OCTA

BOARD AGENDA

Orange County Transportation Authority Board Meeting
Orange County Transportation Authority Headquarters
Board Room - Conference Room 07-08
550 South Main Street
Orange, California
Monday, April 13, 2020 at 9:00 a.m.

REVISED

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA Clerk of the Board, telephone (714) 560-5676, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Agenda Descriptions

The 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 Board of Directors 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 Comments on Agenda Items

Members of the public may address the Board of Directors regarding any item. Please complete a speaker's card and submit it to the Clerk of the Board or notify the Clerk of the Board the item number on which you wish to speak. Speakers will be recognized by the Chairman at the time the agenda item is to be considered. A speaker's comments shall be limited to three (3) minutes.

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.

Guidance for Public Access to the Board of Directors Meeting

On March 12, 2020 and March 18, 2020, Governor Gavin Newsom enacted Executive Orders N-25-20 and N-29-20 authorizing a local legislative body to hold public meetings via teleconferencing and make public meetings accessible telephonically or electronically to all members of the public to promote social distancing due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID-19).

In accordance with Executive Order N-29-20, and in order to ensure the safety of the Orange County Transportation Authority (OCTA) Board of Directors (Board) and staff and for the purposes of limiting the risk of COVID-19, in-person public participation at public meetings of the OCTA will not be allowed during the time period covered by the above-referenced Executive Orders.

Instead, members of the public can listen to AUDIO live streaming of the Board and Committee meetings by clicking the below link:

http://www.octa.net/About-OCTA/Who-We-Are/Board-of-Directors/Live-and-Archived-Audio/

Public comments may be submitted for the upcoming Board and Committee meetings by emailing them to boardofdirectors@octa.net

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.

In order to ensure that staff has the ability to provide comments to the Board Members in a timely manner, **please submit your public comments 30 minutes prior to the start time of the Board and Committee meeting date**.

Call to Order

Roll Call

Invocation
Director Delgleize

Pledge of Allegiance
Chairman Jones

Special Calendar

Orange County Transportation Authority Special Calendar Matters

1. Coronavirus (COVID-19) Update
Joel Zlotnik/Darrell E. Johnson

Overview

The Orange County Transportation Authority has been preparing for and is responding to the public health emergency caused by the coronavirus pandemic and closely monitoring the related transportation implications. Following directions issued by Governor Gavin Newsom and County public health officials, the Orange County Transportation Authority has implemented its Emergency Operations Plan and taken steps to ensure the health and safety of the public and Orange County Transportation Authority employees. An overview and update on these efforts are presented.

Recommendation

Receive and file as an information item.

Consent Calendar (Items 2 through 17)

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

2. Approval of Minutes

Approval of the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of March 23, 2020.

3. Investments: Compliance, Controls, and Reporting, July 1 through December 31, 2019

Gabriel Tang/Janet Sutter

Overview

The Internal Audit Department has completed an audit of investments for the period July 1 through December 31, 2019. Based on the audit, the Orange County Transportation Authority complied with its debt, investment, and reporting policies and procedures.

Recommendation

Receive and file Investments: Compliance, Controls, and Reporting, July 1 through December 31, 2019, Internal Audit Report No. 20-509, as an information item.

4. 91 Express Lanes Update and Temporary Measures

Kirk Avila/Darrell E. Johnson

Overview

Traffic volumes on the 91 Express Lanes have declined significantly over the past several weeks as a result of the coronavirus pandemic and California Governor Gavin Newsom's stay-at-home order. This report provides the latest information on traffic volumes and operations.

4. (Continued)

Recommendations

A. Authorize the Chief Executive Officer to temporarily waive for a period of up to 90 days, 91 Express Lanes monthly account fees, contingent upon a similar approval from the Riverside County Transportation Commission.

B. Authorize the Chief Executive Officer to temporarily modify for a period of up to 90 days the 91 Express Lanes Toll Policy to allow for the ability to remove automatic toll rates increases, if necessary.

5. Signatory to the Orange County Operational Area Agreement
Katrina Faulkner/Jennifer L. Bergener

Overview

The Orange County Operational Area Agreement, initially approved in 1995 in response to the requirements by the State of California's Standardized Emergency Management System, provides a framework for Orange County jurisdictions to coordinate emergency management activities before, during and after a disaster. The Orange County Transportation Authority became a signatory to this agreement in 1996. Since that time, best practices and processes have changed, and the original agreement has been updated and is presented for Board of Directors' consideration.

Recommendation

Authorize the Chief Executive Officer to execute the signatory agreement allowing Orange County Transportation Authority to participate in the Orange County Operational Area Agreement.

6. Fiscal Year 2019-20 Second Quarter Budget Status Report
Anthony Baruch/Andrew Oftelie

Overview

The Orange County Transportation Authority's staff has implemented the fiscal year 2019-20 budget. This report summarizes the material variances between the budget and actual revenues and expenses through the second quarter of fiscal year 2019-20.

6. (Continued)

Recommendation

Receive and file as an information item.

7. Agreement with Center for Demographic Research at California State University, Fullerton
Anup Kulkarni/Kia Mortazavi

Overview

Demographic data in Orange County is developed by the Center for Demographic Research at California State University, Fullerton. A recommendation to continue this effort through a multi-agency funding agreement is provided for review and approval.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute an agreement with the California State University, Fullerton Center for Demographic Research, in an amount not to exceed $331,504, for a term of three years, to provide Orange County demographic data.

8. Grant Award Acceptance for the 2019 and 2020 Orange County Fair Express Bus Service
Jennifer Haith Farinas/Kia Mortazavi

Overview

The Mobile Source Air Pollution Reduction Review Committee awarded the Orange County Transportation Authority $468,298 in competitive Major Event Center Transportation Program funding. The grant award will support the 2019 and 2020 Orange County Fair Express Bus Service.

Recommendation

Authorize the Chief Executive Officer, or designee, to accept the Mobile Source Air Pollution Reduction Review Committee Major Event Center Transportation Program award, and to negotiate and execute grant-related agreements and documents with the Mobile Source Air Pollution Reduction Review Committee.

Orange County Transit District Consent Calendar Matters

9. Consultant Selection for OC ACCESS Eligibility Determination Services
Gracie A. Davis/Jennifer L. Bergener

Overview

The Orange County Transportation Authority is required to provide an eligibility determination process for Americans with Disabilities Act complementary paratransit services. On November 25, 2019, the Board of Directors authorized the release of a request for proposals. Offers were received in accordance with the Orange County Transportation Authority procurement procedures for professional and technical services. Board of Directors' approval is requested to select a contractor to provide these services.

Recommendations

A. Approve the selection of Medical Transportation Management, Inc., as the firm to provide OC ACCESS eligibility determination services.

B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1621 between the Orange County Transportation Authority and Medical Transportation Management, Inc., in the amount of $3,062,866, for a three-year initial term from July 1, 2020 through June 30, 2023, with one, two-year option term, to provide OC ACCESS eligibility determination services.

10. Consultant Selection for Vanpool Service Providers
Sandy Boyle/Jennifer L. Bergener

Overview

On November 25, 2019, the Board of Directors approved the release of a request for proposals to provide commuter vanpool services. Offers were received in accordance with Orange County Transportation Authority procurement procedures for professional and technical services. Board of Directors' approval is requested for the selection of a firm to provide these services.

10. (Continued)

Recommendations

A. Approve the selections of AVR Vanpool, a division of Airport Van Rental; Enterprise Rent-A-Car Company of Los Angeles LLC, doing business as Commute with Enterprise; and Green Commuter, Inc., to provide vanpool program services for the Orange County Transportation Authority vanpool program, in the aggregate amount of $12,923,121, to be shared by all firms based on the number of vanpools operated.

B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1698 between the Orange County Transportation Authority and Enterprise Rent-A-Car Company of Los Angeles, doing business as Commute with Enterprise, to provide vanpool program services for a five-year initial term through June 30, 2025, and with two, two-year option terms.

C. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2156 between the Orange County Transportation Authority and AVR Vanpool, a division of Airport Van Rental, to provide vanpool program services for a five-year term through June 30, 2025, and with two, two-year option terms.

D. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2157 between the Orange County Transportation Authority and Green Commuter Inc., to provide vanpool program services for a five-year term through June 30, 2025, and with two, two-year option terms.

Orange County Local Transportation Authority Consent Calendar Matters

11. Supplemental Contract Change Order for the Interstate 405 Improvement Project from State Route 73 to Interstate 605 - Archaeological Treatment Plan

Jeff Mills/James G. Beil

Overview

On November 14, 2016, the Orange County Transportation Authority Board of Directors approved Agreement No. C-5-3843 with OC 405 Partners, a joint venture, for the design and construction of the Interstate 405 Improvement Project from State Route 73 to Interstate 605. A supplemental contract change order is needed to develop, implement, and maintain an archaeological treatment plan, and continue archaeological monitoring for the project.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute supplemental Contract Change Order No. 57.1 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of $1,300,000, to develop, implement, and maintain an archaeological treatment plan, and continue archaeological monitoring for the Interstate 405 Improvement Project from State Route 73 to Interstate 605.

12. Consultant Selection for Construction Management Support Services for the Interstate 5 Widening Project Between Alicia Parkway and El Toro Road

Niall Barrett/James G. Beil

Overview

On November 11, 2019, the Orange County Transportation Authority Board of Directors authorized the release of a request for proposals to provide construction management support services for the Interstate 5 widening project between Alicia Parkway and El Toro Road. Board of Directors' approval is requested for the selection of a firm to perform the required work.

12. (Continued)

Recommendations

A. Approve the selection of Jacobs Project Management Co., as the firm to provide construction management support services for the Interstate 5 widening project between Alicia Parkway and El Toro Road.

B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1605 between the Orange County Transportation Authority and Jacobs Project Management Co., as the firm to provide construction management support services for the Interstate 5 widening project between Alicia Parkway and El Toro Road.

13. Approval to Release Request for Proposals for the Preparation of Plans, Specifications, and Estimates for the Interstate 605/ Katella Avenue Interchange Improvement Project
Josue Vaglienty/James G. Beil

Overview

Staff has developed a request for proposals to initiate a competitive procurement process to retain consultant services to prepare plans, specifications, and estimates for the Interstate 605/Katella Avenue Interchange improvement project.

Recommendations

A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2186 for consultant services for the preparation of plans, specifications, and estimates for the Interstate 605/Katella Avenue Interchange improvement project.

B. Approve the release of Request for Proposals 0-2186 for consultant services for the preparation of plans, specifications, and estimates for the Interstate 605/Katella Avenue Interchange improvement project.

14. Measure M2 Eligibility for the City of Santa Ana

Joseph Alcock/Kia Mortazavi

Overview

In 2019, the Orange County Transportation Authority conducted an audit of the City of Santa Ana's Measure M2-related expenditures for fiscal year 2017-18. The audit concluded that the City of Santa Ana had not invested sufficient discretionary funds on streets and roads purposes to meet Measure M2 maintenance of effort requirements. As a result, the Orange County Transportation Authority Board of Directors found the City of Santa Ana ineligible to receive Measure M2 net revenues. An audit of the City of Santa Ana's Measure M2-related expenditures for fiscal year 2018-19 has now been completed, and the Orange County Transportation Authority Board of Directors is being asked to consider reinstating the City of Santa Ana's Measure M2 eligibility status, based on the audit results.

Recommendations

A. Approve the City of Santa Ana as eligible to receive Measure M2 net revenues.

B. Direct staff to reinitiate payments to the City of Santa Ana for Measure M2 net revenues, which were held during its period of ineligibility (less fiscal year 2018-19 audit costs).

15. Measure M2 Eligibility for the City of Stanton

Joseph Alcock/Kia Mortazavi

Overview

In 2019, the Orange County Transportation Authority conducted an audit of the City of Stanton's Measure M2-related expenditures for fiscal year 2017-18. The audit concluded that the City of Stanton had not invested sufficient discretionary funds on streets and roads purposes to meet Measure M2 maintenance of effort requirements. As a result, the Orange County Transportation Authority Board of Directors found the City of Stanton ineligible to receive Measure M2 net revenues. An audit of the City of Stanton's Measure M2-related expenditures for fiscal year 2018-19 has now been satisfactorily completed, and the Orange County Transportation Authority Board of Directors is being asked to consider reinstating the City of Stanton's Measure M2 eligibility status, based on the audit results.

15. (Continued)

Recommendations

A. Approve the City of Stanton as eligible to receive Measure M2 net revenues.

B. Direct staff to reinitiate payments to the City of Stanton for Measure M2 net revenues, which were held during its period of ineligibility (less fiscal year 2018-19 audit costs).

16. 2020 Measure M2 Community-Based Transit Circulators (Project V) Call for Projects Programming Recommendations
Alfonso Hernandez/Kia Mortazavi

Overview

The Orange County Transportation Authority issued the 2020 Measure M2 Project V call for projects for community-based transit circulators on October 14, 2020. Applications have been received and scored consistent with the Board of Directors' approved Comprehensive Transportation Fund Programs Project V Guidelines. Projects recommended for funding are presented for review and approval.

Recommendations

A. Approve programming recommendations for Project V funding, in an amount not to exceed $9,043,613, plus inflationary adjustments, for six local agency projects submitted under the capital and operating reserve categories.

B. Approve the programming recommendations for Project V funding, in an amount not to exceed $177,900, for three local agency projects submitted under the planning category.

C. Authorize staff to execute cooperative funding agreements with local agencies.

D. Authorize staff to negotiate and execute lease agreements with interested local agencies, for the use of existing Project V-funded (and Orange County Transportation Authority-owned) vehicles.

17. Fiscal Year 2020-21 Updates to the Measure M2 Eligibility, Local Signal Synchronization Plan, and Pavement Management Plan Guidelines
Kelsey Imler/Kia Mortazavi

Overview

The Orange County Transportation Authority regularly develops and updates guideline documents, including the Measure M2 Eligibility Guidelines, Guidelines for the Preparation of Local Signal Synchronization Plans, and Guidelines for Countywide Pavement Management Plans to assist local agencies in completing Measure M2 eligibility requirements. Proposed revisions for each of these documents have been developed and are recommended for Board of Directors' consideration and approval.

Recommendations

A. Approve proposed revisions to the Fiscal Year 2020-21 Measure M2 Eligibility Guidelines.

B. Direct staff to reevaluate maintenance of effort requirements for fiscal year 2020-21 pending a review of the economic impacts of the Coronavirus.

C. Approve proposed revisions to the Guidelines for the Preparation of Local Signal Synchronization Plans 2020.

D. Approve proposed revisions to the Countywide Pavement Management Plan Guidelines.

Regular Calendar

Orange County Transportation Authority Regular Calendar Matters

18. South County Traffic Relief Effort Update and Next Steps

Kurt Brotcke/Kia Mortazavi

Overview

The Transportation Corridor Agencies and the California Department of Transportation are in the process of concluding a study of toll road expansion options in south Orange County through the South County Traffic Relief Effort. Based on technical work, public input, and policy direction, three alternatives are proposed to move forward in the project development process. These include a non-tolled extension of Los Patrones Parkway from Cow Camp Road to Avenida La Pata, widening of Ortega Highway between Calle Entradero to Reata Road, and extension of the Interstate 5 carpool lane from Avenida Pico to the San Diego County line area. Other future projects will be considered as part of the Orange County Transportation Authority's comprehensive South Orange County Multimodal Transportation Study. A status report and recommended next steps are presented for review and approval.

Recommendations

A. Direct staff to work with the Transportation Corridor Agencies, County of Orange, and all relevant stakeholders in the preparation of a project development plan for a non-tolled extension to Los Patrones Parkway.

B. Direct staff to work with the California Department of Transportation and the City of San Juan Capistrano to advance funding for the final design for the widening of Ortega Highway.

C. Direct staff to work with the California Department of Transportation and the San Diego Association of Governments to advance funding for the environmental process for Interstate 5 high-occupancy vehicle lane improvements.

D. Direct staff to return in summer 2020 with a status report on the South Orange County Multimodal Transportation Study.

Orange County Local Transportation Authority Regular Matters

19. Contract Change Order for Utility Conflicts for the Construction of the OC Streetcar Project
Mary Shavalier/James G. Beil

Overview

On September 24, 2018, the Orange County Transportation Authority Board of Directors approved Agreement No. C-7-1904 with Walsh Construction Company II, LLC, for construction of the OC Streetcar project. A contract change order is required for necessary work to address continuing utility conflicts.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 4.2 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of $2,426,000, for work to address utility conflicts for the construction of the OC Streetcar project.

Discussion Items

20. Orange County Transportation Authority Financial Update
Sean Murdock/Andrew Oftelie

Staff will present an update on the Orange County Transportation Authority's financial picture including current cash balances, reserve levels, and debt programs.

21. Fiscal Year 2020-21 Revised Budget Assumptions
Victor Velasquez/Andrew Oftelie

Staff is in the process of developing the fiscal year 2020-21 annual budget. In doing so, staff will be presenting revised revenue and expenditure assumptions for the committee's consideration.

22. Public Comments

At this time, members of the public may address the Board of Directors regarding any items within the subject matter jurisdiction of the Board of Directors, but no action may be taken on off-agenda items unless authorized by law. Comments shall be limited to three (3) minutes per speaker, unless different time limits are set by the Chairman subject to the approval of the Board of Directors.

23. Chief Executive Officer's Report

24. Directors' Reports

25. Closed Session

There are no Closed Sessions scheduled.

26. Adjournment

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, April 27, 2020**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07-08, Orange, California.

COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Coronavirus (COVID-19) Update

Executive Committee Meeting of April 6, 2020

Present: Chairman Jones, Vice Chairman Do, and Directors Davies, Hennessey, M. Murphy, and Shaw
Absent: None

Committee Vote

Following the discussion, no action was taken on this receive and file information item.

Staff Recommendation

Receive and file as an information item.

April 6, 2020

To: Executive Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject Coronavirus (COVID-19) Update

Overview

The Orange County Transportation Authority has been preparing for and is responding to the public health emergency caused by the coronavirus pandemic and closely monitoring the related transportation implications. Following directions issued by Governor Gavin Newsom and County public health officials, the Orange County Transportation Authority has implemented its Emergency Operations Plan and taken steps to ensure the health and safety of the public and Orange County Transportation Authority employees. An overview and update on these efforts are presented.

Recommendations

Receive and file as an information item.

Background

On February 27, 2020, the Orange County Transportation Authority (OCTA) activated its Emergency Operations Center (EOC) and implemented its Emergency Operations Plan (EOP) in response to potential impacts from the coronavirus (COVID-19), which subsequently was declared a pandemic by the World Health Organization. The pandemic has had an unprecedented global effect. Since the last update to the Board of Directors (Board) on March 23, 2020, OCTA staff has continued to proactively address the immediate needs of the public and agency employees, while developing strategies to address long-term impacts.

Long-standing Board-approved policies, procedures, and agency practices related to finance, administration, operations, planning, and public communications will enable the agency to navigate this crisis based on what is in the best interest of the health and safety of the residents of Orange County and OCTA employees.

OCTA is proactively working with state, federal, regional, and local government agencies, as well as the public, to reduce and manage the impacts of the pandemic on Orange County as further described below.

Discussion

On March 4, 2020, Governor Newsom declared a State of Emergency to help the state prepare for a broader spread of COVID-19. On March 19, 2020, the Governor issued a stay-at-home order to protect the health and well-being of all Californians and slow the spread of COVID-19. Public transportation and infrastructure projects are designated by the state and federal governments as critical infrastructure projects. OCTA has taken steps to continue operations serving the public with essential transit service, capital project implementation, and is playing a vital role with the County of Orange EOC.

OCTA is continuing operations while following best practices and health guidance from local, state, and federal officials to help ensure the health of the public and employees. These practices include remote working for most administrative employees, enhanced cleaning of buses, worksites, and transit facilities, cancelling or suspending employee travel, and hosting Board and committee meetings via teleconference with those who are required to be in attendance practicing social distancing.

As operations continue, OCTA is closely monitoring the financial implications of the pandemic, providing input to state and federal officials as stimulus packages are rolled out at the federal level and being considered at the state level. OCTA's Executive Team is meeting on a daily basis to address immediate impacts and lead planning efforts for mid-range and long-term recovery, and how the pandemic may affect a number of areas including the OCTA budget now in development, Measure M projects and program guidelines, and restoration of bus service. In addition, a cross-divisional COVID-19 Action Task Force is meeting every other day to put response strategies into action and coordinate directly with the County of Orange EOC.

The following are more detailed updates on actions and responses from OCTA's functional business units:

Government Relations

OCTA staff has been working closely with its federal and state delegation members and advocacy organizations, such as the California Transit Association and American Public Transportation Association, to communicate impacts to transportation from the pandemic and inform legislation designed to mitigate the impacts. Congress has passed three pieces of legislation in response to the pandemic. The most important bill for OCTA was the more than $2 trillion Coronavirus Aid, Relief, and Economic Security (CARES) Act.

Signed by the President on March 27, 2020, the CARES Act included $25 billion in emergency transportation funding. Based on initial estimates and staff analysis, Orange County will receive approximately $230 million in transit funding from the CARES Act, with more than $154 million for OCTA bus operations and about $67 million for Metrolink.

The CARES Act requires the funding to be apportioned no later than seven days after its enactment. Funding is to be used for operating expenses to prevent, prepare for, and respond to the pandemic. Specifically, the bill allows for the reimbursement of operating costs due to lost revenue from the pandemic, the purchase of personal protective equipment, and to pay administrative leave to operations personnel due to service reductions. In addition, Amtrak is provided with more than $1 billion to respond to declining ridership as a result of the outbreak. Congress may consider additional legislation to further mitigate the impacts of the pandemic in the coming weeks, including the potential for surface transportation reauthorization legislation to be included as part of these efforts.

At the state level, Governor Newsom has signed 13 executive orders in response to the pandemic, including a statewide stay-at-home order, providing flexibility to Bagley-Keene and the Brown Act to allow for teleconference public meetings, and extending appointment and reappointment deadlines by 60 days. The State Legislature is currently on recess until at least April 13, 2020. Prior to adjourning, the Legislature passed SB 89, which appropriates up to $1 billion to any purpose related to Governor Newsom's State of Emergency Proclamation on March 4, 2020, including increasing medical resources. Discussions continue about the potential for additional state legislative responses and economic stimulus measures. Staff will provide a more detailed update at the Legislative and Communications Committee Meeting on April 16, 2020.

Operations

Beginning March 23, 2020, OCTA temporarily reduced bus service by approximately 60 percent to the Sunday service levels until further notice. This proactive measure was in response to significantly lower ridership, and an effort to help minimize health risks to coach operators and passengers while still providing a critical public service for essential employees and for passengers who have no other means of transportation to grocery stores, medical facilities, and appointments.

Boardings have fallen by more than 70 percent since that time and have leveled out at approximately 33,000 daily boardings. This decline mirrors national trends reported by "big data" firms, such as transitapp.com. The company reported a 68 percent decline in national transit app usage through March 30, 2020, compared to 2019.

Beginning the first week of April, OCTA – like other transit agencies across the nation – temporarily implemented rear-door boarding for passengers in an additional effort to reinforce social distancing and help ensure the health of coach operators and the public. OCTA expects to recover costs associated with the loss in fare revenue because of this measure through disaster-related relief. OCTA continues enhanced nightly bus cleaning with anti-viral disinfectant and enhanced focus on cleaning surfaces that are touched most frequently.

OCTA has made no changes to OC ACCESS paratransit service; however, boardings have declined by nearly 90 percent on the reservation-based service.

Security and Emergency Preparedness

Security and Emergency Preparedness (SEP) continues to coordinate the EOC under OCTA's EOP. OCTA, through SEP, also continues to coordinate daily with local, regional, and state responders, including staffing the Policy Group at the County EOC and assisting in decisions pertaining to transportation. SEP has also been in regular communication with regional transportation agencies to share best practices and discuss resource sharing if the need arises.

SEP is also continuing to support the execution of mission-essential functions as outlined in OCTA's Continuity of Operations Plan and is continuing to refine organizational priorities. In addition, SEP is tracking the agency's financial impacts as they relate to responding to this pandemic and has begun developing an after-action matrix that will help steer updates and improvements to OCTA's emergency plans with lessons learned from this experience.

Finance and Administration

Currently, there is a great deal of uncertainty regarding how severe the fiscal impact will be on OCTA because of the pandemic. In addition to the obvious reduction in fare revenue as a result of fewer boardings, the most profound impact will be seen in lower sales tax collections. Sales tax represents about 50 percent of all revenues received by OCTA each year through two sales tax measures, the locally approved half-cent Measure M sales tax and the statewide quarter-cent Transportation Development Act sales tax, the primary revenue source that funds bus operations in Orange County.

There is no parallel to the current situation as it relates to sales tax projections. To put it in context, during the Great Recession, OCTA experienced a 20 percent decline in sales tax over a three-year period. There are some projections that predict the impact will be like the Great Recession but with the impacts being felt immediately. As a result, OCTA is approaching the fiscal year (FY) 2020-21 budget in an extremely conservative manner.

It should be noted that through Board leadership and prior direction, all of OCTA's programs have strong reserve levels and, as a result, the agency can make decisions based on service levels and project delivery that is best for public health and service demand, and not based on financial necessity.

Prior to the COVID-19 situation, OCTA was planning a budget that maintained its 1.6 million bus revenue vehicle hours, had moderate expansion of the OC Flex program, and continued to accelerate Measure M2 (M2) projects consistent with the Board-approved Next 10 Plan. However, given the sudden, negative economic impacts, OCTA has been forced to rethink its approach to the budget.

For the bus program, OCTA has temporarily reduced revenue hours to Sunday service levels every day. However, while OCTA is assuming a sharp decline in both sales tax collections and fare revenue in next year's budget, OCTA is assuming the same level of bus service as was approved in the current FY. By asking for this level of service, OCTA will be able to quickly respond if the situation changes and there becomes a sudden increase in bus service demand.

Running 1.6 million revenue vehicle hours while experiencing declines in the revenues that traditionally support the bus system is made financially possible by strategically using the funds available to OCTA under the CARES Act. The CARES Act dedicates more than $154 million to OCTA for bus operations, which represents about half of the annual budget, and is designed to provide bridge funding to transit operators so that service levels can be sustained despite lower revenues, per Federal Transit Administration (FTA) guidance.

Even though OCTA has this financial assistance available, OCTA will take a strategic approach to adding back service and will take ridership demand and public health into consideration before making decisions. As a further financial backstop, the OCTA Board recently raised the reserve levels for the bus program from 45 days to 60 days of working capital. OCTA currently has 127 days of reserves on hand for the bus program not including CARES Act funding. The current reserve levels also reflect operating 1.6 million revenue vehicle hours, which has been reduced because of the pandemic, providing additional financial flexibility to make prudent decisions until the current uncertainty dissipates. Staff is reviewing additional budget items as well as eligibility for CARES Act funding and will seek Board direction through the budget process.

For the Measure M program, OCTA had built in an extremely healthy economic uncertainty reserve in the M2 Next 10 Plan cash flow. As a result, all M2 projects that are currently underway are slated to continue as planned in the FY 2020-21 budget. In the long term, OCTA is currently assessing the timing of future projects and will have a better idea on that once the sales tax picture becomes clearer.

COVID-19 has introduced a significant amount of uncertainty into the investment and debt markets. Given this market uncertainty, OCTA has increased its liquidity position and is in frequent contact with its investment managers assessing risk. OCTA's investment portfolio is conservative and well-positioned to withstand the current uncertainty in the market. Additionally, OCTA's strong cash position and coverage ratios are well-positioned to cover future debt-service requirements.

Planning and Programming

Staff is working to identify areas related to the Measure M sales tax ordinance and associated guidelines that may need to be addressed in some way to assist local jurisdictions and ensure the promises to voters are delivered despite this unprecedented situation. In particular, it is expected that local agencies may have challenges with meeting the Measure M Maintenance of Effort (MOE) requirement as a result of the economic impacts of COVID-19. Meeting the MOE requirement is a prerequisite to receiving Measure M funds. Staff is assessing the situation and intends to present options the Board. In the interim, staff intends to move forward with competitive grant opportunities for cities and is working closely with cities and the County of Orange to adjust project schedules as necessary.

Items of note include:

- Staff expects to bring forward funding recommendations such as the Community-Based Transit Circulators Program (Project V) awards with the understanding that delivery may need to be delayed.
- Of the current Project V services, five have been suspended, three projects continue but are providing reduced service levels, and seven summer seasonal services are evaluating their options for this year.
- Staff is surveying local agencies to determine if an extension of the May 7, 2020, application deadline for the Environmental Clean Up Program (Project X) call for projects is warranted.

From a state perspective, the funding programs that are anticipated to be the most impacted by the current loss of revenues are the State Highway Operations and Preservation Program, Local Streets and Roads funding through the Road Maintenance and Rehabilitation Account, and State Transportation Improvement Program (STIP). OCTA currently has $200 million in STIP programmed to seven projects over the next five years, including $80 million for the State Route 55 Improvement Project from Interstate 405 (I-405) to Interstate 5 (I-5).

OCTA is actively participating in statewide discussions with the California State Transportation Agency, the California Transportation Commission, and the California Department of Transportation (Caltrans) on potential COVID-19 impacts to project funding and delivery.

Regarding federal funding, in preparation for the CARES Act funding, FTA held a conference call with stakeholders on March 26, 2020. Both U.S. Secretary of Transportation Elaine Chao and FTA Acting Administrator K. Jane Williams committed to offering flexibility with the way transit agencies can use FTA funds and are committed to getting funds to transit operators as quickly as possible.

The Federal Highway Administration has yet to provide guidance either directly or through Caltrans on potential actions related to COVID-19.

Capital Projects

Construction continues on projects sponsored by OCTA and is in partnership with Caltrans, including the I-405 Improvement Project, OC Streetcar, and I-5 South and I-5 Central projects, because public works transportation projects are deemed essential activities according to both the federal and state government.

The Capital Projects team has worked with OCTA contractors and Caltrans to accelerate construction where possible due to significantly less traffic on freeways and streets. Since the Governor's stay-at-home order, traffic volume on Orange County freeways has dropped as much as 60 percent. This has led to Caltrans allowing daytime freeway lane closures and extended hours of nighttime closures. This effort is helping speed up construction and is expected to have minimal impacts on drivers. Working in daylight hours is safer for construction crews, inspection staff, and drivers. All contractors are required to have safety plans in place, and contractors are expected to follow health orders for social distancing. Only essential workers are on the job, and those who are able are working remotely.

On the I-405 Improvement Project, the team worked with Caltrans to implement daytime lane closures between 6 a.m. and 3 p.m., particularly to speed up work on the Talbert Avenue and Bushard Street bridges. Allowable daytime closures along I-405 now include up to two lanes in each direction. On the I-5 South Project, daytime closures of one or two outside lanes are being allowed between State Route 73 (SR-73) and Oso Parkway. The contractor will take advantage of this to get started on traffic staging, including restriping lanes and setting K-rail barriers during the day.

On the OC Streetcar, work continues to install storm drains and water lines during daytime street closures along Fourth Street in Downtown Santa Ana and many of the businesses are closed under the Governor's executive order. Work also continues along other segments of the 4.1-mile route, including along the former Pacific Electric right-of-way (ROW).

Other potential construction-related COVID-19 risks include material supply chain and subcontractor labor availability impacts. Many material and product suppliers and subcontractors have been impacted, and some have submitted advance notice of "potential" material and supply delays. Contractor and subcontractor labor supply may become impacted as the pandemic advances.

Project delivery-related COVID-19 risks include schedule-critical ROW acquisition processes and consultant staff availability. A clear path to gaining possession of needed ROW is required to move a project into the construction phase. COVID-19 has raised several ROW process risks including court closures, filing, and service delays, potential for temporary construction easement timeline expirations, other litigation challenges, relocation issues, land and business valuation challenges, and appraisal and site inspection issues.

Staff anticipates there will be a short-term increase in the number of construction bidders, as many private and other public works projects are being delayed going to bid. Recent oil price drops will reduce the cost of asphalt and other oil-based construction materials. General material and labor costs will likely be erratic until some stability returns and any demand driven by potential infrastructure stimulus funding is determined. Capital Projects staff continues to monitor the situation to ensure the health and safety of workers while tracking any impacts to project costs and schedules.

Public and Employee Communications

A comprehensive communications effort in English, Spanish, and Vietnamese has been implemented to provide riders and the public with updates on OCTA's response to COVID-19, changes to transit service, and impacts to capital projects. These efforts include e-blasts, riders' alerts, website updates, press releases, and social media posts, as well as signage and recorded announcements on all buses. Examples of these efforts are included in Attachment A.

Additionally, responses have been provided to public comments through OCTA's Customer Information Center (CIC) and social media, as well as to traditional media. As of March 31, 2020, OCTA has received 954 customer comments and inquiries related to COVID-19, including 137 comments made to the CIC, 191 comments on social media, and 626 calls to the CIC seeking information related to COVID-19 or to the service changes. Overall, call volumes decreased by approximately 25 percent to the CIC from the first week of March through the end of the month.

Daily updates from the Chief Executive Officer (CEO) are being sent to employees to provide information related to the agency's actions, along with guidance from county and state healthcare officials. Regular updates are posted to the employee intranet and sent through email and OCTA's mass notification system. More than 300 employees participated in a virtual townhall on March 26 to ask questions and receive updates from the CEO and the Orange County Health Care Agency (HCA).

Human Resources and Organizational Development

Updates to the temporary COVID-19 policy have been made to reflect the Families First Coronavirus Response Act. These updates cover expanded family medical leave and emergency paid sick leave, as well as modifications to other internal OCTA policies affected by the pandemic, including remote work extension, Commuter Club and Vanpool Program, and electronic approval process for specific internal, finance, and administration documents. Remote working has been extended until the end of April.

In the event an OCTA employee reports testing positive for COVID-19, a process has been developed and communicated internally for OCTA to follow, working closely with the HCA.

The COVID-19 Action Task Force has continued to meet every other day to track cross-divisional efforts. Government Relations has been engaged to provide new information supporting the commercial driver's license renewal process for operations and maintenance employees.

Information Systems

The Information Systems (IS) team is providing equipment and ongoing technical support that is enabling approximately 600 employees to continue performing essential duties while practicing social distancing by working remotely from home. IS also played an instrumental role in helping set up and register employees through the OCTA's mass-communications system, which allows OCTA to provide emergency notifications to employees through multiple platforms.

As part of the social distancing effort, IS staff worked to set up the first virtual Board meeting, allowing Board Members and OCTA staff to participate remotely in order to help keep important programs and projects moving forward. The IS team is continuing to work to ensure successful remote committee and Board teleconferences.

91 Express Lanes

Compared to the same time period last year, the 91 Express Lanes facility has been experiencing traffic declines of approximately 70 percent, which is similar to other managed lanes across the nation. Recent average daily traffic volumes in Orange County dropped to approximately 15,000 compared to 50,000 in March 2019. As a result of the lower traffic volumes, calls into the Customer Service Center have decreased by 40 percent since mid-March. Operational activities in the Anaheim and Corona locations continue to function with a combination of remote workers and core staff located at the facilities. In addition, several operational changes have been temporarily made, including pausing outbound collection calls, not sending collection notices, and closing the Customer Walk-In Center in the City of Corona. A detailed discussion on the financial aspects and the next debt service payment for the 91 Express Lanes will be presented at the April 8, 2020, Finance and Administration Committee Meeting.

Metrolink

On March 20, Metrolink rail ridership was down by more than 80 percent compared to the same day last year, with 7,139 riders using the system compared to 37,004 on March 20, 2019. Effective March 26, 2020, Metrolink temporarily reduced service by 30 percent in response to the pandemic, while still providing vital transportation services for essential workers. The service reduction will be in place until further notice.

Metrolink's April 6, 2020, service change has been put on hold until full service is reinstated. This includes an evening round trip on the Orange County Line and a reverse peak round trip on the 91/Perris Valley Line. Metrolink staff is in the process of evaluating cost-saving measures for the immediate and longer-term future, including the FY 2020-21 budget. Impacts to fare revenue are being evaluated as well. Updates on ridership, service reductions, and financial assessments will be provided as they are received. Metrolink leadership has indicated that the agency intends to explore other budget cuts to ensure there is no increase in member agency subsidies for the current FY. OCTA will continue to work closely with Metrolink and monitor agency actions and provide regular updates to the Board.

Summary

The Orange County Transportation Authority is implementing proactive and strategic measures across all operational and administrative areas in an effort to continue essential transportation services and projects while helping to ensure the health of the public and Orange County Transportation Authority employees, supporting the County of Orange in the ongoing emergency response to the coronavirus pandemic, and ensuring that short- and long-term agency programs can be successfully delivered.

Attachment

A. Coronavirus (COVID-19) Customer Communications

Prepared by:

Joel Zlotnik
Communications Manager
(714) 560-5713

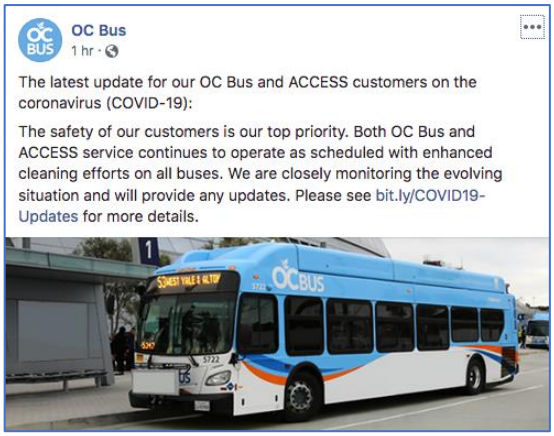
ATTACHMENT A

Coronavirus (COVID-19) Customer Communications

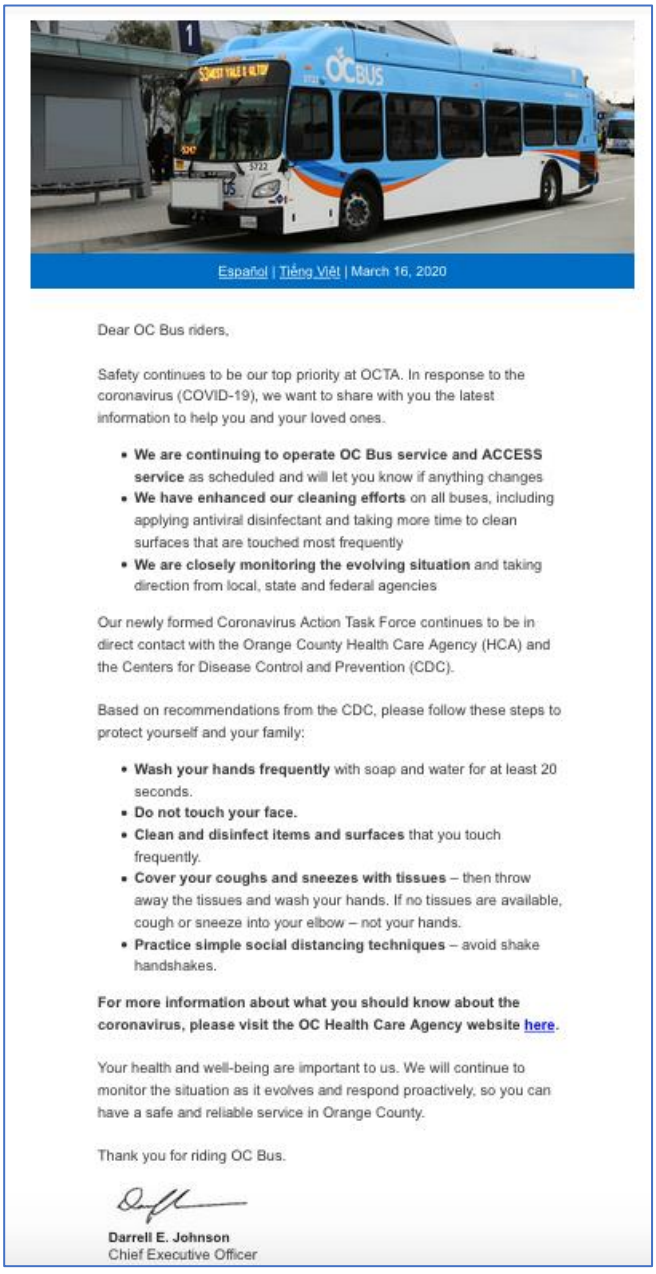
Safety is Our Priority – March 9-15, 2020

- Web alerts and COVID-19 landing page
- 2 Trilingual email blast to OC Bus customers
- COVID-19 safety video posted on website and social media
- On The Move CEO Blog to employees and stakeholders
- Trilingual social media posts on Facebook and Twitter
- Trilingual bus interior cards
- Customer Information Call Center message points
- OCTA phone on-hold message
- Custom alert added to the Transit App









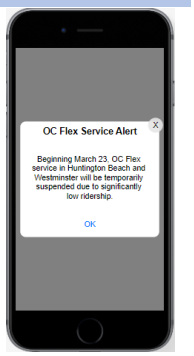
Sunday Service Schedule – March 23, 2020

- Web alerts, updated eBusbook and schedules and COVID-19 landing page
- Daily and weekly riders alert online and onboard buses
- Trilingual email blast to OC Bus customers
- Trilingual social media posts on Facebook and Twitter
- Trilingual recorded announcement on all buses
- Message on bus headsign
- Customer Information Call Center message points
- Service updates to Transit Apps



OC Flex Blue Zone Suspension – March 23, 2020

- Website update
- Email Blast to blue zone customers
- OC Flex mobile app push notification



iShuttle Service Suspension – March 25, 2020

- Website and eBusbook updates
- Email blast to Metrolink customers
- Riders' Alert seatdrop on all iShuttle buses
- Social media posts on Facebook and Twitter
- Metrolink Signage posted at Tustin and Irvine stations
- Customer Information Call Center message points



OCTA Store Hours Modified – March 30, 2020

- Website updates
- Email blast to OC Bus and 91 Express Lanes customers
- Social media posts on Facebook and Twitter
- Signage posted in front of OCTA Store
- Customer Information Call Center message points



Minutes of the
Orange County Transportation Authority
Orange County Transit District
Orange County Local Transportation Authority
Orange County Service Authority for Freeway Emergencies
Board of Directors Meeting

Call to Order

The March 23, 2020 regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Jones at 9:01 a.m. at the OCTA Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

Roll Call

Directors Present: Steve Jones, Chairman

Board of Directors that participated via teleconference are as follows:

Andrew Do, Vice Chairman
Lisa A. Bartlett
Doug Chaffee
Laurie Davies
Barbara Delgleize
Michael Hennessey
Gene Hernandez
Joseph Muller
Mark A. Murphy
Richard Murphy
Miguel Pulido
Tim Shaw
Harry S. Sidhu
Michelle Steel
Donald P. Wagner
Gregory T. Winterbottom
Ryan Chamberlain, District Director
California Department of Transportation District 12

Director Absent: None

Also Present: Darrell E. Johnson, Chief Executive Officer (CEO)
Jennifer L. Bergener, Deputy CEO/Chief Operation Officer
Laurena Weinert, Clerk of the Board
Martha Ochoa, Assistant Clerk of the Board
James Donich, General Counsel
Members of the Press and the General Public

Invocation

Director Sidhu gave the invocation.

Pledge of Allegiance

Chairman Jones led in the Pledge of Allegiance.

Chairman Jones announced today's Board of Directors (Board) meeting protocol, the Board will participate via teleconferencing, and all votes would be taken by roll call.

Special Calendar

There were no Special Calendar Matters.

Consent Calendar (Items 1 through 13)

Orange County Transportation Authority Consent Calendar Matters

2. Approval of Minutes

A motion was made by Director Hennessey, seconded by Director Davies, and following a roll call vote, declared passed 15-0, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of March 9, 2020.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

2. Performance Audit of the Orange County Transportation Authority's Patch Management Program

A motion was made by Director Hennessey, seconded by Director Davies, and following a roll call vote, declared passed 15-0, to direct staff to implement five recommendations provided in the performance audit of the Orange County Transportation Authority's Patch Management Program.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

3. Low Carbon Transit Operations Program Recommendations for Fiscal Year 2019-20 Funds

A motion was made by Director Hennessey, seconded by Director Davies, and following a roll call vote, declared passed 15-0, to:

A. Approve Resolution No. 2020-002 authorizing the use of $7,130,042 in fiscal year 2019-20 Low Carbon Transit Operations Program funding, and the use of $7,111,592 in fiscal year 2018-19 funds for bus and commuter rail projects.

B. Approve the use of $812,976, currently programmed to Bravo! Main Street Operations for the Bravo! 529 Rapid Bus Service Start-Up and Operations Project.

C. Approve the use of all unprogrammed Low Carbon Transit Operations Program interest from prior years through fiscal year 2019-20 for the Bravo! 529 Rapid Bus Service Start-up and Operations 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.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

Orange County Transit District Consent Calendar Matters

4. Agreement for Asphalt Pavement Replacement at the Fullerton Park and Ride

A motion was made by Director Hennessey, seconded by Director Davies, and following a roll call vote, declared passed 15-0, to:

A. Find PaveWest, Inc., the apparent low bidder, as non-responsive for failure to meet the federal requirement for Disadvantaged Business Enterprise participation.

B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1796 between the Orange County Transportation Authority and Onyx Paving Company, Inc., the lowest responsive, responsible bidder, in the amount of $210,000, for asphalt pavement replacement at the Fullerton Park and Ride.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

5. Selection of Consultants for On-Call Architectural and Engineering Design and Construction Support Services for Transit Facility Projects

A motion was made by Director Hennessey, seconded by Director Davies, and following a roll call vote, declared passed 15-0, to:

A. Approve the selection of Stantec Architecture, Inc., Gannett Fleming, Inc., IBI Group, Dahl, Taylor and Associates, Inc., and IDS Group, Inc., as the firms to provide on-call architectural and engineering design and construction support services for transit facility projects.

B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1599 between the Orange County Transportation Authority and Stantec Architecture, Inc., to provide on-call architectural and engineering services for three years and one, two-year option term.

C. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2111 between the Orange County Transportation Authority and Gannett Fleming, Inc., to provide on-call architectural and engineering services for three years and one, two-year option term.

D. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2112 between the Orange County Transportation Authority and IBI Group, to provide on-call architectural and engineering services for three years and one, two-year option term.

E. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2113 between the Orange County Transportation Authority and Dahl, Taylor and Associates, Inc., to provide on-call architectural and engineering services for three years and one, two-year option term.

F. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2114 between the Orange County Transportation Authority and IDS Group, Inc., to provide on-call architectural and engineering services for three years and one, two-year option term.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

6. Agreement for Installation of Monitoring Wells at Garden Grove Bus Base

A motion was made by Director Hennessey, seconded by Director Davies, and following a roll call vote, declared passed 15-0, to authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1595 between the Orange County Transportation Authority and Core Probe International, Inc., the lowest responsive, responsible bidder, in the amount of $91,000, for the installation of monitoring wells at the Garden Grove Bus Base.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

7. Agreement for Replacement of Heating, Ventilation, and Air Conditioning Units at the Garden Grove Bus Base Maintenance Building

A motion was made by Director Hennessey, seconded by Director Davies, an following a roll call vote, declared passed 15-0, to:

A. Find GM Climate Control, Inc., the apparent low bidder, as non-responsive for failure to meet the federal requirement for Disadvantaged Business Enterprise participation.

B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1696 between the Orange County Transportation Authority and Golden Gate Steel, Inc., doing business as Golden Gate Construction, the lowest responsive, responsible bidder, in the amount of $254,250, for the replacement of heating, ventilation, and air conditioning units at the Garden Grove Bus Base maintenance building.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

8. Local Transportation Fund Claims for Fiscal Year 2020-21

A motion was made by Director Hennessey, seconded by Director Davies, and, following a roll call vote, declared passed 15-0, to adopt Orange County Transit District Resolution No. 2020-009 authorizing the filing of Local Transportation Fund claims in the amounts of $165,118,625 to support public transportation and $8,753,906 for community transit services.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

9. Bus Operations Performance Measurements Report for the Second Quarter of Fiscal Year 2019-20

A motion was made by Director Hennessey, seconded by Director Davies, and, following a roll call vote, declared passed 15-0, to receive and file as an information item.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

10. Amendment to Agreement for Bus Cleaning and Environmental Control Services

A motion was made by Director Hennessey, seconded by Director Davies, and, following a roll call vote, declared passed 15-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Agreement No. C-5-3680, between the Orange County Transportation Authority and Gamboa Services, Inc., doing business as Corporate Image Maintenance, in the amount of $359,058, to exercise the second option term of the agreement from May 1, 2020 through April 30, 2021, for continued bus cleaning and pesticide application services. This will increase the maximum obligation of the agreement to a total contract value of $1,426,318.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

Orange County Local Transportation Authority Consent Calendar Matters

11. Orange County Local Transportation Authority Measure M2 Maintenance of Effort, Agreed-Upon Procedures Report, City of Santa Ana, Year Ended June 30, 2019

A motion was made by Director Hennessey, seconded by Director Davies, and, following a roll call vote, declared passed 15-0, to direct staff to develop recommendation(s) for Board of Directors' action related to the status of the City of Santa Ana's Measure M2 eligibility.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

12. Orange County Local Transportation Authority Measure M2 Maintenance of Effort, Agreed-Upon Procedures Report, City of Stanton, Year Ended June 30, 2019

A motion was made by Director Hennessey, seconded by Director Davies, and, following a roll call vote, declared passed 15-0, to direct staff to develop recommendation(s) for Board of Directors' action related to the status of the City of Stanton's Measure M2 eligibility.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

13. Approval to Release Request for Proposals for On-Call Commercial Real Estate Brokerage Services

A motion was made by Director Hennessey, seconded by Director Davies, and, following a roll call vote, declared passed 15-0, to:

A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2160 for selection of consultant services for on-call commercial real estate brokerage services.

B. Approve the release of Request for Proposals 0-2160 for on-call commercial real estate brokerage services.

Vice Chairman Do and Director Winterbottom were not present to vote on this item.

Regular Calendar

Orange County Transit District Regular Calendar Matter

14. Approval to Release Request for Proposals for the Procurement of 40-Foot Compressed Natural Gas-Powered Buses

Cliff Thorne, Director of Maintenance and Motorist Services, provided a PowerPoint presentation for this item as follows:

- 40-Foot Compressed Natural Gas (CNG) Bus Fleet;
- Replacement Plan;
- New Bus Specifications;
- Recommendations; and
- Next Steps.

A discussion ensued regarding the following:

- The outlined schedule is based on a typical course of business, and as appropriate, can be adjusted.
- OCTA is monitoring the current state of the economy for bus pricing.
- On May 12, 2020, the bids are due, and the pricing and proposals would also be accessed.
- There are federal funding deadlines associated with two-thirds of the bus purchases, and this item considers those deadlines.
- The California Innovative Clean Transit Rule requirements were highlighted.
- CNG buses do not qualify under the zero-emission requirements.
- Coming forward to the Board, the release request for proposals for 10 battery electric plug-in buses.

14. (Continued)

- Prior to 2023, both the hydrogen fuel cell electric and battery electric buses will be tested to determine OCTA's preferred zero-emission buses.
- The Federal Transit Administration's minimum rule for a 40-foot bus useful lifespan is 12 years.
- This item allows OCTA to replace buses with a current life span of 12-14 years and operate this item's CNG buses from 2021 to early 2030s.
- By 2040, every OCTA bus is required to be zero-emission.
- The buses would be replaced on a systematic timeline.

A motion was made by Director Pulido, seconded by Director Delgleize, and, following a roll call vote, declared passed 17-0, to:

A. Approve the proposed evaluation criteria and weightings for Request for Proposals 9-1836 for the procurement of up to 299, 40-foot compressed natural gas-powered buses.

B. Approve the release of Request for Proposals 9-1836 for the procurement of up to 299, 40-foot compressed natural gas-powered buses.

Orange County Local Transportation Authority Regular Calendar Matters

15. OC Streetcar Project Quarterly Update

Jim Beil, Executive Director of Capital Programs, Cleve Cleveland, Manager of OC Streetcar Operations, and Tresa Oliveri, Community Relations Officer, co-presented a PowerPoint presentation as follows:

- Background;
- OC Streetcar Features;
- Construction – Segment 1;
- Santa Ana River Bridge;
- Westminster Avenue Bridge;
- Maintenance and Storage Facility;
- Construction – Segments 2 through 5;
- Third-Party Utility Relocations;
- Vehicles;

15. (Continued)

- Vehicle Interior;
- Other Key Project Updates;
- OC Streetcar Outreach – Support;
- OC Streetcar Outreach – Construction; and
- OC Streetcar Awareness Campaign.

A discussion ensued regarding the following:

- Due to the coronavirus (COVID-19) pandemic, OCTA is curtailing the vendor outreach efforts.
- Pending the weather, Walsh Construction Company II, LLC (Walsh), is continuing construction.
- Director Pulido suggested going forward with downtown 4th Street "heavy" construction.
- Staff highlighted Walsh's construction phasing, and OCTA is working with Walsh to accelerate construction as possible.
- Siemen will continue with the engineering component of the vehicles; however, their production work is shutdown.
- Director Wagner asked that the entire downtown business associations vendor outreach efforts return to the Board for discussion, and staff responded that Director Wagner's request would come forward to the Board.
- Director Muller inquired about the status of his requests when the downtown business associations agreements were recently approved by the Board. He requested a list of downtown events planned by the City of Santa Ana (Santa Ana), and Santa Ana's contributions to offset the downtown loss of business due to construction.
- Clarification was provided by staff as to Director Muller's requests were addressed.
- Ms. Oliveri highlighted what the downtown business associations agreements accounting of expenditures against funding included.
- Director Pulido clarified that Santa Ana contributes $400,000 per year, and due to the COVID-19 pandemic, some of the money is being used for steam cleaning.

No action was taken on this receive and file information item.

16. Coronavirus Update

Darrell E. Johnson, CEO, provided an update on OCTA's efforts to proactively respond to COVID-19 pandemic.

Director Steel provided comments about OCTA needing to provide resources, and asked, for the next Board meeting, to provide additional details on how OCTA is assisting the Orange County communities.

Mr. Johnson stated that more details will be provided to the Board. He noted that under the County of Orange's (County) emergency operations plan, any resource requests are to go through the Emergency Operations Center (EOC) and OCTA serves on the EOC. He encouraged city and County representatives to coordinate requests through the EOC.

Director R. Murphy asked when will OCTA obtain the Measure M2 sales tax revenue updates. Andy Oftelie, Chief Financial Officer, explained when OCTA receives the updates, and current information is not positive.

Director Shaw expressed appreciation for the construction activities update. Additionally, he asked if OCTA's (public) committee meetings will proceed through teleconferencing and did OCTA provide the cities and County the temporary OC Bus schedules.

Mr. Johnson stated that the next public meetings are the April 6th Executive and Regional Planning and Highways Committee meetings to be held in a teleconference format. Additionally, he stated there has been communications to the local cities about the temporary OC Bus schedules, and the outreach efforts will continue.

Director Pulido concurred with Director Steel's comments to work together for providing resources. Director Pulido stated that he is working in conjunction with Director Sidhu, other large city mayors, and the Governor about the COVID-19 pandemic. He expressed having the coach operators COVID-19 tested as soon as possible, and suggested, if staff deems beneficial, the Board meet to share COVID-19 best practices.

Director Sidhu supports Director Pulido's comments, and stated that the top 13 California mayors will collectively discuss the COVID-19 pandemic and how to partner resources.

Mr. Johnson clarified that last Friday, OCTA transmitted to the city managers the temporary OC Bus schedule changes. Additionally, he reiterated that OCTA has a seat at the EOC and asked all transportation resources requests, due to COVID-19, be coordinated through the EOC. Lastly, he stated that OCTA, in consultation with Chairman Jones and General Counsel, can scheduled a Special Board meeting, if needed.

16. (Continued)

Director Pulido commented that Santa Ana will receive $5 million for passing an audit regarding Santa Ana's Bristol Street issues from a year ago, and thanked OCTA for the work well-done.

17. Public Comments

Public comments were received by email from the Clerk of the Board Department, and the Clerk of the Board read into the record the following:

1. Mitchell Atchley provided comments about supporting OCTA's coach operators especially the contracted First Transit drivers, as well as other related First Transit concerns.

2. Stephanie Johnson provided questions about the safety of the coach operators and asked the Board's consideration for some of the changes being done across the United States.

18. Chief Executive Officer's Report

Darrell E. Johnson, CEO, reported the following:

- Due to the COVID-19 crisis, numerous OCTA meetings and events have been either canceled or postponed.
- OCTA supports all cities and all entities as it relates to the EOC and OCTA's participation with the EOC.
- The next scheduled public meetings are the April 6th Executive and Regional Planning and Highways Committee meetings that are anticipated to be teleconferenced.

19. Directors' Reports

Director Bartlett referenced today's agenda Consent items and expressed concerns that several firms were found non-responsive for failure to meet the federal requirement for Disadvantaged Business Enterprise (DBE) participation.

James Donich, General Counsel, referenced today's agenda Consent Items 4 and 7, explained why the firms were found non-responsive for the DBE requirements, and highlighted OCTA's DBE process.

Director Winterbottom stated that this is his first day back from being away after four months, appreciated that the CNG bus purchases are moving forward, and complimented the Maintenance Department for extending the life span of the buses.

20. Closed Session

There were no Closed Session items scheduled.

21. Adjournment

The meeting adjourned at 10:15 a.m.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, April 13, 2020**, at the OCTA Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

ATTEST:

_____
Laurena Weinert
Clerk of the Board

_____
Steve Jones
Chairman

COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Investments: Compliance, Controls, and Reporting, July 1 through December 31, 2019

Finance and Administration Committee Meeting of April 8, 2020

Present: Directors Do, Hennessey, Hernandez, Jones, Muller, R. Murphy, and Steel
Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 5-0 by the Members present.

Directors R. Murphy and Jones were not present to vote on this item.

Committee Recommendation

Receive and file Investments: Compliance, Controls, and Reporting, July 1 through December 31, 2019, Internal Audit Report No. 20 509, as an information item.

April 8, 2020

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Janet Sutter, Executive Director
Internal Audit

Subject: Investments: Compliance, Controls, and Reporting, July 1 through December 31, 2019

Overview

The Internal Audit Department has completed an audit of investments for the period July 1 through December 31, 2019. Based on the audit, the Orange County Transportation Authority complied with its debt, investment, and reporting policies and procedures.

Recommendation

Receive and file Investments: Compliance, Controls, and Reporting, July 1 through December 31, 2019, Internal Audit Report No. 20-509, as an information item.

Background

The Treasury Department (Treasury) is responsible for the management of the Orange County Transportation Authority's (OCTA's) Investment Portfolio (Portfolio). On December 31, 2019, the Portfolio's book value was approximately $2.1 billion. The Portfolio consists of three managed portfolios: the liquid portfolio for immediate cash needs, a bond proceeds portfolio to meet Measure M2 transportation program needs, and the short-term portfolio for future budgeted expenditures. External investment managers administer the short-term portfolio, and OCTA's Treasurer manages the liquid assets portfolio. OCTA also has investments in debt service reserve funds for various outstanding debt obligations.

The Investment Policy (Policy) sets forth guidelines for all OCTA investments to ensure conformance with the California Government Code. The Policy outlines permitted investments, as well as diversification guidelines. The diversification limits ensure the Portfolio is not unduly concentrated in securities

of one type, industry, or entity, thereby assuring adequate portfolio liquidity should one sector or company experience difficulties.

Discussion

OCTA's investment activities are reviewed on a semi-annual basis by the Internal Audit Department. The objective of the audit was to determine if OCTA complied with its debt, investment, and reporting policies and procedures for the period July 1 through December 31, 2019.

Summary

Based on the audit, OCTA complied with its debt, investment, and reporting policies and procedures.

Attachment

A. Investments: Compliance, Controls, and Reporting, July 1 through December 31, 2019, Internal Audit Report No. 20-509

Prepared by:

Gabriel Tang
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ORANGE COUNTY TRANSPORTATION AUTHORITY
INTERNAL AUDIT DEPARTMENT

Investments: Compliance, Controls, and Reporting
July 1 through December 31, 2019

Internal Audit Report No. 20-509
March 24, 2020



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ORANGE COUNTY TRANSPORTATION AUTHORITY
INTERNAL AUDIT DEPARTMENT
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ORANGE COUNTY TRANSPORTATION AUTHORITY
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Conclusion

The Internal Audit Department (Internal Audit) has completed an audit of investments for the period July 1 through December 31, 2019. Based on the audit, the Orange County Transportation Authority (OCTA) complied with its debt, investment, and reporting policies and procedures.

Background

Portfolio Management

The Treasury Department (Treasury) is responsible for the management of OCTA's Investment Portfolio (Portfolio). To accomplish this, Treasury uses the Clearwater treasury software system to monitor investments and investment manager performance.

On December 31, 2019, the Portfolio's book value was approximately $2.1 billion. The Portfolio consists of three managed portfolios: the liquid portfolio for immediate cash needs, a bond proceeds portfolio to meet Measure M2 transportation program needs, and the short-term portfolio for future budgeted expenditures. External investment managers administer the short-term portfolio, and OCTA's Treasurer manages the liquid assets portfolio. OCTA also has investments in debt service reserve funds for various outstanding debt obligations. OCTA's Accounting Department (Accounting) is responsible for recording all debt and investment transactions, and for reconciling all bank and custodial accounts monthly.

Investment Policy

The Investment Policy (Policy) sets forth guidelines for all OCTA investments to ensure conformance with the California Government Code (CGC). The Policy outlines permitted investments as well as diversification guidelines. The diversification limits ensure the portfolio is not unduly concentrated in securities of one type, industry, or entity, thereby assuring adequate portfolio liquidity should one sector or company experience difficulties.

OCTA has provided the investment managers with a copy of the Policy and requires investment managers to invest their portfolios in accordance with the provisions of the Policy.

Objectives, Scope, and Methodology

The primary objective was to determine if OCTA complied with its debt, investment, and reporting policies and procedures.

Audit objectives included determining if:

- Internal controls over OCTA's investment activities were adequately designed;
- OCTA was in compliance with the Policy and CGC;
- Investment transactions were adequately supported; and
- OCTA was in compliance with investment requirements of debt issuances.

According to Generally Accepted Government Auditing Standards (GAGAS), 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 integrity and ethical values.
  - Management establishes, with Board of Director (Board) oversight, structures, reporting lines, and appropriate authorities and responsibilities in the pursuit of objectives.
  - OCTA demonstrates a commitment to attract, develop, and retain competent individuals in alignment with objectives.
- Risk Assessment
  - OCTA specifies objectives with sufficient clarity to enable the identification and assessment of risks relating to objectives.
  - OCTA identifies and assesses changes that could significantly impact the system of internal control.
- Control Activities
  - OCTA selects and develops control activities that contribute to the mitigation of risks to the achievement of objectives to acceptable levels.
  - OCTA selects and develops general control activities over technology to support the achievement of objectives.
- Information and Communication
  - OCTA obtains, or generates and uses relevant, quality information to support the functioning of other components of internal control.

[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.

- 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 scope included investment transactions and investment-related controls for the period July 1 through December 31, 2019.

The methodology consisted of obtaining the most current Policy and Debt and Investment Management Manual, reviewing any personnel changes and corresponding updates to bank authorization signature cards, reviewing a judgmental sample of daily cash worksheets prepared by Accounting and Treasury staff, testing a judgmental sample of investments for compliance with the Policy, tracing a haphazard sample of investments from the bank statements to Clearwater, testing a judgmental sample of wire transfers for accuracy and proper authorization, and verifying the accuracy of the quarterly investment and debts reports provided to OCTA's Board. For daily cash report testing, repo-sweep testing, and wire transfer testing, Internal Audit judgmentally selected one transaction per month during the scope period. For Treasury software and computer data testing, Internal Audit haphazardly selected five securities per investment manager per quarter, resulting in a sample of 40 securities, and traced the securities from the statements to the Clearwater Daily Holding Reports. For quarterly report transaction testing, Internal Audit judgmentally selected 40 investments per quarter for coverage over different types of securities. Since the samples are non-statistical, any conclusions are limited to the sample items tested. The methodology also included Treasury's monitoring of the investment managers' compliance with the Policy, including obtaining acknowledgement of receipt of OCTA's Policy, and obtaining written descriptions of the compliance and control environment of the custodian.

We conducted this performance audit in accordance with GAGAS. 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.

COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: 91 Express Lanes Update and Temporary Measures

Finance and Administration Committee Meeting of April 8, 2020

Present: Directors Do, Hennessey, Hernandez, Jones, Muller, R. Murphy, and Steel
Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Director Steel was not present to vote on this item.

Committee Recommendations

A. Authorize the Chief Executive Officer to temporarily waive for a period of up to 90 days, 91 Express Lanes monthly account fees, contingent upon a similar approval from the Riverside County Transportation Commission.

B. Authorize the Chief Executive Officer to temporarily modify for a period of up to 90 days the 91 Express Lanes Toll Policy to allow for the ability to remove automatic toll rates increases, if necessary.

OCTA

April 8, 2020

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: 91 Express Lanes Update and Temporary Measures

Overview

Traffic volumes on the 91 Express Lanes have declined significantly over the past several weeks as a result of the coronavirus pandemic and California Governor Gavin Newsom's stay-at-home order. This report provides the latest information on traffic volumes and operations.

Recommendations

A. Authorize the Chief Executive Officer to temporarily waive for a period of up to 90 days, 91 Express Lanes monthly account fees, contingent upon a similar approval from the Riverside County Transportation Commission.

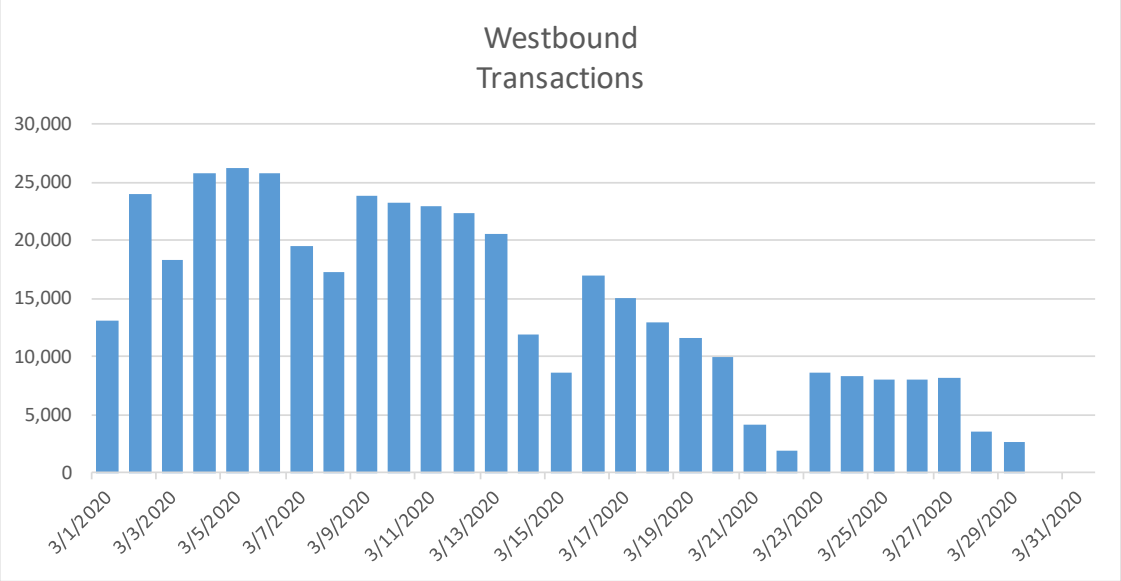
B. Authorize the Chief Executive Officer to temporarily modify for a period of up to 90 days the 91 Express Lanes Toll Policy to allow for the ability to remove automatic toll rates increases, if necessary.

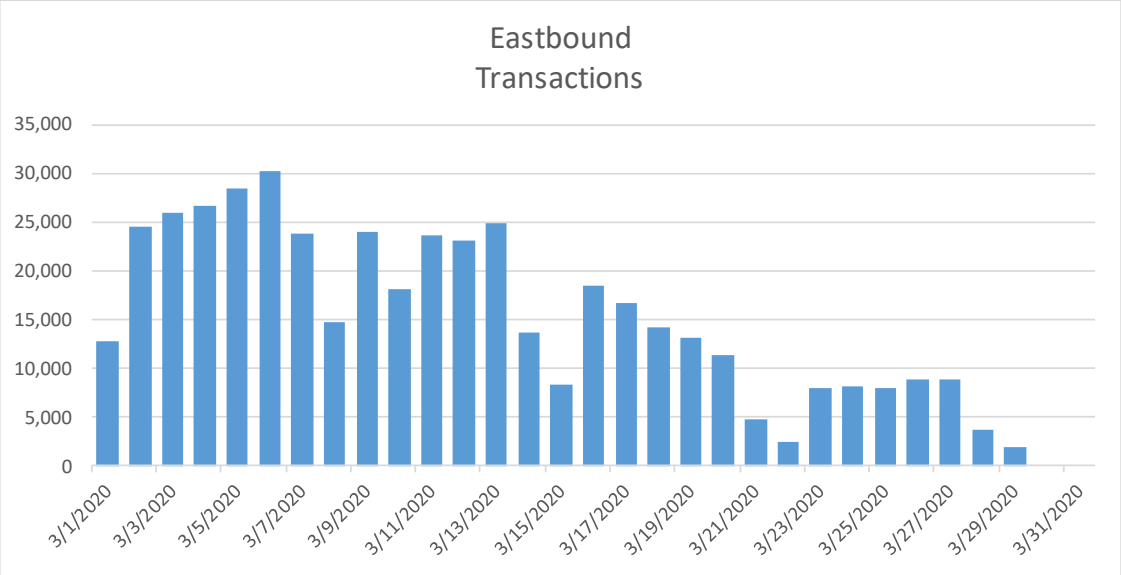
Discussion

The coronavirus (COVID-19) pandemic represents a significant challenge to both the global economy and to toll road facilities. State and local governments across the United States have issued orders for residents to self-quarantine and refrain from non-essential travel in an effort to slow the spread of the virus. These efforts have caused the economy to slow and have resulted in severe traffic declines well in excess of peak losses during the global financial crisis in 2008. Managed-lane facilities throughout the country have experienced year-over-year commuter traffic declines of about 60 to 70 percent. The 91 Express Lanes are no different, experiencing traffic declines of approximately 70 percent when compared to the same period last year.

The following graphs highlight the number of average daily trips (first chart is for the westbound direction and the second is for the eastbound direction) on the

91 Express Lanes in Orange County during the month of March 2020. The graphs illustrate the gradual decline of traffic during the month.





The table below compares traffic volumes in Orange County by day during the week of March 22 through March 28, 2020, with average daily traffic volumes from March 2019. During March 2019, traffic volumes averaged approximately 50,000 per day. For the week provided in March 2020, traffic volumes averaged approximately 15,000, which represents about a 70 percent decline from last year's average figures.

	March 2019 Average Daily Traffic	Week of March 22 - 28, 2020 Average Daily Traffic	Percent Decline
Sunday	35,214	4,376	87.6%
Monday	50,296	16,510	67.2%
Tuesday	52,390	16,542	68.4%
Wednesday	51,851	16,059	69.0%
Thursday	54,940	16,854	69.3%
Friday	58,142	17,016	70.7%
Saturday	46,914	7,217	84.6%

As a result of the lower traffic volumes, toll revenues have also declined by approximately 60 percent in Orange County, and calls into the customer service center have decreased by 40 percent since mid-March 2020. Operational activities in the Anaheim and Corona locations continue to function with a combination of remote workers and core staff located at the facilities. Core essential functions include aiding stranded motorists through customer assistance patrols (similar to freeway service patrol), providing incident management services and dispatching emergency vehicles through the traffic operations center, and responding to customer service and violation calls at the customer service center.

Actions to Date

With less traffic on the 91 Express Lanes, some violation and collection efforts have been temporarily halted by the Orange County Transportation Authority (OCTA) and the Riverside County Transportation Commission (RCTC). These include pausing outbound collection calls, not sending collection notices, and stopping the transmission of violation files to the collection agency. These violations will remain outstanding until the temporary mandates have been lifted. The temporary maximum of new violations will be at $55 per violation versus the current amount of $190. Violation files will remain at Cofiroute (provider of operating services to OCTA and RCTC) and not be transferred to the collection agency until further notification by OCTA and RCTC. Representatives at Cofiroute and the collection agency will still be servicing calls for those individuals that want to pay for the violations. This temporary pause for these measures was implemented with the understanding that many individuals may find it difficult to pay for violations at this time.

Additional Authorizations Requested

In July 2018, the Board of Directors (Board) adopted changes to the 91 Express Lanes account plans and policies as a result of the mandated changes to 6C (sticker transponder) technology by January 2019. The new plans

incorporated lower monthly account maintenance fees since the cost to procure the sticker transponders were significantly lower than the prior Title 21 transponders. In late 2019, the transition to new transponders and the conversion to the new account plans began. The transition and account conversions are anticipated to continue until fall 2020.

Many accounts that incur monthly fees have not been converted as of the end of March 2020. As such, they are being charged a monthly account maintenance fee since they are not using the 91 Express Lanes during this mandated stay-at-home period. Given this situation, staff is recommending that OCTA's Chief Executive Officer (CEO) have the authorization to temporarily waive these account maintenance fees for a period of up to 90 days. This requires OCTA Board approval, as well as approval from the RCTC Board since this is a revenue stream that is shared between each agency. RCTC's Board will be considering the matter at its April 8, 2020 Commission meeting. The anticipated revenue loss for OCTA is projected at approximately $200,000 per month. If the stay-at-home mandate is lifted and traffic volumes return to a normal state, the monthly account maintenance fees will be reinstated by the CEO.

In addition to the waiver of account maintenance fees, staff is also recommending the authorization for OCTA's CEO to temporarily modify the 91 Express Lanes Toll Policy (Policy) with respect to toll adjustments, specifically toll rate increases. The Policy adjusts toll rates up or down based upon traffic volumes recorded on the 91 Express Lanes each quarter. Given that traffic volumes have decreased, it is not anticipated that toll increases will be triggered over the next quarterly period. However, the Policy also includes a cost-of-living adjustment (COLA) for July 1 of each year. An automatic two percent increase will be applied to hours that have not had any toll rate changes during the past fiscal year. Staff is seeking the ability to forgo this COLA adjustment on July 1, 2020, if the current economic conditions persist through the end of the fiscal year. Not implementing the July 1 COLA is estimated to cost $350,000. This is a conservative estimate and is based upon previous traffic levels. Since traffic volumes are considerably less in the current environment, the revenue loss would likely be less. The CEO would notify the Board if the COLA is not implemented ten days prior to July 1.

Debt Service Payments and Reserves

The 91 Express Lanes currently has $91.7 million in outstanding debt and the debt matures in 2030. Interest payments are due to investors every February 15 and August 15, and principal payments are made every August 15. The next debt service payment will occur on August 15, 2020, in the amount of $8.7 million.

OCTA is allowed to transfer excess toll revenues from the indenture-required operating account into non-restricted reserves twice a year. Most recently on February 16, 2020, OCTA transferred funds toward non-restricted project reserves. The balance in the indenture-required operating account totals $10.6 million as of February 29, 2020. This balance increases and decreases each month based upon total revenues being deposited and operating expenses being paid. In the past, the net positive cash flow (revenues over expenses) has totaled approximately $3.5 million per month. Given the lower traffic and volumes and revenues, the indenture-required operating account is anticipated to grow at a much slower rate over the next several months.

OCTA has three indenture required reserve funds that are fully funded and total approximately $25 million. Over the past several years, OCTA has transferred excess toll revenues into a few non-restricted reserves. There are three non-restricted reserves: a capital reserve ($24.9 million), a project reserve for Measure M2 Project I and J ($57.2 million), and an excess revenue reserve ($97.7 million). After deducting the amounts earmarked for projects, the excess revenue reserve has approximately $82 million available to fund future operating and debt service payments for the 91 Express Lanes. If traffic volumes continue to decline further or if the stay-at-home mandate remains in place for a longer time period, OCTA has the financial capability to fund operating and debt service payments for a sustained period of time

Next Steps

If approved by the OCTA and RCTC Boards, the account maintenance fees will be waived commencing April 1, 2020. If the current conditions persist beyond 90 days, staff will return to the Board in late June 2020 with an update and potentially request an extension of this temporary measure.

The next debt service payment is scheduled for August 15, 2020. There are enough funds on hand to make the payment.

OCTA will continue to hold conference calls with the rating agencies regarding the operational status of the 91 Express Lanes. These calls provide OCTA with the opportunity to update interested parties on the most recent traffic volumes, revenues, and operating activities.

Summary

A status on 91 Express Lanes finances and operations is provided for review. In addition, staff is requesting Board of Directors' approval for authorization for the Chief Executive Officer to implement temporary measures related to the ongoing operations of the 91 Express Lanes.

Attachment

None.

Prepared by:



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COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Signatory to the Orange County Operational Area Agreement

Executive Committee Meeting of April 6, 2020

Present: Chairman Jones, Vice Chairman Do, and Directors Davies, Hennessey, M. Murphy, and Shaw
Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute the signatory agreement allowing Orange County Transportation Authority to participate in the Orange County Operational Area Agreement.

OCTA

April 6, 2020

To: Executive Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Signatory to the Orange County Operational Area Agreement

Overview

The Orange County Operational Area Agreement, initially approved in 1995 in response to the requirements by the State of California's Standardized Emergency Management System, provides a framework for Orange County jurisdictions to coordinate emergency management activities before, during and after a disaster. The Orange County Transportation Authority became a signatory to this agreement in 1996. Since that time, best practices and processes have changed, and the original agreement has been updated and is presented for Board of Directors' consideration.

Recommendation

Authorize the Chief Executive Officer to execute the signatory agreement allowing Orange County Transportation Authority to participate in the Orange County Operational Area Agreement.

Background

Under the State of California's Standardized Emergency Management System (SEMS), each county was required to establish an Operational Area (OA) and designate a lead agency for the OA. The Orange County OA Agreement, executed in 1995 fulfilled the County of Orange's obligation as the designated lead agency for the OA for emergency response within the county. The agreement consisted of local jurisdictions in Orange County and created an Emergency Operations Center with the County of Orange as the lead agency from which centralized emergency management could be performed, as required, in Title 19 California Code of Regulations Sections 2409(f)(1), (2),(3),(4),(5).

Discussion

In 2017, the OA Executive Board identified the need to update the OA Agreement to better reflect current best practices and update outdated information. Working as the lead agency for the effort, the Orange County Sheriff's Department Emergency Management Division formed a collaborative working group, which included a representative from the Orange County Transportation Authority (OCTA), to complete a comprehensive review and revision of the document. This update was completed in late 2019, and a draft was represented to the OA Executive Board in February of 2020 for approval. Final approval by the County Board of Supervisors was on March 24, 2020. Changes included both structural and content which now represent current practices. These changes included adding OCTA's Chief Executive Officer to the OA Executive Board. This newly-added seat is in line with OCTA's historical support and participation in disasters and emergencies that occur in the OA.

OCTA has historically been a very active participant agency in emergency or disaster situations by providing transportation resources and staff expertise to county and local agencies when requested. OCTA employees have trained and participated in a variety of local emergency drills, exercises, and tests of different county and local agency emergency response plans. From this perspective, the updated Orange County OA Agreement standardizes and formalizes an already existing county system of mutual response and inter-agency aid in an emergency or a disaster.

Although participation by local jurisdictions in the OA Agreement is not mandatory, failure to participate may make it difficult for the local agency to receive state and federal funding for any emergency related costs incurred during an emergency or a disaster, since the purpose of Government Code Section 8607 (e) is to standardize the response and funding process through the use of the SEMS and OA Agreement.

Summary

OCTA's continued participation in the Orange County OA Agreement will further strengthen the excellent emergency response relationship with the County of Orange and local agencies by allowing staff to efficiently utilize transportation resources and expertise within the Orange County SEMS. A coordinated working group has updated the Orange County OA, including the addition of OCTA's Chief Executive Officer to the Executive Committee. Staff is seeking Board of Directors' authorization for the Chief Executive Officer to execute the signatory agreement for the OCTA's continued participation in the Orange County OA Agreement.

Attachment

A. Orange County Operational Area Agreement of the County of Orange and Political Subdivisions, January 2020

Prepared by:

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Approved by:

Jennifer L. Bergener
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Orange County
Operational Area Agreement

of the County of Orange
and Political Subdivisions

January 2020

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I. Recitals

OPERATIONAL AREA AGREEMENT
OF THE COUNTY OF ORANGE AND POLITICAL SUBDIVISIONS

THIS AGREEMENT is entered into this _____ day of _____, 20__, which date is enumerated for purpose of reference only, by and between the County of Orange, hereinafter referred to as County, and all other Political Subdivisions within Orange County, as defined in Government Code Section 8557 (b) of the California Emergency Services Act, hereinafter referred to as Subdivisions, collectively hereafter referred to as the Parties.

W I T N E S S E T H:

WHEREAS, it is the intent of the Parties hereto to coordinate prevention, preparedness, response, recovery and mitigation efforts for the safety of persons and property from the effects of natural, human-caused, or war-caused disasters, hereinafter referred to as emergencies, as required by the California Emergency Services Act and the Standardized Emergency Management System (SEMS) Regulations, Title 19 California Code of Regulations Sections 2400 et seq.; and

WHEREAS, the purpose of an Operational Area**,** as defined in Government Code Section 8605 and Title 19 California Code of Regulations Sections 2403 and 2409, is to manage and coordinate information, resources, and priorities among the local governments within the geographic area of the County, and to serve as the coordination and communication link between the local government level and the regional level of the State; and to use multi-agency or inter-agency coordination to facilitate decisions for overall operational area level emergency response activities; and

WHEREAS, this Agreement is intended to provide for the continued management of the Operational Area; cooperative and mutual handling of duties and responsibilities of the Operational Area Lead Agency; coordination of the emergency functions of the Operational Area with all other public agencies, corporations, organizations, and affected private persons within the Operational Area; and the preparation and implementation of plans for the protection of persons and property within the Operational Area in the event of an emergency; and

WHEREAS, in accordance with the requirements of California laws and regulations the County previously adopted Orange County Codified Ordinances, section 3-1-5 and Resolutions 81-1104 and 95-870 and intends to adopt an updated resolution for this Agreement to support emergency management planning and coordination of all political subdivisions within the Orange County geographic area as required by State law; and

WHEREAS, Orange County Board of Supervisors Resolution 05-144 adopted the National Incident Management System (NIMS) for the Orange County Operational Area which sets many of the same objectives as the Standardized Emergency Management System;

NOW THEREFORE, the Parties hereto agree as follows:

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Section One. Operational Area Establishment

1.1 Operational Area Established

The entire geographic area of Orange County constitutes an Operational Area (OA) for the purposes of coordinating the prevention, preparedness, response, recovery and mitigation efforts for the safety of persons and property from the effects of natural, human-caused or war caused disasters, hereinafter referred to as emergencies. All local governments should cooperate in organizing an effective OA, but the OA authority and responsibility is not affected by the non-participation of any local government. The County of Orange shall be the Operational Area Lead Agency as specified in Title 19 California Code of Regulations Section 2409(d).

1.2 Local Authority

In the event of an actual or threatened emergency, each jurisdiction shall retain the authority provided for by law respecting its jurisdiction. No body created by this Agreement can bind Parties to legal or financial obligations.

Section Two. Operational Area Council, Executive Board and Subcommittees

2.1 Operational Area Signatory Council

All political subdivisions within the geographic area of Orange County, California are organized into the OA, regardless of signatory status.[1] The OA Signatory Council, hereinafter referred to as the Council, is hereby created to include the signature Parties to this Agreement. The Parties acknowledge that the Council is not a separate legal entity and that it is not their intention to form a joint powers authority.

2.1.1 Membership

By approval and execution of this Agreement, all Subdivisions in the County of Orange, including cities, school districts, community college districts, special districts, joint powers authorities, and the County, are members of the Council. Each signature party shall designate annually in writing to the Orange County Sheriff's Department Emergency Management Division, hereinafter referred to as county emergency management, one primary and one alternate representative of its governing body to serve on the Council.

2.1.2 Responsibilities

It is not the intent of this Agreement that there be regular meetings of the Council. In routine matters and day-to-day decision-making, the OA Executive Board (as described in Section 2.2) will represent the interests of the OA. However, the Council shall have authority over the major policy issues of the OA, as determined by the Executive Board, including adoption of any amendments to this Agreement or adoption of any fees to support OA coordination activities. Council members will receive information regarding major OA policy issues from the Executive Board, when necessary, for consideration at their respective governing body meetings. Furthermore, whenever a majority of the Council determine that an issue should be brought before the Council, it shall be done irrespective of whether the Executive Board has identified it as a major policy issue.

2.1.3 Representatives Meeting

The representatives of the Council may meet as necessary as determined by the Executive Board or as requested by a majority of the members of the Council. Should it be necessary for the Council to meet, each member of the Council shall be entitled to one vote. The representatives present shall, by majority vote, select a Chair Pro Tem for that meeting from among the representatives present. A majority of all Council member representatives shall constitute a quorum for the transaction of business relating to the OA. Unless otherwise provided herein, a vote of the majority of those present and qualified to vote shall be sufficient for the adoption of any motion, resolution, or order and to take any other action deemed appropriate to further the

[1] Title 19 California Code of Regulations Section 2409

objectives of the OA. Voting will be conducted in accordance with Robert's Rules of Order. All meetings will be noticed and conducted in accordance with the Brown Act.

2.2 Operational Area Executive Board

2.2.1 Membership

The Council shall have an OA Executive Board, hereinafter referred to as the Executive Board, consisting of sixteen voting members. The Executive Board includes representatives from the County Board of Supervisors, public safety agencies and Mutual Aid Coordinators, key County departments, and OA jurisdictions. Individuals will only serve as a voting member in one role for any single meeting and for purposes of determining quorum.

Executive Board Members

1. The Chair of the Orange County Board of Supervisors
2. The County Executive Officer
3. The OA Law Enforcement Mutual Aid Coordinator, the Orange County Sheriff
4. The OA Fire & Rescue Mutual Aid Coordinator, as selected by the Orange County Fire Chiefs Association
5. The OA Public Works Mutual Aid Coordinator, the Orange County Public Works Director
6. The OA Health Care Mutual Aid Coordinator, the Orange County Health Care Agency Director
7. The OA Water/Wastewater Mutual Aid Coordinator
8. The Orange County Social Services Agency Director
9. A representative selected jointly from the Orange County City Managers Association
10. A representative from the Orange County Chiefs of Police and Sheriff's Association
11. A representative from the Orange County Fire Chiefs Association
12. A representative from the Orange County City Engineers and Public Works Directors Association
13. A representative from Independent Special Districts of Orange County
14. The Orange County Superintendent of Schools, representing Orange County K-12 School Districts
15. A representative selected jointly from Orange County Community College Districts
16. The Orange County Transportation Authority Chief Executive Officer

Terms, Alternates and Voting

Executive Board members subject to being "selected," which are enumerated above as numbers 4, 9-13 and 15, shall be appointed by their respective agency, jurisdiction or organizations annually and shall serve at the discretion of their organization for one year. Each jurisdiction, agency or organization shall also designate three alternate representatives. Individuals appointed to the Executive Board can be the same or different than those identified in Section 2.1.1 as a

member jurisdiction's Council primary or alternate representative. In no circumstances shall one individual occupy more than one Executive Board position or count as more than one member for purposes of determining quorum.

Each Executive Board member, or alternate in the absence of the voting member for whom he/she is the designated alternate, shall be entitled to one vote. A majority of the Executive Board (9 members) shall constitute a quorum for the transaction of business relating to the OA. Unless otherwise provided herein, a vote of the majority of those present and qualified to vote shall be sufficient for the adoption of any motion, resolution or order and to take any other action deemed appropriate to achieve the objectives of the OA. Voting will be conducted in accordance with Robert's Rules of Order. The OA Executive Board is a Brown Act meeting and is noticed and conducted as such.

Operational Area Executive Board Chair and Vice-Chair

The Chair and Vice Chair shall be elected annually by the Executive Board. In the absence of both the Chair and the Vice Chair, the members of the Executive Board present shall, by majority vote, select one of the members present to act as Chair Pro Tem.

Meetings

The Executive Board shall meet quarterly or as designated by the Executive Board Chair.

2.2.2 Responsibilities

The Executive Board shall have oversight of the actions of the OA Manager (as described in Section 4.2) in the daily operations and administration of the OA. The Executive Board's oversight authority shall include directing the development, establishment, and implementation of the policies of the OA, and keeping the Council informed of its actions. The Executive Board shall determine which major policy issues of the OA require Council approval and shall seek such approval.

Policy and Operational Area Emergency Operations Plan

The Executive Board will establish OA policy, review and approve the OA Emergency Operations Plan (EOP) and Annexes, and maintain these documents as required by SEMS and NIMS.

Mutual Aid Plans and Agreements

The Executive Board shall review proposals of emergency mutual aid plans and agreements and make recommendations on endorsement of such proposals to governing boards of Subdivisions.

Laws, Rules, Legislation and Regulation

The Executive Board shall review and may recommend for action or adoption by Subdivisions, emergency and mutual aid plans, agreements, ordinances, resolutions, and any rules and regulations necessary to implement such plans and agreements. The Executive Board may also

study, review, and make recommendations on State and Federal legislation and policy as appropriate, and on matters referred to the Executive Board in writing by Council members.

Operational Area Executive Board Emergency Advisory Capacity

The Executive Board may be convened by the Chair or the OA Coordinator, as described in Section 4.1, to review a potential or actual emergency situation and make and receive appropriate recommendations from the OA Coordinator and Council members to facilitate a coordinated OA response.

2.2.3 Subcommittees and Working Groups

The Executive Board may establish standing and ad hoc subcommittees and working groups to complete its work and to ensure communication and coordination between all interested persons or groups. Subcommittees and working groups shall elect a Chairperson and provide appropriate staff support from their participants. The OA Manager shall provide coordination between these subcommittees and the Executive Board only.

2.3 Orange County Emergency Management Organization

There is hereby established a standing subcommittee to the Executive Board, the Orange County Emergency Management Organization, hereinafter referred to as OCEMO. OCEMO is a collaboration and coordination body tasked with developing the plans, procedures, and associated documents necessary for a robust Operational Area emergency management program. The County and all Subdivisions shall be expected to participate in OCEMO, to the maximum extent possible, with the understanding that the cooperative maintenance of the OA EOP, policies and procedures, training and exercises is necessary to ensure that the OA EOP, policies, procedures, training and exercises meet the emergency needs of the Subdivisions, County, and OA.

2.3.1 Membership

The entire OCEMO body ("Members at Large") consists of three groups of representatives involved in some capacity of an emergency management function, as defined below and in the OCEMO Bylaws.

Signatory Members

Staff members with primary emergency management responsibilities from signatory agencies to this agreement are considered Signatory Members. Each signatory jurisdiction shall identify a primary and secondary representative who shall have the right to vote on behalf of the jurisdiction. To ensure compliance with the Brown Act, no more than eight OCEMO members who are also voting members of the OA Executive Board shall be present at any OCEMO meeting.

Collaborative Members

Representatives of other government, non-profit, or private agencies that are not signatories to this agreement and are not currently represented by a Signatory or Collaborative Member, but are considered to have a significant role in OA planning, response and recovery processes are considered Collaborative Members. Collaborative members must be approved by Signatory Members and have limited voting rights as outlined in the OCEMO Bylaws.

Associate Members

Other representatives of organizations interested in participating in OCEMO activities, and who may provide input into the OA EOP, annexes, and supporting Standard Operating Procedures (SOPs) are considered Associate Members. Associate members have no voting rights.

2.3.2 Responsibilities

As a subcommittee to the Executive Board, the responsibilities of OCEMO are to meet the following objectives as they relate to disaster and emergency prevention, preparedness, response, recovery and mitigation within the OA:

Operational Area Plans, Annexes, and Standard Operating Procedures

- Participate in revisions and updates of the OA EOP and associated Annexes and SOPs developed and maintained by county emergency management staff as described in Section 3.2. Once completed, plans and the associated Annexes reviewed by OCEMO shall be forwarded to the OA Executive Board for approval.

