

To: Regional Transportation Planning Committee *For*

From: Darrell E. Johnson, Chief Executive Officer *[Signature]*

Subject: Amendments to Cooperative Agreements with the City of Westminster and the City of Seal Beach and Cooperative Agreement with the City of Huntington Beach for the Interstate 405 Improvement Project

Overview

On March 14, 2016, and May 9, 2016, the Orange County Transportation Authority Board of Directors approved Cooperative Agreement No. C-5-3615 with the City of Westminster and No. C-6-1126 with the City of Seal Beach, respectively, for city services required during the design-build implementation of the Interstate 405 Improvement Project. The cooperative agreements require amendments for additional city support services during construction of the Interstate I-405 Improvement Project. Additionally, the Orange County Transportation Authority proposes to enter into a new cooperative agreement with the City of Huntington Beach for continued city services required during the remainder of the design-build implementation of the Interstate 405 Improvement Project.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Cooperative Agreement No. C-5-3615 between the Orange County Transportation Authority and the City of Westminster, in the amount of \$590,000, for additional city support services during construction of the Interstate 405 Improvement Project. This will increase the maximum obligation of the cooperative agreement to a total value of \$4,251,331.

- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Cooperative Agreement No. C-6-1126 between the Orange County Transportation Authority and the City of Seal Beach, in the amount of \$200,000, for additional city support services during construction of the Interstate 405 Improvement Project. This will increase the maximum obligation of the cooperative agreement to a total value of \$940,600.

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- C. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-3-2580 between the Orange County Transportation Authority and the City of Huntington Beach, in the amount of \$200,000, for city support services required during the remainder of construction of the Interstate 405 Improvement Project.

Discussion

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, is implementing the Interstate 405 (I-405) Improvement Project between State Route 73 (SR-73) and Interstate 605 (I-605) (Project). The Project will add one general purpose lane from Euclid Street to I-605, consistent with Measure M2 Project K, and will add an additional lane in each direction that would combine with the existing high-occupancy vehicle lane to provide dual express lanes in each direction on I-405 from SR-73 to I-605. The Project includes improvements to city-owned and operated streets, city traffic facilities, and city utilities impacted by the Project.

On March 14, 2016, and May 9, 2016, the OCTA Board of Directors (Board) approved Cooperative Agreement No. C-5-3615 with the City of Westminster and Cooperative Agreement No. C-6-1126 with the City of Seal Beach, respectively, for city services required during the design-build implementation of the Project. The reimbursement to the cities includes costs for review and approval of plans, specifications, and reports, oversight of construction inspection services for city facilities, review and acceptance of the transportation management plan, traffic engineering, and police services during construction of the Project.

More specifically, the cooperative agreements reimburse the cities to review and approve design plans, construction staging plans, maintenance of traffic (MOT) plans, detour plans, and each temporary traffic control plan for work impacting city streets. Other elements reimbursed through the cooperative agreements include city construction inspection and traffic signal operations support required for implementation of the MOT, detour and temporary traffic control elements, and police traffic support on an as-needed basis.

OCTA staff recently worked with the cities of Westminster and Seal Beach to review and resolve various design and construction issues and obtained city approval for project improvements as follows:

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City of Westminster

- Reviewed revised drainage and street improvement design to avoid multiple utility relocations at the Westminster Boulevard and Willow Street intersection.
- Reviewed drainage channel and maintenance access design adjacent to Margie Rice Park near the Springdale overcrossing.
- Inspected and reviewed settlement data related to the Westminster channel adjacent to the Springdale overcrossing.
- Reviewed and approved plans for the restoration of the Magnolia Street property.

City of Seal Beach

- Reviewed alignment alternatives and right-of-way needs for the relocation of Frontier communications facilities required by the Project along Lampson Street.
- Reviewed various documents, including property rights and traffic control plans related to the construction of sewer facilities on Northgate Road.
- Reviewed revised design plans for the implementation of a new traffic signal at the intersection of Lampson Street and Seal Beach Boulevard.
- Reviewed unforeseen landscaping needs in the area of the Montecito channel reconstruction in the College Park West area in the City of Seal Beach.

The efforts to resolve the above listed issues in the cities of Westminster and Seal Beach required the cities to provide additional engineering reviews and construction support efforts beyond the original estimate.

In addition, the scope of work in the cooperative agreements for both cities assumed the project closeout activities would be complete by late 2023. However, additional city support services are required to provide support to allow for project closeout activities to be complete mid-2024.

Attachments A and B to this report itemize the revised reimbursement amounts for city services. The proposed amendments will be funded from the project contingency and are not anticipated to increase the total project estimate of \$2,160,000,000.

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City of Huntington Beach

On March 14, 2016, the OCTA Board approved Cooperative Agreement No. C-5-3614 with the City of Huntington Beach for city services required during the design-build implementation of the Project. The reimbursement to the city included costs for review and approval of plans, specifications, and reports, oversight of construction inspection services for city facilities, review and acceptance of the transportation management plan, traffic engineering, and police services during construction of the Project. This original agreement expired on April 30, 2023.

On November 28, 2022, OCTA staff notified city staff of the agreement expiration date and requested city staff to review and obtain city council approval of an amendment to extend the agreement to June 30, 2024, to continue providing city support services through the revised substantial completion date and final acceptance of the Project. Unfortunately, city staff were unable to schedule the amendment for city council approval prior to the expiration date. Since the agreement has expired, a new agreement is now needed to replace the expired cooperative agreement and allow the City of Huntington Beach to continue providing support services for the Project. Attachment C provides the maximum reimbursement amounts for each category of required city services.

Fiscal Impact

Funding for these amendments and proposed cooperative agreement is included in OCTA's Fiscal Year 2023-24 Proposed Budget, Capital Programs Division, account nos. 0017-9084-FK101-012 and 0037-9017-A9510-012. The funding includes a combination of federal, state, and local funds.

Summary

Staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Cooperative Agreement No. C-5-3615 and Amendment No. 4 to Cooperative Agreement No. C-6-1126 with the cities of Westminster and Seal Beach, in the amounts of \$590,000 and \$200,000, respectively, for additional city services for the Interstate 405 Improvement Project. Additionally, staff requests Board of Directors' approval for the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-3-2580 with the City of Huntington Beach, in the amount of \$200,000, for city services required during design-build implementation of the Interstate 405 Improvement Project.

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Attachments

- A. City of Westminster, Cooperative Agreement No. C-5-3615 Fact Sheet
- B. City of Seal Beach, Cooperative Agreement No. C-6-1126 Fact Sheet
- C. City of Huntington Beach, Maximum Reimbursement for Combined City Services

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