



May 9, 2019

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

A handwritten signature in blue ink, appearing to read "Darrell Johnson", is positioned to the right of the "From:" field.

Subject: Master Agreement for Transit and Intercity Rail Capital Program

Overview

In order to access Transit and Intercity Rail Capital Program funding for transportation projects, the Orange County Transportation Authority must execute a master agreement with the California Department of Transportation.

Recommendations

- A. Authorize the Chief Executive Officer to execute Master Agreement No. 64OCTA2015MA for the Transit and Intercity Rail Capital Program and all necessary program supplement agreements with the California Department of Transportation for the reimbursement of Transit and Intercity Rail Capital Program-funded projects.
- B. Approve Orange County Transportation Authority Resolution No. 2019-029, as required by the California Department of Transportation, to execute the above agreement and authorize the Chief Executive Officer, or his designee, to sign future program supplements.

Background

On September 10, 2015, the Board of Directors (Board) approved Master Agreement No. 64OCTA2015MA for the 2015 Transit and Intercity Rail Capital Program (TIRCP). The master agreement governs the general use of TIRCP funding. The current master agreement with the California Department of Transportation (Caltrans) expired on April 19, 2019, for new grants and allocations. Ongoing projects covered by program supplements to the current master agreement will not be affected by this expiration. The California State Transportation Agency is expected to release a new TIRCP call for projects in fall of 2019, with awards expected early next year, and a revised master agreement will allow the Orange County Transportation Authority (OCTA) to take advantage of potential new funding.

Discussion

The execution of the revised Master Agreement No. 64OCTA2015MA is required by Caltrans in order to access TIRCP funds for use on capital projects. A term sheet to show the changes from the original agreement is included in Attachment A. This agreement must be accompanied by a certifying resolution, shown in Attachment B, which authorizes the Chief Executive Officer to sign and execute the master agreement, as well as the necessary program supplement agreements.

The provisions in the agreement include additional language regarding the inclusion of SB 1 (Chapter 5, Statutes of 2017) as a funding source of the program, a new section on cost savings, changes in reporting so that reporting is due quarterly instead of semi-annually, and additional information is required, including metrics and benefits achieved for disadvantaged communities, low income communities, and/or low income households. Staff from OCTA's Finance and Administration, Internal Audit, and Strategic Planning divisions, as well as OCTA's legal counsel, have reviewed the agreement and are confident that OCTA can meet the requirements.

The master agreement extends the term of the original agreement by five years through April 19, 2024.

Summary

On September 10, 2015, the Board approved the current master agreement, which expired on April 19, 2019. Staff is requesting that the Board approve Master Agreement No. 64OCTA2015MA and accompanying resolution in order to access new TIRCP funding.

Attachments

- A. Term Sheet, Master Agreement, Transit and Intercity Rail Capital Program Projects
- B. Resolution No. 2019-029, Orange County Transportation Authority, Authorization for the Execution of a Master Agreement and Program Supplements for the Transit and Intercity Rail Capital Program

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