Training and Exercises

- Coordinate training and exercises for the OA, to include after action discussions, lessons learned and professional development.

Public Education and Outreach

- Coordinate the development of public education and whole community emergency preparedness programs.

Legislation

- Review and report on legislation impacting emergency plans and programs, and propose concepts for new legislation for consideration by the Executive Board.

Other

- Other duties as assigned by the Executive Board.

2.3.3 OCEMO Leadership

The OCEMO Leadership shall consist of the OCEMO Chairperson, First Vice Chairperson and Second Vice Chairperson, elected in accord with the OCEMO Bylaws, the OA Manager and the

immediate past Chairperson. Any Signatory or Collaborative Member shall be eligible to serve as a candidate for OCEMO Chairperson, First Vice Chairperson, and Second Vice Chairperson as outlined in the OCEMO Bylaws.

2.3.4 Organization and Procedures

OCEMO will maintain and approve Bylaws. The Bylaws will define, at a minimum, OCEMO purpose, membership, leadership duties, elections, voting procedures, official meeting frequency, and the process for amending the Bylaws. The Bylaws shall in all instances be consistent with this Agreement.

OCEMO will review the Bylaws, as needed. Any amendments to the Bylaws will be approved by OCEMO Signatory Members, as detailed in the OCEMO Bylaws.

If OCEMO identifies the need for additional Subcommittees or working groups, OCEMO members participating in that subcommittee or working group shall provide staff support.

2.3.5 Administrative Support

The County shall provide administrative support to OCEMO as follows:

- Attend all OCEMO and OCEMO Leadership meetings
- Maintain a contact list of the primary and alternate representatives of each OCEMO member
- Organize and manage OCEMO Leadership elections and votes on other issues
- Notify members of their appointment to office or subcommittees
- Create and distribute OCEMO meeting agendas
- Take and transmit OCEMO meeting minutes
- Maintain official OCEMO records, including agendas and minutes, in compliance with County record retention policies.

Section Three. Responsibilities

3.1 Operational Area Jurisdiction Responsibilities

Subdivisions of the OA have the responsibilities as set forth below:

Participation

Actively participate as a member jurisdiction in the Council, Executive Board (if designated), and subcommittees such as OCEMO.

Cooperation

Promote cooperation among all Subdivisions in order to improve the overall OA emergency management program.

Emergency Management Program

Develop an emergency management program to provide for the needs of the Subdivision, which shall be complementary to and compatible and coordinated with the needs of the OA in the event of an emergency.

Emergency Plan and Organization

Develop and maintain an EOP and organization to provide for the emergency needs of the Subdivision according to SEMS Regulations and NIMS, and coordinate with and, where able, support other Subdivisions, the County, and the OA Emergency Operations Center (EOC).

Procedures

Develop Subdivision procedures that outline the steps necessary to satisfy responsibilities as a member jurisdiction of the OA.

Training and Exercises

Maintain a thorough knowledge of the Parties' and OA's EOPs and ensure that the supporting services and key personnel are properly trained and organized to meet all of their responsibilities in the event of an emergency. Conduct regular exercises and participate in regional exercises, when offered.

Emergency Assistance

Parties shall offer assistance to other jurisdictions and secondary and relief support to the OA within the limits of capabilities and according to applicable mutual aid agreements. Parties should participate in mutual aid agreements wherever possible.

Resource Lists

Maintain current resource listings of staff, facilities, equipment and supplies available in the jurisdiction for use in the event of an emergency.

Critical Points of Contact

Identify 24-hour or other critical points-of-contact for the Subdivision that may be used by the OA EOC during emergency operations. If the points-of-contact are individuals, identify a primary and at least three alternates for each. Inform county emergency management staff when critical points-of-contact change or are updated.

Disaster Recovery and Financial Reimbursement

Subdivisions have ultimate responsibility for their own recovery program and will work directly with FEMA and Cal OES throughout the cost recovery process. Each Subdivision is individually responsible for developing, submitting, and receiving their own emergency aid, loans or grants from any source including local, state, and federal governments. Each is individually responsible for the timeliness, accuracy, and compliance of its own expenditures submitted for reimbursement through such mechanisms.

3.2 County-Specific Responsibilities

The County acts as the OA Lead Agency. The OA Lead Agency has the following responsibilities to the OA in addition to those responsibilities specified under Section 3.1 of this Agreement:

24-Hour Contact Point

The County will serve as the 24-hour contact point for the OA and act as lead in activating the OA EOC, hereinafter referred to as OA EOC.

Operational Area Emergency Operations Center

The County EOC and Alternate EOC (as designated) shall serve as the OA EOC. The OA EOC shall exist as a dedicated essential facility and be capable of serving as the central point for:

- coordinating information and resources with OA subdivisions
- coordinating all levels of government as a component of Orange County's Multiagency Coordination System (MACS)
- coordinating with other OAs
- reporting information to and coordinating with the California Office of Emergency Services (Cal OES) Southern Region EOC

County emergency management staff shall be responsible for ensuring the OA EOC is maintained in a state of constant readiness, in accord with the FEMA Emergency Operations Center Assessment Checklist and ASTM E2668 – Standard Guide for Emergency Operations Center Development, or subsequent standards if revised.

Initial EOC Activation Staffing

The County shall provide initial OA EOC activation staff. Subdivisions with available resources may provide secondary and relief OA EOC staffing.

Disaster Recovery and Financial Reimbursement

The County shall be responsible for coordinating the formal recovery process through Cal OES and FEMA and will assist with:

- Coordinating initial OA disaster recovery
- Scheduling damage assessment site visits
- Other duties as outlined in the Recovery Annex to the OA EOP

Operational Area Emergency Operations Plan and Annexes

County emergency management staff shall be responsible for coordinating with the Orange County Emergency Management Organization to maintain and revise the OA EOP, annexes and SOPs as directed by the Executive Board.

Operational Area Executive Board Support

County emergency management staff shall provide support to the Executive Board for agendas and minutes for meetings and coordinating follow-up only.

Subcommittee and Working Group Support

County emergency management staff shall provide support to Executive Board subcommittees and working groups.

Section Four. Operational Area Coordinator and Operational Area Manager

4.1 Operational Area Coordinator

By this Agreement, the Council creates and recognizes the position of an OA Coordinator, hereinafter referred to as the Coordinator. During an emergency the OA Coordinator position will be filled by the Orange County Director of Emergency Services, as specified by Section 3-1-6 of the Orange County Code of Ordinances and County Board of Supervisors Resolution 12-036, as presently existing or as hereafter amended.

4.1.1 Powers and Duties

The Coordinator shall direct and coordinate the OA during times of emergency. In addition to his/her responsibilities as Director of Emergency Services, the Coordinator shall have the additional duties and powers, as described below and in the OA EOP:

Direction and Coordination

Serve as key decision-maker in the OA EOC, providing direction and coordination necessary to accomplish the purposes of this Agreement and responsibilities of the OA Lead as specified in Title 19 California Code of Regulations Section 2409(e).

Operational Area Representative

Represent the OA in all dealings with the public or private agencies on matters pertaining to emergencies as defined in Section 3-1-2 of the Orange County Code of Ordinances.

4.2 Operational Area Manager

By this Agreement, the Council creates and recognizes the position of an OA Manager. The OA Manager shall be the County Emergency Manager as specified in Section 3-1-6 of the Orange County Code of Ordinances and County Board of Supervisors Resolution 12-036, as presently existing or as hereafter amended.

4.2.1 Powers and Duties

The OA Manager shall have the following powers and duties:

Administration of Operational Area Agreement

On a day-to-day basis, ensure County-specific responsibilities detailed in Section 3.2 are met.

Staff to the Operational Area Executive Board

Serve as staff to the Executive Board, maintain close liaison with the Executive Board, and coordinate all activities of assigned OA staff with the Executive Board.

Daily Coordination and Assistance

Direct the daily coordination and cooperation between the county emergency management staff, Subdivisions, and Executive Board Subcommittees, including OCEMO. Resolve questions of authority and responsibility that may arise between them, and work closely with and assist the Executive Board, as required.

Notification of Emergency Operations Center Activation

Notify the Board of Supervisors, the Executive Board, and OCEMO of an OA EOC activation as soon as practical, and keep the Executive Board and Board of Supervisors informed on all aspects of a current emergency situation as soon as information becomes available.

OCEMO Support

Serve on OCEMO Leadership. Provide support to OCEMO for agendas, minutes and administrative support only. Staff support to OCEMO subcommittees shall be provided by OCEMO members.

Budget and Staffing

Develop an annual operating budget and staffing recommendations, and monitor the expenditures at the direction of the Executive Board.

After Action Reports

Coordinate with OCEMO for the development of after action reports for the Executive Board following activations of the OA EOC.

Resource Coordination

Act as the coordination point between Subdivisions and the Cal OES on a day-to-day basis for Emergency Management Mutual Aid (EMMA) resource requests, in accordance with the State of California Emergency Management Mutual Aid Plan. The OA Manager may also coordinate other OA mutual aid requests, as appropriate.

Section Five. Operational Area Response Systems

5.1 Operational Area Emergency Operations Plan

Under the direction of the Executive Board, county emergency management staff shall be responsible for maintaining the OA EOP, which shall provide for the effective mobilization of all OA resources, both public and private, to meet any condition constituting an emergency; and shall provide for the organization, powers and duties, and staff of the OA emergency response organization. This responsibility is inclusive of the EOP and any associated Annexes and SOPs.

5.1.1 Compliance

The OA Emergency Operations Plan shall comply with applicable local, state and federal planning criteria, including NIMS and SEMS.

5.1.2 Functional Assignments

The OA EOP shall include the functions assigned to the mutual aid organizations, County agencies/departments and Subdivisions. It shall be the responsibility of agency/department heads and Subdivisions to appoint staff who shall report to the OA EOC and carry out the assigned duties as appropriate.

5.1.3 Approval

Updates and revisions to the OA EOP and annexes will be effective on approval by the Executive Board. SOPs and other support documents may be updated on an ongoing basis by county emergency management staff as long as changes are consistent with approved plans and annexes.

5.2 Operational Area Emergency Operations Center

5.2.1 Location

The primary and dedicated County EOC located at 2644 Santiago Canyon Rd., Silverado, California, or alternate as designated, shall serve as the OA EOC. Communication connection to the OA EOC shall be the responsibility of each Subdivision and Mutual Aid Coordinator or their representative.

5.2.2 Required Activation

Activation of the OA EOC is required under the conditions defined by SEMS, Title 19 California Code of Regulations Section 2409(f), the Orange County OA EOP and associated Annexes.

5.2.3 Staff for the Operational Area Emergency Operations Center

The County shall provide initial OA EOC activation staff. Subdivisions with available resources shall provide secondary and relief OA EOC staffing. Emergency management or other mutual aid shall be used to staff the OA EOC as necessary. The County declares its willingness to provide a staff member to an impacted Subdivision's EOC or Incident Command Post to act as an OA coordination point, if desired by the Subdivision and as personnel availability and safety concerns allow.

Section Six. Operational Area Finance

6.1 Operational Area Expenses and Revenues

Operational Area Administrative Expenses

This Agreement recognizes that there are day-to-day costs associated with OA administration and emergency management activities; these costs are separate from County-specific emergency management activities. The County shall provide administrative staffing for the OA to carry out the duties as delineated in Section 3.2 and Section 4 of this Agreement; however, the County shall not be solely responsible for the costs of administering the OA.

The County Board of Supervisors has the over-arching authority and responsibility to approve the county emergency management budget that supports both County and OA emergency management activities.

To offset costs of the OA, the Executive Board shall be responsible for the acquisition and distribution of federal, state, and business or private foundation emergency management grant funds. For emergency management grant funds made available to the OA for distribution among the Subdivisions, the Executive Board will review and approve proposed funding allocation methods. Their review will take into consideration recommendations from OCEMO, acting in their role as subcommittee to the Executive Board. To offset administrative costs, a percentage of such grants may be allotted to the OA before apportionment among the subdivisions. If funding becomes available with a short application period that does not allow for OCEMO, Executive Board, and County Board of Supervisors pre-approval, then approval will be sought retroactively through the ratification process set forth by the County Board of Supervisors.

The County or any Subdivision may fund through general or special funds any services, supplies, or programs that they separately or jointly determine are necessary to comply with laws or regulations, or that serve the purposes of emergency prevention, preparedness, response, recovery and mitigation on an OA level.

Costs of Operational Area during Emergency Response and Recovery

During emergencies, all OA jurisdictions shall be expected to participate to the maximum extent possible, according to mutual aid and other agreements, with the understanding that during an emergency, the priorities are life safety, property, and the environment (in that order), regardless of which jurisdiction is impacted. This Agreement incorporates by reference the reimbursement concepts of the Emergency Management Assistance Compact, the California Disaster and Civil Defense Master Mutual Aid Agreement, and the State of California Emergency Management Mutual Aid Plan. Expenditures made in connection with such emergency activities required by this Agreement, the California Emergency Services Act and/or SEMS, including mutual aid activities,

shall be deemed conclusively to be for the direct protection and benefit of the persons and property in the OA.

In deciding the level of OA response and resource commitment during emergencies, the County and Subdivisions agree to operate according to the EOP and supporting documents defined in Section 5.1 of this Agreement.

Financial Reimbursement and Recovery Following Emergencies

The County and each Subdivision are each individually responsible for developing, submitting, and receiving their own emergency aid, loans or grants from any source including local, state, and federal governments. Each is individually responsible for the timeliness, accuracy, and compliance of its own expenditures submitted for reimbursement through such mechanisms.

Section Seven. Operational Area Agreement Administration

7.1 Existing Agreements

Nothing contained in this Agreement shall be construed as superseding or modifying any existing agreements, including mutual aid agreements, except for superseding the existing OPERATIONAL AREA AGREEMENT OF THE COUNTY OF ORANGE AND POLITICAL SUBDIVISIONS dated October 3, 1995, and addenda; and nothing herein shall be construed as preventing any Party from entering into or modifying mutual aid or other emergency response agreements.

7.2 Effective Date

This Agreement shall become effective six months after approval and execution by the County Board of Supervisors and at least one Subdivision. Any Subdivision in Orange County may become a Party hereto by executing this Agreement. Notice shall be provided to the County upon a Subdivision's execution of this Agreement.

7.3 Withdrawal

Any Party may withdraw from this Agreement by providing written notice to county emergency management staff. Said notice shall be given 30 days before withdrawal from this Agreement.

7.4 Indemnification

Each Party shall defend, indemnify, and hold harmless the other Parties, and their officers, agents, employees and representatives from any and all losses, liability, damages, claims, suits, actions, administrative proceedings, demands, and litigation, and all expenses and costs relating directly to the negligent or otherwise wrongful acts or omissions of the indemnitor, its officers, agents, employees, or representatives arising out of or incidental to performance under this Agreement. No Party assumes liability for the acts or omissions of persons other than that Party's respective officers, agents, employees or representatives.

7.5 Counterparts

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same instrument.

7.6 Interpretation

Save to the extent that the context or the express provisions of this Agreement otherwise require:

- Headings and sub-headings are for ease of reference only and shall not be taken into consideration in the interpretation or construction of this Agreement;
- All references to Parts, Sections, and Paragraphs are references to Parts, Sections and Paragraphs contained herein;

- All references to any ordinance, resolution, law, regulation or guidance shall include references to any ordinance, resolution, law, regulation or guidance which amends, extends, consolidates or replaces the same or which has been amended, extended, consolidated, supplemented, substituted, novated, replaced, or assigned by the same and shall include, without limitation, any instrument, proclamation, bylaw, directive, decision, regulation, rule, order, notice, codes of practice, code of conduct, rule of court, instrument or delegated or other subordinate legislation thereto;
- The words “herein”, “hereto” and “hereunder” refer to this Agreement as a whole and not to the particular Section, or Paragraph in which such word may be used;
- Any reference to a public organization or representative shall be deemed to include a reference to any successor to such public organization or representative or any organization or entity or representative which has taken over the functions or responsibilities of such public organization or representative.

7.7 Ambiguities

In the case of any ambiguity or discrepancy:

- Between the provisions in this Agreement and the provisions of any underlying Executive Order, law, or regulation, the provisions of underlying Executive Order, law, or regulations will be incorporated by approval of the Executive Board and written notice shall be provided to all Parties.
- Between the provisions in this Agreement and the provisions of any underlying mutual aid agreement or EOP, the provisions of this Agreement shall prevail until such time as the OA Executive Board considers the matter and notice of proposed resolution to such issues are provided to all Parties.

7.8 Amendment

This Agreement may not be amended or modified except in a writing executed by a majority of all signature Parties as defined by Section 2.1 of this Agreement.

COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Fiscal Year 2019-20 Second Quarter Budget Status Report

Finance and Administration Committee Meeting of April 8, 2020

Present: Directors Do, Hennessey, Hernandez, Jones, Muller, R. Murphy, and Steel
Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 5-0 by the Members present.

Directors R. Murphy and Jones were not present to vote on this item.

Committee Recommendation

Receive and file as an information item.

OCTA

April 8, 2020

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Fiscal Year 2019-20 Second Quarter Budget Status Report

Overview

The Orange County Transportation Authority's staff has implemented the fiscal year 2019-20 budget. This report summarizes the material variances between the budget and actual revenues and expenses through the second quarter of fiscal year 2019-20.

Recommendation

Receive and file as an information item.

Background

The Board of Directors (Board) approved the Orange County Transportation Authority (OCTA) Fiscal Year (FY) 2019-20 Budget on June 10, 2019. The approved budget itemized the anticipated revenues and expenses necessary to deliver OCTA's transportation programs and projects.

The balanced budget as originally approved by the Board in June was $1.525 billion. Sources of funds were comprised of $1.16 billion in current FY revenues and $365.4 million in use of prior year designations. Uses of funds were comprised of $1.44 billion of current FY expenditures and $82.7 million of designations.

The Board approved one amendment through the second quarter, increasing the expense budget by $4.5 million. This increased the budget to $1.53 billion as summarized on Table 1 on the following page.

Table 1 - Working Budget

Date	Description	Amount*
7/1/2019	Adopted Budget	$1,525,194
7/22/2019	Contracted Fixed-Route Service Agreement	4,521
	Total Working Budget	**$1,529,715**

*in thousands

Discussion

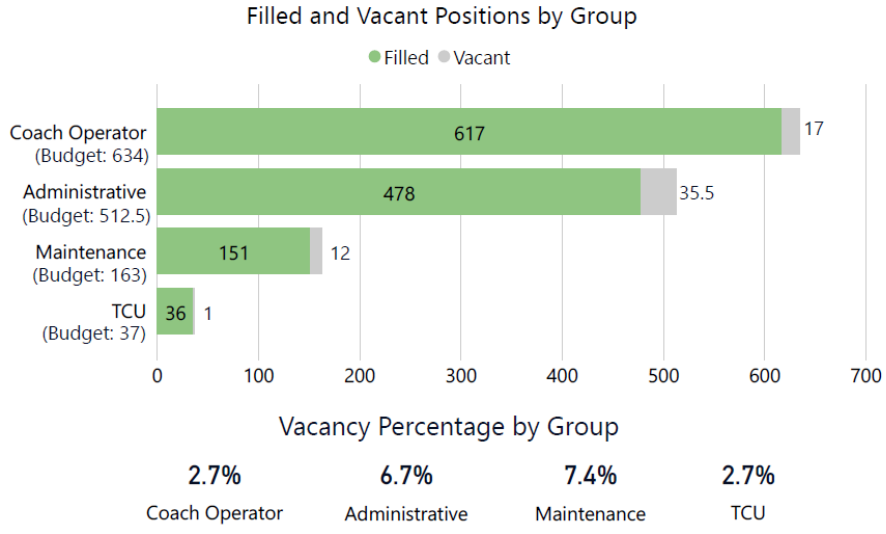
Staff monitors and analyzes revenues and expenditures versus the working budget. This report provides a summary level overview of staffing levels and explanations for material budget-to-actual variances within each pertinent OCTA program. The OCTA programs included are Bus, Commuter Rail, 91 Express Lanes, Motorist and Taxi Services, and Measure M2 (M2). A visual dashboard summary of this report is provided in Attachment A.

Unless indicated on an individual chart, the general color pattern used is outlined below:

- Gray – Budget
- Green – Within budget
- Yellow – Within five percent variance of budget
- Red – Over five percent variance of budget

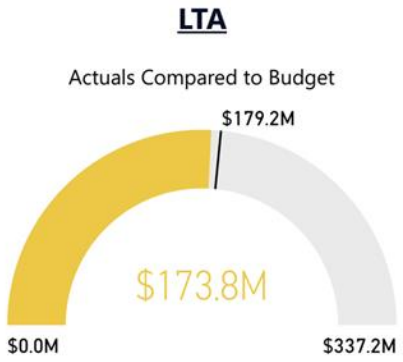
Staffing

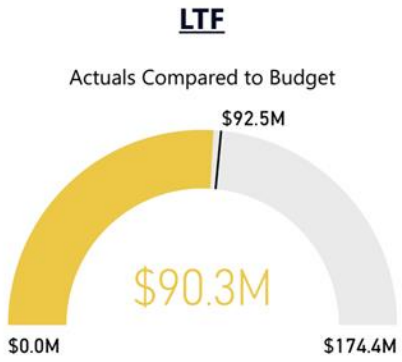
Total salaries and benefits underran the budget by $2.7 million. This is primarily due to vacancies OCTA-wide, with the largest vacancy percentages in the maintenance (7.4 percent) and administrative (6.7 percent) groups at the end of the quarter.



Sales Tax Receipts

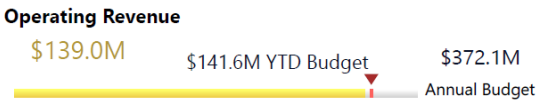
The charts below provide a FY snapshot for both the Local Transportation Authority (LTA) M2 Program and Local Transportation Fund (LTF) Bus Program sales tax revenues against the budget. LTA sales tax receipts of $173.8 million were $5.4 million lower than the budget. LTF sales tax receipts of $90.3 million were $2.2 million lower than the budget. It is anticipated that California Department of Tax and Fee Administration catches up on sales tax receipts for the second quarter, that the underrun will decrease, and actuals will approach the budget.

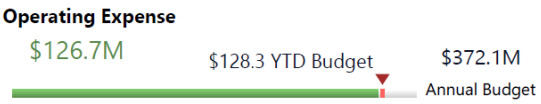




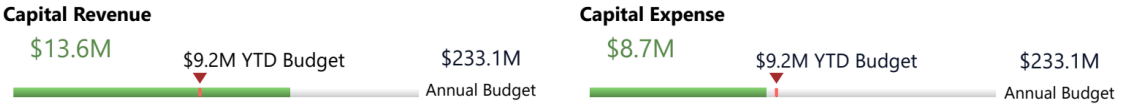
Major Programs

Bus Program



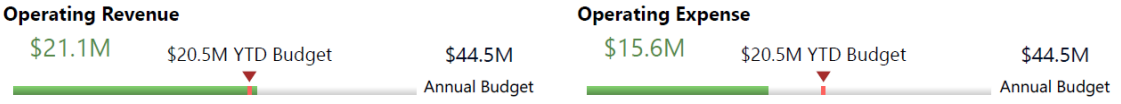


Bus Program operating revenue of $139 million underran the budget by $2.6 million, primarily due to lower than anticipated LTF sales tax revenue. Bus Program operating expenses of $126.7 million underran the budget by $1.6 million, primarily due to fuel costs. Compressed natural gas fuel underran due to a lower unit cost than anticipated, and hydrogen fuel and gasoline underran due to lower miles driven than anticipated. Hydrogen fuel is used in ten buses, which were all anticipated to be in service beginning in July 2019; however, three of the buses did not begin service until October 2019, due to the hydrogen fueling station not being fully operational until late in the first quarter. Gasoline is used for ACCESS, the on-demand paratransit service, and less miles were driven than forecasted.



Bus Program capital revenue of $13.6 million overran the budget by $4.4 million, primarily due to prior FY state grant revenue received in the current FY for the purchase of ten hydrogen fuel cell electric buses and hydrogen fueling infrastructure. California Air Resources Board grant revenue associated with the bus purchase was budgeted in a prior FY, but received in the current FY based on corresponding expenditures. Capital expenses of $8.7 million underran the budget by $0.5 million, primarily due to a longer than anticipated procurement. The purchase of a portable hoist and wheel alignment machine for the Santa Ana maintenance base was originally scheduled to take place in the second quarter, but will now occur in the second half of the FY ($0.3 million). Projects to improve customer amenities at OCTA bus stops and to revitalize bus platforms and canopies at the Fullerton Transportation Center are underway. However, outstanding invoices are impacting the underrun. Once invoices are received, expenses are anticipated to align with budgeted amounts by the end of the FY.

Rail Program



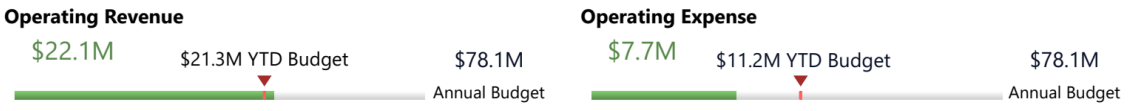
Rail Program operating revenue of $21.1 million overran the budget by $0.6 million, primarily due to higher than anticipated earnings on investments. Operating expenses of $15.6 million underran by $4.8 million, primarily due to the quarterly operating subsidy payment to Southern California Regional Rail Authority (SCRRA) for OCTA's annual portion of the Metrolink operations. This underrun is due to an operating surplus and a credit for preventative maintenance funds drawn down directly by SCRRA. Therefore, the subsidy provided by OCTA was less than anticipated. As a result, this underrun is expected to remain for the rest of the FY.



Rail Program capital revenue of $8.4 million overran the budget by $7.2 million primarily due to the timing of grant funds and city contributions for

construction of the Orange Transportation Center Parking Structure project. These funds were budgeted in prior FYs corresponding to expenses but received in the current FY. Capital expenses of $1 million overran the budget by $0.5 million due to the timing of construction phase expenses for the Laguna Niguel to San Juan Capistrano passing siding project. At the time of budget development, staff estimated expenses to take place in the second half of the FY. However, due to schedule adjustments, invoices were received and paid in the first half of the FY. This overrun will be resolved by the end of the FY when the budget aligns with actuals.

91 Express Lanes Program



The 91 Express Lanes Program operating revenue of $22.1 million overran by $0.8 million, primarily due to fees collected for toll violations and account minimums. Revenue from these fees are variable in nature and therefore difficult to forecast. Operating expenses of $7.7 million underran by $3.5 million, primarily due to as-needed expenses associated with toll road account servicing, legal services, and equipment repair/maintenance. The toll road operating contract contributed $0.7 million to the underrun due to a reduction in services under the contract. The vendor will not be managing the electronic toll and traffic management system as originally anticipated, as that service will now be part of a separate contract.



Capital revenue for the 91 Express Lanes of $9.6 million was received in line with the budget. Capital expenses of $0.1 million underran by $9.5 million, due to contract execution timing for the Back-Office System and Customer Service Center project. A contract anticipated to be executed by the second quarter will instead be executed in the third quarter.

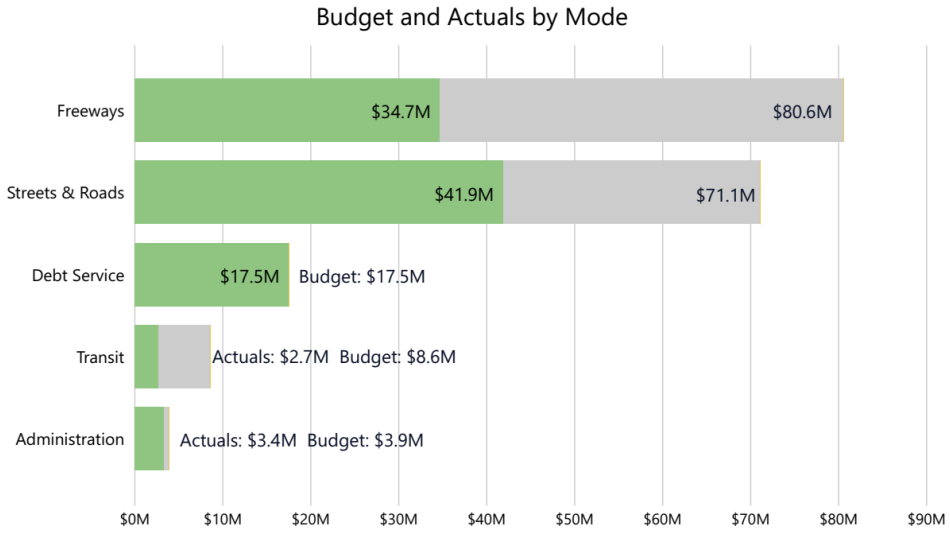
Motorist Services Program



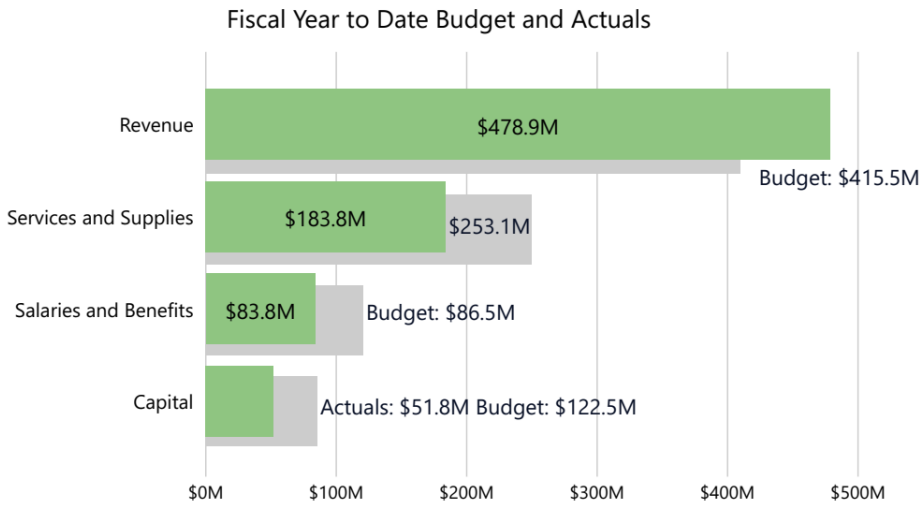
Motorist Services Program revenue of $8.1 million overran the budget by $4.7 million, primarily due to state contribution funds for Freeway Service Patrol (FSP). The funds for operating the service were budgeted in a prior FY, but received in the current FY. Expenses for the program of $3.1 million underran the budget by $0.3 million, due to lower fuel cost for contracted tow service for the FSP Program. Fuel cost for this program is variable, and due to lower fuel costs, invoices received were lower than anticipated.

Measure M2 Program

Total expenses for the M2 Program of $100.1 million underran the budget by $81.5 million, primarily due to lower than anticipated project payment requests from the cities for the Regional Capacity Program, Regional Traffic Signal Synchronization Program, and Environmental Cleanup Program. Also contributing to the underrun is lower utilization of right-of-way capital and support expenses for the Interstate 5 South County Improvement project and the Interstate 405 Improvement Project.



Summary



Overall, revenue of $478.9 million overran the budget by $63.3 million, primarily due to grant revenue budgeted in a prior FY, but received in the current FY for the purchase of hydrogen fuel cell electric buses, construction of the Orange Transportation Center Parking Structure project, and construction of the Raymond Avenue and State College Boulevard grade separation projects in the City of Fullerton. The overrun was partially offset with underruns of LTA sales tax receipts ($5.4 million) and LTF sales tax receipts ($2.2 million). Services and supplies expenses of $183.8 million underran the budget by $69.3 million, primarily due to an underrun in the Metrolink operating subsidy and contributions to local agencies based on lower than anticipated project payment requests for Regional Capacity Program, Regional Traffic Signal Synchronization Program, Environmental Cleanup Program, and Community-Based Transit/Circulator Program. Capital expenses of $51.8 million underran the budget by $70.7 million, primarily due to construction and construction support services for the Interstate 5 South County Improvement project, the Interstate 405 Improvement Project, and the 91 Express Lanes Back Office System and Customer Service Center project. Salaries and benefits of $83.8 million underran the budget by $2.7 million, due to vacancies.

Attachment

A. FY 2019-20 Second Quarter Budget Status Summary

Prepared by:



Anthony Baruch
Section Manager,
Financial Planning and Analysis
(714) 560-5332

Approved by:



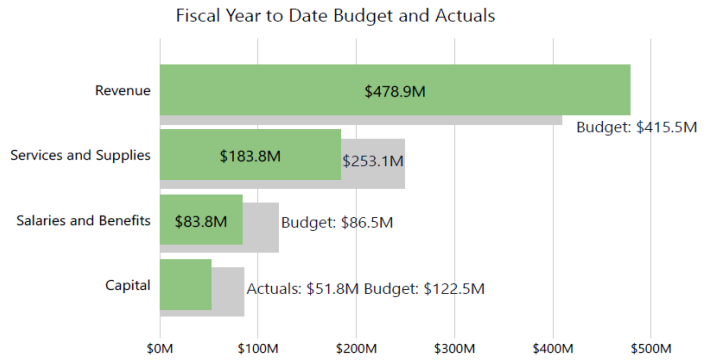
Andrew Oftelie
Chief Financial Officer,
Finance and Administration
(714) 560-5649

ATTACHMENT A

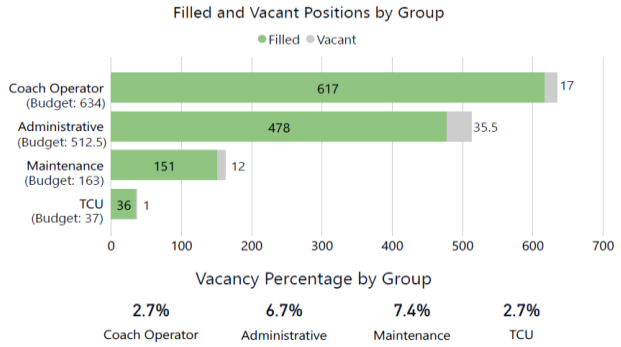
FY 2019-20 Second Quarter Budget Status Summary

Budget · Within Budget · Within 5% Variance · Over 5% Variance

Total Authority

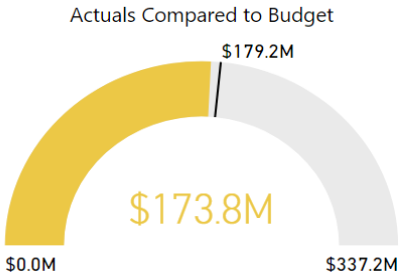


Staffing

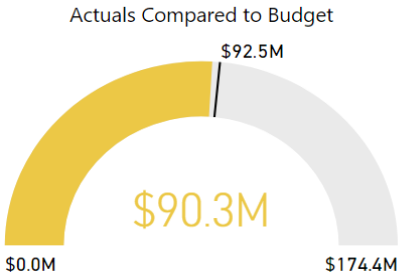


Sales Tax Receipts

LTA



LTF



Major Operating Programs

Bus Program

Operating Revenue
$139.0M | $141.6M YTD Budget | $372.1M Annual Budget

Operating Expense
$126.7M | $128.3 YTD Budget | $372.1M Annual Budget

Capital Revenue
$13.6M | $9.2M YTD Budget | $233.1M Annual Budget

Capital Expense
$8.7M | $9.2M YTD Budget | $233.1M Annual Budget

Rail Program

Operating Revenue
$21.1M | $20.5M YTD Budget | $44.5M Annual Budget

Operating Expense
$15.6M | $20.5M YTD Budget | $44.5M Annual Budget

Capital Revenue
$8.4M | $1.2M YTD Budget | $43.6M Annual Budget

Capital Expense
$1.0M | $0.5M YTD Budget | $43.6M Annual Budget

91 Express Lanes Program

Operating Revenue
$22.1M | $21.3M YTD Budget | $78.1M Annual Budget

Operating Expense
$7.7M | $11.2M YTD Budget | $78.1M Annual Budget

Capital Revenue
$9.6M | $9.6M YTD Budget | $38.1M Annual Budget

Capital Expense
$0.1M | $9.6M YTD Budget | $38.1M Annual Budget

Motorist Services Program

Operating Revenue
$8.1M | $3.4M YTD Budget | $9.2M Annual Budget

Operating Expense
$3.0M | $3.4M YTD Budget | $9.2M Annual Budget

COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Agreement with Center for Demographic Research at California State University, Fullerton

Regional Planning and Highways Committee Meeting of April 6, 2020

Present: Directors Bartlett, Chaffee, Delgleize, Muller, M. Murphy, and R. Murphy
Absent: Director Pulido

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Committee Recommendation

Authorize the Chief Executive Officer to negotiate and execute an agreement with the California State University, Fullerton Center for Demographic Research, in an amount not to exceed $331,504, for a term of three years, to provide Orange County demographic data.

April 6, 2020

To: Regional Planning and Highways Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Agreement with Center for Demographic Research at California State University, Fullerton

Overview

Demographic data in Orange County is developed by the Center for Demographic Research at California State University, Fullerton. A recommendation to continue this effort through a multi-agency funding agreement is provided for review and approval.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute an agreement with the California State University, Fullerton Center for Demographic Research, in an amount not to exceed $331,504, for a term of three years, to provide Orange County demographic data.

Background

Since 1996, the Orange County Transportation Authority (OCTA) and other agencies have jointly funded the Center for Demographic Research (CDR) at California State University, Fullerton (CSUF) for the preparation of demographic projections for use in various planning activities. Agencies use the demographic projections prepared by CDR as input into the Southern California Association of Government's (SCAG) Regional Transportation Plan process, infrastructure planning, and travel demand forecasting.

CDR is sponsored by OCTA, the County of Orange, Orange County Council of Governments, Transportation Corridor Agencies, Orange County Sanitation District, Municipal Water District of Orange County, Orange County Water District, SCAG, CSUF, and the Orange County Local Agency Formation Commission.

The proposed agreement will provide professional services by CDR through fiscal year (FY) 2022-23 and was developed jointly by all the sponsor representatives.

Discussion

As part of the agreement, CDR will develop the 2022 Orange County Projections (OCP-2022), which are baseline and future projection data for the County of Orange, including population, housing, and employment. The basic population, housing, and employment variables will be expanded to 14 travel demand forecasting variables covering almost 2,000 traffic analysis zones for input into travel forecasting models, including the Orange County Transportation Analysis Model. Further, the OCP-2022 will be used in the development of the Orange County growth forecast for the 2024 SCAG Regional Transportation Plan/Sustainable Communities Strategy and OCTA's development of its next Long-Range Transportation Plan. Each local agency is directly involved in demographic data development with CDR, and this "bottom up" approach has worked well in addressing issues early in the process. The agreement also supports other important CDR activities, including the preparation of the annual Orange County Progress Report.

The proposed agreement with CDR and other agencies continues this cooperative effort. OCTA's financial commitment for this agreement would be $331,504. The proposed agreement reflects cost increases from previous years due to scheduled minimum wage increases and updated healthcare costs in addition to the work program. Funding for this agreement shall be included in the OCTA FY 2020-21 Budget, Planning Division, Account No. 0001-7519-M0201-F5F.

Summary

A recommendation for a proposed agreement with California State University, Fullerton for Center for Demographic Research activities is presented for review and approval. With approval, staff will finalize and execute the agreement covering the 2022 Orange County Projections demographic forecasting activities.

Attachment

A. Memorandum of Understanding By And Between Orange County Interests and CSU Fullerton Auxiliary Services Corporation For The Continued Operation of the Center for Demographic Research At California State University, Fullerton

Prepared by:

Anup Kulkarni
Section Manager, Regional Modeling
(714) 560-5867

Approved by:

Kia Mortazavi
Executive Director, Planning
(714) 560-5471

ATTACHMENT A

AGREEMENT NO.

MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
ORANGE COUNTY INTERESTS
AND
CSU FULLERTON AUXILIARY SERVICES CORPORATION
FOR THE
CONTINUED OPERATION OF THE CENTER FOR DEMOGRAPHIC RESEARCH
AT CALIFORNIA STATE UNIVERSITY, FULLERTON

This Memorandum of Understanding ("MOU") is entered into between the County of Orange, Transportation Corridor Agencies, Orange County Sanitation District, Orange County Transportation Authority, Municipal Water District of Orange County, Orange County Water District, Orange County Council of Governments, Southern California Association of Governments ("SPONSORS"); the Orange County Local Agency Formation Commission ("CONTRIBUTING PARTNERS") and the CSU Fullerton Auxiliary Services Corporation, ("ASC"), which is a 501 (c)3 California corporation organized under California law as an auxiliary organization of California State University, Fullerton ("CSUF"). This MOU is for the development of demographic data and related support products. Obligations and rights specified for CSUF in the MOU shall be exercised by the ASC.

WHEREAS, the development of demographic and related information for Orange County is a vital data source used for a wide range of local, subregional and regional applications, including, transportation infrastructure planning, facilities planning and timing, development of fee programs, bond revenue stream analysis, general planning and other applications; and

WHEREAS, a number of primary users of data in Orange County have recognized the benefit of having a local area expertise in developing demographic projections and associated products; and

WHEREAS, these SPONSORS, CONTRIBUTING PARTNERS, and CSUF agree on the importance of having a single entity in Orange County developing demographic products and providing such products to data users; and

WHEREAS, these agencies also desire to establish a long-term process which allows each individual agency participation in the development and review of demographic products; and

WHEREAS, the Center for Demographic Research ("CDR") located at CSUF provides an opportunity to place demographic activities in a setting that accomplishes SPONSORS' and CONTRIBUTING PARTNERS' objectives and provides augmented educational opportunities for CSUF; and

WHEREAS, CSUF will be listed as a "SPONSOR" based upon their financial contribution as outlined in the budget in Attachment 1 and in-kind contributions for the balance of the remaining Sponsor seat; and

WHEREAS, the SPONSORS have worked cooperatively in supporting and organizing the Center for Demographic Research for 24 years and wish to continue their cooperation; and

WHEREAS, the CONTRIBUTING PARTNERS wish to participate in supporting the Center for Demographic Research beginning in Fiscal Year 2020/2021; and

NOW, THEREFORE, IT IS RESOLVED that the **SPONSORS, CONTRIBUTING PARTNERS**, and the **ASC** agree as follows:

I. The SPONSORS and CONTRIBUTING PARTNERS will fund the CDR for the next three years, subject to an annual review and two one-year options by the SPONSORS and CONTRIBUTING PARTNERS, for an annual total fee as set forth in Item IV below and Attachment 1.

II. Process and Structure

A. Orange County Projections

The Orange County Council of Governments ("OCCOG") will be responsible for the approval of the Orange County Projections at the Regional Statistical Area level and subsequent to that action the County of Orange will approve the Orange County Projections. The OCCOG will work with CDR staff to integrate the Orange County Projections as approved into the Southern California Association of Governments ("SCAG") Regional Growth Forecast. Sponsors will make good faith efforts to use the Orange County Projections data in all future forecasting and planning efforts.

B. Management Oversight

The Management Oversight Committee ("MOC") shall meet at least four (4) times each year to (1) consider policy matters associated with the operations of the Center for Demographic Research, (2) review products status and activities which are part of the core Work Program, (3) review the Center for Demographic Research's financial status and status of annual MOU signatures, (4) set CDR budget and modify staff salaries funded by this MOU (5) consider requests from additional agencies wishing to become sponsors or contributing partners, (6) modify budget and work program upon addition or termination of a sponsor or contributing partner, (7) address other matters vital to the function of the Center for Demographic Research, and (8) undertake additional tasks as requested by the SPONSORS.

The Management Oversight Committee will be comprised of staff representing the SPONSORS, CONTRIBUTING PARTNERS and CSUF. Each SPONSOR will have one voting member of equal standing on the Management Oversight Committee including one member jointly representing the Municipal Water District of Orange County and the Orange County Water District; each CONTRIBUTING PARTNER will have one non-voting Ex-Officio member. The designees from each SPONSOR, CONTRIBUTING PARTNER, and the university shall be named by

July 1 of each year. An organization may also designate an individual(s) to serve as an alternate member of the Management Oversight Committee. The committee chair and vice-chair will be elected for a three-year term.

C. Technical Oversight:

The Technical Advisory Committee ("TAC") provides technical guidance and input into the development of each product produced under this MOU before they are reviewed by the Management Oversight Committee. The Technical Advisory Committee advises the Director of the Center for Demographic Research, as well as reports to the Management Oversight Committee. The Committee will include one voting representative from each SPONSOR including a member representing the Municipal Water District of Orange County and the Orange County Water District; each CONTRIBUTING PARTNER will have one non-voting Ex-Officio member. University participation on the Technical Advisory Committee will include at least one voting member from CSUF, and one voting member each from the University of California, Irvine and Chapman University. The Director of the Center for Demographic Research will coordinate with research centers at these universities to ensure data consistency. The designees from each SPONSOR, CONTRIBUTING PARTNER, and agency shall be named by July 1 of each year. The committee chair and vice-chair will be elected for a three-year term.

The Technical Advisory Committee shall schedule at least four (4) meetings each year. It will (1) provide a report to the Management Oversight Committee summarizing its meetings, (2) provide advice on the approach, techniques, data sources and methods used to develop new products, (3) facilitate the acquisition of data necessary to produce products, (4) provide suggestions on the interpretation and analysis incorporated into deliverables, (5) provide input on assumptions for the development of the growth projections, (6) provide review of deliverables prior to approval by the Management Oversight Committee and (7) undertake other tasks as identified by the Management Oversight Committee.

D. Transportation Modeling Data

The Orange County Transportation Authority ("OCTA") will be responsible for the approval of all transportation modeling variables used in the Orange County Transportation Analysis Model ("OCTAM") at the Traffic Analysis Zone level. The transportation modeling variables shall be consistent with the Orange County Projections, as approved by the Orange County Council of Governments and the County of Orange at the Regional Statistical Area Level. The OCTA and SCAG will exercise user agreements for their consultants to access the transportation modeling variables.

III. Duration and Terminations

This agreement will become effective upon execution and ends on June 30, 2023. A review of the performance of the Center for Demographic Research in meeting its obligations under this MOU will be conducted by the Management Oversight Committee throughout the term July 2020 through June 2023. This MOU may be extended and/or amended by mutual agreement of all signatories.

A party may terminate its participation under this MOU by giving each of the other parties sixty (60) days written notice thereof. Upon said notice of termination, the SPONSOR or CONTRIBUTING PARTNER terminating its participation shall pay the balance of fees owed by the SPONSOR or CONTRIBUTING PARTNER for that given fiscal year. Each fiscal year, the SPONSORS and CONTRIBUTING PARTNERS shall review and approve in writing the MOU, work program, and funding arrangement. Such written approval shall constitute a SPONSOR'S or CONTRIBUTING PARTNER'S agreement to participate in this Agreement. In the event that ASC wishes to terminate its participation, it shall reimburse the SPONSORS and CONTRIBUTING PARTNERS any advance payments, less an amount to cover expenses related to work in progress and less costs reasonably necessary to effect such termination. If a party wishes to withdraw from the agreement, said notice shall be affected by delivery of such notice in person or by depositing said notice in the United States mail, registered or certified mail, return receipt required, postage prepaid.

IV. Funding and Schedule

Respective fees shall be as follows for the following fiscal year:

Payment Schedule for 2020-2023	**2020-2021**	**2021-2022**	**2022-2023**	**Three-Year Total**
Orange County Transportation Authority	$106,200.64	$110,378.62	$114,924.00	$331,503.26
County of Orange	$106,200.64	$110,378.62	$114,924.00	$331,503.26
Orange County Council of Governments	$106,200.64	$110,378.62	$114,924.00	$331,503.26
Orange County Sanitation District	$106,200.64	$110,378.62	$114,924.00	$331,503.26
Transportation Corridor Agencies	$106,200.64	$110,378.62	$114,924.00	$331,503.26
Southern California Association of Governments	$106,200.64	$110,378.62	$114,924.00	$331,503.26
Municipal Water District of Orange County	$53,100.32	$55,189.31	$57,462.00	$165,751.63
Orange County Water District	$53,100.32	$55,189.31	$57,462.00	$165,751.63
Orange County Local Agency Formation Commission	$17,000.00	$17,000.00	$17,000.00	$51,000.00
NON-CSUF TOTAL	**$760,404.48**	**$789,650.34**	**$821,468.00**	**$2,371,522.82**
California State University, Fullerton	$97,213.96	$98,782.60	$98,782.60	$294,779.16
TOTAL	**$857,618.44**	**$888,432.94**	**$920,250.60**	**$2,666,301.98**

Payments shall be made in accordance with invoicing policies of the ASC according to the schedule below. SPONSORS and CONTRIBUTING PARTNERS will be invoiced at the beginning of each quarter. Quarterly payments equal to 25% of the annual fees shall follow invoices submitted according to the calendar below:

Fiscal Year 2020/2021:	July 2020, October 2020, January 2021, April 2021
Fiscal Year 2021/2022:	July 2021, October 2021, January 2022, April 2022
Fiscal Year 2022/2023:	July 2022, October 2022, January 2023, April 2023

SPONSORS and CONTRIBUTING PARTNERS shall pay one-quarter of their annual fees upon receipt of said invoices or may prepay for an entire fiscal year. Prepayment does not imply a discounted rate.

V. Administrative Representatives

A. The Principal Investigator for the operations and management of the Center for Demographic Research and the conduct of this MOU is Deborah Diep, Director. The Assistant Director, Rubaiya Zaman, will serve as the Principal Investigator in the Director's absence. They are authorized to negotiate supplemental services with the SPONSORS, CONTRIBUTING PARTNERS, and Non-sponsors as noted in Section VII. Sydney Dawes, Director, ASC Office of Sponsored Programs is designated as the administrative representative for the ASC. Should the Principal Investigators become unavailable for any reason, no other Principal Investigator shall be chosen by CSUF or the ASC without the approval of the SPONSORS. Furthermore, the ASC agrees that the Management Oversight Committee shall make the recommendation on the selection of the Director or interim Director of the Center for Demographic Research and no Director or interim Director shall be appointed without approval of the Management Oversight Committee. The Management Oversight Committee will serve as the search committee if a search committee for the Director is required by the ASC.

B. Equipment and furniture purchased by ASC under the terms of this MOU shall remain the property of the SPONSORS. In the event that the Center for Demographic Research is disbanded, the equipment remains the property of the SPONSORS and the Management Oversight Committee shall determine its disposition.

C. Databases and applications developed and maintained for the Center for Demographic Research purposes shall remain under control of the SPONSORS. In the event that Center for Demographic Research is relocated from CSUF, all Center for Demographic Research functions and designations shall accompany the Center for Demographic Research.

VI. Additional Sponsorships and Revenues

Other agencies and entities can become sponsors or contributing partners of the Center for Demographic Research with unanimous agreement among the SPONSORS as determined by a vote of the Management Oversight Committee. Adjustments in sponsor fees found necessary resulting from the addition of sponsors shall be determined by the Management Oversight Committee with consultation from the Center for Demographic Research Principal Investigators.

The disposition of additional revenues generated through additional sponsors, and the sale of products and services to non-sponsors shall be determined by the Management Oversight Committee. The additional funds shall be prorated according to the respective sponsor fee. SPONSORS shall have the option of expending their share of the additional funds on CDR activities, products or equipment or having the funds returned to the SPONSORS at the end of the fiscal year.

VII. Products and Deliverables

A. The Center for Demographic Research will produce the identified core Demographic Products and Services as described in Attachment 2 and listed in Attachment 3. Each SPONSOR will receive ten (10) copies in printed form and one (1) copy of estimates and projections in electronic form.

B. The SPONSORS and CONTRIBUTING PARTNERS have the right to request supplemental products and support services from the Center for Demographic Research through a purchase order. Projects above the amount of $25,000 shall be approved by the ASC. Such purchases may be entered into if the SPONSOR or CONTRIBUTING PARTNER agrees to pay ASC all additional costs resulting from the additional products or services, including an indirect cost of 22%, and if the activities do not interfere with the normal functioning of the CDR. If requests for additional products or services require interference with the normal functioning of the CDR as determined by the Management Oversight Committee or additional resources from the CDR's basic budget the proposal for such products and services will be forwarded to the Management Oversight Committee for their advice and consent prior to finalization of the agreement. In all cases, supplemental work for SPONSORS and CONTRIBUTING PARTNERS shall be assessed indirect costs of 22%.

C. Non-sponsors can contract with the Center for Demographic Research through the ASC for its services or obtain supplemental products and support services from the Center for Demographic Research through a Non-sponsor purchase order. A list of these projects will be submitted to the MOC on a quarterly basis. If the Director assesses a proposed project contains a conflict of interest, conflict of time commitment, or interference with the normal functioning of CDR, the Management Oversight Committee will be informed of the request for services and will review it for any potential conflicts. The Director shall notify the Management Oversight Committee of any such proposed agreement and provide the committee with draft text and budget, before the intended start of work. The Management Oversight Committee shall review the proposed project for possible conflicts of interests, conflicts of time commitment, and budgetary adequacy. The Management Oversight Committee may at its discretion impose a surcharge of funds to be used at its discretion. Action on these matters may be taken only with the concurrence of a majority of the members of the Management Oversight Committee and all such supplemental work for Non-sponsors shall be assessed normal indirect costs of 22%.

D. Use of revenues generated by the sale of products produced by the Center for Demographic Research shall be determined by the Management Oversight Committee. A quarterly report on product sales will be presented to the Management Oversight Committee.

E. Additional projects should not adversely affect the schedule of deliverables unless otherwise agreed to by the Management Oversight Committee.

VIII. Sponsorship

This Agreement shall be signed by all SPONSORS and CONTRIBUTING PARTNERS by June 30, 2020 with the exception of the Southern California Association of Governments. The Southern California Association of Governments shall sign this Agreement by September 30, 2020. If all SPONSORS and CONTRIBUTING PARTNERS listed in Section XVIII do not sign by September 30, 2020, the work program and budget will be modified to reflect the committed funding. If any SPONSOR or CONTRIBUTING PARTNER does not sign this Agreement, the funding amounts of the remaining SPONSORS and CONTRIBUTING PARTNERS will not change. The remaining SPONSORS and CONTRIBUTING PARTNERS are not required to make up the difference in the reduced budget. Any SPONSOR or CONTRIBUTING PARTNER listed as an ORANGE COUNTY INTEREST that does not sign this Agreement forfeits all rights, services, and privileges as a CDR SPONSOR or CONTRIBUTING PARTNER unless otherwise negotiated. A formal status report on execution will be delivered at each Management Oversight Committee meeting until all SPONSORS and CONTRIBUTING PARTNERS sign this Agreement.

IX. Liability and Insurance

Each party to this MOU hereby assumes any and all risks for personal injury and property damage attributable to the negligent acts or omissions of that party and the officers, employees, and agents thereof. ASC warrants that it has adequate Worker's Compensation Insurance and liability insurance for its own employees. The ASC, the SPONSORS (the County of Orange, Transportation Corridor Agencies, Orange County Sanitation District, Orange County Transportation Authority, Municipal Water District of Orange County, Orange County Water District, Orange County Council of Governments, and Southern California Association of Governments), and the CONTRIBUTING PARTNERS (the Orange County Local Agency Formation Commission) agree to indemnify and hold each other, their respective officers, employees, students, agents, harmless from and against all liability, loss, expense (including reasonable attorney's fees), or claims for injury of damages arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorney's fees, or claims for injury or damages are caused by or result from negligent or intentional acts or omissions of the indemnifying party, its officers, employees, students or agents.

X. Independent Contractor

In the performance of all services and obligations under this agreement, SPONSORS, CONTRIBUTING PARTNERS, and ASC shall act as independent contractors. None shall be considered an employee or agent of the other.

XI. Use of Names

SPONSORS and CONTRIBUTING PARTNERS agree not to use the names of the ASC or CSUF in any commercial connection with work performed under this Agreement without prior written permission from the ASC. SPONSORS and CONTRIBUTING PARTNERS may use said names in ordinary internal business reports concerning this Agreement and may use the names of the Center for Demographic Research and the Principal Investigators in non-commercial publicity announcing the results of the project.

ASC agrees not to use the names of SPONSORS and/or CONTRIBUTING PARTNERS in any commercial connection with this work without prior written permission from SPONSORS and/or CONTRIBUTING PARTNERS. ASC may use SPONSORS' and/or CONTRIBUTING PARTNERS' name in ordinary internal business reports concerning this agreement and in non-commercial publicity announcing the awarding of the contract.

The provisions of this Section of the Agreement shall survive for two (2) years beyond any termination date specified in Section III or any extension thereof.

XII. Force Majeure

SPONSORS, CONTRIBUTING PARTNERS, and ASC shall not be liable or deemed to be in default for any delay or failure in performance under this Agreement or interruption of services resulting, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, strikes, labor disputes, or any similar cause beyond the reasonable control of SPONSORS, CONTRIBUTING PARTNERS, or ASC, provided the affected party notifies the other party of the delay in writing within ten days of the onset of the delay.

XIII. Assignment

This Agreement shall inure to the benefit of and be binding upon and enforceable by the parties and their successors and permitted assigns. However, neither party may assign any of its rights or obligations under this Agreement without the prior written consent of the other.

XIV. Modification and Waiver

None of the terms of the Agreement may be waived or modified except by an express agreement in writing signed by SPONSORS, CONTRIBUTING PARTNERS, and ASC. Modifications not documented in writing cannot be enforced. The failure or delay of either party in enforcing any of its rights under this Agreement shall not be deemed a continuing waiver or a modification by such party of such right.

XV. Governing Law

The validity and interpretation of this Agreement shall be governed by the laws of the State of California.

XVI. Federal Statutes Relating to Nondiscrimination

ASC will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S. C. sections 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S. C. section 794), which prohibits discrimination on the basis of handicaps; (d) Age discrimination Act of 1975, as amended (42 U.S.C. sections 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 (P.O. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-d and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. section 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (I) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirement of any other federal nondiscrimination statue(s) which may apply to the application.

XVII. Notices

Notices under this agreement shall be considered to be given if delivered by first class mail to the following addresses:

For SPONSORS:

Jessica Witt
County of Orange
10 Civic Center Plaza, 3rd Floor
Santa Ana, CA 92701

Marnie O'Brien Primmer
Orange County Council of Governments
3972 Barranca Pkwy, Suite J-127
Irvine, CA 92606

James D. Herberg
Orange County Sanitation District
10844 Ellis Avenue
Fountain Valley, CA 92738-8127

Kurt Brotcke
Orange County Transportation Authority
550 S. Main Street
2nd Floor
Orange, CA 92868

Kome Ajise
Southern California Association of Governments
c/o Justine Block, SCAG Acting Chief Counsel
900 Wilshire Blvd., Suite 1700
Los Angeles, CA 90017

Valarie McFall
Transportation Corridor Agencies
125 Pacifica, Suite 100
Irvine, CA 92618-3304

Robert Hunter
Municipal Water District of Orange County
18700 Ward Street
Fountain Valley, CA 92728

Michael R. Markus
Orange County Water District
18700 Ward Street
Fountain Valley, CA 92728-8300

Danny C. Kim
Administration and Finance, California State University, Fullerton
800 N. State College Blvd., LH-802
Fullerton, CA 92831-3599

For CONTRIBUTING PARTNERS:

Carolyn Emery
Orange County Local Agency Formation Commission
2677 N. Main Street, Suite 1050
Santa Ana, CA 92705

For CSU FULLERTON AUXILIARY SERVICES CORPORATION

Sydney Dawes, Director, ASC Office of Sponsored Programs
CSU Fullerton Auxiliary Services Corporation
1121 N. State College Blvd.
Fullerton, CA 92831-3014

XVIII. Execution

IN WITNESS THEREOF, the SPONSORS, CONTRIBUTING PARTNERS, and the ASC have executed this Agreement on the date first herein written. This Agreement is to be signed in counter parts.

For the CSU Fullerton Auxiliary Services Corporation:

_____ _____
Charles D. Kissel, Executive Director Date

For the County of Orange:

_____ _____
Frank Kim, County Executive Officer Date

For the Orange County Council of Governments:

_____ _____
Marnie O'Brien Primmer, Executive Director Date

For the Orange County Sanitation District:

_____ _____
James D. Herberg, General Manager Date

For the Orange County Transportation Authority:

_____ _____
Darrell Johnson, Chief Executive Officer Date

For the Southern California Association of Governments:

_____ _____
Kome Ajise, Executive Director Date

For the Foothill/Eastern Transportation Corridor Agency:

Michael Kraman, Chief Executive Officer	Date

For the San Joaquin Hills Transportation Corridor Agency:

Michael Kraman, Chief Executive Officer	Date

For the Municipal Water District of Orange County:

Sat Tamaribuchi, President of the Board	Date
Robert Hunter, General Manager	Date

For the Orange County Water District:

Vincent Sarmiento, President	Date
Michael R. Markus, General Manager	Date

For the Orange County Local Agency Formation Commission:

Carolyn Emery, Executive Officer	Date

For California State University, Fullerton:

Danny C. Kim, Vice President for Administration & Finance/CFO	Date

Attachment 1: Center for Demographic Research
Annual Budget: July 1, 2020 through June 30, 2023

		2020-21	2021-22	2022-23
1	Salaries	$434,339.26	$446,889.06	$467,736.62
2	Benefits	$184,459.49	$191,881.70	$201,114.20
3	Supplies	$7,000.00	$7,000.00	$7,000.00
4	Printing & Publications	$8,500.00	$12,500.00	$8,500.00
5	Meetings, Mileage, & Training	$1,950.00	$1,950.00	$1,950.00
6	Equipment	$500.00	$500.00	$500.00
7	**Expenses**	**$636,748.75**	**$660,720.77**	**$686,800.82**
8	Federally-negotiated Indirect Cost (IDC) / Overhead: 37%	$235,597.04	$244,466.68	$254,116.30
9	Office space rent (not subject to IDC)	$80,784.96	$82,353.60	$82,353.60
10	**(A) Gross Total Program Costs**	**$953,130.75**	**$987,541.05**	**$1,023,270.72**
11	Contributions toward IDC			
12	Non-CSUF SPONSORS/Contributing Partner (22.0%)	$140,084.73	$145,358.57	$151,096.18
13	CSUF contribution (IDC reduction from 37% to 22%)	$95,512.31	$99,108.11	$103,020.12
14	Total Indirect Cost (IDC) / Overhead	$235,597.04	$244,466.68	$254,116.30
15	CSUF Contribution Summary			
16	Office space rent: 100%[1]	$80,784.96	$82,353.60	$82,353.60
17	Administrative Asst. salary support from HSS Dean[1]	$16,429.00	$16,429.00	$16,429.00
18	Subtotal of CSUF Monetary Contributions	$97,213.96	$98,782.60	$98,782.60
19	IDC / Overhead (Rate reduction from 37% to 22%)[2]	$95,512.31	$99,108.11	$103,020.12
20	**(B) Total CSUF Contribution**	**$192,726.27**	**$197,890.71**	**$201,802.72**
21	**NET CDR BUDGET TOTAL: (A) - (B)**	**$760,404.48**	**$789,650.34**	**$821,468.00**
22	Contributing Partner (no seat): LAFCO	$17,000.00	$17,000.00	$17,000.00
23	Cost per Sponsorship Seat= (Net Budget – LAFCO)/ 7 remaining seats	$106,200.64	$110,378.62	$114,924.00

		Number of Voting Seats			
24	OCTA	1	$106,200.64	$110,378.62	$114,924.00
25	COUNTY	1	$106,200.64	$110,378.62	$114,924.00
26	OCCOG	1	$106,200.64	$110,378.62	$114,924.00
27	OCSD	1	$106,200.64	$110,378.62	$114,924.00
28	TCA	1	$106,200.64	$110,378.62	$114,924.00
29	SCAG	1	$106,200.64	$110,378.62	$114,924.00
30	MWDOC	0.5	$53,100.32	$55,189.31	$57,462.00
31	OCWD	0.5	$53,100.32	$55,189.31	$57,462.00
32	CSUF	1	see above	see above	see above
33	LAFCO	0	$17,000.00	$17,000.00	$17,000.00
34	**TOTAL**	**8**	**$760,404.48**	**$789,650.34**	**$821,468.00**

[1]Monetary contribution

[2]Non-monetary contribution (rate reduction); not included in IV. Funding and Schedule: Payment Schedule for 2020-2023, Page 4.

Attachment 2
Proposed CDR 2020-2023 Services and Products

REPORTS

Orange County Progress Report

Produce an annual Orange County Progress Report. This document presents a unified and a comprehensive picture of Orange County and its 34 cities including its economic health, its demographic status and trends, and other information of interest to those who might wish to relocate to Orange County, do business in the County, or otherwise have an interest in the economic and demographic status and future of Orange County.

Orange County Projections

Preparation and development of OCP-2022 will begin during this three-year MOU. Incorporate 2020 Decennial Census data into OCP-2022 base year dataset. Complete OCP-2022 dataset and adoption. Following the adoption of OCP-2022, produce a report containing assumptions, tables, charts, maps, and methodology. The OCP dataset contains population, housing, and employment projections by 2020 census tract, jurisdiction, Community Analysis Area, and Regional Statistical Area for a 25-year period. This iteration will include agency boundaries for MWDOC, OCSD, & OCWD.

Orange County Facts and Figures

Update quarterly the Orange County Facts and Figures. This document focuses on the most frequently asked questions about Orange County demographics and related information.

Boundary and Annexation Report

Working with information provided by OC LAFCO, CDR staff will produce an annual report of the jurisdictional boundary changes. This multi-page report will contain a map of the year to year boundary changes and a table listing the area change and specific annexations and incorporations for each calendar year. Detailed annexation and vicinity maps from OC LAFCO's approved changes of organization documents will also be included in the report. For ease of reference and to make the information publically available, the report will be posted on OC LAFCO's website.

Housing Activity Report

Using information from the Housing Inventory System (HIS), CDR staff will produce an annual report on the housing construction and demolition activity by jurisdiction. Information will be released in aggregate form at the jurisdiction level in a PDF.

PUBLIC INFORMATION SERVICES

Provide Public Information on Orange County Demographics as Requested

Provide information in response to numerous requests made by government agencies, elected officials, private companies, non-profit organizations, schools, students, and citizens regarding demographic and related information about Orange County.

Maintain CDR Website

Update the information currently on the CDR website on a regular basis and expand as information becomes available.

Provide Information and Analysis to News Media

Provide information, description, interviews, and analysis of demographics to news media to assist them in doing stories where demographics is the focus.

Update RHNA Allocations

Develop allocations of 2020 RHNA for annexations and incorporations as requested. Provide data support to local jurisdictions and SCAG during development of the 2020 RHNA. Monitor RHNA development process to ensure Orange County data is incorporated.

Process Decennial Census and American Community Survey Data

Process Bureau of Census data as it pertains to development of the Orange County Projections and at the request of CDR Sponsors.

State Data Center Affiliate

The CDR will serve as a State Data Center Affiliate to the Demographic Research Unit of the California Department of Finance. As an Affiliate, CDR will assist the SDC and Orange County in disseminating census data and improving public access to census data products consistent with services CDR already provides.

DATA BASES

Housing Inventory System

The Housing Inventory System (HIS) is a data system that includes all changes to each jurisdiction's housing stock, including 2017 and 2019 changes to accessory dwelling units. Data is collected at the address level and converted into a GIS database by geocoding. After geocoding, quality analysis efforts include tying activity to parcels. Depending on the jurisdiction, different documents are used to record added units including certificates of use and occupancy, utility release log, or building final documents. Demolitions and conversions are recorded though other recordation. Changes to the mobile home inventory will be verified with HCD. This project includes an annual review and sign off process by each jurisdiction of their geocoded data to ensure accuracy.

Census Data by Partial TAZ

Update the correspondence tables of 2020 Census blocks to the TAZs after release of Census Bureau data and GIS shapefiles. As the various census files become available, transportation modeling variables and other key variables useful for projecting the modeling variables will be aggregated to TAZ.

Calibrate Age Cohort Component, Shift-Share and Headship Rate Models

Based on data from the Census Bureau, DOF, and EDD data, calibrate the models used to project county-wide population, housing and employment.

Master Polygon File

Update master polygon file based on the 2020 Census block file for use in development of OCP dataset and annual population and housing unit estimates. Allocate Census block data to TAZ, CAA, RSA, MWDOC, OCSD, and OCWD. Working with information from OC LAFCO, the master polygon file will be updated annually to include changes to agency boundaries: jurisdiction, MWDOC, OCSD, and OCWD.

Population and Housing Estimates by TAZ (OCP)

Estimates of population and housing by unit type will be developed using the 2010 Census and American Community Survey data at the split TAZ. From 2014 onwards, housing unit changes will be geocoded and aggregated to the TAZ. Annual estimates of population and housing will be produced by TAZ for maintenance of the OCP base file.

Annual Population and Housing Estimates by Partial Census Tract and Sponsor Agency

Estimates of population and housing units developed using the 2020 Census for each of the special district sponsors will be updated annually. From 2014 onwards, annual estimates (January 1) of population and housing will be produced by partial census tract and for each of the special district sponsor agencies: MWDOC, OCSD, and OCWD.

Project Total County Population, Housing, and Employment

Draft assumptions for OCP-2022 will be developed and reviewed by the CDR TAC. These will then be incorporated into the macro level models used to project population, housing, and employment. The resulting projections will be reviewed by the CDR TAC and MOC and then brought to the OCCOG TAC and Board for approval as the controls totals for OCP-2022.

Projected Population, Housing and Employment by TAZ (OCP)

Preparation and development of OCP-2022 will begin during this MOU cycle. Countywide population, housing, and employment for years 2020 through 2050 will be allocated to Traffic Analysis Zones split by jurisdictions. Following the allocation, extensive review and refinement will occur to assure the accuracy of the projections.

Secondary Variables by TAZ (OCTAM)

The basic projected population, housing, and employment from OCP-2022 will be expanded to the 14 OCTAM variables. These variables will include resident population, group quarters population, employed residents, median income, occupied single family dwelling units, occupied multiple family dwelling units, household size, retail employment, service employment, K-12 public school employment, all other employment, school enrollment, university enrollment, and area. Preparation of the base year OCTAM data for OCP-2026 will begin in this MOU cycle.

Entitlement Dataset & Support Services

Provide support to Orange County jurisdictions in the development of the entitlements database and other data requested by SCAG during the development of the 2020 & 2024 RTP/SCS. Monitor development process to ensure Orange County data is incorporated.

Consolidated Boundary and Annexation Program (CBAS)

CDR staff will report annual jurisdictional boundary and feature changes through a new, voluntary program of the U.S. Census Bureau that allows for a consolidated annual review of jurisdiction boundaries. This review will be done using the official County Surveyor/OC LAFCO jurisdiction GIS boundary file. Orange County jurisdictions will be able to opt in or out of this CDR service annually. CDR will notify each participating jurisdiction and OC LAFCO of the outcome of the BAS review, i.e., whether there were any areas where jurisdiction boundaries needed to be corrected.

COMMITTEES

Participate in Sponsor Technical Advisory Committees as Requested

Participate in appropriate Sponsor technical advisory committees including, OCCOG TAC, County's Demographic Steering Committee, OCTA's Modeling TAC, Orange County Sanitation District's Planning Advisory Committee, Water Use Efficiency Project Advisory Committee, and SCAG's Technical Working Group and other regional working groups.

Coordinate with SCAG and SCAG Committees

This service revolves around the incorporation of OCP into the SCAG growth forecast. This service includes participation in SCAG expert panels and workshops to develop assumptions for their population and employment projections; monitoring the discussions relevant to the development of SCAG's growth forecast at SCAG policy committees and subregional coordinator meetings; and coordinating with relevant SCAG staff on this issue.

Coordinate with University Research Centers

CDR staff will coordinate with UCI and Chapman University research centers to ensure consistency between the CDR's forecast and estimates and those produced by these institutes.

2020-2023 LAFCO FUNDED PROJECT: Sphere of Influence Estimates

CDR will update its master polygon file on an annual basis with changes to the sphere of influence (SOI) boundaries. CDR will produce annual estimate of January 1 population and housing for each of the SOI polygons upon completion of the annual Housing Inventory System to maintain this information in preparation for the 2018-2022 OC LAFCO municipal service review cycle.

Boundary and Annexation Report: Working with OC LAFCO over the three-year MOU cycle, CDR will attempt to build a historical reference collection of these reports going back to 2000 as information is available.

NEW PROJECTS & SERVICES

Modifications to OCTA Traffic Analysis Zones

CDR will work with OCTA on an update to their Orange County Transportation Analysis Model Traffic Analysis Zones (OCTAM TAZs) to align with roads and communities that have been built and future developments which are now formally detailed. Once the 2020 Census block geographic boundaries are available, the CDR will work with OCTA from July to December 2020 to update the OCTAM TAZ boundaries by incorporating any additional changes OCTA has requested and finalize any other requested or suggested changes to the TAZ boundaries in preparation for the OCP-2022. 2020 base year estimates to be reviewed by jurisdictions in summer 2021.

Orange County Projections 2022 Geographies- Tier 3/City TAZ Pilot Program

CDR will complete a pilot program of three cities, which already have comparable data at the Tier 3/city TAZ level, to expand the OCP split OCTAM-TAZ geographies to the city/Tier 3 TAZs for OCP-2022. The city-TAZs nest into the OCTAM TAZs. This data will also be provided to SCAG for use in their modeling efforts at the Tier 3 level. The OCP-2022 working geographic unit would be the split Tier 3 TAZ. The OCTAM modeling dataset would still be developed and provided to OCTA at the OCTAM TAZ (Tier 2) level. The pilot program would potentially be a first-phase effort to incorporate the city/Tier 3 TAZ for the three volunteer cities (Anaheim, Irvine, and Newport Beach) into the CDR minimum planning unit database for OCP.

Special Decennial Census Edition of the Facts & Figures

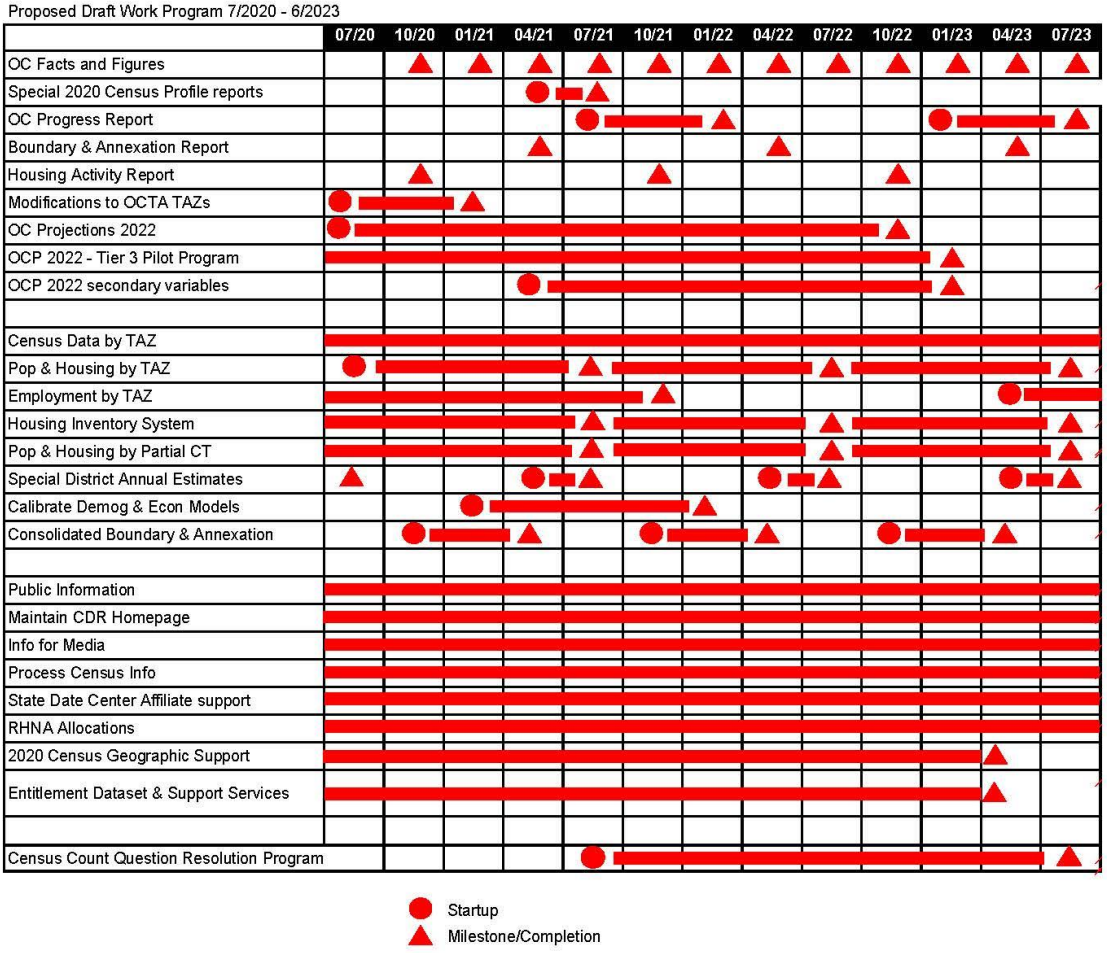
This multi-page document will include county and city/community data from the 2020 Decennial Census on population and housing. It will also show growth and changes since the 2010 Decennial Census. This document will be electronic and posted online for free download.

Census Bureau Count Question Resolution (CQR) Program Support

CDR staff will provide maps to Orange County jurisdictions to verify 2020 Census jurisdictional boundaries and total population and housing unit counts by census block. CDR staff will assist Orange County jurisdictions in documenting errors found during the review process by providing maps to be used in their responses to the U.S. Census Bureau Count Question Resolution program.

Attachment 3

Proposed Draft Work Program 7/2020 - 6/2023



COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Grant Award Acceptance for the 2019 and 2020 Orange County Fair Express Bus Service

Transit Committee Meeting of April 9, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom
Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Director Pulido was not present to vote on this item.

Committee Recommendation

Authorize the Chief Executive Officer, or designee, to accept the Mobile Source Air Pollution Reduction Review Committee Major Event Center Transportation Program award, and to negotiate and execute grant-related agreements and documents with the Mobile Source Air Pollution Reduction Review Committee.

April 9, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Grant Award Acceptance for the 2019 and 2020 Orange County Fair Express Bus Service

Overview

The Mobile Source Air Pollution Reduction Review Committee awarded the Orange County Transportation Authority $468,298 in competitive Major Event Center Transportation Program funding. The grant award will support the 2019 and 2020 Orange County Fair Express Bus Service.

Recommendation

Authorize the Chief Executive Officer, or designee, to accept the Mobile Source Air Pollution Reduction Review Committee Major Event Center Transportation Program award, and to negotiate and execute grant-related agreements and documents with the Mobile Source Air Pollution Reduction Review Committee.

Background

The Mobile Source Air Pollution Reduction Review Committee (MSRC), in partnership with the South Coast Air Quality Management District (SCAQMD), makes grants available to local agencies for programs to seek cost-effective opportunities to reduce automobile trips and associated emissions by shifting attendees of major events out of their personal automobile, and onto zero and near-zero emission transportation alternatives.

On April 5, 2019, MSRC made available $6.5 million in 2019-21 Major Event Center Transportation Program (Program) funding. The Program seeks out major event center venues located within the SCAQMD region that experience high levels of traffic congestion that are inefficiently served by public transit, and partner with transportation providers to develop and implement new or expanded programs to attract patrons to reduce the number of personal vehicles traveling to the center.

New requirements for this program year included the utilization of the cleanest, commercially available zero and/or near-zero emission vehicles to implement the event center transportation service, and a funding limitation to two years of consecutive service. Orange County Transportation Authority (OCTA) staff submitted an application in July 2019, requesting $468,298 to support operations of the Orange County Fair Express Bus Service for the 2019 and 2020 seasons. OCTA continued to work with MSRC staff after the 2019 OC Fair concluded to seek grant approval. On September 6, 2019, SCAQMD approved OCTA's request for $468,298 to support operations of the OC Fair Express Bus Service for the 2019 and 2020 seasons.

Discussion

OCTA successfully delivered the 2019 OC Fair Express service, which is allowable and can be reimbursed under the MSRC Guidelines. The grant requires an OCTA in-kind match contribution of 50 percent for the 2019 season, and 55 percent for the 2020 season. The required OCTA in-kind match is $517,813 for the two seasons combined. Attachment A provides the grant awards for the 2019 and 2020 OC Fair Express Bus Service.

Staff continued to work with MSRC staff after the 2019 OC Fair concluded to ensure that OCTA would remain eligible for reimbursement of eligible costs. This delayed execution of the contract and associated grant-related agreements.

The Program funds continue to be available through March 2021, and staff plans to submit an application to support operations of the 2021 OC Fair season early next year, if funding remains available. Consistent with the new program requirements, OCTA was eligible to apply for funding to support only two years of the service.

Staff is requesting the Board of Directors (Board) authorize acceptance of this grant, and authorize staff to negotiate and enter into a contract with MSRC, allowing OCTA to seek reimbursement for the costs for the 2019 OC Fair Express, and move forward with 2020 service.

Summary

The MSRC awarded OCTA $468,298 to support operations of the OC Fair Express Bus Service for the 2019 and 2020 seasons. Board authorization is requested to receive the grant, and provide an in-kind match contribution of $517,813.

Attachment

A. 2019 and 2020 OC Fair Express Bus Service Estimated Cost

Prepared by:

Jennifer Haith Farinas
Senior Transportation
Funding Analyst
(714) 560-5392

Approved by:

Kia Mortazavi
Executive Director, Planning
(714) 560-5741

ATTACHMENT A

2019 and 2020 OC Fair Express Bus Service Estimated Cost

2019 OC FAIR EXPRESS SERVICE FUNDING	Percent Share	Estimated Cost
Mobile Source Air Pollution Reduction Review Committee (MSRC) Funding Request	49.98%	$ 247,535.47
Matching Funds	50.02%	$ 247,747.26
	2019 TOTAL	**$ 495,282.73**

2020 OC FAIR EXPRESS SERVICE FUNDING	Percent Share	Estimated Cost
MSRC Funding Request	44.98%	$ 220,762.76
Matching Funds	55.02%	$ 270,065.74
	2020 TOTAL	**$ 490,828.50**

2019 - 2020 OC FAIR EXPRESS SERVICE FUNDING COMBINED	Percent Share	Estimated Cost
Total MSRC Funding Request	47.00%	$ 468,298.23
Total Matching Funds	53.00%	$ 517,813.00
	TOTAL PROJECT COST	**$ 986,111.23**

COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Consultant Selection for OC ACCESS Eligibility Determination Services

Transit Committee Meeting of April 9, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom
Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Director Pulido was not present to vote on this item.

Committee Recommendations

A. Approve the selection of Medical Transportation Management, Inc., as the firm to provide OC ACCESS eligibility determination services.

B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1621 between the Orange County Transportation Authority and Medical Transportation Management, Inc., in the amount of $3,062,866, for a three-year initial term from July 1, 2020 through June 30, 2023, with one, two-year option term, to provide OC ACCESS eligibility determination services.

OCTA

April 9, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Consultant Selection for OC ACCESS Eligibility Determination Services

Overview

The Orange County Transportation Authority is required to provide an eligibility determination process for Americans with Disabilities Act complementary paratransit services. On November 25, 2019, the Board of Directors authorized the release of a request for proposals. Offers were received in accordance with the Orange County Transportation Authority procurement procedures for professional and technical services. Board of Directors' approval is requested to select a contractor to provide these services.

Recommendations

A. Approve the selection of Medical Transportation Management, Inc., as the firm to provide OC ACCESS eligibility determination services.

B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1621 between the Orange County Transportation Authority and Medical Transportation Management, Inc., in the amount of $3,062,866, for a three-year initial term from July 1, 2020 through June 30, 2023, with one, two-year option term, to provide OC ACCESS eligibility determination services.

Discussion

Section 223 of the Americans with Disabilities Act (ADA) requires that public entities operating fixed-route transit services also provide complementary paratransit services for individuals who are unable to use the fixed-route service. The regulations issued by the United States Department of Transportation specify to whom, and under what circumstances, service is to be provided. In addition, the regulations require that public providers of complementary paratransit services develop and administer an eligibility

process to determine whether individuals who request the service meet the regulatory criteria for eligibility.

All individuals who apply for OC ACCESS ADA eligibility certification are required to participate in an in-person functional assessment. This assessment evaluates physical and/or cognitive disabilities that may prevent an individual from using fixed-route bus services. Conducting an in-person assessment provides an opportunity to better determine an individual's eligibility for services based on ADA guidelines. OCTA utilizes a contractor to perform all in-person functional assessments, and the current contract will expire June 30, 2020.

Currently, 32,645 individuals are eligible to use OC ACCESS. The OC ACCESS program receives an average of 470 applications each month. Of these, approximately 62 percent are new customers and 38 percent are existing customers requiring recertification. All OC ACCESS eligible customers must be evaluated at least once every five years.

Procurement Approach

This procurement was handled in accordance with OCTA Board of Directors (Board)-approved procedures for professional and technical services. Various factors are considered in the award for professional and technical services. Award is recommended to the firm offering the most comprehensive overall proposal considering such factors as prior experience with similar projects, staffing and project organization, work plan, as well as cost and price.

On November 25, 2019, the Board authorized the release of Request for Proposals (RFP) 9-1621 to select a firm to provide OC ACCESS eligibility assessment determination services. On November 26, 2019, RFP 9-1621 was issued electronically on CAMM NET. The project was advertised in a newspaper of general circulation on November 26 and December 5, 2019. A pre-proposal conference was held on December 18, 2019, with six attendees representing three firms. Two addenda were issued to provide a copy of the pre-proposal conference registration sheet and respond to questions related to the RFP.

On February 4, 2020, three proposals were received. An evaluation committee consisting of OCTA staff from Contracts Administration and Materials Management, Paratransit Services, Scheduling and Bus Operations Support departments, as well as external representatives from Los Angeles County Metropolitan Transportation Authority and OmniTrans met to review all submitted proposals.

The proposals were evaluated based on the following Board-approved evaluation criteria and weights:

• Qualifications of the Firm	20 percent
• Staffing and Project Organization	30 percent
• Work Plan	30 percent
• Cost and Price	20 percent

Several factors were considered in developing the criteria weightings. Staffing and project organization, as well as work plan were assigned the greatest level of importance. The proposed project staff needed to demonstrate knowledge of ADA paratransit rules, regulations, and the eligibility process required to determine whether individuals meet the regulatory criteria for service eligibility. The work plan proposed by the firms needed to identify how the firm will recruit, hire, train, and employ the various specialists with experience working alongside persons with disabilities, with a focus on the relevant complexities performing the functional assessment criteria for identifying ADA eligibility. Qualifications of the firm needed to demonstrate a proven track record of the firm successfully completing similar cognitive and physical evaluation projects. Cost and price was also a critical element to ensure services are received at a fair cost.

On February 13, 2020, the evaluation committee reviewed all proposals based on the evaluation criteria, and all firms listed below in alphabetical order were invited to the interview:

C.A.R.E. Evaluators, Inc. (CARE)
Aliso Viejo, California

Medical Transportation Management, Inc. (MTM)
St. Louis, Missouri

Mobility Management Partners, Inc. (MMP)
Camarillo, California

On February 20, 2020, the evaluation committee conducted interviews with all firms. During the interview, each firm had the opportunity to present its approach for accomplishing the requested services, project team qualifications, and respond to evaluation committee questions. Firms were asked to share some of the potential challenges to the ADA eligibility process and lessons learned through previous experience in providing paratransit evaluations, as well as their quality assurance practices for meeting the 21-day application processing period as required in the ADA guidelines. All firms also answered

specific questions to each firm's proposal relative to OCTA's requirements specified in the scope of work.

On February 20, 2020, after the interviews, a request for a best and final offer (BAFO) was sent to all firms. The BAFO requested each proposer to provide a cost breakdown of the cost per functional assessment based on an estimated number of assessments identified by OCTA.

After considering the responses to the questions asked during the interviews and BAFO information, the evaluation committee reconvened and adjusted the individual criteria scores of all firms. As a result, the overall ranking of the firms remained unchanged.

Based on the evaluation of the written proposals, responses from the interviews, and BAFO information, the evaluation committee is recommending MTM for consideration of the award. The following is a brief summary of the proposal evaluation results.

Qualifications of the Firm

All three firms are established companies with relevant experience in ADA paratransit eligibility determination services.

MTM has provided transportation management services to individuals with disabilities, elderly, and the transportation disadvantaged across the country for over 25 years. It currently operates 14 ADA eligibility assessment programs across the country and has several business offices in Southern California. MTM's customers include Chicago Regional Transportation Authority, LA Access Services, Inc., San Diego Metropolitan Transit System, Valley Metro Regional Transportation Authority (Valley Metro), and Washington Metropolitan Area Transit Authority. MTM's ADA paratransit experience consists of conducting in-person interviews, various physical and telephone assessments, as well as cognitive and functional assessments. MTM has identified an assessment site that is close to OCTA and has a draft blueprint ready to develop indoor courses to meet the requirement specified in the scope of work. MTM included in their proposal and confirmed during the interview that they will have the construction of an assessment facility complete prior to the start of the project to ensure a smooth project transition.

MMP has been in business since 2009 in providing relevant services to residents in the City of Los Angeles and Los Angeles County. MMP specializes in mobility training workshops, travel training, and mobility management. MMP's customers include the City of Los Angeles, LA Access Services, Inc.,

Ventura County Catch-A-Ride, and Ventura County Transportation Commission (VCTC). MMP's experience with ADA paratransit eligibility assessment is mainly with VCTC, where MMP provides services to ten individual cities serviced by seven different transit operators. In its proposal, MMP displayed its comprehensive project experience in receiving and processing applications for paratransit eligibility, as well as conducting transit assessments. During the interview, MMP verified that it has not yet identified a suitable assessment facility to meet the needs of this project.

CARE has over 25 years of experience providing ADA paratransit eligibility assessment services to multiple large transit agencies in the past, such as LA Access Services, Inc. and Valley Metro. CARE demonstrated its knowledge and ADA paratransit eligibility certification experience in paratransit evaluation, travel training, call center operation, appeals, mobility management, and rider safety training. CARE's current customers include City of Santa Rosa, SamTrans in San Mateo, and Solano Transportation Authority. CARE is the incumbent firm providing eligibility determination services to OCTA. CARE has identified an assessment site for the paratransit evaluation office that is in close proximity to OCTA.

Staffing and Project Organization

MTM proposed a team with project experience in paratransit eligibility assessment and travel training in the western region of the United States. MTM's proposed project manager has over seven years of relevant project experience as a transit evaluator and quality assurance manager, as well as in recruitment, selection, hiring and training staff. MTM's proposed project manager will be 100 percent dedicated to the OCTA project. In addition to the project manager, MTM also proposed one full-time lead mobility assessment evaluator (MAE), three full-time MAEs for conducting interviews, physical and cognitive assessments, as well as three customer care representatives who will be solely dedicated to the OCTA project and located at the same proposed facility as the assessments to ensure consistent communication among staff.

During the interview, MTM presented a team that demonstrated knowledge and expertise in successfully transitioning similar projects to various transit agencies. MTM also confirmed during the interview that it will provide a level of executive support on-site during start-up to ensure the successful execution of this project on time.

MMP proposed an experienced team with a high level of competence in performing eligibility assessments as required in the scope of work. The firm proposed to utilize a project administrator with over 40 years of experience in

transportation to oversee database design and maintenance, as well as data connections for the OCTA project. Furthermore, the proposed project director has over seven years of experience in ADA eligibility assessment and will oversee all operational aspects of the project. The firm's proposed project team includes experienced individuals identified to perform the assessments, as well as customer service. However, MMP did not identify a project manager in their proposal.

During the interview, MMP confirmed and shared its plans and challenges regarding recruiting and hiring a project manager for OCTA's project. MMP's proposed plan will be to have MMP's proposed project administrator and director both serve as co-interim project managers until such time as a suitable permanent project manager is hired.

CARE proposed a project team with relevant project experience. CARE's proposed staff includes its Chief Executive Officer (CEO), who is a leader in providing paratransit eligibility services, travel training, and mobility management. CARE's CEO will function as the contract manager for the OCTA project. CARE's proposed project manager has experience in medical and surgical services and less than one-year experience in the ADA paratransit eligibility assessment services. CARE also proposed three full-time evaluators and four full-time customer service representatives. CARE's proposed project team demonstrated a full comprehension of the project's requirements during the interview.

Work Plan

MTM's work plan demonstrated knowledge and understanding of each task specified in the scope of work, such as providing details from phone inquiries and scheduling, to in-person interview processes, and cognitive and physical functional assessments, utilizing the Mini Mental State Examination and the Functional Assessment of Cognitive Transit Skills. These assessments are in-depth tests that assess an individual's diagnosis to independently use fixed-route services. In addition to a comprehensive assessment process, MTM's proposal also included data security, record retention and reporting, as well as quality assurance and performance monitoring to meet performance standards. MTM's proposal includes a complete implementation and transition plan which identifies and assigns every task to a specific team member, from recruiting and training staff to occupying and outfitting the new facility, including a complete start-up schedule.

MMP's work plan demonstrated an understanding of OCTA's requirements, such as the elements of ADA eligibility application processing, including a

detailed description on scheduling, in-person interviews and protocol, as well as cognitive and physical functional assessments. MMP's proposal also presented a proprietary documentation and reporting database system which is designed to manage the project with consistency in tracking training activities and capturing assessment program data for each individual participant. MMP's implementation and transition plan includes timelines and identifies potential risks to complete all necessary activities leading up to the start of service.

CARE provided a work plan that addressed elements in the scope of work. In the proposal, CARE described the steps for the paratransit eligibility determination process, scheduling appointments and geocoding, in-person evaluation, and functional testing, as well as quality review and control processes. CARE proposed a custom-designed software program, Access Services Management System, to perform in-person functional assessments and to manage applicant and reporting information, which allows for comprehensive assessments for various disabilities and functional issues when using public transit.

Cost and Price

The firms were asked to propose a total start-up price and a unit price per individual assessment completed based on 6,000 assessments yearly for the initial and option terms. Pricing scores were based on a formula, which assigned the highest score to the lowest total pricing and scored the other proposals total pricing based on their relation to the lowest total pricing. MTM proposed the lowest unit price per individual assessment completed.

Procurement Summary

Based on the evaluation of the written proposals, the firm's qualifications, as well as the information obtained from the interviews and BAFO, the evaluation committee recommends the selection of MTM as the firm to provide OC ACCESS eligibility determination services.

Fiscal Impact

This project will be included in the proposed OCTA Fiscal Year 2020-21 Budget, Operations Division, Paratransit Services, Account 2147-D1208-8T7, and will be funded through the Local Transportation Fund.

Summary

Based on the information provided, staff recommends the Board authorize the CEO to negotiate and execute Agreement No. C-9-1621, between OCTA and MTM, in the amount of $3,062,866, to provide OC ACCESS eligibility determination services for a three-year initial term, from July 1, 2020 through June 30, 2023, with one, two-year option term.

Attachments

A. Review of Proposals, RFP 9-1621 OC ACCESS Eligibility Determination Services
B. Proposal Evaluation Criteria Matrix, RFP 9-1621 OC ACCESS Eligibility Determination Services
C. Contract History for the Past Two Years, RFP 9-1621 OC ACCESS Eligibility Determination Services

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Review of Proposals
RFP 9-1621 OC ACCESS Eligibility Determination Services
3 firms proposed, 3 firms interviewed, 1 firm is recommended

Overall Ranking	Proposal Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	Start-Up Price	Average Per Assessment Completed
1	85	**Medical Transportation Management, Inc.** St. Louis, Missouri	None	Highest-ranked firm overall. Demonstrated expertise in providing paratransit eligibility assessment services. Currently operates 14, ADA eligibility assessment programs across the country. Presented knowledge and capacity in successfully transitioning similar projects to various transit agencies in the interview. Proposed project manager has over seven years of relevant project experience and will be 100 percent dedicated to the OCTA project. Proposed team has successfully worked on relevant paratransit eligibility assessment projects. Proposed a comprehensive implementation and transitional plan; identified an assessment site as required. Work plan demonstrated a clear understanding of key requirements, project challenges, and practical recommendations and solutions. Proposed the lowest per assessment price and competitive start-up price.	$ 298,066.00	$ 158.43
2	79	**Mobility Management Partners, Inc.** Camarillo, California	Navigator Mobility Consulting Way Finder Family Services	Second-ranked firm. Experience working with public agencies on mobility management and paratransit eligibility assessment. Proposed interim staff has extensive relevant project experience. Work plan included a detailed implementation plan with timelines and potential risks leading to the start of service. Has not identified an assessment facility that will meet the needs of this project. Demonstrated understanding of the project requirements and proposed solutions. Proposed two subcontractors to assist with its overall and special training programs. Proposed highest start-up price and competitive per assessment price.	$ 482,685.00	$ 159.24
3	75	**C.A.R.E. Evaluators, Inc.** Aliso Viejo, California	None	Experienced firm in providing ADA ACCESS eligibility assessment services to multiple large transit agencies in the past. Currently provides eligibility determination services to OCTA Proposed project manager has less than one year experience in the ADA paratransit eligibility assessment services Proposed team demonstrated experience working on projects of similar size and scope. Has identified an assessment site for the paratransit evaluation office. Work plan demonstrated a good understanding of project requirements. Proposed lowest start-up price and highest per assessment price.	$ 79,181.00	$ 171.14

Evaluation Panel:
Internal:
Contracts Administration and Materials Management (1)
Paratransit Services (1)
Scheduling and Bus Operations Support (1)

External:
Los Angeles County Metropolitan Transportation Authority (1)
OmniTrans (1)

Proposal Criteria	Weight Factors
Qualifications of the Firm	20%
Staffing and Project Organization	30%
Work Plan	30%
Cost and Price	20%

ATTACHMENT A

ATTACHMENT B

PROPOSAL EVALUATION CRITERIA MATRIX

RFP 9-1621 OC ACCESS Eligibility Determination Services

FIRM: Medical Transportation Management, Inc.						Weights	Overall Score
Evaluator Number	1	2	3	4	5		
Qualifications of Firm	4.0	4.5	4.0	4.0	4.5	4	16.8
Staffing/Project Organization	3.5	3.5	4.0	4.0	4.0	6	22.8
Work Plan	4.0	4.0	4.5	4.0	4.5	6	25.2
Cost and Price	5.0	5.0	5.0	5.0	5.0	4	20.0
Overall Score	81.0	83.0	87.0	84.0	89.0		85

FIRM: Mobility Management Partners, Inc.						Weights	Overall Score
Evaluator Number	1	2	3	4	5		
Qualifications of Firm	4.0	3.5	3.5	4.0	3.5	4	14.8
Staffing/Project Organization	3.5	3.0	3.0	3.5	3.5	6	19.8
Work Plan	4.5	4.0	4.0	4.0	4.0	6	24.6
Cost and Price	4.95	4.95	4.95	4.95	4.95	4	19.8
Overall Score	83.8	75.8	75.8	80.8	78.8		79

FIRM: C.A.R.E. Evaluators, Inc.						Weights	Overall Score
Evaluator Number	1	2	3	4	5		
Qualifications of Firm	4.0	4.0	4.0	4.0	4.0	4	16.0
Staffing/Project Organization	3.0	3.0	3.0	3.0	3.0	6	18.0
Work Plan	4.0	4.0	3.5	3.5	3.5	6	22.2
Cost and Price	4.65	4.65	4.65	4.65	4.65	4	18.6
Overall Score	76.6	76.6	73.6	73.6	73.6		75

CONTRACT HISTORY FOR THE PAST TWO YEARS

RFP 9-1621 OC ACCESS Eligibility Determination Services

Prime and Subcontractor	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
C.A.R.E. Evaluators, Inc.						
Contract Type: Time-and-Expense	C53706	ACCESS Certification Services for ADA Determination Eligibility	July 1, 2016	June 30, 2020	N/A	$ 3,384,199
Subconsultants: None						
				Sub Total		**$ 3,384,199**
Medical Transportation Management, Inc.						
Contract Type: N/A	None	N/A	N/A	N/A	N/A	$ -
Subconsultants: None						
				Sub Total		**$ -**
Mobility Management Partners, Inc.						
Contract Type: Firm-Fixed	C91244	Mobility Management Program	August 1, 2019	July 31, 2020	N/A	$ 248,911
Subconsultants: None						
Contract Type: Firm-Fixed	C81505	Mobility Management Program	August 1, 2018	July 31, 2019	N/A	$ 219,980
Subconsultants: None						
Contract Type: Firm-Fixed	C71668	Mobility Management Program	July 24, 2017	July 31, 2018	N/A	$ 193,026
Subconsultants: None						
				Sub Total		**$ 661,917**

ATTACHMENT C

COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Consultant Selection for Vanpool Service Providers

Transit Committee Meeting of April 9, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom
Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 5-0 by the Members present.

Due to the Levine Act, Director Do did not participate.

Director Pulido was not present to vote on this item.

Committee Recommendations

A. Approve the selections of AVR Vanpool, a division of Airport Van Rental; Enterprise Rent-A-Car Company of Los Angeles LLC, doing business as Commute with Enterprise; and Green Commuter, Inc., to provide vanpool program services for the Orange County Transportation Authority vanpool program, in the aggregate amount of $12,923,121, to be shared by all firms based on the number of vanpools operated.

B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1698 between the Orange County Transportation Authority and Enterprise Rent-A-Car Company of Los Angeles, doing business as Commute with Enterprise, to provide vanpool program services for a five-year initial term through June 30, 2025, and with two, two-year option terms.

Committee Recommendations (Continued)

C. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2156 between the Orange County Transportation Authority and AVR Vanpool, a division of Airport Van Rental, to provide vanpool program services for a five-year term through June 30, 2025, and with two, two-year option terms.

D. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2157 between the Orange County Transportation Authority and Green Commuter Inc., to provide vanpool program services for a five-year term through June 30, 2025, and with two, two-year option terms.

NOTE:

Attachment B has been corrected to not include the non-short-listed firm, Zeeba, Inc.

April 9, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Consultant Selection for Vanpool Service Providers

Overview

On November 25, 2019, the Board of Directors approved the release of a request for proposals to provide commuter vanpool services. Offers were received in accordance with Orange County Transportation Authority procurement procedures for professional and technical services. Board of Directors' approval is requested for the selection of a firm to provide these services.

Recommendations

A. Approve the selections of AVR Vanpool, a division of Airport Van Rental; Enterprise Rent-A-Car Company of Los Angeles LLC, doing business as Commute with Enterprise; and Green Commuter, Inc., to provide vanpool program services for the Orange County Transportation Authority vanpool program, in the aggregate amount of $12,923,121, to be shared by all firms based on the number of vanpools operated.

B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1698 between the Orange County Transportation Authority and Enterprise Rent-A-Car Company of Los Angeles, doing business as Commute with Enterprise, to provide vanpool program services for a five-year initial term through June 30, 2025, and with two, two-year option terms.

C. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2156 between the Orange County Transportation Authority and AVR Vanpool, a division of Airport Van Rental, to provide vanpool program services for a five-year term through June 30, 2025, and with two, two-year option terms.

D. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2157 between the Orange County Transportation Authority and Green Commuter Inc., to provide vanpool program services for a five-year term through June 30, 2025, and with two, two-year option terms.

Discussion

Since 2007, the Orange County Transportation Authority (OCTA) has provided a vanpool program, OC Vanpool Program, contracting with vanpool companies, to provide commuters with a convenient and cost-effective transportation option. A vanpool consists of a group of five to 15 people who regularly commute to work in a shared vehicle.

Vanpools provide more than 1.2 million annual passenger trips for commuters who work in Orange County. The average vanpool trip length is 37 miles, one-way. There are 483 vanpools servicing 90 Orange County employers.

Program benefits include:

- Provides commuters transportation option that is cost-effective, allows for shared cost and reduced stress
- Offers long-distance commuters with direct service between neighborhood collection points and worksites
- Reduces congestion and helps to achieve air quality goals by providing an alternative to single-occupant vehicles
- Generates federal Section 5307 funding for transit

The OC Vanpool Program is a public-private partnership with three distinct participants, including OCTA, vanpool providers, and vanpool riders.

Each partner has a role:

OCTA Responsibilities

OCTA, as Orange County's public transit provider, is responsible for implementing the OC Vanpool Program, including contracting with the vanpool providers, and providing a subsidy to qualified vanpools to offset vehicle costs. OCTA receives Federal Transit Administration Section 5307 funds, which cover the subsidies, by collecting and reporting annual passenger and vehicle miles traveled and expenses incurred in the operation of each vanpool.

OCTA works with Orange County employers to help market the OC Vanpool Program at worksites. OCTA promotes the program through its employer outreach and ride matching services and conducts commuter marketing campaigns to increase awareness of and participation in the program.

Vanpool Provider Responsibilities

OCTA contracts with private providers to deliver vanpool services. These providers are required to record and submit annual inventory, operation, and administration expense reports to OCTA. Providers, through a month-to-month rental agreement with each vanpool group, provide vanpool vehicles, all maintenance, insurance, and payment collection from vanpool customers.

Vanpool Rider Responsibilities

Vanpool riders share the costs of the vehicle rental, fuel, tolls, and parking. One person volunteers to be the driver/coordinator to record and report ridership and expense data to OCTA. Most vanpool riders travel less than five miles to a pick-up location near their home (such as a park-and-ride lot) and have similar destinations and work hours.

With three vendors available through the OC Vanpool program going forward, riders and/or their employers will be able to evaluate the vehicle options available, the monthly vehicle rates, and select the vanpool option that will best meet the needs of the riders/employers.

Procurement Approach

This procurement was handled in accordance with OCTA Board of Directors (Board)-approved procedures for professional and technical services. In addition to cost, many other factors are considered in an award for professional and technical services. Award is recommended to the firms offering the most comprehensive overall proposals considering such factors as staffing and project organization, prior experience with similar projects, work plan, and a fair and reasonable price structure.

On November 25, 2019, the Board authorized the release of Request for Proposals (RFP) 9-1698, which was issued electronically on CAMM NET. The project was advertised in a newspaper of general circulation on November 25 and December 3, 2019. A pre-proposal conference was held on December 4, 2019, with four attendees representing two firms. Two addenda were issued to provide a copy of the pre-proposal registration sheet and to respond to questions related to the RFP.

On January 7, 2020, four proposals were received. An evaluation committee consisting of OCTA staff from Contracts Administration and Materials Management, Marketing and Customer Engagement, Motorist Services, Paratransit Services, and Revenue Administration met to review all proposals received.

The proposals were evaluated based on the following Board-approved evaluation criteria and weights:

• Staffing and Project Organization	30 percent
• Work Plan	30 percent
• Qualifications of the Firm	20 percent
• Cost and Price	20 percent

Several factors were considered in developing the evaluation criteria weights. Staffing and project organization, as well as work plan were weighted highest at 30 percent each to emphasize the importance of the proposing firms having a knowledgeable management team and staff who are experienced in providing all aspects of services to vanpool participants, as well as demonstrating their understanding and approach to meeting reporting requirements. Qualifications of the firm, as well as cost and price were weighted at 20 percent each to ensure firms have relevant experience and adequate resources to comply with the program requirements as specified in the scope of work to ensure OCTA receives the best value for the services provided.

On January 30, 2020, the evaluation committee reviewed the four proposals received based on the evaluation criteria and short-listed the three firms listed below in alphabetical order:

Firm and Location

AVR Vanpool, a division of Airport Van Rental (AVR Vanpool)
Los Angeles, California

Enterprise Rent-A-Car Company of Los Angeles LLC, doing business as Commute with Enterprise (Enterprise)
Orange, California

Green Commuter, Inc. (Green Commuter)
Los Angeles, California

Interviews consisted of a presentation to demonstrate the firms' understanding of OCTA requirements for this project. The firms' project managers and key team

members had an opportunity to present qualifications and respond to the evaluation committee's questions. Questions were asked relative to the firms' resources to deliver the scope of work as required, the proposed project team's related experience, and the firms' process for collecting and reporting the required National Transit Database (NTD) data.

Based on the evaluation of the written proposals, the firms' qualifications, the information obtained from the interviews, and the price proposals, the evaluation committee recommends all three companies interviewed be awarded contracts.

Having multiple vanpool providers results in competitive pricing for vanpool participants, as well as options to select the vanpool provider that best fits vanpool participant needs, which contributes to overall growth and retention of vanpools in Orange County.

Additionally, having multiple vanpool providers also allows for the ability to award contracts that are consistent with the zero-emission bus (ZEB) fleet requirements set forth under the California Air Resources Board Innovative Clean Transit (ICT) regulation. The regulation gives transit agencies the option of providing zero-emission transportation services, such as vanpools, to generate zero-emission mobility credits under the Zero-Emission Mobility Option. OCTA may use these credits in lieu of purchasing ZEBs; for every credit earned, OCTA may apply it towards the purchase of one ZEB to meet the minimum purchase requirement in the ICT regulation.

Qualifications of the Firms

All three firms have demonstrated direct relevant experience in vanpool program services. Each firm demonstrated their capabilities to perform all aspects of the vanpool program requirements. All three firms have demonstrated experience providing similar services to public agencies and other transit agencies. Enterprise is OCTA's current vanpool provider and is the largest vanpool program provider in the nation with over 12,000 vanpools currently in operation and over 22 years of experience. Green Commuter is an all-electric vanpooling program which offers a clean transportation option. Launched in 2016, they are currently providing all electric vehicles to Los Angeles County Metropolitan Transportation Authority (LA Metro) and Victor Valley Transit Agency. AVR Vanpool was established in 2017 through a merger with a well-established company, Airport Van Rental. This organizational restructure allowed AVR Vanpool access to more resources by leveraging vehicle inventory, reporting systems, and staff. These resources currently include over 280 operating vanpools, which offers vanpool service to LA Metro and Los Angeles Department of Water and Power.

Staffing and Project Organization

The three firms have demonstrated adequate staff resources to support the OC Vanpool Program. The project managers and key personnel proposed by the three firms are all qualified and demonstrate extensive knowledge of vanpool program requirements. The proposed project staff for each firm demonstrated familiarity with all aspects of the vanpool program including the NTD reporting requirements. Interviews with the firms validated staff credentials and their ability to support the vanpool program. Enterprise will continue to support OCTA with a staff that is currently in place. Green Commuter will provide five key personnel who have extensive experience and specialized training in electric vehicle fleet management, maintenance, customer service, and reporting. AVR Vanpool demonstrated strong experience with fleet operations management and customer service.

Work Plan

The work plan proposed by the firms conformed to the scope of work identified in the RFP. The firms, through their proposals, also demonstrated their ability to provide the proper reporting, invoicing, vehicle maintenance, and customer service. Enterprise proposed a comprehensive approach to completing the project requirements. Green Commuter's work plan was innovative in its approach to providing an all-electric fleet for the vanpool services. AVR Vanpool presented a work plan that addressed all the elements of the scope of work, including a robust approach to vanpool marketing and customer service, which included offering a referral bonus to vanpool coordinators.

Cost and Price

Pricing scores were based on a formula, which assigned the highest score to the lowest average not-to-exceed use fee and scored the other proposal rates based on their relation to the lowest rate. All firms proposed competitive rates.

Targeted Vanpool Growth and Contract Term		
Fiscal Year	Estimated Number of Vans at Year End	Subsidy
2020-21	511	$ 2,431,870
2021-22	522	$ 2,505,600
2022-23	538	$ 2,580,768
2023-24	554	$ 2,658,191
2024-25	571	$ 2,746,692
	Initial Term Total Amount	$ 12,923,121

Procurement Summary

Based on the evaluation of the written proposals, the firms' qualifications, and the information obtained from the interviews, the evaluation committee recommends the selection of AVR Vanpool, Enterprise, and Green Commuter as the three firms to provide subsidized commuter vanpool services. Each of these vendors demonstrated strong relevant experience and submitted a thorough and comprehensive proposal that was responsive to all requirements of the RFP.

Fiscal Impact

The vanpool subsidy will be included in OCTA's Fiscal Year 2020-21 Budget. The subsidy is funded with Congestion Mitigation Air Quality grant funds in Operations Division Account 1842-7319-D4621-L77.

Summary

Based on the information provided, staff recommends the Board authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1698 with Enterprise, Agreement No. C-0-2156 with AVR Vanpool, and Agreement No. C-0-2157 with Green Commuter, to provide vanpool program services, in an aggregate amount of $12,923,121, for a five-year initial term, with two, two-year option terms.

Attachments

A. Review of Proposals – RFP 9-1698, Vanpool Service Providers
B. Proposal Evaluation Criteria Matrix (Short-listed Firms) – RFP 9-1698, Vanpool Service Providers
C. Contract History for the Past Two Years, RFP 9-1698 Vanpool Service Providers

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Review of Proposals
RFP 9-1698, Vanpool Service Providers
4 proposals were received, 3 firms were interviewed, 3 firms are being recommended

Overall Ranking	Proposal Score	Firm and Location	Sub-Contractors	Evaluation Committee Comments	Average Monthly Not-To-Exceed Use Fee
1	86.0	Enterprise Rent-A-Car Company of Los Angeles LLC, doing business as Commute with Enterprise Orange, California	None	Highest-ranked firm overall. Established firm with over 22 years of experience providing vanpool services. Largest vanpool program provider in the nation with over 12,000 vanpools currently in operation. Demonstrated relevant experience managing all aspects of a vanpool program. Demonstrated clear, organized plan for allocation of staff resources. Proposed project team has relevant past experience. Current provider of vanpool services. Has provided vanpool provider services to OCTA for the past 13 years. Extensive experience tracking, preparing and providing NTD reporting data. Large variety of vehicle options for vanpool participants. Proposed competitive monthly use fees.	$ 2,480.00
2	85.0	AVR Vanpool, a division of Airport Van Rental Los Angeles, California	None	Second-ranked firm. Established in 2017. Demonstrated relevant experience managing all aspects of a vanpool program. Demonstrated clear, organized plan for allocation of staff resources. Proposed project team is experienced and has relevant past experience. Current provider of vanpool services. The only firm that provides wheel chair accessible minivans. Proposed competitive monthly use fees.	$ 2,169.00
3	71.0	Green Commuter, Inc. Los Angeles, California	None	Third-ranked firm. Established in 2016. Demonstrated relevant experience managing all aspects of a vanpool program. Demonstrated clear, organized plan for allocation of staff resources. Proposed project team is experienced and has relevant past experience. The only firm that provides all-electric vehicles. Proposed competitive monthly use fees.	$ 2,532.00

Evaluation Panel:	**Proposal Criteria**	**Weight Factors**
Internal:		
Contracts Administration and Materials Management (1)	Qualifications of the Firm	20%
Revenue Administration (1)	Staffing and Project Organization	30%
Motorist Services (1)	Work Plan	30%
Marketing and Customer Engagement (1)	Cost and Price	20%
Vanpool Program (1)		

ATTACHMENT A

ATTACHMENT B

PROPOSAL EVALUATION CRITERIA MATRIX (Short-listed Firms)								
RFP 9-1698 Vanpool Service Providers								
FIRM: Enterprise Rent-A-Car Company of Los Angeles LLC dba Commute with Enterprise							**Weights**	**Overall Score**
Evaluator Number	**1**	**2**	**3**	**4**	**5**			
Qualifications of Firm	**4.0**	**5.0**	**5.0**	**4.0**	**4.0**		**4**	**17.6**
Staffing/Project Organization	**4.0**	**5.0**	**5.0**	**4.0**	**4.0**		**6**	**26.4**
Work Plan	**4.0**	**4.5**	**4.5**	**4.0**	**3.0**		**6**	**24.0**
Cost and Price	**4.4**	**4.4**	**4.4**	**4.4**	**4.4**		**4**	**17.6**
Overall Score	**81.6**	**94.6**	**94.6**	**81.6**	**75.6**			**86**
FIRM: AVR Vanpool, a division of Airport Van Rental							**Weights**	**Overall Score**
Evaluator Number	**1**	**2**	**3**	**4**	**5**			
Qualifications of Firm	**3.5**	**4.0**	**4.0**	**4.5**	**4.0**		**4**	**16.0**
Staffing/Project Organization	**3.5**	**4.5**	**4.0**	**4.0**	**4.0**		**6**	**24.0**
Work Plan	**3.5**	**4.5**	**4.0**	**4.5**	**4.0**		**6**	**24.6**
Cost and Price	**5.0**	**5.0**	**5.0**	**5.0**	**5.0**		**4**	**20.0**
Overall Score	**76.0**	**90.0**	**84.0**	**89.0**	**84.0**			**85**
FIRM: Green Commuter, Inc.							**Weights**	**Overall Score**
Evaluator Number	**1**	**2**	**3**	**4**	**5**			
Qualifications of Firm	**3.0**	**3.5**	**3.0**	**3.0**	**4.0**		**4**	**13.2**
Staffing/Project Organization	**3.0**	**3.5**	**3.5**	**3.5**	**4.0**		**6**	**21.0**
Work Plan	**3.0**	**3.5**	**3.0**	**3.0**	**4.0**		**6**	**19.8**
Cost and Price	**4.3**	**4.3**	**4.3**	**4.3**	**4.3**		**4**	**17.2**
Overall Score	**65.2**	**73.2**	**68.2**	**68.2**	**81.2**			**71**
Score for non-short-listed firm is 50								

CONTRACT HISTORY FOR THE PAST TWO YEARS

RFP 9-1698 VANPOOL SERVICE PROVIDERS

Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
Enterprise Rent-A-Car Company of Los Angeles LLC, doing business as Commute with Enterprise						
Contract Type: N/A	C-7-1546	Vanpool Provider Services	August 3, 2017	June 30, 2020	N/A	$ 8,323,888
Subconsultants: N/A						
					Sub Total	**$ 8,323,888**
AVR Vanpool, a division of Airport Van Rental						
Contract Type: Time-and-Expense	N/A				N/A	N/A
Subconsultants: N/A						
					Sub Total	**N/A**
Green Commuter, Inc.						
Contract Type: Time-and-Expense	N/A				N/A	N/A
Subconsultants: N/A						
					Sub Total	**N/A**

ATTACHMENT C

COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Supplemental Contract Change Order for the Interstate 405 Improvement Project from State Route 73 to Interstate 605 – Archaeological Treatment Plan

Regional Planning and Highways Committee Meeting of April 6, 2020

Present: Directors Bartlett, Chaffee, Delgleize, Muller, M. Murphy, and R. Murphy
Absent: Director Pulido

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Committee Recommendation

Authorize the Chief Executive Officer to negotiate and execute supplemental Contract Change Order No. 57.1 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of $1,300,000, to develop, implement, and maintain an archaeological treatment plan, and continue archaeological monitoring for the Interstate 405 Improvement Project from State Route 73 to Interstate 605.

OCTA

April 6, 2020

To: Regional Planning and Highways Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Supplemental Contract Change Order for the Interstate 405 Improvement Project from State Route 73 to Interstate 605 – Archaeological Treatment Plan

Overview

On November 14, 2016, the Orange County Transportation Authority Board of Directors approved Agreement No. C-5-3843 with OC 405 Partners, a joint venture, for the design and construction of the Interstate 405 Improvement Project from State Route 73 to Interstate 605. A supplemental contract change order is needed to develop, implement, and maintain an archaeological treatment plan, and continue archaeological monitoring for the project.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute supplemental Contract Change Order No. 57.1 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of $1,300,000, to develop, implement, and maintain an archaeological treatment plan, and continue archaeological monitoring for the Interstate 405 Improvement Project from State Route 73 to Interstate 605.

Discussion

The Orange County Transportation Authority (OCTA), in cooperation with the California Department of Transportation (Caltrans), 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 (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, otherwise known as the 405 Express Lanes.

On November 14, 2016, the OCTA Board of Directors (Board) approved Agreement No. C-5-3843 with OC 405 Partners (OC405), a joint venture, for the design and construction of the Project. The contract was executed and Notice to Proceed (NTP) No. 1 was issued to OC405 on January 31, 2017. NTP No. 2, for the full design and construction of the Project, was issued to OC405 on July 27, 2017.

On September 25, 2019, an archaeological discovery was encountered within the Project site. OCTA has been following established state and federal procedures for this type of discovery and is working with the required parties to ensure appropriate and respectful procedures are followed. In accordance with Section 106 of the National Historic Preservation Act, an archaeological treatment plan (ATP) is required to guide cultural resource discoveries, including the identification, evaluation, and treatment of historic properties/archaeological resources within the Project site.

Contract Change Order (CCO) No. 57, in the amount of $200,000, was previously issued to OC405 to initiate archaeological monitoring, prepare the ATP, and provide site security and erosion control measures to protect the discovery sites. Since then, OCTA staff has developed an independent cost estimate for the anticipated level of effort by OC405 to complete, implement, and maintain the ATP and continued archaeological monitoring, in the amount of $1,300,000. Staff is now requesting OCTA Board approval of supplemental CCO No. 57.1, in the amount of $1,300,000, which brings the total amount for CCO No. 57 to $1,500,000. Costs and expenses to develop, implement, and maintain the ATP will be tracked, reviewed, and paid for on a time and materials basis.

Procurement Approach

The procurement was handled in accordance with the best-value selection process authorized by AB 401 (Chapter 586, Statutes of 2013) for design-build projects, and with OCTA's Board-approved procedures for public works projects, which conform to both federal and state requirements. On November 14, 2016, the OCTA Board approved Agreement No. C-5-3843 with OC405 for the design and construction of the Project through a design-build contract.

Proposed supplemental CCO No. 57.1, in the amount of $1,300,000, in addition to the previous CCO No. 57, in the amount of $200,000, approved by OCTA's Contracts Administration and Materials Management Department, will provide staff the ability to timely direct the development, implementation, and maintenance of an ATP, as well as continue archaeological monitoring. CCO 57.1 brings the total authorized amount of CCO No. 57 to $1,500,000.

Attachment A lists the CCOs that have been executed to date, and the CCOs that are pending execution with OC405.

Fiscal Impact

Funding for this work was approved in OCTA's Fiscal Year 2019-20 Budget, Capital Programs Division, accounts 0017-9084-FK101-0GM and 0037-9017-A9510-0GM, and is funded with a combination of federal, state, and local funds. M2 funds will be used for improvements specific to M2 Project K, and non-M2 funds will be used for improvements specific to the 405 Express Lanes. The cost for the development, implementation, and maintenance of the ATP and archaeological monitoring described in CCO No. 57.1 is funded from the Project contingency, and is not anticipated to increase the total Project estimate of $1.9 billion.

Summary

Staff recommends Board authorization for the Chief Executive Officer to negotiate and execute CCO No. 57.1 to Agreement No. C-5-3843 with OC405, a joint venture, in the amount of $1,300,000, to develop, implement, and maintain an ATP and continue archaeological monitoring for the Project.

Attachment

A. OC405 Partners, Agreement No. C-5-3843, Contract Change Order Log

Prepared by:

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Approved by:

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ATTACHMENT A

OC 405 Partners
Agreement No. C-5-3843
Contract Change Order Log

Contract Change Order (CCO) No.	Title	Status	Date Executed	Cost
1	Technical Provisions – Execution Version	Approved	6/14/2017	$ -
2	Notice to Proceed No. 1 Payment Cap Increase and Substantial Completion Deadline Modifications	Approved	6/21/2017	$ -
3	Extra Maintenance Work (Provisional Sum)	Approved	7/28/2017	$ 200,000.00
3.1	Amendment to Change Order to Add Additional Funds for Extra Maintenance Work	Approved	10/2/2018	$ 200,000.00
3.1.1	Provisional Sum for Extra Maintenance Work-Unilateral	Approved	10/10/2019	$ 400,000.00
3.1.2	Supplemental Extra Maintenance Work	Approved	1/16/2020	$ 350,000.00
4	Design-Builder Personnel Changes (Appendices 7 and 23)	Approved	12/20/2017	$ -
5	Dispute Review Board (Provisional Sum)	Approved	9/13/2017	$ 50,000.00
5.1	Increase in Provisional Sum per Contract Section 19.4 Disputes Board	Approved	7/1/2019	$ 50,000.00
6	Partnering (Provisional Sum)	Approved	9/13/2017	$ 50,000.00
6.1	Partnering per Contract Section 19.1	Approved	7/1/2019	$ 50,000.00
7	Implementation of California Department of Transportation (Caltrans) Guidance on Six-Inch	Approved	3/15/2018	$ -
8	Collection and Disposal of Unknown Hazardous Materials (Provisional Sum)	Approved	9/13/2018	$ 100,000.00
8.1	Supplemental Unknown Hazardous Materials	Approved	9/11/2019	$ 100,000.00
8.2	Supplemental Unknown Hazardous Materials	Approved	11/25/2019	$ 250,000.00
8.2.1	Collection and Disposal of Unknow Hazardous Materials (Provisional Sum)	Approved	3/11/2020	$ 150,000.00
8.3	Supplemental Unknown Hazardous Materials	Pending		$ 1,900,000.00
9	Repair of Caltrans' Fiber Optic Line	Approved	5/16/2018	$ 31,753.69
10	Five Project Funding Identification Signs (Provisional Sum)	Approved	7/2/2018	$ 32,644.25
11	Revised Right-of-Way (ROW) Availability Date of Caltrans Parcel No. 102919 Used By Mike Thompson's RV Super Store	Approved	6/28/2018	$ -

Contract Change Order (CCO) No.	Title	Status	Date Executed	Cost
12	Credit to OCTA for Elimination of the Street Widening Improvements Along Eastbound Edinger Avenue	Approved	9/13/2018	$ (237,982.39)
13	Additional Design and Construction Cost Compensation Related to: City Bridge Width; Construction Changes to Minimize ROW Impacts; Revised Design Concept at Ellis Avenue On-Ramp to Southbound I-405; State Route 73 Overhead Sign Structures; Sendero Apartments Left-Turn Pocket on Magnolia Street; Newland Street Waterline Extension; and Signal Improvements at Ellis Avenue/ Bushard Street	Approved	2/25/2019	$ 8,560,556.00
13.1	Permanent Traffic Signal at the intersection of Warner Avenue and Greenleaf Street	Approved	12/5/2019	$ 460,327.00
14	Thrust Blocks for the City of Fountain Valley Water Lines	Approved	10/29/2018	$ 88,021.00
15	Slater Bridge Construction Shuttle Services	Approved	12/4/2018	$ 175,000.00
16	Construction Zone Speed Reduction	Approved	12/3/2018	$ 70,000.00
16.1	Additional Speed Reduction Signs	Approved	12/31/2019	$ 4,512.00
17	Relocation of Water Lines for the City of Fountain Valley	Approved	3/8/2019	$ 800,000.00
18	Enhanced Gawk Screen at Bolsa Chica Road	Approved	1/25/2019	$ 56,395.00
19	Brookhurst Street Overhead Sign Location Redesign	Approved	1/25/2019	$ 11,484.00
20	Differing Site Conditions - Pavement Thickness at Magnolia	Approved	1/29/2019	$ 4,095.00
21	Polymer Fibers in All Concrete Bridge Decks	Approved	3/19/2019	$ 1,463,020.00
22	Temporary Construction Easement Reduction at La Quinta	Approved	3/19/2019	$ 85,573.00
23	Updated FasTrak Logos (Unilateral)	Approved	2/21/2019	$ 20,532.00
24	Express Lanes Channelizers	Approved	3/12/2019	$ 122,778.00
25	Stainless Steel Inserts at Fairview Road Overcrossing	Approved	3/12/2019	$ (9,293.00)
26	OCTA PlanGrid Software Licenses	Approved	3/28/2019	$ 35,994.00
26.1	Supplemental for OCTA PlanGrid Software Licenses	Approved	9/11/2019	$ 8,570.00
27	Utility potholing on Milton Ave	Approved	9/12/2019	$ 61,731.87
27.1	Electrical Infrastructure Work at Milton Avenue	Approved	1/16/2020	$ 278,282.28

Contract Change Order (CCO) No.	Title	Status	Date Executed	Cost
28	Mesa Water District 12-inch Water Line (CN-1127)	Approved	5/7/2019	$ 208,600.00
29	Magnolia Loop Ramp CMS Deletion	Approved	5/15/2019	$ (74,319.00)
30	Motel 6 Sound Wall (SW-791) Elimination	Approved	5/15/2019	$ (130,000.00)
31	Sound Wall 956 Reduction	Approved	5/22/2019	$ (30,000.00)
33	Edinger Channel Pavement Rehabilitation	Approved	7/30/2019	$ 176,465.00
34	Chevron and Crimson Utility Relocation at Goldenwest Crossing	Approved	8/2/2019	$ 75,000.00
34.1	Chevron and Crimson Utility Relocation Support	Approved	12/31/2019	$ 12,018.00
34.2	Chevron and Crimson Utility Relocation Assistance	Approved	2/18/2020	$ 110,000.00
35	Incompatible Specifications - Adjacent to CRCP Pavement	Approved	6/26/2019	$ 2,900,557.00
37	Sound Wall 375 Protect in Place	Approved	6/4/2019	$ 200,000.00
40	HDPE in Lieu of RCP	Approved	7/9/2019	$ (7,418.68)
41	Emergency Vehicle Preemption Devices at Fairview	Approved	7/9/2019	$ 44,147.00
42	Executed Utility Agreements (Unilateral)	Approved	11/4/2019	$ -
43	Early Partial Removal of Sound Wall 328	Approved	9/16/2019	$ 14,414.18
44	Field survey for Frontier at Westminster	Approved	1/7/2020	$ 12,908.42
45	Water Line Betterments (CN 1012 & 6044) at Warner Avenue	Approved	10/12/2019	$ 256,244.00
46	Additional Water Lines at Brookhurst Street and Talbert Avenue in the City of Fountain Valley	Approved	12/5/2019	$ 389,878.00
47	Additional Water Line Valves for the City of Fountain Valley	Approved	12/5/2019	$ 266,828.00
48	Temporary Construction Easement Reduction at Sit n' Sleep (CPN 103026)	Approved	10/17/2019	$ 129,243.00
49	Beach Blvd Lane Widths Reduction (Necessary Basic Configuration Change)	Approved	10/17/2019	$ 160,000.00
50	Vibration Sensitive Receptors (McFadden OC Abutment 3)	Approved	10/17/2019	$ 59,383.87
51	Exercising Water Valves for the City of Fountain Valley	Approved	1/16/2020	$ 50,000.00
52	McFadden Avenue Interconnect Between Beach Boulevard and Sugar Drive	Approved	11/14/2019	$ -
53	Traffic Signal Modification at Beach and McFadden	Approved	11/14/2019	$ (128,118.00)

Contract Change Order (CCO) No.	Title	Status	Date Executed	Cost
54	DSC Pavement Against Median K-Rail	Approved	12/31/2019	$ 11,133.00
55	LA Fitness at Retaining Wall 717	Approved	12/31/2019	$ 8,428.29
56	Additional Speed Reduction Signs and Radar Packages	Approved	12/31/2019	$ 148,397.00
57	Archaeological Monitoring	Pending		$ 200,000.00
57.1	Archaeological Treatment Plan and Monitoring	Pending		$ 1,300,000.00
59	Beach Boulevard and Edinger Avenue Pavement Limits	Approved	2/18/2020	$ 33,573.00
60	Additional Design and Construction for Heil Avenue Pedestrian Overcrossing (Unilateral)	Approved	2/25/2020	$ 1,044,927.00
61	Three-year Plant Establishment Period	Approved	2/25/2020	$ 1,600,000.00
62	Senate Bill 1: Diesel Fuel Sales Tax Rate Increase	Approved	3/10/2020	$ 1,764,164.64
63	Bracing for Southern California Edison Power Poles at CN 2012	Approved	3/5/2020	$ 169,770.00

Original Contract Price	**$ 1,217,065,000.00**
Contingency Fund	**$ 98,935,000.00**
Total Contract Allotment	**$ 1,316,000,000.00**
Subtotal Approved CCOs	**$ 23,550,217.42**
Subtotal Pending CCOs	**$ 3,400,000.00**
Total CCOs	**$ 26,950,217.42**
Proposed Revised Contract Price	**$ 1,244,015,217.42**
Remaining Contingency Fund	**$ 71,984,782.58**

COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Consultant Selection for Construction Management Support Services for the Interstate 5 Widening Project Between Alicia Parkway and El Toro Road

Regional Planning and Highways Committee Meeting of April 6, 2020

Present: Directors Bartlett, Chaffee, Delgleize, Muller, M. Murphy, and R. Murphy
Absent: Director Pulido

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Committee Recommendations

A. Approve the selection of Jacobs Project Management Co., as the firm to provide construction management support services for the Interstate 5 widening project between Alicia Parkway and El Toro Road.

B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1605 between the Orange County Transportation Authority and Jacobs Project Management Co., as the firm to provide construction management support services for the Interstate 5 widening project between Alicia Parkway and El Toro Road.

April 6, 2020

To: Regional Planning and Highways Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Consultant Selection for Construction Management Support Services for the Interstate 5 Widening Project Between Alicia Parkway and El Toro Road

Overview

On November 11, 2019, the Orange County Transportation Authority Board of Directors authorized the release of a request for proposals to provide construction management support services for the Interstate 5 widening project between Alicia Parkway and El Toro Road. Board of Directors' approval is requested for the selection of a firm to perform the required work.

Recommendations

A. Approve the selection of Jacobs Project Management Co., as the firm to provide construction management support services for the Interstate 5 widening project between Alicia Parkway and El Toro Road.

B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1605 between the Orange County Transportation Authority and Jacobs Project Management Co., as the firm to provide construction management support services for the Interstate 5 widening project between Alicia Parkway and El Toro Road.

Discussion

The Orange County Transportation Authority (OCTA), in partnership with the California Department of Transportation (Caltrans), is implementing the Interstate 5 (I-5) widening project between State Route 73 (SR-73) and El Toro Road (Project). The Project is part of Projects C and D in the Measure M2 (M2) freeway program and is being advanced through the updated Next 10 Delivery Plan, which was approved by the OCTA Board of Directors (Board) in November 2019.

The Project will add one general purpose lane in each direction on I-5 between SR-73 and Alicia Parkway, extend the existing second high-occupancy vehicle (HOV) lane between Alicia Parkway and El Toro Road in each direction, re-establish existing auxiliary lanes, and construct new auxiliary lanes at various locations. In addition, the Project will reconstruct the Avery Parkway and La Paz Road interchanges, improve several on- and off-ramps, and convert existing and proposed HOV lanes to continuous access.

Construction is underway for Segments 1 and 2 of the Project with final design for Segment 3 nearing completion, with the following Project limits:

- Segment 1 extends between SR-73 and Oso Parkway
- Segment 2 extends between Oso Parkway and Alicia Parkway
- Segment 3 extends between Alicia Parkway and El Toro Road

Construction management (CM) services for Segments 1 and 2 were procured and awarded under separate contracts.

Segment 3, between Alicia Parkway and El Toro Road, is in the final design and right-of-way acquisition phase, and this procurement is for CM services for Segment 3 only. The Segment 3 construction contract will be advertised by Caltrans later this year.

Cooperative Agreement No. C-9-1600 between Caltrans and OCTA outlines the responsibilities of both agencies for the Project and was approved by the Board on November 11, 2019. As specified in the cooperative agreement, Caltrans will be the implementing agency responsible for advertisement, award, and administration of the construction contract. Caltrans will also provide the resident engineer and structures representative, environmental services, along with a limited number of field personnel. OCTA will retain a CM consultant firm to supplement Caltrans staff with structural, roadway, and electrical inspection, construction staking, office engineering, materials testing, surveying, and claims support services. OCTA's consultant will also provide a field office to house construction staff working on the Project. Through separate contracts, OCTA will lead the public outreach and freeway service patrol efforts.

Procurement Approach

This procurement was handled in accordance with Board-approved procedures for architectural and engineering (A&E) services that conform to both federal and state laws. Proposals are evaluated and ranked in accordance with the qualifications of the firm, staffing and project organization, and work plan. As

this is an A&E procurement, pursuant to state and federal laws, price is not an evaluation criterion. Evaluation of the proposals was conducted based on overall qualifications to develop a competitive range of offerors. The highest-ranked firm is requested to submit a cost proposal, and the final agreement is negotiated. Should negotiations fail with the highest-ranked firm, a cost proposal will be solicited from the second-ranked firm in accordance with Board-approved procurement policies.

On November 11, 2019, Request for Proposals (RFP) 9-1605 was issued electronically on CAMM NET. The RFP was advertised in a newspaper of general circulation on November 11 and November 18, 2019. A pre-proposal conference was held on November 20, 2019, with 35 attendees representing 25 firms. Two addenda were issued to make available the pre-proposal conference registration sheets and presentation materials, provide responses to questions received, and address administrative issues related to the RFP.

On December 17, 2019, five proposals were received. An evaluation committee consisting of staff from the Contracts Administration and Materials Management and Highway Programs departments, as well as external representatives from Caltrans and the City of Laguna Hills, met to review all submitted proposals. The proposals were evaluated based on the following Board-approved evaluation criteria and weights:

- Qualifications of the Firm 25 percent
- Staffing and Project Organization 40 percent
- Work Plan 35 percent

The evaluation criteria are consistent with the weighting developed for similar A&E procurements for CM services. In developing these weights, several factors were considered, giving the greatest importance to the staffing and project organization of the firm, as the qualifications of the project manager and other key personnel are very important to the successful and timely delivery of the project. Similarly, high importance was given to the work plan criterion to emphasize the importance of the team's understanding of the project, its challenges, and its approach to implementing the various elements of the scope of work. The technical approach to the Project is critical to the successful performance of the Project. The final criterion, qualifications of the firm, evaluated the firm's experience in performing work of similar scope and size.

The evaluation committee reviewed and discussed all proposals based on the evaluation criteria and found two firms most qualified to perform the required services. The most qualified firms are listed below in alphabetical order:

Firms and Location

AECOM Technical Services, Inc. (AECOM)
Los Angeles, California

Jacobs Project Management Co. (Jacobs)
Irvine, California

On February 5, 2020, the evaluation committee interviewed the two short-listed firms. The interviews consisted of a presentation allowing each team to discuss its qualifications, highlight its proposal, and respond to evaluation committee questions. Each firm highlighted its staffing plan, work plan, and perceived Project issues. The firms were asked general questions regarding the team's approach to the requirements of the scope of work, management of the Project, coordination with various agencies, experiences with similar projects, and solutions in achieving the Project goals. After considering the presentations and responses to questions asked during the interviews, the evaluation committee adjusted the preliminary scores for both firms. However, Jacobs remained as the top-ranked firm with the highest cumulative score.

Based on the evaluation of the written proposals and information obtained during the interviews, the evaluation committee recommends Jacobs as the top-ranked firm to provide CM support services for Segment 3 of the Project. Jacobs submitted a comprehensive proposal that was responsive to the requirements of the RFP and presented a cohesive interview highlighting the firm's experience, staffing, and the technical approach to the work plan.

Qualifications of the Firm

Both short-listed firms are qualified to perform the required services. Each firm received positive references. The two short-listed firms demonstrated expertise in delivering and managing CM services. Both firms are established firms with relevant resources and experience providing construction inspection services for freeway and bridge widening projects.

Jacobs is a global corporation and was founded in 1947. The firm provides a full spectrum of CM services with a long record of services for large-scale transportation and freeway widening projects for OCTA and numerous other

public agencies. The firm has more than 300 offices worldwide with over 50,000 employees, including over 200 CM staff in southern California. Jacobs has provided a variety of CM support services on freeway and bridge widening projects, including 15 freeway widening projects in southern California, all involving bridges, 14 of which Jacobs served as the prime consultant.

Jacobs has demonstrated proficiency in providing CM support services such as freeway construction inspection, freeway/highway/street widening, bridge demolition and construction, roadway and structures inspection, traffic management, utility relocations, retaining walls, office engineering, scheduling, claims analysis, constructability review, Americans with Disabilities Act compliance, and Caltrans public agency coordination. Similar project experience includes CM services for OCTA's I-5 HOV widening project between Avenida Pico and Avenida Vista Hermosa (Segment 1), State Route 57 (SR-57) northbound widening project from Katella Avenue to Lincoln Avenue, and the Interstate 405 (I-405) improvement project. The proposed subconsultants to provide survey, inspection, office engineering, storm water pollution prevention plan, material testing, and scheduling all have experience working with Jacobs.

AECOM is a global firm that was founded in 1927 and has specialized in transportation-related construction projects for the last 20 years. The firm has over 75,000 employees, including over 150 CM staff in southern California. AECOM has provided CM support services in southern California for freeway widening, roadway improvement, interchange/overcrossing replacement, and bridge replacement projects, as a prime consultant and as part of an integrated team.

AECOM has demonstrated proficiency in providing CM support services for highway and bridge construction, roadway and structures inspection, electrical inspection, traffic management, retaining walls, office engineering, scheduling and claims, and Caltrans public agency coordination. Examples of relevant experience include CM support services for OCTA's State Route 91 (SR-91) widening between SR-57 and I-5 project, San Bernardino County Transportation Authority's (SBCTA) State Route 210 (SR-210) improvements project (Segments 9, 10, and 11), and current efforts for Caltrans' I-5 North Corridor Los Angeles County improvements (Segments 3 and 4), and I-5 South Corridor Los Angeles County improvements projects. The proposed subconsultants have experience working with AECOM and are proposed to provide construction inspection, field materials testing, and survey services.

Staffing and Project Organization

Both short-listed firms proposed qualified project managers, key personnel, and subconsultants with relevant CM experience in freeway and bridge widening, and roadway and structure inspection. Jacobs proposed a qualified project team with each key personnel demonstrating relevant and comprehensive CM experience with freeway and bridge widening projects. The team has demonstrated experience in bridge demolition and construction, roadway and structures inspections, and has extensive experience with Caltrans. Jacobs' proposed project manager (PM) has 25 years of CM experience on similar freeway/bridge construction projects, and performed the PM role for the OCTA/Caltrans SR-91 eastbound lane addition between State Route 241 and State Route 71, and as chief engineer for the OCTA/Caltrans State Route 22 HOV design-build project. The proposed PM also formerly worked for OCTA and was the PM for the OCTA/Caltrans I-5 Gateway widening project.

Jacobs' proposed senior roadway inspector has successfully delivered freeway and bridge widening, bridge replacement, and interchange realignment projects for over 30 years, primarily as a resident engineer with Caltrans, delivering eight projects in partnership with OCTA. Experience relevant to the Project includes serving as resident engineer on OCTA/Caltrans I-405/Interstate 605 West County Connectors west segment project, OCTA/Caltrans' I-5 Gateway widening project, and OCTA/Caltrans' SR-91 widening projects. The proposed PM and senior roadway inspector worked together on the I-5 Gateway widening project.

AECOM proposed a qualified project team with CM experience. The team's expertise includes a range of relevant CM services, including CM, roadway inspection, structural engineering and inspection, electrical inspection, and scheduling support, amongst other relevant expertise. AECOM's proposed PM spent 13 years as a resident engineer, senior resident engineer, and area construction manager with Caltrans. Relevant PM experience includes on-call claims and scheduling support contract with Caltrans, OCTA's Imperial Highway State Route 90 Segments B and C projects, and OCTA's Placentia Avenue grade separation project. The proposed PM also served as principal-in-charge of OCTA's SR-91 widening between SR-57 and I-5 project.

AECOM's proposed senior roadway inspector brings 39 years of experience, including six years working directly for Caltrans in the Construction Division. Relevant project experience includes serving as the resident engineer on OCTA's Orangethorpe Avenue railroad grade separation project, SBCTA's SR-210 construction segments 9 and 10, and I-10/Pepper Interchange projects.

Work Plan

Both short-listed firms met the requirements of the RFP, and each firm discussed its approach to the Project, identified risks, and discussed quality, budget, and schedule control methods.

Jacobs presented a project specific and comprehensive work plan. The work plan included a complete discussion of Project issues and challenges, such as construction staging and phasing, with realistic recommendations and proposed solutions demonstrating the firms' knowledge and experience. The proposal identified the top three challenges to risk management for the Project, including environmental issues, timely utility relocations for the Southern California Edison transmission lines and poles, and claims prevention. The work plan identified the top ten submittals based on the firm's CM experience that pose the greatest risk to the schedule and project performance. The approach to utilities, which was further emphasized at the interview, demonstrated awareness of this major project risk. The Jacobs team presented an interview demonstrating knowledge of its proposed approach to the scope of work, and the team provided detailed responses to interview questions.

AECOM presented a comprehensive work plan with a project specific approach across most plan elements. The team demonstrated an understanding of the overall Project issues and challenges. The work plan identified challenges and proposed solutions, such as bridge construction over the I-5, community access, and construction staging. The sequential project tasks matrix included in the work plan provided clear delineation of personnel responsibility by task throughout the Project. The work plan also included a specific daily approach to inspection during each project phase. The proposed PM was responsive to interview questions; however, there was limited participation from some of the other key personnel and responses to specific questions were general.

Fiscal Impact

The Project will be included in OCTA's Fiscal Year 2020-21 Budget and subsequent fiscal years' budget, Capital Programs Division, Account 0017-9085-FC106-06W, and will be funded with M2 funds.

Summary

Staff requests Board of Directors' approval for the Chief Executive Officer to negotiate and execute Agreement No. C-9-1605 with Jacobs Project Management Co., as the firm to provide construction management support services for the Interstate 5 widening project between Alicia Parkway and El Toro Road.

Attachments

A. Review of Proposals - RFP 9-1605 Construction Management Support Services for Interstate 5 Widening Project Between Alicia Parkway and El Toro Road
B. Proposal Evaluation Criteria Matrix (Short-Listed), RFP 9-1605 Construction Management Support Services for Interstate 5 Widening Project Between Alicia Parkway and El Toro Road
C. Contract History for the Past Two Years, RFP 9-1605 Construction Management Support Services for Interstate 5 Widening Project Between Alicia Parkway and El Toro Road

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Approved by:



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Review of Proposals

RFP 9-1605 Construction Management Support Services for Interstate 5 Widening Project Between Alicia Parkway and El Toro Road

Presented to Regional Planning and Highways Committee - April 6, 2020

5 proposals were received, 2 firms were interviewed, 1 firm is being recommended

Overall Ranking	Overall Score	Firm & Location	Subcontractors	Evaluation Committee Comments
1	90	Jacobs Project Management Co. Irvine, California	Coast Surveying, Inc. Dynamic Engineering Services, Inc. S2 Engineering, Inc. Ghirardelli Associates, Inc. WSP USA Inc.	Highest-ranked proposal. Firm has served as prime consultant providing construction management (CM) support services on numerous freeway/bridge widening projects. Key personnel have CM experience on freeway and bridge widening projects. Proposed project manager has 25 years of relevant CM experience. Proposed senior roadway inspector has 31 years of relevant CM experience. Proposed project team demonstrated experience working together. Proposed subconsultants to provide survey, inspection, office engineering, storm water pollution prevention plan, material testing, and scheduling. Comprehensive and project specific work plan. Thorough responses and broad interview participation of key personnel. Firm has extensive experience with California Department of Transportation CM process, methods, and policies.
2	82	AECOM Technical Services, Inc. Los Angeles, California	Analyzer International, Inc. Falcon Engineering Services, Inc. Guida Surveying, Inc. Leighton Consulting, Inc.	Experience providing CM support services on numerous freeway/bridge widening projects. Key personnel have wide range of CM experience on freeway and bridge widening projects. Proposed project manager has 28 years of relevant CM experience. Proposed senior roadway inspector has 39 years of relevant CM experience. Proposed project team demonstrated experience working together. Proposed subconsultants are proposed to provide construction inspection, field materials testing, and survey services. Comprehensive work plan with a project specific approach across most plan elements. Proposed project manager was responsive to interview questions, but participation was limited from some of the other key personnel.

Evaluation Panel: Six Members

Internal:
- Contracts Administration and Materials Management (1)
- Highway Programs (2)

External:
- California Department of Transportation (2)
- City of Laguna Hills (1)

Evaluation Criteria:	Weight Factors
Qualifications of the Firm	25 percent
Staffing and Project Organization	40 percent
Work Plan	35 percent

ATTACHMENT A

ATTACHMENT B

PROPOSAL EVALUATION CRITERIA MATRIX (Short-Listed)
RFP 9-1605 Construction Management Support Services for
Interstate 5 Widening Project Between Alicia Parkway and El Toro Road

Jacobs Project Management Co.								
Evaluator Number	1	2	3	4	5	6	Weights	Criteria Score
Qualifications of Firm	4.5	4.0	4.5	4.5	4.5	4.5	5	22.1
Staffing/Project Organization	4.5	4.5	4.5	4.5	4.5	4.5	8	36.0
Work Plan	4.5	4.5	4.5	4.5	5.0	4.5	7	32.1
Overall Score	**90.0**	**87.5**	**90.0**	**90.0**	**93.5**	**90.0**		**90**

AECOM Technical Services, Inc.								
Evaluator Number	1	2	3	4	5	6	Weights	Criteria Score
Qualifications of Firm	4.0	4.0	4.5	4.0	4.5	4.5	5	21.3
Staffing/Project Organization	4.0	4.0	4.0	4.0	4.0	4.0	8	32.0
Work Plan	4.0	4.0	4.0	4.0	4.5	4.0	7	28.6
Overall Score	**80.0**	**80.0**	**82.5**	**80.0**	**86.0**	**82.5**		**82**

The range of scores for the non-short listed firms was 71-74.

CONTRACT HISTORY FOR THE PAST TWO YEARS

RFP 9-1605 Construction Management Support Services for Interstate 5 Widening Project Between Alicia Parkway and El Toro Road

Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
Jacobs						
Contract Type: Time and Expense	C-4-1447	Construction management (CM) services for the design-build delivery of the Interstate 405 Improvement Project between State Route 55 and Interstate 605	June 29, 2016	December 31, 2022		$ 34,230,297
Subconsultants:						
Fountainhead Consulting Corporation						
Harris & Associates						
MTGL, Inc.						
Wagner Engineering & Survey						
Contract Type: Time and Expense	C-3-2112	CM support services for the Interstate 5 high-occupancy vehicle improvement project between Avenida Pico and Avenida Vista Hermosa	February 11, 2015	December 31, 2020		$ 6,338,994
Subconsultants:						
AndersonPenna Partners, Inc.						
Coast Surveying, Inc.						
HDR Engineering , DBA EarthSpectives						
Leighton Group						
The Wild Horse Group						
Contract Type: Time and Expense	C-9-9906	Management operating segment Interstate 405 and State Route 55 inspection support services	February 24, 1998	December 31, 2020		$ 2,300,000
Subconsultants:						
Inacom Information Systems					$ 2,000	
Sverdrup Civil, Inc.						
Contract Type: Firm-Fixed Price	C-5-3424	Project approval and environmental document for State Route 55 improvement project from Interstate 5 to State Route 91	February 8, 2017	November 30, 2020		$ 4,492,652
Subconsultants:						
Coast Surveying, Inc.					$ 163,485	
Epic Land Solutions, Inc.					$ 60,953	
Fehr & Peers					$ 502,423	
HDR Engineering, Inc.					$ 727,535	
Leighton Consulting, Inc.					$ 130,884	
LSA Associates, Inc.					$ 170,816	
Optitrans Engineering, Inc.					$ 182,168	
Paleo Solutions, Inc.					$ 30,769	
Sapphos Environmental, Inc.					$ 31,019	
Tatsumi and Partners, Inc.					$ 46,299	
Terry A. Hayes Associates, Inc.					$ 131,707	
				Subtotal		**$ 47,361,943**

ATTACHMENT C

Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
AECOM						
Contract Type: Firm-Fixed Price	C-1-2543	Design and construction support services for preparation of plans, specifications, and estimates for Segment 2 of the Interstate 5 high-occupancy vehicle improvement project	June 8, 2011	June 30, 2018		$ 6,288,700
Subconsultants:						
Earth Mechanics Inc.					$ 613,647	
HDR Engineering, Inc.					$ 262,624	
Lin Consulting, Inc.					$ 671,077	
NV5, Inc.					$ 58,966	
Psomas					$ 372,351	
Safeprobe, Inc.					$ 26,600	
Sweeney & Associates, Inc.					$ 57,403	
Terry A. Hayes Associates, Inc.					$ 6,147	
				Subtotal		**$ 6,288,700**

OCTA

April 13, 2020

To: Members of the Board of Directors

From: Darrell E. Johnson, Chief Executive Officer

Subject: Approval to Release Request for Proposals for the Preparation of Plans, Specifications, and Estimates for the Interstate 605/ Katella Avenue Interchange Improvement Project

Overview

Staff has developed a request for proposals to initiate a competitive procurement process to retain consultant services to prepare plans, specifications, and estimates for the Interstate 605/Katella Avenue Interchange improvement project.

Recommendations

A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2186 for consultant services for the preparation of plans, specifications, and estimates for the Interstate 605/Katella Avenue Interchange improvement project.

B. Approve the release of Request for Proposals 0-2186 for consultant services for the preparation of plans, specifications, and estimates for the Interstate 605/Katella Avenue Interchange improvement project.

Discussion

The Interstate 605/Katella Avenue Interchange improvement project (Project) is identified as Project M in the Measure M2 (M2) freeway program. In the updated M2 Next 10 Delivery Plan, adopted by the Orange County Transportation Authority (OCTA) Board of Directors (Board) in November 2019, the Project is one of the M2 freeway projects approved through construction. The Project is now scheduled to move into the design phase using M2 funding, as approved by the Board.

The Project will modify interchange ramps and provide operational improvements along Katella Avenue between Coyote Creek Channel and Civic Center Drive.

The final environmental document was approved on October 3, 2018, and build alternative 2 has been identified as the preferred alternative by the Project development team. Approving the release of a request for proposals (RFP) for the preparation of plans, specifications, and estimates for the Project at this time will enable the consultant design team to begin work in December 2020, or sooner.

Procurement Approach

OCTA Board-approved procurement policies and procedures require that the Board approve all RFPs over $1,000,000, as well as approve the evaluation criteria and weightings. Staff is submitting for Board approval the draft RFP and evaluation criteria and weightings, which will be used to evaluate proposals received in response to the RFP. The recommended evaluation criteria and weightings are as follows:

- Qualifications of the Firm 25 percent
- Staffing and Project Organization 40 percent
- Work Plan 35 percent

The evaluation criteria are consistent with criteria developed for similar architectural and engineering (A&E) procurements. Several factors were considered in developing the criteria weightings. Staff assigned the greatest level of importance to staffing and project organization, as the qualifications of the project manager and other key task leaders are of most importance to the timely delivery of the Project. Likewise, staff assigned a high level of importance to the work plan as the technical approach to the Project is critical to the successful performance of the Project. The qualifications of the firm in performing work of similar scope and size are also very important to the success of the Project. As this is an A&E procurement, price is not an evaluation criterion pursuant to state and federal laws.

This RFP will be released upon Board approval of these recommendations.

Fiscal Impact

The Project is included in the proposed OCTA Fiscal Year 2020-21 Budget, Capital Programs Division, Account 0017-7519-FM003-105, and will be funded through M2.

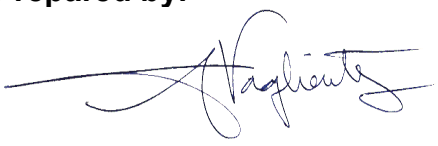
Summary

Board of Directors' approval is requested to release Request for Proposals 0-2186 for consultant services for the preparation of plans, specifications, and estimates for the Interstate 605/Katella Avenue Interchange improvement project.

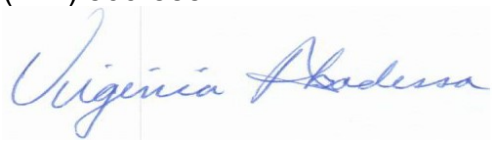
Attachment

A. Draft Request for Proposals (RFP) 0-2186, Consultant Services for the Preparation of Plans, Specifications, and Estimates for the Interstate 605/Katella Avenue Interchange Improvement Project

Prepared by:



Josue Vaglienty, P.E.
Senior Project Manager
(714) 560-5852



Virginia Abadessa
Director, Contracts Administration and Materials Management
(714) 560-5623

Approved by:



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

REQUEST FOR PROPOSALS (RFP) 0-2186

CONSULTANT SERVICES FOR THE PREPARATION OF PLANS, SPECIFICATIONS, AND ESTIMATES FOR THE INTERSTATE 605/ KATELLA AVENUE INTERCHANGE IMPROVEMENT PROJECT

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ORANGE COUNTY TRANSPORTATION AUTHORITY
550 South Main Street
P.O. Box 14184
Orange, CA 92863-1584
(714) 560-6282

Key RFP Dates

Issue Date:	**April 13, 2020**
Pre-Proposal Conference Date:	**April 21, 2020**
Question Submittal Date:	**April 24, 2020**
Proposal Submittal Date:	**May 13, 2020**
Interview Date:	**June 10, 2020**

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APRIL 13, 2020

NOTICE OF REQUEST FOR PROPOSALS

(RFP): 0-2186: "CONSULTANT SERVICES FOR THE PREPARATION OF PLANS, SPECIFICATIONS, AND ESTIMATES FOR THE INTERSTATE 605/ KATELLA AVENUE INTERCHANGE IMPROVEMENT PROJECT"

TO: ALL OFFERORS

FROM: ORANGE COUNTY TRANSPORTATION AUTHORITY

The Orange County Transportation Authority (Authority) invites proposals from qualified consultants for the Preparation of Plans, Specifications, and Estimates (PS&E) for Interstate 605 / Katella Avenue Interchange Improvement Project.

To prevent potential conflicts of interest the prime consultant and all subconsultants, (at any tier) awarded this contract for design consultant services to develop the PS&E for Interstate 605 / Katella Avenue Interchange Improvement Project, will be ineligible to participate, in any tier in any of the separate procurements for the construction management services and construction services required to deliver the Interstate 605 / Katella Avenue Interchange Improvement Project.

The Authority has made the following documents available on CAMM NET for review:

1. Final Environmental Document
2. Final Project Report

Proposals must be received in the Authority's office at or before 2:00 p.m. on May 13, 2020.

Proposals delivered in person or by a means other than the U.S. Postal Service shall be submitted to the following:

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Orange County Transportation Authority
Contracts Administration and Materials Management
600 South Main Street, (Lobby Receptionist)
Orange, California 92868
Attention: Marjorie Morris Threats, Senior Contract Administrator

Proposals delivered using the U.S. Postal Service shall be addressed as follows:

Orange County Transportation Authority
Contracts Administration and Materials Management
P.O. Box 14184
Orange, California 92863-1584
Attention: Marjorie Morris Threats, Senior Contract Administrator

Proposals and amendments to proposals received after the date and time specified above will be returned to the Offerors unopened.

Firms interested in obtaining a copy of this Request for Proposals (RFP) may do so by downloading the RFP from CAMM NET at https://cammnet.octa.net.

All firms interested in doing business with the Authority are required to register their business on-line at CAMM NET. The website can be found at https://cammnet.octa.net. From the site menu click on CAMM NET to register.

To receive all further information regarding this RFP 0-2186, firms and subconsultants must be registered on CAMM NET with at least one of the following commodity codes for this solicitation selected as part of the vendor's on-line registration profile:

Category:	Commodity:
Professional Consulting	Architectural & Engineering
	Design Consulting
	Traffic Planning Consulting
	Consultant Services - General
	Environmental Consulting
Professional Services	Architect Services, Professional
	Engineering - Architectural
	Engineering - Civil
	Engineering - Environmental
	Engineering - Mechanical
	Engineering - Right of Way
	Engineering - Traffic

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Environmental - Architectural
Land Surveying

A pre-proposal conference will be held on April 21, 2020, at 10:00 a.m. the Authority's Administrative Office, 550 South Main Street, Orange, California, in Conference Room 8. All prospective Offerors are encouraged to attend the pre-proposal conference.

Offeror's are asked to submit written statements of technical qualifications and describe in detail their work plan for completing the work specified in the Request for Proposal. **No cost proposal or estimate of work hours is to be included in this phase of the RFP process.**

The Authority has established June 10, 2020, as the date to conduct interviews. All prospective Offerors will be asked to keep this date available.

Certain labor categories under this project are subject to prevailing wages as identified in the State of California Labor Code commencing in Section 1770 et. Seq. It is required that all mechanics and laborers employed or working at the site be paid not less than the basic hourly rates of pay and fringe benefits as shown in the current minimum wage schedules. Offerors must use the current wage schedules applicable at the time the work is in progress.

Offerors are encouraged to subcontract with small businesses to the maximum extent possible.

All Offerors will be required to comply with all applicable equal opportunity laws and regulations.

The award of this contract is subject to receipt of federal, state and/or local funds adequate to carry out the provisions of the proposed agreement including the identified Scope of Work.

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SECTION I: INSTRUCTIONS TO OFFERORS

SECTION I. INSTRUCTIONS TO OFFERORS

A. PRE-PROPOSAL CONFERENCE

A pre-proposal conference will be held on April 21, 2020, at 10:00 a.m. the Authority's Administrative Office, 550 South Main Street, Orange, California, in Conference Room 8. All prospective Offerors are encouraged to attend the pre-proposal conference.

B. EXAMINATION OF PROPOSAL DOCUMENTS

By submitting a proposal, Offeror represents that it has thoroughly examined and become familiar with the work required under this RFP and that it is capable of performing quality work to achieve the Authority's objectives.

C. ADDENDA

The Authority reserves the right to revise the RFP documents. Any Authority changes to the requirements will be made by written addendum to this RFP. Any written addenda issued pertaining to this RFP shall be incorporated into the terms and conditions of any resulting Agreement. The Authority will not be bound to any modifications to or deviations from the requirements set forth in this RFP as the result of oral instructions. Offerors shall acknowledge receipt of addenda in their proposals. Failure to acknowledge receipt of Addenda may cause the proposal to be deemed non-responsive to this RFP and be rejected.

D. AUTHORITY CONTACT

All communication and/or contacts with AUTHORITY staff regarding this RFP are to be directed to the following Contract Administrator:

Marjorie Morris Threats, Senior Contract Administrator
Contracts Administration and Materials Management Department
600 South Main Street
P.O. Box 14184
Orange, CA 92863-1584
Phone: 714.560. 5552, Fax: 714.560.5792
Email: mthreats@octa.net

Commencing on the date of the issuance of this RFP and continuing until award of the contract or cancellation of this RFP, no proposer, subcontractor, lobbyist or agent hired by the proposer shall have any contact or communications regarding this RFP with any AUTHORITY's staff; member of the evaluation committee for this RFP; or any contractor or consultant involved with the procurement, other than the Contract Administrator named above or unless expressly permitted by this RFP. Contact includes face-to-face, telephone, electronic mail (e-mail) or formal written communication. Any proposer, subcontractor, lobbyist or agent hired by the

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proposer that engages in such prohibited communications may result in disqualification of the proposer at the sole discretion of the Authority.

E. CLARIFICATIONS

1. Examination of Documents

Should an Offeror require clarifications of this RFP, the Offeror shall notify the Authority in writing in accordance with Section D.2. below. Should it be found that the point in question is not clearly and fully set forth, the Authority will issue a written addendum clarifying the matter which will be sent to all firms registered on CAMM NET under the commodity codes specified in this RFP.

2. Submitting Requests

a. All questions, including questions that could not be specifically answered at the pre-proposal conference must be put in writing and must be received by the Authority no later than 5:00 p.m., on April 24, 2020.

b. Requests for clarifications, questions and comments must be clearly labeled, "Written Questions". The Authority is not responsible for failure to respond to a request that has not been labeled as such.

c. Any of the following methods of delivering written questions are acceptable as long as the questions are received no later than the date and time specified above:

(1) U.S. Mail: Orange County Transportation Authority, 550 South Main Street, P.O. Box 14184, Orange, California 92863-1584.

(2) Personal Delivery: Contracts Administration and Materials Management Department, 600 South Main Street, Lobby Receptionist, Orange, California 92868.

(3) Facsimile: (714) 560-5792.

(4) Email: mthreats@octa.net

3. Authority Responses

Responses from the Authority will be posted on CAMM NET, no later than April 30, 2020. Offerors may download responses from CAMM NET at *https://cammnet.octa.net*, or request responses be sent via U.S. Mail by emailing or faxing the request to Marjorie Morris Threats, Senior Contract Administrator.

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To receive email notification of Authority responses when they are posted on CAMM NET, firms and subconsultants must be registered on CAMM NET with at least one of the following commodity codes for this solicitation selected as part of the vendor's on-line registration profile:

Category:	Commodity:
Professional Consulting	Architectural & Engineering
	Design Consulting
	Traffic Planning Consulting
	Consultant Services - General
	Environmental Consulting
Professional Services	Architect Services, Professional
	Engineering - Architectural
	Engineering - Civil
	Engineering - Environmental
	Engineering - Mechanical
	Engineering - Right of Way
	Engineering - Traffic
	Environmental - Architectural
	Land Surveying

Inquiries received after 5:00 p.m. on April 24, 2020, will not be responded to.

F. SUBMISSION OF PROPOSALS

1. Date and Time

Proposals must be received in the Authority's office at or before 2:00 p.m. on May 13, 2020.

Proposals received after the above-specified date and time will be returned to Offerors unopened.

2. Address

Proposals delivered in person or by a means other than the U.S. Postal Service shall be submitted to the following:

Orange County Transportation Authority
Contracts Administration and Materials Management (CAMM)
600 South Main Street, (Lobby Receptionist)
Orange, California 92868
Attention: Marjorie Morris Threats, Senior Contract Administrator

Or proposals delivered using the U.S. Postal Services shall be addressed as follows:

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Orange County Transportation Authority
Contracts Administration and Materials Management (CAMM)
P.O. Box 14184
Orange, California 92863-1584
Attention: Marjorie Morris Threats, Senior Contract Administrator

3. Identification of Proposals

Offeror shall submit an **original and 6 copies** of its proposal in a sealed package, addressed as shown above in F.2. The outer envelope must show the Offeror's name and address and clearly marked with RFP number. In addition to the above, Proposers shall also include one (1) electronic copy of their entire RFP submittal package in "PDF" format, on a CD, DVD, or flash drive.

4. Acceptance of Proposals

a. The Authority reserves the right to accept or reject any and all proposals, or any item or part thereof, or to waive any informalities or irregularities in proposals.

b. The Authority reserves the right to withdraw or cancel this RFP at any time without prior notice and the Authority makes no representations that any contract will be awarded to any Offeror responding to this RFP.

c. The Authority reserves the right to issue a new RFP for the project.

d. The Authority reserves the right to postpone proposal openings for its own convenience.

e. Each proposal will be received with the understanding that acceptance by the Authority of the proposal to provide the services described herein shall constitute a contract between the Offeror and Authority which shall bind the Offeror on its part to furnish and deliver at the prices given and in accordance with conditions of said accepted proposal and specifications.

f. The Authority reserves the right to investigate the qualifications of any Offeror, and/or require additional evidence of qualifications to perform the work.

g. Submitted proposals are not to be copyrighted.

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G. PRE-CONTRACTUAL EXPENSES

The Authority shall not, in any event, be liable for any pre-contractual expenses incurred by Offeror in the preparation of its proposal. Offeror shall not include any such expenses as part of its proposal.

Pre-contractual expenses are defined as expenses incurred by Offeror in:

1. Preparing its proposal in response to this RFP;
2. Submitting that proposal to the Authority;
3. Negotiating with the Authority any matter related to this proposal; or
4. Any other expenses incurred by Offeror prior to date of award, if any, of the Agreement.

H. JOINT OFFERS

Where two or more firms desire to submit a single proposal in response to this RFP, they should do so on a prime-subcontractor basis rather than as a joint venture. The Authority intends to contract with a single firm and not with multiple firms doing business as a joint venture.

I. TAXES

Offerors' proposals are subject to State and Local sales taxes. However, the Authority is exempt from the payment of Federal Excise and Transportation Taxes. Offeror is responsible for payment of all taxes for any goods, services, processes and operations incidental to or involved in the contract.

J. PROTEST PROCEDURES

The Authority has on file a set of written protest procedures applicable to this solicitation that may be obtained by contacting the Contract Administrator responsible for this procurement. Any protests filed by an Offeror in connection with this RFP must be submitted in accordance with the Authority's written procedures.

K. CONTRACT TYPE

It is anticipated that the Agreement resulting from this solicitation, if awarded, will be a firm-fixed price contract specifying firm-fixed prices for individual tasks specified in the Scope of Work, included in this RFP as Exhibit A.

L. PREVAILING WAGES

Certain labor categories under this project are subject to prevailing wages as identified in the State of California Labor Code commencing in Section 1770 et.seq. The proposer to whom a contract for the work is awarded by the Authority shall comply with the provision of the California Labor Code, including, without

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limitation, the obligation to pay the general prevailing rates of wages in the locality in which the work is to be performed in accordance with, without limitation, Sections 1773.1, 1774, 1775 and 1776 of the California Labor Code governing employment of apprentices. Copies of the prevailing rates of per diem wages are on file at the Authority's principal office at 550 S. Main Street, Orange, CA 92868 and are available to any interested party on request.

M. CONFLICT OF INTEREST

All Offerors responding to this RFP must avoid organizational conflicts of interest which would restrict full and open competition in this procurement. An organizational conflict of interest means that due to other activities, relationships or contracts, an Offeror is unable, or potentially unable to render impartial assistance or advice to the Authority; an Offeror's objectivity in performing the work identified in the Scope of Work is or might be otherwise impaired; or an Offeror has an unfair competitive advantage. Conflict of Interest issues must be fully disclosed in the Offeror's proposal.

All Offerors must disclose in their proposal and immediately throughout the course of the evaluation process if they have hired or retained an advocate to lobby Authority staff or the Board of Directors on their behalf.

Offerors hired to perform services for the Authority are prohibited from concurrently acting as an advocate for another firm who is competing for a contract with the Authority, either as a prime or subcontractor.

N. CODE OF CONDUCT

All Offerors agree to comply with the Authority's Code of Conduct as it relates to Third-Party contracts which is hereby referenced and by this reference is incorporated herein. All Offerors agree to include these requirements in all of its subcontracts.

O. PROHIBITION

The following restrictions apply to this procurement:

The prime consultant firm, including all subconsultants (at any tier) awarded this contract for consultant services to develop plans, specifications, and estimates (PS&E) for the Interstate 605 / Katella Avenue Interchange Improvement Project will be ineligible to participate (at any tier) in any of the separate procurements for construction management services and construction services required for the Interstate 605 / Katella Avenue Interchange Improvement Project.

Furthermore, Offeror(s) are advised that the evaluation of the team composition with regards to the conflicts of interest will be done on a case-by-case basis.

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SECTION II: PROPOSAL CONTENT

SECTION II. PROPOSAL CONTENT

A. PROPOSAL FORMAT AND CONTENT

1. Format

Proposals should be typed with a standard 12-point font, double-spaced and submitted on 8 1/2" x 11" size paper, using a single method of fastening. Charts and schedules may be included in 11"x17" format. Proposals should not include any unnecessarily elaborate or promotional materials. Proposals should not exceed fifty (50) pages in length, excluding any appendices, cover letters, resumes, or forms.

2. Letter of Transmittal

The Letter of Transmittal shall be addressed to Marjorie Morris Threats, Senior Contract Administrator and must, at a minimum, contain the following:

a. Identification of Offeror that will have contractual responsibility with the Authority. Identification shall include legal name of company, corporate address, telephone and fax number, and email address. Include name, title, address, email address and telephone number of the contact person identified during period of proposal evaluation.

b. Identification of all proposed subcontractors including legal name of company, whether the firm is a Disadvantaged Business Enterprise (DBE), contact person's name and address, phone number and fax number, and email address; relationship between Offeror and subcontractors, if applicable.

c. Acknowledgement of receipt of all RFP addenda, if any.

d. A statement to the effect that the proposal shall remain valid for a period of not less than 180 days from the date of submittal.

e. Signature of a person authorized to bind Offeror to the terms of the proposal.

f. Signed statement attesting that all information submitted with the proposal is true and correct.

3. Technical Proposal

a. Qualifications, Related Experience and References of Offeror

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This section of the proposal should establish the ability of Offeror to satisfactorily perform the required work by reasons of: experience in performing work of a similar nature; demonstrated competence in the services to be provided; strength and stability of the firm; staffing capability; work load; record of meeting schedules on similar projects; and supportive client references.

Offeror to:

(1) Provide a brief profile of the firm, including the types of services offered; the year founded; form of the organization (corporation, partnership, sole proprietorship); number, size and location of offices; and number of employees.

(2) Provide a general description of the firm's financial condition and identify any conditions (e.g., bankruptcy, pending litigation, planned office closures, impending merger) that may impede Offeror's ability to complete the project.

(3) Describe the firm's experience in performing work of a similar nature to that solicited in this RFP and highlight the participation in such work by the key personnel proposed for assignment to this project.

(4) Identify subcontractors by company name, address, contact person, telephone number, email, and project function. Describe Offeror's experience working with each subcontractor.

(5) Identify all firms hired or retained to provide lobbying or advocating services on behalf of the Offeror by company name, address, contact person, telephone number and email address. This information is required to be provided by the Offeror immediately during the evaluation process, if a lobbyist or advocate is hired or retained.

(6) Provide as a minimum three (3) references for the projects cited as related experience, and furnish the name, title, address, telephone number, and email address of the person(s) at the client organization who is most knowledgeable about the work performed. Offeror may also supply references from other work not cited in this section as related experience.

b. Proposed Staffing and Project Organization

This section of the proposal should establish the method, which will be used by the Offeror to manage the project as well as identify key personnel assigned.

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Offeror to:

(1) Identify key personnel proposed to perform the work in the specified tasks and include major areas of subcontract work. Include the person's name, current location, proposed position for this project, current assignment, level of commitment to that assignment, availability for this assignment and how long each person has been with the firm.

(2) Furnish brief resumes (not more than two [2] pages each) for the proposed Project Manager and other key personnel that includes education, experience, and applicable professional credentials.

(3) Indicate adequacy of labor resources utilizing a table projecting the resource allocation to the project by individual task.

(4) Include a project organization chart, which clearly delineates communication/reporting relationships among the project staff.

(5) Include a statement that key personnel will be available to the extent proposed for the duration of the project acknowledging that no person designated as "key" to the project shall be removed or replaced without the prior written concurrence of the Authority.

c. Work Plan

Offeror should provide a narrative, which addresses the Scope of Work, and shows Offeror's understanding of Authority's needs and requirements.

Offeror to:

(1) Describe the approach to completing the tasks specified in the Scope of Work. The approach to the work plan shall be of such detail to demonstrate the Offeror's ability to accomplish the project objectives and overall schedule.

(2) Outline sequentially the activities that would be undertaken in completing the tasks and specify who would perform them.

(3) Furnish a project schedule for completing the tasks in terms of elapsed weeks.

(4) Identify methods that Offeror will use to ensure quality control as well as budget and schedule control for the project.

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(5) Identify any special issues or problems that are likely to be encountered in this project and how the Offeror would propose to address them.

(6) Offeror is encouraged to propose enhancements or procedural or technical innovations to the Scope of Work that do not materially deviate from the objectives or required content of the project.

d. Exceptions/Deviations

State any technical and/or contractual exceptions and/or deviations from the requirements of this RFP, including the Authority's technical requirements and contractual terms and conditions set forth in the Scope of Work (Exhibit A) and Proposed Agreement (Exhibit B), using the form entitled "Proposal Exceptions and/or Deviations" included in this RFP. This Proposal Exceptions and/or Deviations form must be included in the original proposal submitted by the Offeror. If no technical or contractual exceptions and/or deviations are submitted as part of the original proposal, Offerors are deemed to have accepted the Authority's technical requirements and contractual terms and conditions set forth in the Scope of Work (Exhibit A) and Proposed Agreement (Exhibit B). Offerors will not be allowed to submit the Proposal Exceptions and/or Deviations form or any technical and/or contractual exceptions after the proposal submittal date identified in the RFP. Exceptions and/or deviations submitted after the proposal submittal date will not be reviewed by Authority.

All exceptions and/or deviations will be reviewed by the Authority and will be assigned a "pass" or "fail" status. Exceptions and deviations that "pass" do not mean that the Authority has accepted the change but that it is a potential negotiable issue. Exceptions and deviations that receive a "fail" status means that the requested change is not something that the Authority would consider a potential negotiable issue. Offerors that receive a "fail" status on their exceptions and/or deviations will be notified by the Authority and will be allowed to retract the exception and/or deviation and continue in the evaluation process. Any exceptions and/or deviation that receive a "fail" status and the Offeror cannot or does not retract the requested change may result in the firm being eliminated from further evaluation.

e. Public Records Act Indemnification

Proposals received by Authority are subject to the California Public Records Act, Government Code section 6250 et seq. (the "Act"), except as otherwise provided in the Act. Proposers should familiarize

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themselves and exceptions thereto. In no event shall the Authority or any of its agents, representatives, consultants, directors, officers, or employees be liable to a Proposer for the disclosure of any materials or information submitted in response to the RFP. Proposers must complete and sign the Exhibit E, Public Records Act Indemnification – Proposal Documents, and submit it with the proposal. Failure to complete Exhibit E may cause the proposal to be deemed non-responsive to this RFP and may no longer continue in the evaluation process.

If a California Public Records Act request is received by Authority for the release of information identified by Proposer as propriety, trade secret, or confidential, the request will be referred to Proposer for review and consideration. If Proposer requests that the information be withheld from release, Proposer shall provide such request in writing with the legal basis under the Act for each requested withholding. Failure to notify the Authority in writing of its desire to withhold the records within three business days and/or to timely provide a legal basis for the withholding of documents, regardless of any marking or designation of such documents, shall constitute a waiver of any claims Proposer may have had related to such disclosure.

Authority will review the request, determine if the disclosure of the records is required by law, and notify Proposer of such determination. If Authority determines that the disclosure of records is required by law, Authority will notify Proposer of such determination and provide Proposer the opportunity to seek a protective order or other appropriate legal relief to protect the records.

Proposer shall defend and hold harmless Authority from any legal action arising from such withholding, as further detailed in Exhibit E, Public Records Act Indemnification – Proposal Documents.

4. Cost and Price Proposal

Offerors are asked to submit only the technical qualifications as requested in the RFP. No cost proposal or work hours are to be included in this phase of the RFP process. Upon completion of the initial evaluations and interviews, if conducted, the highest ranked Offeror will be asked to submit a detailed cost proposal and negotiations will commence based on both the cost and technical proposals.

5. Appendices

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Information considered by Offeror to be pertinent to this project and which has not been specifically solicited in any of the aforementioned sections may be placed in a separate appendix section. Offerors are cautioned, however, that this does not constitute an invitation to submit large amounts of extraneous materials. Appendices should be relevant and brief.

B. FORMS

1. Campaign Contribution Disclosure Form

In conformance with the statutory requirements of the State of California Government Code Section 84308, part of the Political Reform Act and Title 2, California Code of Regulations 18438 through 18438.8, regarding campaign contributions to members of appointed Board of Directors, Offeror is required to complete and sign the Campaign Contribution Disclosure Form provided in this RFP and submit as part of the proposal.

This form **must** be completed regardless of whether a campaign contribution has been made or not and regardless of the amount of the contribution.

The prime contractor, subconsultants, lobbyists and agents are required to report all campaign contributions made from the proposal submittal date up to and until the Board of Directors makes a selection.

Offeror is required to submit only **one** copy of the completed form(s) as part of its proposal and it must be included in only the **original** proposal.

2. Status of Past and Present Contracts Form

Offeror shall complete and sign the form entitled “Status of Past and Present Contracts” provided in this RFP and submit as part of its proposal. Offeror shall identify the status of past and present contracts where the firm has either provided services as a prime vendor or a subcontractor during the past five (5) years in which the contract has been the subject of or may be involved in litigation with the contracting authority. This includes, but is not limited to, claims, settlement agreements, arbitrations, administrative proceedings, and investigations arising out of the contract. Offeror shall have an ongoing obligation to update the Authority with any changes to the identified contracts and any new litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations that arise subsequent to the submission of Offeror's proposal.

A separate form must be completed for each identified contract. Each form must be signed by the Offeror confirming that the information provided is true and accurate. Offeror is required to submit one copy of the completed

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form(s) as part of its proposals and it should be included in only the original proposal.

3. Proposal Exceptions and/or Deviations Form

Offerors shall complete the form entitled “Proposal Exceptions and/or Deviations” provided in this RFP and submit it as part of the original proposal. For each exception and/or deviation, a new form should be used, identifying the exception and/or deviation and the rationale for requesting the change. Exceptions and/or deviations submitted after the proposal submittal date will not be reviewed nor considered by the AUTHORITY.

4. Public Records Act Indemnification Form

Offerors shall complete and sign the form entitled “Public Records Act Indemnification” provided in this RFP and submit it as part of the original proposal. Proposers must complete and sign either Option 1 or Option 2 whichever applies.

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SECTION III: EVALUATION AND AWARD

SECTION III. EVALUATION AND AWARD

A. EVALUATION CRITERIA

The Authority will evaluate the offers received based on the following criteria:

1. Qualifications of the Firm **25%**

Technical experience in performing work of a closely similar nature; strength and stability of the firm; strength, stability, experience and technical competence of subcontractors; assessment by client references.

2. Staffing and Project Organization **40%**

Qualifications of project staff, particularly key personnel and especially the Project Manager; key personnel's level of involvement in performing related work cited in "Qualifications of the Firm" section; logic of project organization; adequacy of labor commitment; concurrence in the restrictions on changes in key personnel.

3. Work Plan **35%**

Depth of Offeror's understanding of Authority's requirements and overall quality of work plan; logic, clarity and specificity of work plan; appropriateness of resource allocation among the tasks; reasonableness of proposed schedule; utility of suggested technical or procedural innovations.

B. EVALUATION PROCEDURE

An evaluation committee will be appointed to review all proposals received for this RFP. The committee is comprised of Authority staff and may include outside personnel. The committee members will evaluate the written proposals using criteria identified in Section III A. A list of top ranked proposals, firms within a competitive range, will be developed based upon the totals of each committee members' score for each proposal.

During the evaluation period, the Authority may interview some or all of the proposing firms. The Authority has established June 10, 2020, as the date to conduct interviews. All prospective Offerors are asked to keep this date available. No other interview dates will be provided, therefore, if an Offeror is unable to attend the interview on this date, its proposal may be eliminated from further discussion. The interview may consist of a short presentation by the Offeror after which the evaluation committee will ask questions related to the firm's proposal and qualifications.

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At the conclusion of the evaluation process, the evaluation committee will rank proposals and will recommend to the Regional Planning & Highways Committee, the Offeror(s) with the highest ranking. The Regional Planning & Highways Committee (s) will review the evaluation committee's recommendation and forward its recommendation to the Board of Directors for final action.

C. AWARD

The Evaluation Committee will select a firm to recommend to the Authority's Board of Directors. At the same time the recommended Offeror will be asked to submit a sealed price proposal. In conjunction with its action of selecting a firm, the Authority's Board of Directors will authorize staff to negotiate a contract price and other terms and conditions. The Board will also grant staff the ability to terminate negotiations with the selected Offeror if no satisfactory agreement can be reached and to begin negotiations with the next highest-ranked Offeror until a satisfactory agreement has been achieved.

The Authority reserves the right to award its total requirements to one Offeror or to apportion those requirements among several Offerors as the Authority may deem to be in its best interest. In addition, negotiations may or may not be conducted with Offerors; therefore, the proposal submitted should contain Offeror's most favorable terms and conditions, since the selection and award may be made without discussion with any Offeror.

The selected Offeror will be required to submit to an audit of its financial records to confirm its financial stability and the Offeror's accounting system.

D. THE SELECTED OFFEROR WILL BE REQUIRED TO SUBMIT TO THE AUTHORITY'S ACCOUNTING DEPARTMENT A CURRENT IRS W-9 FORM PRIOR TO COMMENCING WORK.

E. NOTIFICATION OF AWARD AND DEBRIEFING

Offerors who submit a proposal in response to this RFP shall be notified via CAMM NET of the contract award. Such notification shall be made within three (3) business days of the date the contract is awarded.

Offerors who were not awarded the contract may obtain a debriefing concerning the strengths and weaknesses of their proposal. Unsuccessful Offerors, who wish to be debriefed, must request the debriefing in writing or electronic mail and the Authority must receive it within three (3) business days of notification of the contract award.

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EXHIBIT A: SCOPE OF WORK

SCOPE OF WORK

PREPARATION OF PLANS, SPECIFICATIONS AND ESTIMATES (PS&E)

FOR

IMPROVEMENTS TO

INTERSTATE 605 (I-605) / KATELLA AVENUE

INTERCHANGE

SECTION 1

DESCRIPTION OF PROJECT

1.1 PROJECT DESCRIPTION

1.1-1 Background

The Orange County Transportation Authority (Authority), in cooperation with the California Department of Transportation (Caltrans) and the City of Los Alamitos, is issuing the Request for Proposals (RFP) for professional and technical consultant services for development of Plans, Specifications, and Estimates (PS&E) for Interstate 605 (I-605) at Katella Ave Improvement Project.

The Final Environmental Document (FED) was approved in October 2018. The corresponding Project Report was approved in November 2018. The preferred alternative (Build Alternative 2) will be utilized for this Scope of Work.

Authority will be the implementing agency for plans, specifications, and estimate and right-of-way activities for the project. Caltrans will be the implementing agency for the construction phase, and will be responsible for the advertisement, bid opening, award, approval, and administration of the construction contract.

1.1-2 General Project Description

The proposed project will provide improvements to northbound and southbound ramps along I-605 between PM 1.1 and PM 1.6 and along Katella Avenue, between Coyote Creek Channel and Civic Center Drive in the city of Los Alamitos in Orange County. The proposed improvements for Build Alternative 2 described in the Final Project Report (EA 12-0K8700), dated November 8, 2018, shall be the basis of the work contained in this Scope of Work. The design of said improvements shall be in accordance with Caltrans and all other applicable standards. All pedestrian facilities, including curb ramps, within the project limits must be in accordance with current Americans with Disabilities Act standards.

1.1-3 Detailed Project Description

The existing I-605 mainline would not be modified, except for the northbound No. 4 lane at the northbound exit ramp. This lane would be restriped from a through lane to a through lane/exit option lane to accommodate a proposed second exit ramp lane.

Katella Avenue would be widened, and lane geometries would be modified to provide standard lane and shoulders through the interchange, tie in with proposed ramp improvements, and eliminate existing nonstandard lane tapers and merges. On westbound Katella Avenue, the ramp termini of the northbound entrance and

loop exit ramps would be reconfigured to eliminate the existing free right-turn movements and the short merge at the ramp entrance. The existing nonstandard left-hand lane drop on westbound Katella Avenue, just west of the northbound ramps, would be eliminated. Along eastbound Katella Avenue, an existing short-distance right hand merge of vehicles from the southbound loop exit ramp would be eliminated by adding a third through lane at the ramp join. Continuing east, the terminus of the northbound exit ramp would be modified to join Katella Avenue as a fourth through lane.

1.1-4 Location and Limits

The project limits on I-605 between Post Mile 1.1 and Post Mile 1.6, and along Katella Avenue between Coyote Creek Channel and Civic Center Drive. The project is in the City of Los Alamitos and in the County of Orange.

1.1-5 Statement of Intent

It is the intent of the Authority to award a professional services contract to provide engineering services including supplemental environmental document as required, obtain environmental regulatory permits, preparation of PS&E, and right-of-way engineering for the I-605 / Katella Ave Interchange Improvement Project.

1.2 STANDARDS

1.2-1 Latest Editions

CONSULTANT shall perform all services under the Agreement in conformance and in compliance with the latest Caltrans editions of applicable design and environmental standards.

1.2-2 Conflicts

In case of conflict, ambiguities, discrepancies, errors, or omissions among the reference materials obtained by CONSULTANT from other agencies, CONSULTANT shall submit the matter to Authority for clarification. Any work affected by such conflicts, ambiguities, discrepancies, errors or omissions which is performed by CONSULTANT prior to clarification by Authority shall be at CONSULTANT's risk and expense.

1.2-3 Roadway/Design

Roadway design shall be performed in accordance with all applicable Federal, State and local laws, rules, regulations, policies, procedures, manuals, standard plans and specifications, roadway maintenance and structure maintenance reports, and other standards that State would normally follow. Design Standard

Decision Documents for non-standard features shall require approvals from Caltrans.

1.2-4 Drafting

Roadway and related plans shall be prepared in conformance with the latest versions of the Caltrans "Drafting and Plans Manual" and "CADD Manual." CONSULTANT is required to furnish .dgn files either at PS&E or as-built stage in the Microstation version currently in use by Caltrans at the time of submittal.

The size and clarity of lettering on plan sheets requires special attention, as final contract plans are half-size. Plans, which are illegible or otherwise difficult to read, are unacceptable.

Plans, Specifications and Estimates (PS&E)

PS&E shall be prepared in English units and in conformance with the most recent versions of the Caltrans Guide for the Submittal of Plans, Specifications, Estimates, Standard Plans, and Standard Specifications. As part of the work involved in the preparation of the PS&E, CONSULTANT shall prepare Special Provisions pertaining to items of work included in the plans that are not addressed in the latest Caltrans Standard Specifications and Caltrans approved Standard Special Provisions. CONSULTANT shall furnish the Special Provisions to Caltrans. Non-standard Special Provisions shall be prepared by CONSULTANT and shall require approval by Caltrans. Reports and PS&E items related to structures shall be submitted through Caltrans Office of Special Funded Projects (OSFP) as indicated in the OSFP Information and Procedures Guide and at the direction of the District 12 OSFP Liaison Engineer.

1.2-5 Reference Material

CONSULTANT shall utilize the following documents. Please note it is not the Authority's intent to provide a comprehensive list of resources; therefore, CONSULTANT shall also be responsible for ensuring they are using the most recent version of all reference material, including and addenda and errata.

- A Policy on Geometric Design of Highways and Streets (AASHTO)
- Caltrans Highway Design Manual including Design Information Bulletins, and Design Memorandums
- Manual of Uniform Traffic Control Devices (MUTCD)
- California MUTCD
- Caltrans Division of Engineering Services Structures Manuals, including Information and Procedures Guide, Design Details, Aids, Practice and Memo to Designers Manuals
- Caltrans Project Development Procedures Manual

- Caltrans Environmental Guidelines & Manuals
- Caltrans Plans Preparation Manual
- Caltrans CADD User's Manual
- Caltrans Highway Planting and Irrigation Manual
- Caltrans Guide for Submittal of PS&E
- Caltrans Construction Contract Development (CCD) Guide
- Caltrans Standard Plans and Standard Specifications
- Caltrans Storm Water Quality Handbooks
- Orange County Hydrology Manual
- Caltrans Right of Way (R/W) Engineering Procedures Handbook
- Caltrans R/W Manual
- Caltrans High Occupancy Vehicle Guidelines
- Caltrans Local Assistance Procedures Manual
- Caltrans Survey Manual
- Caltrans District 12 R/W Engineering Requirements for the Preparation of Documents and Maps
- Applicable Local Codes and Manuals
- Construction Best Management Practices (BMPs)
- Caltrans Signal and Lighting Guidelines, Changeable Message Sign Guidelines, Ramp Metering Guidelines, Communications Systems Guidelines and National Electrical Code.

1.3 DESIGN CRITERIA

The following is a general listing of specific criteria which shall be adhered to. This list is by no means comprehensive and other standards may apply.

1.3-1 Roadway

Design speed and other design criteria shall follow the latest Caltrans Highway Design Manual (HDM) guidelines as well as pertinent city standards.

1.3-2 Retaining Walls

Design: AASHTO LRFD Design Specifications 6th Edition and the California Amendments, Seismic Design Criteria (SDC) latest edition.

1.3-3 Surveys

CONSULTANT shall conduct all surveys in conformance with the Land Surveyor's Act and Caltrans Survey Manual for PS&E.

1.3-4 Materials Report

CONSULTANT shall conform to the guidelines established by Caltrans Office of Materials Engineering and Testing Services (METS).

1.3-5 Drainage

Q25 for Design on-site drainage
Q100 for Design off-site drainage
Q50 for Design for bridge Deck Drain

SECTION 2

GENERAL CONDITIONS AND REQUIREMENTS

2.1 SCOPE OF WORK GENERAL CONDITIONS AND REQUIREMENTS

2.1-1 CONSULTANT shall carry out the instructions as received from Authority Project Manager and shall cooperate with Caltrans, the City of Los Alamitos, and any other consultants working on this project.

2.1-2 It is not the intent of the foregoing paragraph to relieve CONSULTANT of his professional responsibility during the performance of this contract. In those instances where CONSULTANT believes a better design or solution to a problem is possible, CONSULTANT shall promptly notify Authority/Caltrans Project Managers of these concerns, together with the reasons therefore.

2.1-3 CONSULTANT is responsible for the accuracy and completeness of PS&E prepared for this project and shall check such material accordingly. While Caltrans will review the data and plans for conformity with Caltrans Design Standards, as well as conformance with California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) requirements, the responsibility for accuracy and completeness lies with CONSULTANT.

2.1-4 Neither CONSULTANT nor its subcontractors shall incorporate materials, or equipment of single or sole source origin, other than those included in Caltrans Standards, into the design without the prior written approval of Caltrans.

2.1-5 The plans, specifications, designs, estimates, calculations, reports, and other documents furnished under this Scope of Work shall be of a quality acceptable to Caltrans and Authority. The minimum criteria for acceptance shall be a product of neat appearance that is well organized, technically and grammatically correct, and thoroughly checked in accordance with the Caltrans Quality Assurance/Quality Control (QA/QC) Procedures Manual. All work products shall clearly identify both the preparer and checker. The standards of appearance, organization, and contents of the drawings shall meet or exceed those of similar documents produced by Caltrans.

2.1-6 The page identifying preparers of engineering reports, the title for specifications and each sheet of plans, shall bear the professional seal, certificate number and expiration date, registration classification, and the signature of the professional engineer(s) responsible for their preparation.

2.1-7 To ensure the progress towards contract objectives and requirements, CONSULTANT will hold regular meetings with the Authority and Caltrans. If the original established schedule is insufficient, CONSULTANT will hold additional meetings as necessary. The primary purpose of these meetings is to discuss work objectives, CONSULTANT's work schedule, the terms of

the contract and other related issues. In addition, the meetings will serve as a forum for resolving any issues related to the PS&E development.

2.1-8 CONSULTANT may establish direct contact with governmental regulatory and resource agencies and others in order to obtain information, expertise, and assistance in developing baseline data and resource inventories. CONSULTANT shall maintain a record of such contacts and shall transmit copies of those records to Caltrans and Authority on a regular basis. At a minimum, these records shall be transmitted monthly or more frequently, when the content or extent of the records so warrants.

2.1-9 Caltrans and Authority will retain responsibility for final consultation, both informal and formal, with state and federal agencies regarding project mitigation and compensation proposals.

2.1-10 CONSULTANT shall comply with OSHA regulations regarding safety equipment and procedures, safety instructions issued by Caltrans, and the safety provisions included in the Caltrans Survey Manual. While working on the job site, CONSULTANT's personnel shall wear white hard hats, rubber soled shoes, and appropriate safety vests. In the case of a discrepancy between the Caltrans and OSHA requirements, the more stringent regulation shall apply.

2.1-11 CONSULTANT shall designate a Surveys Manager who will coordinate CONSULTANT's surveying operations. The Surveys Manager shall be responsible for all matters related to CONSULTANT's surveying operations, but shall coordinate with CONSULTANT's Project Manager.

2.1-12 Surveys performed by CONSULTANT shall conform to the requirements of the Land Surveyors Act and the Caltrans Surveys Manual. In accordance with the Act, "responsible charge" for the work shall reside with a pre-January 1, 1982, Registered Civil Engineer or a Licensed Land Surveyor, in the State of California.

2.1-13 CONSULTANT shall designate a Construction Lead, who is a qualified Construction Management professional, to lead constructability and biddability reviews.

2.1-14 In the case of conflicts between the instructions contained in this Scope of Work and those found in the Bridge Memos to Designers, the instructions in this Scope of Work take precedence.

2.1-15 Where this Scope of Work requires CONSULTANT to prepare and submit studies, reports, plans, etc., to Caltrans and Authority, these materials shall be submitted in draft as scheduled, and the opportunity provided for the Authority and Caltrans to direct revisions, prior to final submission.

2.1-16 Throughout the design of this project, CONSULTANT will consider least cost alternatives analysis for major project components, where appropriate.

2.1-17 The CONSULTANT's team shall be responsible for supporting and assisting Authority staff in the Board of Directors (Board) approval process during the preparation of the PS&E. These may include but are not limited to: providing Project materials for Board packages, assisting and/or making Board presentations, researching/investigating of information requested by the Board, and attending additional meetings/workshops, as necessary. CONSULTANT's team shall also be responsible for supporting Authority with coordinating with local cities regarding various issues related to the Project.

2.1-18 Authority Project Manager will administer CONSULTANT contract and provide general direction to CONSULTANT. Caltrans is responsible for providing Quality Assurance as well as final approval of the PS&E, required reports, and work product.

2.1-18 Following material may be furnished by Caltrans/Authority (as available):

- Existing aerial photographs and negatives
- Existing survey control data and site survey information (hard copy and electronic files) including survey control maps, coordinate control maps, existing right-of-way maps, existing monument maps, existing land-net information and any pertinent records of information
- Existing Caltrans Detailed Seismic Revisions Data Sheets
- Existing maintenance reports
- Existing as-built Logs of Test Borings
- Existing noise data
- Existing Materials Data and Foundation Reports
- Approved Project Report
- Approved Environmental Document
- Pertinent correspondence
- Caltrans standard CADD cell library including bridge, geometric, landscape, project plans, R/W, and traffic/electrical (hard copy and electronic files)
- Caltrans District CADD cell library (hard copy and electronic files)
- Caltrans Headquarters/District font library
- Caltrans CADD plotting pen tables
- Caltrans CADD seed file
- Available aerial mapping for the entire project limits (hard copy and electronic files) in proper format
- Current Standard Special Provisions (hard copy and electronic files)

- Monument disks, plugs, tags, and marker posts
- Current Traffic Counts and Traffic Projections

2.1-19 Following is work which is to be performed by Caltrans:

- Communications with the Federal Highway Administration
- Process Exceptions to Policy
- Provide all Survey Controls
- Input Construction Cost Estimate into Basic Engineering Estimate System (BEES)
- Technical reviews of work and deliverables (technical and office engineers)
- Preparation and processing of request to the Caltrans Longitudinal Encroachment Committee for exceptions to policy, if needed
- Analysis and recommendations for rehabilitation work on existing ramps to be widened
- Perform Safety Review during design and construction
- Perform Constructability Review
- Perform Biddability Review
- Caltrans will be the lead agency for CEQA and NEPA

SECTION 3

STATEMENT OF WORK

3.1 TASK 1 – PROJECT MANAGEMENT / COORDINATION / ADMINISTRATION

This task covers project management services including the requirements for meetings, schedules, progress reports, invoicing, and administration of CONSULTANT's work.

3.1-1 Coordination/Administration

3.1-1a Coordination and Meetings

Meetings with affected parties shall be held to discuss issues pertinent to analysis, design, and effects of the Project. During these meetings, Authority and Caltrans may provide direction for development of the PS&E.

CONSULTANT shall participate in the following meetings:

Project Development Team (PDT) Meetings with Authority and Caltrans shall be held on a monthly basis to discuss policy, procedural and freeway-specific issues. CONSULTANT shall bring progress plans and presentation materials as appropriate.

Agency Coordination/Technical Workshop Meetings shall be held as needed to discuss technical issues with specific agencies. CONSULTANT shall bring progress plans and presentation materials as appropriate.

Right-of-Way Coordination Meetings shall be held before starting work between CONSULTANT and the Chief of Caltrans District 12 R/W Engineering (CHIEF). Thereafter monthly progress meetings shall take place between CONSULTANT and the CHIEF at District 12 headquarters. An emergency meeting may be called at any time to address pressing problems.

Constructability Workshop Meetings shall be held with Authority and Caltrans to present, discuss and resolve constructability issues to minimize construction change orders. CONSULTANT shall present progress plans and specifications prior to the 65% and 95% submittals. Provide special presentation materials as needed to convey and resolve constructability issues.

Safety Review Meeting shall be held with AUTHORITY and Caltrans at the 95% submittal only.

Deliverables:

Following are the meeting materials which CONSULTANT will be responsible for preparing and providing:

- Notices
- Agendas

- Handouts
- Minutes
- Progress plans

3.1-1b Administration

Following are administrative duties which shall be performed by CONSULTANT:

- Supervise subcontractors, coordinate, and monitor work for conformance with Caltrans standards and policies.
- Apply for and obtain Caltrans encroachment permits necessary for CONSULTANT to be on the jobsite.
- Apply for and obtain City approvals and permits as required.
- Prepare, circulate, and file correspondence and memoranda as appropriate.
- Prepare and update Project Risk Register, including Risk Register Certification Form.
- Maintain Project files using the Caltrans Uniform File System.
- Thirty days after Notice to Proceed, CONSULTANT shall submit the Project Master Schedule to Authority and Caltrans Project Managers. Section 3.1-2 contains description of the Master Schedule.

3.1-2 Schedules

CONSULTANT shall submit an initial Project Master Schedule. Following approval by Authority, this schedule will become the Project Schedule. The approved Project Schedule shall be displayed on the Project Master Schedule updates. The following elements must be included by CONSULTANT in the Schedule:

- Work items and deliverables identified in accordance with a Work Breakdown Structure (WBS) as developed by CONSULTANT and approved by Authority
- Work items of agencies and other third parties that may affect or be affected by CONSULTANT's activities
- Schedule shall provide adequate time for Authority and Caltrans review, based on standard practices
- Resource loading of work items in work hours to show the effort required to perform the work. Resource loading shall be used to develop plan and actual progress curves

- The Project Master Schedule shall include all data necessary to represent the total Project and the critical path shall be clearly identified
- The order, sequence, and interdependence of significant work items shall be reflected on the Project Master Schedule
- The following list of major tasks shall be used to develop the Project Master Schedule:

  Task 1 – Project Management/Coordination/Administration

  Task 2 – 35 Percent PS&E

  Task 3 – Unchecked Details PS&E (65 Percent) Submittal

  Task 4 – Initial PS&E (95 Percent) Submittal

  Task 5 – Final PS&E (100 Percent) Submittal

  Task 6 – Construction Bidding Phase

  Task 7 – Construction Support Phase

  Task 8 – Project Closeout

Major tasks should be broken down into subtasks as warranted. Decision dates will be included in the schedule.

CONSULTANT shall submit a copy of the Project Master Schedule to the Authority Project Manager for review and approval and a copy to Caltrans for information. Monthly schedule updates will be part of the Progress Report and will be in accordance with the requirements shown in Section 3.1-3.

Deliverables:

- Project Master Schedule

3.1-3 Progress Reports

At the end of each month, CONSULTANT shall report the progress of the work. Progress shall be based on physical percent complete such as number of drawings or deliverables completed or estimated progress toward completion. Progress payments will be based upon percent complete of the major tasks identified.

CONSULTANT shall submit one copy of a monthly Progress Report to the Authority Project Manager consisting of a written narrative and an updated bar-chart format of the Project Master Schedule. This report shall be received no later than the tenth (10^{th}) calendar day of the month.

The narrative portion of the monthly Progress Report shall describe overall progress of the work, discuss significant problems and present proposed corrective action and show the status of major changes.

All schedule tasks will be updated to reflect current percent complete. If the latest completion time for a significant work item does not fall within the time allowed by the original Project Master Schedule, the sequence of work and/or duration shall be revised by CONSULTANT through concurrent operations, additional staffing or

overtime, until the resultant schedule indicates that all significant project completion dates shall be met. If during the course of the work, CONSULTANT falls behind in overall performance in accordance with the current schedule, a project management meeting will be called to determine the cause. If cause is found to be due to CONSULTANT performance, payment to CONSULTANT may be withheld pending the submittal of an action plan outlining the steps which will be taken to correct the identified delay(s). The initial Project Master Schedule, referenced in Section 3.1-2, as agreed to by Authority shall become the project. The target schedule shall be displayed on the updated Project Master Schedule.

Deliverables:

- Monthly Progress Report

3.1-4 Design Quality Management Plan

CONSULTANT shall prepare, implement and maintain a Design Quality Management Plan (DQMP) throughout the services under this Agreement. The DQMP will establish Quality Assurance (QA) and Quality Control (QC) processes and procedures; describe how the quality of the work products will be managed to minimize or eliminate errors and omissions; ensure that all design reports, studies, plans, specifications, quantities, estimates and other design documents are complete, accurate, consistent, checked, and reviewed; and will be prepared to an acceptable quality of the Authority.

The Authority encourages a commitment to quality throughout the preparation of Plans, Specifications & Estimates (PS&E) for the project.

At a minimum, the DQMP shall address the following:

1. Quality Commitment: management commitment and message to achieve a quality culture and promote quality practices throughout the project delivery process.
2. Project Initiation and Early Activities: Ensure that the proper design criteria, guidelines, standards, specifications, directives, etc. are properly implemented throughout the entire Design Team at all times. Ensure that all field activities use equipment that is properly maintained and calibrated in accordance with the manufacturer's guidelines.
3. Constructability and Biddability: Commit a qualified Construction Management professional(s) to the project who will lead constructability and biddability reviews for the duration of the project including performing reviews at all milestone submittals.
4. QA Manager: Commit a QA Manager to the project who is qualified to implement the DQMP and oversee the DQMP compliance and conformance of the entire project team, conduct internal surveillances and audits of the entire design team, monitor quality performance, identify when and where corrective action is required, follow up on corrective action to ensure compliance, and actively engage in the Authority surveillances and audits. QA Manager shall identify critical reviews in the Project Master Schedule.

5. QC:
    a. Provide the QC Processes for checking and reviewing design documents. A discipline review shall precede the inter-discipline review but the constructability review maybe sequential with the inter-discipline review. Should design documents be reviewed using electronic commenting tools, they should identify the reviewer (person making comment), date/time of comment, and if possible, the resolution.
    b. Provide QC Procedures for complete and independent checking, back checking, correction and verification of all types of calculations, drawings, reports, specifications, quantities and estimates. Establish an appropriate means to avoid conflicts and misalignments between existing facilities and proposed improvements. Provide checklists and ensure use when performing the quality control reviews.
    c. Maintain a communication plan and a project organization chart to adequately and consistently interface with the internal development of the design within all disciplines of work and all external stakeholders.
    d. Maintain a review comment tracking system that encourages complete resolution of all comments and prevents any review comment from not being resolved.
    e. Maintain and Action Item Register from the beginning of the project throughout the completion of the approved final design.
    f. Maintain a Risk Identification, assessment and mitigation log from the beginning of the project. Note all design assumptions as a risk on the log and consider each risks as part of the contingency planning.
6. QA:
    a. Each deliverable shall be verified and certified by the QA Manager and Project Manager as being prepared and checked in accordance with the approved DQMP. A QA Certification shall accompany each submittal.
    b. Identify critical path items and critical reviews in the Project Master Schedule.
    c. The QA Manager shall demonstrate that he/she is qualified to implement the DQMP.
7. Document Control:
    a. Establish an electronic Document Management System that will be used to maintain and store project files and quality records. Define who will maintain the files and how subconsultants will have access, if they have access.
    b. Drawing quality records shall be marked clearly as being checked, signifying that the preparation of the work products followed the DQMP established for the project.

c. Quality records and documentation shall be maintained and provided to Authority upon request. CONSULTANT shall provide an itemized list of submittal documents, a schedule of the quality control activities and a design change control log, when requested.

d. Maintain interface documentation, meeting notes and correspondence.

e. Establish a Resident Engineers file containing critical elements such as Survey files, Permitting information, Structures details, Cost Estimate backup, Right-of-Way and Utility agreements, etc.

8. Demonstrate how Project Management, production and Quality Management will cooperate with and participate in QA surveillances, audits and other monitoring performed by Authority. Provide documentation to Authority in advance of any planned QA surveillance or audit, as requested.

9. Implementation and Training: Ensure that CONSULTANT and subconsultant staff are trained to properly implement, execute and maintain the approved DQMP processes and procedures. Maintain a training log of materials and attendees.

Within 30 days of receiving the Notice to Proceed, CONSULTANT shall submit a complete DQMP for review and approval by the Authority and Caltrans. The DQMP should identify if Subconsultants have their own DQMP that they will follow for their work. The CONSULTANT DQMP must be approved prior to all submittals.

Deliverables:

- hard copies and an electronic copy of the DQMP

3.1-5 Project Management Plan

CONSULTANT shall prepare a Project Management Plan. Within thirty (30) days of receiving Notice to Proceed, CONSULTANT shall prepare a Project Management Plan for this PS&E, including a Communication Plan and a Risk Management Plan.

Deliverables:

- Project Management Plan

3.2 TASK 2 – 35% PS&E

3.2-1 Data Collection

CONSULTANT will collect existing topographic maps, as-built drawings, reports, and other available materials. CONSULTANT will request data from the city of Los Alamitos, Caltrans, the County, and other agencies, as appropriate.

Deliverables:

- As-built drawings, reports, and other records

3.2-2 Permit Applications

CONSULTANT will prepare permit applications and secure encroachment permits for surveying, geotechnical investigations, and construction. Possible permits required for this project include:

- City and State Encroachment Permit for Construction
- National Pollutant Discharge Elimination System (NPDES) General Construction Activity Stormwater Permit
- Environmental clearance permits for construction as needed per the Final Project Report and Environmental Document.

Deliverables:

- Prepared Permit Applications
- Secure all required permits

3.2-3 Geometric Workshop

CONSULTANT will refine the geometry to be provided in MicroStation format by Authority from the Final Project Report/Environmental Document.

CONSULTANT will conduct a workshop with Caltrans District 12 staff, the Caltrans Safety Review Committee representatives, the geometric reviewer, and City staff to present and obtain consensus on the geometrics for proposed project design for the assigned segment. CONSULTANT will identify and clarify any major non-standard features.

Overhead sign concepts will be evaluated in conjunction with the refined geometry and will be provided for review as part of geometric workshop.

Deliverables:

- Collateral Materials for Geometric Workshop

3.2-4 Supplemental Design Standard Decision Document

CONSULTANT will prepare supplemental Design Standard Decision Document for

non-standard design features not included in Design Standard Decision Document approved in the PA/ED phase of this project.

Deliverables:

- Supplemental Design Standard Decision Document(s)
- Project Engineer's reasoning for all permissive non-standard design items

3.2-5 Design Surveys

CONSULTANT will perform design surveys during this phase. Authority may provide recent photogrammetric mapping in English units. The aerial topographic mapping will cover all areas of the proposed improvements and also provide sufficient data to support preparation of the PS&E.

Upon receipt of the Survey Control Data from Caltrans, CONSULTANT shall verify the physical existence of the Monument Control Points and, if necessary, re-establish such Control Points.

CONSULTANT will perform detailed field surveys of existing street and drainage features. The Surveys Manager will coordinate with the Design Engineer to establish limits of work. Cross sections and tie-in surveys will ensure accurate design fit and smooth transitions from existing roadway and infrastructure features.

CONSULTANT will verify survey results and then transmit them in MicroStation 3D DGN and DTM formats, along with ASCII point and station-offset files of all field survey ties. All work and files will be based on project coordinate control and in accordance with Caltrans Surveys and Right-of-Way Manuals, and Caltrans District 12 R/W Engineering Requirements for the Preparation of Documents and Maps.

CONSULTANT will survey Geotechnical Boring locations to verify these locations (see Task 3.2-6 Geotechnical Exploration Plan).

CONSULTANT will survey locations of utility test holes (see Task 3.2-11 Utilities) and overhead utility lines that cross the improvements or near any pile construction locations.

Deliverables:

- Aerial Topographic Mapping Base File
- Design surveys

3.2-6 Geotechnical Exploration

CONSULTANT will prepare and submit a geotechnical review and exploration plan for the Authority and Caltrans review. CONSULTANT will obtain permits-to-enter prior to exploration. CONSULTANT will conduct subsurface investigation and evaluate the results in accordance with Caltrans testing criteria. CONSULTANT will analyze the results and present them in the geotechnical report (see Task 3.3-9a Geotechnical Design Report).

A Water Pollution Control Plan will be prepared by CONSULTANT to accompany the Caltrans encroachment permit.

Deliverables:

- Geotechnical Exploration Plan
- Permits-to-enter
- Water Pollution Control Plan

3.2-7 Roadway Plans

CONSULTANT will prepare 35 percent level layouts, profiles, superelevation diagrams, typical sections, and R/W requirements for the project area.

Deliverables:

- 35% Roadway Plans – 10 sets
- Sign and lighting Concept strip map

3.2-8 Preliminary Foundation Report

To assist in Structure Type Selection, CONSULTANT will prepare a Preliminary Foundation Report, in accordance with Caltrans Office of Structural Foundations requirements. This report shall include a summary of the exploration program, description of the site geotechnical issues, and recommendations for foundation design and construction including retaining walls, if appropriate.

Deliverables:

- Preliminary Foundation Report

3.2-9 Structure Type Selection

CONSULTANT will prepare the Structure Type Selection documents and the Structure General Plan to comply with the most current Caltrans guidelines.

The Type Selection Report will include a discussion of foundation and falsework requirements, seismic and aesthetic considerations, traffic handling requirements and alternatives, and construction cost and staging. In addition, CONSULTANT will develop an order-of-magnitude construction cost estimate. Anticipated construction methods will be identified in the Type Selection process and coordinated with the project geometry.

CONSULTANT will submit Type Selection documents to the Caltrans Office of Special Funded Projects (OSFP) for review and approval.

Deliverables:

- Structure Type Selection Reports

3.2-10 Structure Type Selection Meeting and Approval

CONSULTANT will attend a Type Selection review meeting at Caltrans Headquarters in Sacramento to finalize structure type, foundations, seismic design, aesthetics, and traffic handling plans.

CONSULTANT will summarize and submit meeting proceedings to the liaison engineer within one week for written Type Selection approval. The meeting summary may update or supplement the Type Selection Report.

Deliverables:

- Type Selection Meeting Minutes

3.2-11 Utilities

CONSULTANT will coordinate and work closely with the public agencies and utility companies to determine the need to relocate impacted facilities, using Caltrans policy for high- and low-risk utilities. It is assumed the utility companies will perform relocation design for their own facilities. CONSULTANT will perform test holes of existing high- and low-risk utilities that are within fifty (50) feet of the proposed improvements or cross the improvements, and prepare and distribute utility base maps to affected utility owners for confirmation and determination of any needs for relocations. If necessary, CONSULTANT will conduct a utility relocation feasibility study to evaluate existing systems and optimize relocations. CONSULTANT is responsible for coordinating electrical service points of connection with the electrical utility company. A test hole location map will be prepared summarizing the planned test hole locations. Any required agency encroachment permits and traffic control plans will be prepared by the CONSULTANT.

If utilities are required to be relocated, the R/W Utility Coordinator will provide the prior rights determination and prepare the utility relocation documents (Relocation Claim Letters, Reports of Investigation, Notice to Owners, Utility Agreements, Joint Use Agreements, Consent to Common Use Agreements). The R/W Utility Coordinator will also be responsible for all coordination with the utility companies for cost liability and relocation schedules.

CONSULTANT shall prepare Independent Cost Estimate (ICE) to support utility relocations required for the PROJECT.

Deliverables:

- Utility base maps
- Utility conflict maps with test hole information
- Utility conflict matrix
- Utility plan sheets

- Independent Cost Estimates

3.2-12 Hazardous Waste

CONSULTANT shall address hazardous soil contaminants (aerially deposited lead [ADL]) and structural materials (polychlorinated biphenyls [PCBs], mercury, lead-based paint [LBP]) that may be encountered during project construction. Asbestos containing materials (ACM) related to buildings and private properties will be addressed by the Authority's right-of-way consultant. In addition, there is a potential that gasoline-impacted soil could be encountered during excavation activities near or at several properties throughout the project limits. Following the completion of Preliminary Site Investigations at these properties in the PA/ED phase, it is possible that Detailed Site Investigations will be required during the PS&E phase.

Deliverables:

- Work plan, report, plans and specification for handling of ADL soil
- Work plan, report, and specifications for survey of PCB at transformers
- Specification for the handling of potential contamination of PCB at transformers
- Work plan, report, and specification for handling asbestos, LBP, and PCB/mercury/chlorofluorocarbon (CFC) containing equipment on building structures that are located within parcels that will be acquitted
- Work plan, report, and specification for Detailed Site investigation at properties with potentially contaminated soil (if needed)
- Hazardous Materials Disclosure Document – Acquisition (Env-0001-A) Form for each parcel and Request for Acquisition of Contaminated Property (Env-002) Form (if needed)

3.2-13 Conceptual Landscape and Structure Aesthetics Plan

CONSULTANT will prepare conceptual aesthetic treatment plan for retaining walls, structures, and any soundwalls.

CONSULTANT will prepare a concept landscape plan at a scale of 1"=50' depicting planned replacement planting disturbed by the grading and construction limits. Planting will be based on the Authority's Master Plan of Freeway and Transit Corridor Enhancements (December 1995). This task will also include research and investigation of existing features, field review, attendance at landscape concept coordination meetings, and preliminary cost estimate preparation. The primary purpose of this task will be to establish general landscape parameters for purposes of designing the backbone irrigation system to be constructed by the Highway contract. The Highway Planting and Irrigation System to be constructed by the Highway Planting contract will be a separate PS&E package as described in

Section 3.3-7 in this scope of work.

***Deliverables*:**

- Conceptual Aesthetics Treatment Plan
- Concept Landscape Plan

3.3 TASK 3 – DRAFT PS&E (65%) SUBMITTAL

3.3-1 Roadway Plans

CONSULTANT will incorporate all reviewing agency comments from the 35% submittal into the roadway plans and estimates. Where it is not possible or desirable to incorporate certain comments, CONSULTANT will provide an explanation. Electronic copies will be included with the 65% submittal. Material with Aerially Deposited Lead (Existing and Placement) will be prepared as part of the Construction Details plan sheets as required by the Aerially Deposited Lead Report.

CONSULTANT will also submit final plans for Caltrans Safety Review and participate in the safety review/disposition meeting. CONSULTANT will provide status of incorporation of plan and specification features in accordance with the Environmental Commitments Record.

Deliverables:

- Title Sheet – 10 sets
- Typical Cross Sections - 10 sets
- Key Map and Line Index - 10 sets
- Layout Plans – 10 sets
- Profiles and Superelevation Diagrams – 10 sets
- Construction Details – 10 sets
- Contour Grading – 10 sets
- Summary of Quantities - 10 sets

3.3-2 Drainage Plans

CONSULTANT will prepare a drainage report to address the existing drainage condition and the proposed mitigation and design. This report shall consider both onsite and offsite systems. CONSULTANT will prepare drainage plans, profiles, and quantities based on the drainage report. To address storm water quality (NPDES & Caltrans) requirements, consultant shall prepare a Storm Water Data Report (SWDR). The drainage, SWDR, temporary water pollution control, and erosion control plans will be prepared in accordance with Caltrans Standard Drainage Plans and Quality Sheets guidance. CONSULTANT shall also prepare temporary drainage plans where needed.

Deliverables:

- Drainage Report – 10 copies
- Drainage Plans, Profiles, Details, and Quantities – 10 sets

- Storm Water Data Report -10 copies
- Water Pollution Control Plans – 10 sets
- Temporary Drainage Plans – 10 sets
- Erosion Control Plans – 10 sets

3.3-3 Stage Construction, Traffic Handling, Detour, and Construction Area Sign Plans, and Transportation Management Plan (TMP)

The objective of the TMP is to provide continuous traffic circulation and access, with adequate space for safe and efficient construction.

The CONSULTANT will develop a traffic management plan (TMP) that includes elements specific to the project. The TMP addresses traffic detours and traffic operations during the construction phase. The TMP will be coordinated with the impacted cities, Caltrans, and other stakeholders, including the California Highway Patrol. Stage Construction and Detour Plans will include construction detour routes. Traffic studies conducted as part of the final environmental document process should be reviewed in advance of developing the TMP to ensure that any specified mitigation is incorporated.

Deliverables:

- Transportation Management Plan – 10 copies
- Stage construction and traffic handling/detour plans, profiles, details, and quantities – 10 sets
- Detour layouts, profiles, and super elevation diagrams – 10 sets, as required
- Construction area signs – 10 sets

3.3-4 Pavement Delineation Plans

CONSULTANT will prepare pavement delineation plans to identify locations of painted and thermoplastic stripes and markings, pavement markers, and delineators.

Deliverables:

- Pavement Delineation Plans, Details, and Quantities – 10 sets

3.3-5 Sign Plans

CONSULTANT will prepare Sign Plans to show existing and proposed new signs. The plans will include sign details and quantity sheets. Overhead sign structures shall be designed based on the locations shown on the 35% Sign Concept Strip

Maps.

Deliverables:

- Sign Plans, Details, and Quantities – 10 sets

3.3-6 Electrical Lighting, Traffic Signal, Ramp Metering, Traffic Monitoring, and Communication System Plans

CONSULTANT will prepare plans for safety lighting (Caltrans and Cities), traffic signal, ramp metering, traffic monitoring stations, CCTV and communication systems. CONSULTANT will coordinate with Caltrans to ensure that ramp meter and electrical designs will accommodate future traffic monitoring features within the project limits. Freeway Lighting shall be designed based on the locations shown on the 35% Lighting Concept Strip Maps.

CONSULTANT will identify and prepare plans for temporary highway lighting and temporary/staged electrical/communication systems (e.g. ramp metering, traffic monitoring stations, CCTV, changeable message signs and fiber optic communication) that maintain existing highway safety lighting and maintain the communication of traffic information to the Traffic Management Center throughout all stages of construction. Temporary traffic signal plans will be prepared if the stage construction/traffic handling significantly affects the traffic movements through the intersection, of if a temporary detour route warrants a temporary traffic signal.

Deliverables:

- Lighting Plans and Details – 10 sets
- Ramp Metering Plans and Details – 10 sets
- Traffic Signal Plans and Details -10 sets
- Traffic Monitoring System – 10 sets
- CCTV and Communication System – 10 sets
- Changeable Message Sign System – 10 sets
- Electrical Services (Irrigation) System – 10 sets
- Temporary Electrical Plans – 10 sets

3.3-7 Planting and Irrigation Plans

CONSULTANT will prepare planting and irrigation plans to include replacement planting and irrigation in those landscaped areas disturbed by construction. Specimen trees will replace any mature trees that are removed by the project. The determination of the size and quantity of the replacement trees will be by the District 12 Landscape Architect. If it is determined that the cost for highway planting

and irrigation will exceed $200,000, a separate highway planting contract for construction will be required. The contract documents will include all that is needed for a standalone PS&E for Caltrans to bid the highway planting as a separate contract.

CONSULTANT will prepare Erosion Control and Maintain Existing Highway Planting Plans, and Irrigation Plans for the appropriate permanent backbone irrigation system and temporary irrigation systems for the Highway construction contract.

Deliverables:

- Highway Planting and Irrigation Plans and Details – 10 sets
- Erosion Control and Maintain Existing Highway Planting Plans, and Irrigation Plans (Highway contract) – 10 sets

3.3-8 R/W Engineering Services

R/W Engineering Services will be required as described in the sections below.

3.3-8a Location

Establishment of the existing R/W for I-605 and Katella Avenue Interchange of the project as defined by the project limits. All boundary establishment shall be documented on a Before Condition Record of Survey per section 3.3-8c4 below.

Various Partial Fee, Permanent Easements and Temporary Construction Easements will be needed throughout the entire length of the project limits. All acquisitions - shall be documented on R/W Maps per section 3.3-8c-6 below.

3.3-8b References

- Ref 1. Caltrans R/W Manual (with special attention to Chapter 6 - R/W Engineering)
- Ref 2. Caltrans Surveys Manual
- Ref 3. Caltrans Plans Preparation Manual, Chapter 4 – Right of Way Engineering
- Ref 4. Caltrans District 12 R/W Engineering Requirements for the Preparation of Documents and Maps
- Ref 5. Caltrans District 12 R/W Engineering CADD Standards

- In the event of conflict between Ref 1, 2, 3 and Ref 4, 5 - the latter shall prevail.

3.3-8c Activities

In compliance with the above references and as project needs dictate, CONSULTANT shall perform the following:

3.3-8c-1 Perform Record Data Search

Search ownership of impacted properties, analyze ownership deeds, field notes, and survey maps contained in State, County, and City files.

3.3-8c-2 Obtain Title Reports

Obtain title reports for all parcels impacted by proposed R/W requirements. Obtain updated title reports prior to the approval of the R/W Appraisal mapping.

3.3-8c-3 Perform Land Net Recovery and Field Ties

Field and related survey effort necessary to search, recover, describe, and tie-in controlling land survey monuments. (See "State R/W Boundary Establishment" Ref 4)

3.3-8c-4 Prepare Land Net Map - "Before Condition" Record of Survey

This activity is required by the Professional Land Surveyors Act and involves the production and filing of the "Before Condition" Record of Survey. (See "Records of Survey" Ref 4)

3.3-8c-5 Perform Monument Perpetuation Surveys

This activity is required by the Professional Land Surveyors Act and includes:

- Preparation of lists of monuments threatened with destruction.
- Referencing threatened monuments with tie-outs for perpetuation through construction.
- Setting replacement monuments after construction to effect said perpetuation.

All reset replacement monuments shall meet the requirements described below under the activity "Final Monuments".

The "Before Condition" Record of Survey (See "Records of Survey" Ref 4) shall be the instrument on which tie-outs are documented prior to

construction. In the cases where swing ties or tangent over ties are the method of tie-out, each monument tied out using these methods shall clearly be shown as a separate "Detail" on the "Before Condition" Record of Survey.

3.3-8c-6 Prepare Right of Way Maps

Prepare various types of R/W Maps (See Ref 1 and Ref 3) as dictated by project need. (Also see "R/W Maps" Ref 4). Various types of R/W Maps may include but are not limited to:

- R/W Requirements Maps (PD-26 Maps)
- Appraisal Maps
- R/W Record Maps

3.3-8c-7 Prepare Acquisition Documents

Prepare property acquisition documents (See "Legal Descriptions & Exhibits" Ref 4). The documents include deeds (deed jackets, legal descriptions, and plat maps) for permanent rights and temporary construction easements.

Prepare deeds for the conveyance of R/W to Caltrans, public entities and utility companies for the closeout of the project.

3.3-8c-8 Prepare Parcel Files

For each impacted property, prepare a parcel file. (See "Parcel Files" Ref 4).

3.3-8c-9 Right of Way Design Support

To support acquisition of R/W requirements, CONSULTANT shall prepare R/W exhibit per impacted parcel that displays the R/W needs on both aerial photo and design topography, Cover Letters that describe the TCE needs in detail, and coordinate with Caltrans Design on the preparation of PD-26 packages for Appraisal Maps. CONSULTANT shall participate in R/W workshops with the AUTHORITY.

Perform field staking of R/W requirements on properties upon request.

CONSULTANT shall coordinate with Caltrans Right of Way Engineering for the review of R/W appraisal mapping and legal descriptions for approval.

Deliverables:

- Record of Survey
- Title Reports

- PD-26 R/W Requirement Maps
- R/W exhibits
- Appraisal Maps
- Cover Letters
- Parcel Files
- Deeds

3.3-9 Geotechnical and Foundation Reports

3.3-9a Geotechnical Design Report (GDR)

CONSULTANT will prepare a report discussing the geotechnical design basis of the project and recommendations for design and construction of standard earth retaining structures, cut, and fill slopes, pavement, and drainage facilities. This report will be submitted to Caltrans for review. CONSULTANT will address any comments stemming from this review and prepare a final draft. All calculations supporting the design recommendations will be included as an appendix to the GDR. The report will include infiltration testing for any potential BMP infiltration basins.

Deliverables:

- Draft/Final Geotechnical Design Reports

3.3-9b Foundation Reports for Structures

CONSULTANT will prepare a Foundation Report based upon Type Selection comments and additional information from the GDR analyses. Logs of test borings will be included as 11-inch by 17-inch plans. A Foundation Report will be prepared for special design retaining walls and stand-alone overhead sign structures.

Deliverables:

- Draft/Final Foundation Reports

3.3-9c Materials Report

CONSULTANT shall prepare a report discussing the pavement structure recommendations and/or pavement studies for the project. This report shall be submitted to Caltrans for review. CONSULTANT shall address any comments stemming from this review and prepare a final draft. All calculations supporting the recommendations shall be included as an appendix to the Materials Report.

Deliverables:

- Draft/Final Materials Reports

3.3-10 Retaining Wall Plans

CONSULTANT will prepare retaining wall layout plans, profiles and structural details for the walls specified along the project route. Plans will incorporate aesthetic details consistent with the Conceptual Aesthetics Treatment Plan.

CONSULTANT will prepare draft technical special provisions for the retaining walls.

Deliverables:

- Retaining Wall Plans, Details, and Quantities – 10 reduced sets

3.3-11 Soundwall Plans

CONSULTANT will prepare soundwall plans and details for proposed soundwalls (if any) specified in the project area. CONSULTANT will prepare draft technical special provisions for the soundwalls.

Deliverables:

- Soundwall Plans, Details and Quantities – 10 reduced sets

3.3-12 Utility Plans

CONSULTANT will prepare and update the utility conflict maps as a result of the coordination, reviews and potholing done during the 35% PS&E. Again, it is assumed the utility companies will perform relocation design for their own facilities.

CONSULTANT shall review relocation plans prepared by utility owners to verify compatibility with the project, as well as other utility plans. CONSULTANT shall respond in writing to Authority either confirming approval or non-approval of the relocation plans to the project and reasons therefore. CONSULTANT shall update the utility plan sheets to show the disposition of each utility on the project. Disposition shall include the utility company name, facility type, original location and proposed location for each utility.

Deliverables:

- Updated Utility conflict maps with test hole information
- Updated Utility Conflict Matrix
- Updated Utility Plan Sheets

3.4 TASK 4- INITIAL PS&E (95%) SUBMITTAL

3.4-1 Roadway Plans

This submittal will include comments, reviews, coordination efforts, and updated information. CONSULTANT will update all Roadway Plans and will provide Quantity Sheets with updated Special Provisions and BEES estimate. Any Revised and/or New Standard Plans developed by Caltrans shall be included with CONSULTANT's Roadway Plan submittal. Response and resolution of all review comments for each deliverable from 65% submittal will take place prior to 95% submittal. All roadway quantities shall be independently checked, and all issues raised by independent quantity checker(s) will be resolved prior to the submittal. The estimate will reflect checked and resolved quantities.

CONSULTANT shall review unit price cost assumptions which comprise project cost estimate with Authority. Any discrepancies in unit price costs between Authority and CONSULTANT shall be resolved through a joint review meeting.

Deliverables:

- 95 percent Roadway PS&E – 10 sets plus two electronic copies
- 95 Percent Quantities and Independent Check Calculations – 2 sets

3.4-2 Special Design Retaining Wall Plans

CONSULTANT will independently review the unchecked plans, draft special provisions, quantities, and construction cost estimate for the special design retaining walls. CONSULTANT's independent review team will analyze the structures, verify member capacities, review the special provisions, and prepare independent quantity calculations. All issues raised by the checkers will be resolved with the structural designers. The final design will reflect agreement among the designers and independent checkers.

Deliverables:

- Checked structure plans, reduced size – 10 sets
- Edited structures special provisions – 2 copies
- Design calculations – 1 set
- Design Independent check calculations – 1 set
- Quantities and check calculations – 2 sets

3.4-3 Construction Schedule

CONSULTANT will prepare a Critical Path Method (CPM) construction schedule in consultation with the Authority Construction Manager and Caltrans based on the estimated required working days for project construction.

Deliverables:

- CPM Schedule Printout and electronic copy

3.4-4 Utility and R/W Update

CONSULTANT will verify and update utility and R/W engineering data.

Deliverables:

- Report containing all updated utility and R/W engineering data with changes clearly identified

3.4-5 Update SWDR

CONSULTANT will update the Storm Water Data Report (SWDR) and water pollution control plans based on comments received from Caltrans.

Deliverables:

- Final SWDR – 10 copies
- Updated Water Pollution Control Plans – 10 sets

3.4-6 Planting and Irrigation Plans

CONSULTANT shall prepare planting and irrigation plans to include replacement planting and irrigation in those landscaped areas disturbed by construction. Specimen trees will replace any mature trees that are removed by the project. The determination of the size and quantity of the replacement trees will be by the District 12 Landscape Architect.

Deliverables:

- Separate Highway Planting and Irrigation PS&E – 10 sets

3.4-7 Environmental Commitment Record (ECR)

CONSULTANT shall update the ECR based on changes during final design provided by the project engineer and ensure that all measures are incorporated in the final PS&E package. If there are any changes to the project design, appropriate environmental revalidation shall be prepared pursuant to NEPA and CEQA requirements.

Deliverables:

- Environmental commitment tracking system
- Updated ECR
- Draft and Final report on project compliance

3.4-8 Update TMP

CONSULTANT will update the TMP based on comments received from Caltrans.

Deliverables:

- Transportation Management Plan – 10 copies

3.5 TASK 5 – FINAL PS&E (100 PERCENT) SUBMITTAL

3.5-1 Roadway Plans, Structure Plans, Special Provisions, Cost Estimates, and Working Day Schedules

CONSULTANT will submit the Final PS&E package to Caltrans District Office Engineer and Office of Special Funded Projects (OSFP) for final approval. CONSULTANT will also submit final plans for Caltrans Safety Review and participate in the safety review/disposition meeting. CONSULANT will provide status of incorporation of plan specifications features in accordance with the Environmental Commitments Record. The submittal will incorporate review comments from all involved agencies and include all completed forms in the Construction Contract Development (CCD) Guide.

Deliverables:

- Final Roadway PS&E – 10 sets and 2 electronic files
- Final Quantities and Independent Check Calculations – 2 sets
- Full-size reproducible final structure plans – 1 set
- Final structures special provisions – 4 sets
- Prints of final structure plans – 4 sets; Cost estimates – 2 copies
- Working day schedules – 2 copies
- Original/checked quantity calculations – 2 copies

Deliverables to Office of Special Funded Projects (OSFP):

- Full-size reproducible final structure plans – 1 set
- Final structures special provisions – 4 sets
- Prints of final structure plans, reduced size – 4 sets

In addition, CONSULTANT will provide electronic version of all plans, special provisions, estimates and schedules. The final BEES will be provided as a Microsoft Excel file.

3.5-2 Resident Engineer File

CONSULTANT will meet with the Resident Engineer (RE) and functional units and provide the following information for the RE file. This list is not comprehensive and CONSULTANT shall provide additional information as appropriate:

- Permits
- Surveying Notes
- Geotechnical (GDR) and Foundation (FDR) Reports
- Hydrology/Hydraulics Report and calculations

- Relevant correspondence and memoranda
- Engineering calculations (horizontal and vertical alignments, earthwork quantities, etc.)
- Environmental Agreements and Reports
- Summary and discussion of Environmental issues
- Transportation Management Plan and supplements
- Material Handouts
- Storm Water Data Report
- Right-of-Way Maps & Agreements
- Utility Relocation Plans and Agreements
- Safety Review Report
- List of Project Personnel
- Cooperative Agreements
- Working Cross Sections

Deliverables:

- Resident Engineer (RE) file

CONSULTANT will provide an electronic version of all RE file information.

3.5-3 Survey File

CONSULTANT will prepare materials and compile documentation to be included in a Survey File for use by the lead surveyor assigned to this project prior to construction. The following documentation will be included in the Survey File as prescribed by the Project Development Procedures Manual (PDPM) Appendix QQ – Preparation Guidelines for Survey Files, but not limited to:

- Contact List
- Datum Listing
- Project Reference List
- Additional Instructions
- Contract Plans
- Project Control
- Topography & Base Maps
- Horizontal & Vertical Alignments
- Profiles
- Cross Sections – Roadway cross-sections at 50’ intervals. The cross sections will depict only the finished surface, pavement subgrade and

original ground generated from the DTM files and will be identified by station interval. Additive information such as elevation callouts, curbs, dikes, wall cross-sections, right of way lines, ditch cross-sections, etc. will not be shown on the cross-sections.

- Slope Staking Notes/Grid Grades
- Right of Way Appraisal Maps
- Right of Way Coordinate Geometry
- Right of Way Monument Perpetuation Documentation
- Structural Systems (Walls)
- Drainage Systems
- Digital Design Model

CONSULTANT will submit the Survey File electronically to the Caltrans District Office Engineer.

Deliverables:

- Survey File

3.5-4 Materials Handouts

CONSULTANT will prepare materials handout information per Caltrans HDM, Section 111.3 Materials Information Furnished to Prospective Bidders.

Deliverables:

- Material Handouts

3.5-5 Paleontological Mitigation Plan (PMP)

CONSULTANT will prepare a Paleontological Mitigation Plan consistent with Caltrans and County requirements. The PMP will be implemented during excavation activities.

Deliverables:

- Paleontological Mitigation Plan (PMP)

3.6 TASK 6 – CONSTRUCTION BIDDING PHASE

Bidding procedures will be the responsibility of Caltrans. In addition, Caltrans will:

- Advise the CONSULTANT of listing dates.
- Inform CONSULTANT of all issues and inquiries list and responses.
- Provide CONSULTANT with bid results and summary sheets for their review.

During bid advertisement of the project, CONSULTANT will refer all questions concerning the intent to Caltrans for resolution. In the event that items requiring interpretation of the drawings or specifications are discovered during the bidding period, CONSULTANT will inform Caltrans. Caltrans will advise CONSULTANT regarding the proper procedure required for analysis of said items. Any necessary corrective action will either be in the form of an addendum prepared by CONSULTANT and issued by Caltrans, or via a covering change order after the award of the construction contract.

3.6-1 Pre-Bid Meeting

CONSULTANT will attend the pre-bid meeting.

3.6-2 Respond to Inquiries

CONSULTANT will draft responses to bidders' inquiries as requested by the District Office Engineer. All such responses will be routed through the District Engineer.

Deliverables:

- Draft Bidder Inquiry Responses (hard copy and electronic in ms word)

3.6-3 Addenda

CONSULTANT will prepare addenda as requested by District Engineer.

Deliverables:

- Copies of Addenda

3.7 TASK 7 – CONSTRUCTION SUPPORT PHASE

Construction of the project will be the responsibility of Caltrans. During the construction phase, CONSULTANT shall work closely with Resident Engineer (RE) within the budget allotted to assist and advise the RE in order to minimize construction conflicts and to expedite project completion.

3.7-1 Pre-Construction Meeting

CONSULTANT will attend the pre-construction meeting.

3.7-2 Partnering Workshop

CONSULTANT will attend a partnering workshop as requested by Caltrans.

3.7-3 Additional Drawings Due to CONSULTANT Error, Omission, or Revision

In the case of errors and/or omissions, CONSULTANT shall furnish additional and/or revised drawings necessary for corrections and change orders. Caltrans will provide a written request for such drawings and CONSULTANT will provide said drawings at no additional cost to Caltrans or Authority. CONSULTANT will also provide the original tracings of the drawings and contract wording for related change orders to Caltrans at no additional cost.

3.7-4 Shop Drawing and Submittal Review

CONSULTANT will review submittals and shop drawings. The review of shop drawings shall include structures working drawing submittals, construction contractor's submittals for substitutions, construction contractor's alternative construction approval, steel layout for structures, independent check of construction contractor submittals and others as requested by the Resident Engineer.

3.7-5 Additional Drawings at Caltrans Request

If requested by Caltrans, CONSULTANT will prepare additional drawings and change order-supporting documents. Any such additional drawings constitute extra work; therefore, prior approval from Authority is required. Any such additional engineering services, drawings, or change order documentation prepared prior to receiving the required approval will be at CONSULTANT’s risk and expense.

3.7-6 Site Visits

CONSULTANT will visit the job site as requested by Authority.

3.7-7 Respond to Inquiries/RFIs

CONSULTANT will draft responses to contractor inquiries and RFIs as requested by the Resident Engineer.

3.7-8 Change Order Preparation and Review, CRIP Reviews

CONSULTANT will review proposed change orders, draft change order language and make recommendations as requested by Resident Engineer. If said changes are necessary as a direct result of design errors and omissions, CONSULTANT shall prepare and/or review contract change orders at no additional cost.

Caltrans Responsibility

- Provide advice on any issues raised and inquiries made by Resident Engineer
- Inform Design Consultants of all field changes and Contract Change Orders (CCOs)
- Prepare and maintain as-built mark-ups in the field

3.7-9 As-Builts

CONSULTANT will be responsible for preparing as-builts plans, signed and stamped by CONSULTANT and submitted to Caltrans. Resident Engineer will provide CONSULTANT with as-built plan markups.

Deliverables:

- As-Built plans, hard copy and electronic DGN format – 1 set

3.8 TASK 8 – PROJECT CLOSEOUT

After construction, CONSULTANT will provide all final construction project records in accordance with Section 5-104 of the Caltrans Construction Manual and all other Caltrans requirements. Records shall include, but not necessarily be limited to design survey records, including legible hard copies and electronic files, recorded monumentations, and post audits. CONSULTANT shall maintain all project records in accordance with the Caltrans Uniform filing system.

3.8-1 Develop Final Record Drawing Plans

While Caltrans is responsible for maintaining field as-built plans, CONSULTANT shall keep a similar set of plans, noting any variation between the plans and the actual construction. These marked up plans will form the basis for the development of the Final record drawing PS&E. In developing the Final record drawing PS&E, CONSULTANT shall follow all requirements specified in Sections 5-104D (1) and (2) of the Caltrans Construction Manual and submit to Caltrans no later than 60 days after construction contract acceptance by Caltrans.

3.8-2 Deliver Project Files

CONSULTANT will provide all pertinent project records to Caltrans. Documents shall be organized in accordance with the Caltrans Uniform Filing System.

3.8-3 Post Audits

CONSULTANT will assist Caltrans with the post audits, as required and requested by Caltrans.

3.9 PROJECT SCHEDULE

Activity	Proposed Date
A. Begin Work	November 2020
B. Draft PS&E	April 2021
B.1 Submit 35% PS&E	
B.2 Submit Unchecked Details (65%) PS&E	October 2021
B.3 Submit Initial (95%) PS&E	April 2022
C. Submit Final PS&E (100%) to Caltrans	September 2022
D. Advertise	April 2023
E. Award	May 2023
F. Begin Construction	August 2023
G. Completion of Construction	February 2025
H. Project Close Out	February 2027

END OF SCOPE OF WORK

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EXHIBIT B: PROPOSED AGREEMENT

PROPOSED AGREEMENT NO. C- 0-2186

BETWEEN

ORANGE COUNTY TRANSPORTATION AUTHORITY

AND

THIS AGREEMENT is effective as of this _____ day of _____, 202_ ("Effective Date"), by and between the Orange County Transportation Authority, 550 South Main Street, P.O. Box 14184, Orange, CA 92863-1584, a public corporation of the State of California (hereinafter referred to as "AUTHORITY"), and , , , (hereinafter referred to as "CONSULTANT").

WITNESSETH:

WHEREAS, AUTHORITY requires assistance from CONSULTANT to provide design and construction support services for Preparations of Plans, Specifications, and Estimates for Interstate 605 Katella Avenue Interchange Improvement Project; and

WHEREAS, said work cannot be performed by the regular employees of AUTHORITY; and

WHEREAS, CONSULTANT has represented that it has the requisite personnel and experience, and is capable of performing such services; and

WHEREAS, CONSULTANT wishes to perform these services; and

WHEREAS, the AUTHORITY's Board of Directors authorized this Agreement on _____;

NOW, THEREFORE, it is mutually understood and agreed by AUTHORITY and CONSULTANT as follows:

ARTICLE 1. COMPLETE AGREEMENT

A. This Agreement, including all exhibits and documents incorporated herein and made applicable by reference, constitutes the complete and exclusive statement of the terms and conditions of the agreement between AUTHORITY and CONSULTANT and it supersedes all prior representations, understandings and communications. The invalidity in whole or in part of any term or condition of this Agreement shall not affect the validity of other terms or conditions.

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B. AUTHORITY's failure to insist in any one or more instances upon the performance of any terms or conditions of this Agreement shall not be construed as a waiver or relinquishment of AUTHORITY's right to such performance by CONSULTANT or to future performance of such terms or conditions and CONSULTANT obligation in respect thereto shall continue in full force and effect. Changes to any portion of this Agreement shall not be binding upon AUTHORITY except when specifically confirmed in writing by an authorized representative of AUTHORITY by way of a written Amendment to this Agreement and issued in accordance with the provisions of this Agreement.

ARTICLE 2. AUTHORITY DESIGNEE

The Chief Executive Officer of AUTHORITY, or designee, shall have the authority to act for and exercise any of the rights of AUTHORITY as set forth in this Agreement.

ARTICLE 3. SCOPE OF WORK

A. CONSULTANT shall perform the work necessary to complete in a manner satisfactory to AUTHORITY the services set forth in Exhibit A, entitled "Scope of Work," which is attached to and, by this reference, incorporated in and made a part of this Agreement. All services shall be provided at the times and places designated by AUTHORITY.

B. CONSULTANT shall provide the personnel listed below to perform the above-specified services, which persons are hereby designated as key personnel under this Agreement.

Names	Functions

C. No person named in paragraph B of this Article, or his/her successor approved by AUTHORITY, shall be removed or replaced by CONSULTANT, nor shall his/her agreed-upon function or level of commitment hereunder be changed, without the prior written consent of AUTHORITY. Should the services of any key person become no longer available to CONSULTANT, the resume and

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qualifications of the proposed replacement shall be submitted to AUTHORITY for approval as soon as possible, but in no event later than seven (7) calendar days prior to the departure of the incumbent key person, unless CONSULTANT is not provided with such notice by the departing employee. AUTHORITY shall respond to CONSULTANT within seven (7) calendar days following receipt of these qualifications concerning acceptance of the candidate for replacement.

ARTICLE 4. TERM OF AGREEMENT

This Agreement shall commence upon the effective date of this Agreement, and shall continue in full force and effect through, unless earlier terminated as provided hereunder.

ARTICLE 5. PAYMENT

A. For CONSULTANT's full and complete performance of its obligations under this Agreement and subject to the maximum cumulative payment obligation provision set forth in Article 6, AUTHORITY shall pay CONSULTANT on a firm fixed price basis in accordance with the following provisions.

B. The following schedule shall establish the firm fixed payment to CONSULTANT by AUTHORITY for each work task set forth in the Scope of Work.

Task	Description	Firm Fixed Price
1	Project Management / Coordination / Administration	.00
2	35 Percent PS&E	.00
3	Unchecked Details PS&E (65 Percent) Submittal	.00
4	Initial PS&E (95 Percent) Submittal	.00
5	Final PS&E (100 Percent) - Submittal	.00
6	Construction Bidding Phase	.00
7	Construction Support Phase	.00
8	Project Closeout	.00
TOTAL FIRM FIXED PRICE PAYMENT		**.00**

C. CONSULTANT shall invoice AUTHORITY on a monthly basis for payments corresponding to the work actually completed by CONSULTANT. Percentage of work completed shall be documented in

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a monthly progress report prepared by CONSULTANT, which shall accompany each invoice submitted by CONSULTANT. CONSULTANT shall also furnish such other information as may be requested by AUTHORITY to substantiate the validity of an invoice. At its sole discretion, AUTHORITY may decline to make full payment for any task listed in paragraph B of this Article until such time as CONSULTANT has documented to AUTHORITY's satisfaction, that CONSULTANT has fully completed all work required under the task. AUTHORITY's payment in full for any task completed shall not constitute AUTHORITY's final acceptance of CONSULTANT's work under such task; final acceptance shall occur only when AUTHORITY's release of the retention described in paragraph D.

D. As partial security against CONSULTANT's failure to satisfactorily fulfill all of its obligations under this Agreement, AUTHORITY shall retain Ten percent (10%) of the amount of each invoice submitted for payment by CONSULTANT. All retained funds shall be released by AUTHORITY and shall be paid to CONSULTANT within sixty (60) calendar days of payment of final invoice, unless AUTHORITY elects to audit CONSULTANT's records in accordance with Article 16 of this Agreement. If AUTHORITY elects to audit, retained funds shall be paid to CONSULTANT within thirty (30) calendar days of completion of such audit in an amount reflecting any adjustment required by such audit. During the term of the Agreement, at its sole discretion, AUTHORITY reserves the right to release all or a portion of the retained amount based on CONSULTANT's satisfactory completion of certain milestones. CONSULTANT shall invoice AUTHORITY for the release of the retention in accordance with Article 5.

E. Invoices shall be submitted by CONSULTANT on a monthly basis and shall be submitted in duplicate to AUTHORITY's Accounts Payable office. CONSULTANT may also submit invoices electronically to AUTHORITY's Accounts Payable Department at vendorinvoices@octa.net. Each invoice shall be accompanied by the monthly progress report specified in paragraph C of this Article. AUTHORITY shall remit payment within thirty (30) calendar days of the receipt and approval of each invoice. Each invoice shall include the following information:

1. Agreement No. C- 0-2186;
2. Specify the task number for which payment is being requested;

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3. The time period covered by the invoice;

4. Total monthly invoice (including project-to-date cumulative invoice amount); and retention;

5. Monthly Progress Report;

6. Weekly certified payroll for personnel subject to prevailing wage requirements;

7. Certificate signed by the CONSULTANT or his/her designated alternate that a) The invoice is a true, complete and correct statement of reimbursable costs and progress; b) The invoice is a true, complete and correct statement of reimbursable costs; c) The backup information included with the invoice is true, complete and correct in all material respects; d) All payments due and owing to subcontractors and suppliers have been made; e) Timely payments will be made to subcontractors and suppliers from the proceeds of the payments covered by the certification and; f) The invoice does not include any amount which CONSULTANT intends to withhold or retain from a subcontractor or supplier unless so identified on the invoice.

8. Any other information as agreed or otherwise requested by AUTHORITY to substantiate the validity of an invoice.

ARTICLE 6. MAXIMUM OBLIGATION

Notwithstanding any provisions of this Agreement to the contrary, AUTHORITY and CONSULTANT mutually agree that AUTHORITY's maximum cumulative payment obligation (including obligation for CONSULTANT's profit) shall be _ Dollars ($ .00) which shall include all amounts payable to CONSULTANT for its subcontracts, leases, materials and costs arising from, or due to termination of, this Agreement.

ARTICLE 7. NOTICES

All notices hereunder and communications regarding the interpretation of the terms of this Agreement, or changes thereto, shall be effected by delivery of said notices in person or by depositing said notices in the U.S. mail, registered or certified mail, returned receipt requested, postage prepaid and addressed as follows:

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To CONSULTANT:	To AUTHORITY:
	Orange County Transportation Authority
	550 South Main Street
	P.O. Box 14184
,	Orange, CA 92863-1584
ATTENTION:	ATTENTION: Marjorie Morris-Threats
	Senior Contract Administrator
	(714) 560 - 5552, mthreats@octa.net
	ATTENTION: Josue Vaglienty
	Project Manager
	(714) 560-5852, jvaglienty@octa.net

ARTICLE 8. INDEPENDENT CONTRACTOR

A. CONSULTANT's relationship to AUTHORITY in the performance of this Agreement is that of an independent contractor. CONSULTANT's personnel performing services under this Agreement shall at all times be under CONSULTANT's exclusive direction and control and shall be employees of CONSULTANT and not employees of AUTHORITY. CONSULTANT shall pay all wages, salaries and other amounts due its employees in connection with this Agreement and shall be responsible for all reports and obligations respecting them, such as social security, income tax withholding, unemployment compensation, workers' compensation and similar matters.

B. Should CONSULTANT's personnel or a state or federal agency allege claims against AUTHORITY involving the status of AUTHORITY as employer, joint or otherwise, of said personnel, or allegations involving any other independent contractor misclassification issues, CONSULTANT shall defend and indemnify AUTHORITY in relation to any allegations made.

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ARTICLE 9. INSURANCE

A. CONSULTANT shall procure and maintain insurance coverage during the entire term of this Agreement. Coverage shall be full coverage and not subject to self-insurance provisions. CONSULTANT shall provide the following insurance coverage:

1. Commercial General Liability, to include Products/Completed Operations, Independent Contractors', Contractual Liability, and Personal Injury Liability, and Property Damage with a minimum limit of $1,000,000.00 per occurrence and $2,000,000.00 general aggregate;

2. Automobile Liability Insurance to include owned, hired and non-owned autos with a combined single limit of $1,000,000.00 each accident;

3. Workers' Compensation with limits as required by the State of California including a waiver of subrogation in favor of AUTHORITY, its officers, directors, employees or agents;

4. Employers' Liability with minimum limits of $1,000,000.00; and

5. Professional Liability with minimum limits of $1,000,000.00 per claim.

B. Proof of such coverage, in the form of a certificate of insurance, with the AUTHORITY, its officers, directors, employees and agents, designated as additional insureds as required by contract. In addition, provide an insurance policy blanket additional insured endorsement. Both documents must be received by AUTHORITY prior to commencement of any work. Proof of insurance coverage must be received by AUTHORITY within ten (10) calendar days from the effective date of this Agreement. Such insurance shall be primary and non-contributive to any insurance or self-insurance maintained by the AUTHORITY. Furthermore, AUTHORITY reserves the right to request certified copies of all related insurance policies.

C. CONSULTANT shall include on the face of the certificate of insurance the Agreement Number C- 0-2186; and, the Contract Administrator's Name, Marjorie Morris-Threats.

D. CONSULTANT shall also include in each subcontract the stipulation that subcontractors shall maintain insurance coverage in the amounts required from CONSULTANT as provided in this Agreement.

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E. CONSULTANT shall be required to immediately notify AUTHORITY of any modifications or cancellation of any required insurance policies.

ARTICLE 10. ORDER OF PRECEDENCE

Conflicting provisions hereof, if any, shall prevail in the following descending order of precedence: (1) the provisions of this Agreement, including all exhibits; (2) the provisions of RFP 0-2186; (3) CONSULTANT's technical proposal dated , CONSULTANT's cost proposal dated , and (4) all other documents, if any, cited herein or incorporated by reference.

ARTICLE 11. CHANGES

A. By written notice or order, AUTHORITY may, from time to time, order work suspension and/or make changes in the general scope of this Agreement, including, but not limited to, the services furnished to AUTHORITY by CONSULTANT as described in the Scope of Work. If any such work suspension or change causes an increase or decrease in the price of this Agreement or in the time required for its performance, CONSULTANT shall promptly notify AUTHORITY thereof and assert its claim for adjustment within ten (10) calendar days after the change or work suspension is ordered, and an equitable adjustment shall be negotiated. However, nothing in this clause shall excuse CONSULTANT from proceeding immediately with the Agreement as changed.

B. CONSULTANT shall only commence work covered by an amendment after the amendment is executed by AUTHORITY.

ARTICLE 12. DISPUTES

A. Except as otherwise provided in this Agreement, any dispute concerning a question of fact arising under this Agreement which is not disposed of by supplemental agreement shall be decided by AUTHORITY's Director, Contracts Administration and Materials Management (CAMM), who shall reduce the decision to writing and mail or otherwise furnish a copy thereof to CONSULTANT. The decision of the Director, CAMM, shall be final and conclusive.

B. Pending final decision of a dispute hereunder, CONSULTANT shall proceed diligently with the performance of this Agreement and in accordance with the decision of AUTHORITY's Director,

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CAMM. This "Disputes" clause does not preclude consideration of questions of law in connection with decisions provided for above. Nothing in this Agreement, however, shall be construed as making final the decision of any AUTHORITY official or representative on a question of law, which questions shall be settled in accordance with the laws of the State of California.

ARTICLE 13. TERMINATION

A. AUTHORITY may terminate this Agreement for its convenience at any time, in whole or part, by giving CONSULTANT written notice thereof. Upon said notice, AUTHORITY shall pay CONSULTANT its allowable costs incurred to date of termination and those allowable costs determined by AUTHORITY to be reasonably necessary to effect such termination. Thereafter, CONSULTANT shall have no further claims against AUTHORITY under this Agreement.

B. In the event either Party defaults in the performance of any of their obligations under this Agreement or breaches any of the provisions of this Agreement, the non-defaulting Party shall have the option to terminate this Agreement upon thirty (30) days' prior written notice to the other Party. Upon receipt of such notice, CONSULTANT shall immediately cease work, unless the notice from AUTHORITY provides otherwise. Upon receipt of the notice from AUTHORITY, CONSULTANT shall submit an invoice for work and/or services performed prior to the date of termination. AUTHORITY shall pay CONSULTANT for work and/or services satisfactorily provided to the date of termination in compliance with this Agreement. Thereafter, CONSULTANT shall have no further claims against AUTHORITY under this Agreement. AUTHORITY shall not be liable for any claim of lost profits or damages for such termination.

ARTICLE 14. INDEMNIFICATION

CONSULTANT shall indemnify, defend and hold harmless AUTHORITY, its officers, directors, employees and agents from and against any and all claims (including attorneys' fees and reasonable expenses for litigation or settlement) for any loss, costs, penalties, fines, damages, bodily injuries, including death, damage to or loss of use of property, arising out of, resulting from, or in connection with the performance of CONSULTANT, its officers, directors, employees, agents, subconsultants or suppliers

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under the Agreement. Notwithstanding the foregoing, such obligation to defend, hold harmless, and indemnify AUTHORITY, its officers, directors, employees and agents shall not apply to such claims or liabilities arising from the sole or active negligence or willful misconduct of AUTHORITY.

ARTICLE 15. ASSIGNMENTS AND SUBCONTRACTS

A. Neither this Agreement nor any interest herein nor claim hereunder may be assigned by CONSULTANT either voluntarily or by operation of law, nor may all or any part of this Agreement be subcontracted by CONSULTANT, without the prior written consent of AUTHORITY. Consent by AUTHORITY shall not be deemed to relieve CONSULTANT of its obligations to comply fully with all terms and conditions of this Agreement.

B. AUTHORITY hereby consents to CONSULTANT's subcontracting of portions of the Scope of Work to the parties identified below for the functions described in CONSULTANT's proposal. CONSULTANT shall include in the subcontract agreement the stipulation that CONSULTANT, not AUTHORITY, is solely responsible for payment to the subcontractor for the amounts owing and that the subcontractor shall have no claim, and shall take no action, against AUTHORITY, its officers, directors, employees or sureties for nonpayment by CONSULTANT.

Subcontractor Name/Address	**Subcontractor Amounts**
1.	.00
2.	.00

ARTICLE 16. AUDIT AND INSPECTION OF RECORDS

CONSULTANT shall provide AUTHORITY, or other agents of AUTHORITY, such access to CONSULTANT's accounting books, records, work data, documents and facilities, as AUTHORITY deems necessary. CONSULTANT shall maintain such books, records, data and documents in accordance with generally accepted accounting principles and shall clearly identify and make such items readily accessible to such parties during CONSULTANT's performance hereunder and for a period of four (4) years from

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the date of final payment by AUTHORITY. AUTHORITY's right to audit books and records directly related to this Agreement shall also extend to all first-tier subcontractors identified in Article 15 of this Agreement. CONSULTANT shall permit any of the foregoing parties to reproduce documents by any means whatsoever or to copy excerpts and transcriptions as reasonably necessary.

ARTICLE 17. FEDERAL, STATE AND LOCAL LAWS

CONSULTANT warrants that in the performance of this Agreement, it shall comply with all applicable federal, state and local laws, statutes and ordinances and all lawful orders, rules and regulations promulgated thereunder.

ARTICLE 18. EQUAL EMPLOYMENT OPPORTUNITY

In connection with its performance under this Agreement, CONSULTANT shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, age or national origin. CONSULTANT shall take affirmative action to ensure that applicants are employed, and that employees are treated during their employment, without regard to their race, religion, color, sex, age or national origin. Such actions shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

ARTICLE 19. PROHIBITED INTERESTS

CONSULTANT covenants that, for the term of this Agreement, no director, member, officer or employee of AUTHORITY during his/her tenure in office/employment or for one (1) year thereafter shall have any interest, direct or indirect, in this Agreement or the proceeds thereof.

ARTICLE 20. OWNERSHIP OF REPORTS AND DOCUMENTS

A. The originals of all letters, documents, reports and other products and data produced under this Agreement shall be delivered to, and become the property of AUTHORITY. Copies may be made for CONSULTANT's records but shall not be furnished to others without written authorization from AUTHORITY. Such deliverables shall be deemed works made for hire and all rights in copyright therein shall be retained by AUTHORITY.

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B. All ideas, memoranda, specifications, plans, manufacturing, procedures, drawings, descriptions, and all other written information submitted to CONSULTANT in connection with the performance of this Agreement shall not, without prior written approval of AUTHORITY, be used for any purposes other than the performance for this project, nor be disclosed to an entity not connected with the performance of the project. CONSULTANT shall comply with AUTHORITY's policies regarding such material. Nothing furnished to CONSULTANT, which is otherwise known to CONSULTANT or becomes generally known to the related industry shall be deemed confidential. CONSULTANT shall not use AUTHORITY's name, photographs of the project, or any other publicity pertaining to the project in any professional publication, magazine, trade paper, newspaper, seminar or other medium without the express written consent of AUTHORITY.

C. No copies, sketches, computer graphics or graphs, including graphic art work, are to be released by CONSULTANT to any other person or agency except after prior written approval by AUTHORITY, except as necessary for the performance of services under this Agreement. All press releases, including graphic display information to be published in newspapers, magazines, etc., are to be handled only by AUTHORITY unless otherwise agreed to by CONSULTANT and AUTHORITY.

ARTICLE 21. PATENT AND COPYRIGHT INFRINGEMENT

A. In lieu of any other warranty by AUTHORITY or CONSULTANT against patent or copyright infringement, statutory or otherwise, it is agreed that CONSULTANT shall defend at its expense any claim or suit against AUTHORITY on account of any allegation that any item furnished under this Agreement or the normal use or sale thereof arising out of the performance of this Agreement, infringes upon any presently existing U.S. letters patent or copyright and CONSULTANT shall pay all costs and damages finally awarded in any such suit or claim, provided that CONSULTANT is promptly notified in writing of the suit or claim and given authority, information and assistance at CONSULTANT's expense for the defense of same. However, CONSULTANT will not indemnify AUTHORITY if the suit or claim results from: (1) AUTHORITY's alteration of a deliverable, such that said deliverable in its altered form infringes upon any presently existing U.S. letters patent or copyright; or (2) the use of a deliverable in combination

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with other material not provided by CONSULTANT when such use in combination infringes upon an existing U.S. letters patent or copyright.

B. CONSULTANT shall have sole control of the defense of any such claim or suit and all negotiations for settlement thereof. CONSULTANT shall not be obligated to indemnify AUTHORITY under any settlement made without CONSULTANT's consent or in the event AUTHORITY fails to cooperate fully in the defense of any suit or claim, provided, however, that said defense shall be at CONSULTANT's expense. If the use or sale of said item is enjoined as a result of such suit or claim, CONSULTANT, at no expense to AUTHORITY, shall obtain for AUTHORITY the right to use and sell said item, or shall substitute an equivalent item acceptable to AUTHORITY and extend this patent and copyright indemnity thereto.

ARTICLE 22. DESIGN WITHIN FUNDING LIMITATIONS

A. In order to ensure the accuracy of the construction budget for the benefit of the public works bidders and AUTHORITY's budget process, CONSULTANT shall accomplish the design services required under this Agreement so as to permit the award of a contract, for the construction of the facilities designed at a price that does not exceed the estimated construction contract price as set forth by AUTHORITY. When bids or proposals for the construction contract are received that exceed the estimated price, CONSULTANT shall perform such redesign and other services as are necessary to permit contract award within the funding limitation. These additional services shall be performed at no increase in the price for which the services were specified. However, CONSULTANT shall not be required to perform such additional services at no cost to AUTHORITY if the unfavorable bids or proposals are the result of conditions beyond its reasonable control.

B. CONSULTANT will promptly advise AUTHORITY if it finds that the project being designed will exceed or is likely to exceed the funding limitations and it is unable to design a usable facility within these limitations. Upon receipt of such information, AUTHORITY will review CONSULTANT's revised estimate of construction cost. AUTHORITY may, if it determines that the estimated construction contract price is so low that award of a construction contract not in excess of such estimate is improbable, authorize a

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change in scope or materials as required to reduce the estimated construction cost to an amount within the estimated construction contract price set forth by AUTHORITY, or AUTHORITY may adjust such estimated construction contract price. When bids or proposals are not solicited or are unreasonably delayed, AUTHORITY shall prepare an estimate of constructing the design submitted and such estimate shall be used in lieu of bids or proposals to determine compliance within the funding limitation.

ARTICLE 23. REQUIREMENTS FOR REGISTRATION OF DESIGNERS

All design and engineering work furnished by CONSULTANT shall be performed by or under the supervision of persons licensed to practice architecture, engineering or surveying (as applicable) in the State of California, by personnel who are careful, skilled, experienced and competent in their respective trades or professions, who are professionally qualified to perform the work in accordance with the contract documents and who shall assume professional responsibility for the accuracy and completeness of the design documents and construction documents prepared or checked by them.

ARTICLE 24. FINISHED AND PRELIMINARY DATA

A. All of CONSULTANT's finished technical data, including but not limited to illustrations, photographs, tapes, software, software design documents, including without limitation source code, binary code, all media, technical documentation and user documentation, photoprints and other graphic information required to be furnished under this Agreement, shall be AUTHORITY's property upon payment and shall be furnished with unlimited rights and, as such, shall be free from proprietary restriction except as elsewhere authorized in this Agreement. CONSULTANT further agrees that it shall have no interest or claim to such finished, AUTHORITY-owned, technical data; furthermore, said data is subject to the provisions of the Freedom of Information Act, 5 USC 552.

B. It is expressly understood that any title to preliminary technical data is not passed to AUTHORITY but is retained by CONSULTANT. Preliminary data includes roughs, visualizations, software design documents, layouts and comprehensives prepared by CONSULTANT solely for the purpose of demonstrating an idea or message for AUTHORITY's acceptance before approval is given for preparation of finished artwork. Preliminary data title and right thereto shall be made available to

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AUTHORITY if CONSULTANT causes AUTHORITY to exercise ARTICLE 11, and a price shall be negotiated for all preliminary data.

ARTICLE 25. GENERAL WAGE RATES

A. CONSULTANT warrants that all mechanics, laborers, journeypersons, workpersons, craftspersons or apprentices employed by CONSULTANT or subcontractor at any tier for any work hereunder, shall be paid unconditionally and not less often than once a week and without any subsequent deduction or rebate on any account (except such payroll deductions as are permitted or required by federal, state or local law, regulation or ordinance), the full amounts due at the time of payment, computed at a wage rate and per diem rate not less than the aggregate of the highest of the two basic hourly rates and rates of payments, contributions or costs for any fringe benefits contained in the current general prevailing wage rate(s) and per diem rate(s), established by the Director of the Department of Industrial Relations of the State of California, (as set forth in the Labor Code of the State of California, commencing at Section 1770 et. seq.), or as established by the Secretary of Labor (as set forth in Davis-Bacon Act, 40 U.S.C. 267a, et. seq.), regardless of any contractual relationship which may be alleged to exist between CONSULTANT or subcontractor and their respective mechanics, laborers, journeypersons, workpersons, craftspersons or apprentices. Copies of the current General Prevailing Wage Determinations and Per Diem Rates are on file at AUTHORITY's offices and will be made available to CONSULTANT upon request. CONSULTANT shall post a copy thereof at each job site at which work hereunder is performed.

B. In addition to the foregoing, CONSULTANT agrees to comply with all other provisions of the Labor Code of the State of California, which is incorporated herein by reference, pertaining to workers performing work hereunder including, but not limited to, those provisions for work hours, payroll records and apprenticeship employment and regulation program. CONSULTANT agrees to insert or cause to be inserted the preceding clause in all subcontracts which provide for workers to perform work hereunder regardless of the subcontractor tier.

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ARTICLE 26. CONTRACTOR PURCHASED EQUIPMENT

A. If during the course of this Agreement, additional equipment is required, which will be paid for by the AUTHORITY, CONSULTANT must request prior written authorization from the AUTHORITY's project manager before making any purchase. As part of this purchase request, CONSULTANT shall provide a justification for the necessity of the equipment or supply and submit copies of three (3) competitive quotations. If competitive quotations are not obtained, CONSULTANT must provide the justification for the sole source.

B. CONSULTANT shall maintain an inventory record for each piece of equipment purchased that will be paid for by the AUTHORITY. The inventory record shall include the date acquired, total cost, serial number, model identification, and any other information or description necessary to identify said equipment or supply. A copy of the inventory record shall be submitted to the AUTHORITY upon request.

C. At the expiration or termination of this Agreement, CONSULTANT may keep the equipment and credit AUTHORITY in an amount equal to its fair market value. Fair market value shall be determined, at CONSULTANT's expense, on the basis of an independent appraisal. CONSULTANT may sell the equipment at the best price obtainable and credit AUTHORITY in an amount equal to the sales price. If the equipment is to be sold, then the terms and conditions of the sale must be approved in advance by AUTHORITY's project manager.

D. Any subconsultant agreement entered into as a result of this Agreement shall contain all provisions of this clause.

ARTICLE 27. FORCE MAJEURE

Either party shall be excused from performing its obligations under this Agreement during the time and to the extent that it is prevented from performing by an unforeseeable cause beyond its control, including but not limited to: any incidence of fire, flood; acts of God; commandeering of material, products, plants or facilities by the federal, state or local government; national fuel shortage; or a material act or omission by the other party; when satisfactory evidence of such cause is presented to the other party, and provided further that such nonperformance is unforeseeable, beyond the control and is not due to

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the fault or negligence of the party not performing.

ARTICLE 28. CONFLICT OF INTEREST

CONSULTANT agrees to avoid organizational conflicts of interest. An organizational conflict of interest means that due to other activities, relationships or contracts, the CONSULTANT is unable, or potentially unable to render impartial assistance or advice to the AUTHORITY; CONSULTANT's objectivity in performing the work identified in the Scope of Work is or might be otherwise impaired; or the CONSULTANT has an unfair competitive advantage. CONSULTANT is obligated to fully disclose to the AUTHORITY in writing Conflict of Interest issues as soon as they are known to the CONSULTANT. All disclosures must be submitted in writing to AUTHORITY pursuant to the Notice provision herein. This disclosure requirement is for the entire term of this Agreement.

ARTICLE 29. CODE OF CONDUCT

CONSULTANT agrees to comply with the AUTHORITY's Code of Conduct as it relates to Third-Party contracts which is hereby referenced and by this reference is incorporated herein. CONSULTANT agrees to include these requirements in all of its subcontracts.

ARTICLE 30. PROHIBITION ON PROVIDING ADVOCACY SERVICES

CONSULTANT and all subconsultants performing work under this Agreement, shall be prohibited from concurrently representing or lobbying for any other party competing for a contract with AUTHORITY, either as a prime consultant or subconsultant. Failure to refrain from such representation may result in termination of this Agreement.

ARTICLE 31. HEALTH AND SAFETY REQUIREMENTS

CONSULTANT shall comply with all the requirements set forth in EXHIBIT B, Level 1 SAFETY SPECIFICATIONS. As used therein, "Contractor" shall mean "Consultant," and "Subcontractor" shall mean "Sub-consultant."

ARTICLE 32. PROHIBITION

CONSULTANT, including all subconsultants (at any tier) regardless of the level of services provided by said subconsultants (s), that is awarded this contract for PS&E for the Interstate 605 /

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Katella Avenue Interchange Improvement Project is prohibited from participation (at any tier) on any team pertaining to construction management services or construction services for the delivery of the Interstate 605 / Katella Avenue Interchange Improvement Project.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement No. C- 0-2186 to be executed as of the date of the last signature below.

ORANGE COUNTY TRANSPORTATION AUTHORITY

By: _____ By: _____

Darrell E. Johnson
Chief Executive Officer

Date: _____ Date: _____

APPROVED AS TO FORM:

By: _____

James M. Donich
General Counsel

Date: _____

APPROVED:

By: _____

James G. Beil, P.E.
Executive Director, Capital Projrams

Date: _____

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EXHIBIT C: FORMS

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Information Sheet

ORANGE COUNTY TRANSPORTATION AUTHORITY

The attached Campaign Contribution Disclosure Form must be completed by applicants for, or persons who are the subject of, any proceeding involving a license, permit, or other entitlement for use pending before the Board of Directors of the OCTA or any of its affiliated agencies. (Please see next page for definitions of these terms.)

IMPORTANT NOTICE

Basic Provisions of Government Code Section 84308

A. If you are an applicant for, or the subject of, any proceeding involving a license, permit, or other entitlement for use, you are prohibited from making a campaign contribution of more than $250 to any board member or his or her alternate. This prohibition begins on the date your application is filed or the proceeding is otherwise initiated, and the prohibition ends three months after a final decision is rendered by the Board of Directors. In addition, no board member or alternate may solicit or accept a campaign contribution of more than $250 from you during this period.

B. These prohibitions also apply to your agents, and, if you are a closely held corporation, to your majority shareholder as well. These prohibitions also apply to your subcontractor(s), joint venturer(s), and partner(s) in this proceeding. Also included are parent companies and subsidiary companies directed and controlled by you, and political action committees directed and controlled by you.

C. You must file the attached disclosure form and disclose whether you or your agent(s) have in the aggregate contributed more than $250 to any board member or his or her alternate during the 12-month period preceding the filing of the application or the initiation of the proceeding.

D. If you or your agent have in the aggregate contributed more than $250 to any individual board member or his/or her alternate during the 12 months preceding the decision on the application or proceeding, that board member or alternate must disqualify himself or herself from the decision. However, disqualification is not required if the board member or alternate returns the campaign contribution within 30 days from the time the director knows, or should have known, about both the contribution and the fact that you are a party in the proceeding. The Campaign Contribution Disclosure Form should be completed and filed with your proposal, or with the first written document you file or submit after the proceeding commences.

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1. A proceeding involving "a license, permit, or other entitlement for use" includes all business, professional, trade and land use licenses and permits, and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor or personal employment contracts), and all franchises.

2. Your "agent" is someone who represents you in connection with a proceeding involving a license, permit or other entitlement for use. If an individual acting as an agent is also acting in his or her capacity as an employee or member of a law, architectural, engineering, consulting firm, or similar business entity, both the business entity and the individual are “agents.”

3. To determine whether a campaign contribution of more than $250 has been made by you, campaign contributions made by you within the preceding 12 months must be aggregated with those made by your agent within the preceding 12 months or the period of the agency, whichever is shorter. Contributions made by your majority shareholder (if a closely held corporation), your subcontractor(s), your joint venturer(s), and your partner(s) in this proceeding must also be included as part of the aggregation. Campaign contributions made to different directors or their alternates are not aggregated.

4. A list of the members and alternates of the Board of Directors is attached.

This notice summarizes the major requirements of Government Code Section 84308 of the Political Reform Act and California Code of Regulations, Title 2 Sections 18438-18438.8.

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ORANGE COUNTY TRANSPORTATION AUTHORITY
CAMPAIGN CONTRIBUTION DISCLOSURE FORM

RFP Number: _____ RFP Title: _____

Was a campaign contribution made to any OCTA Board Member within the preceding 12 months, regardless of dollar amount of the contribution by either the proposing firm, proposed subconsultants and/or agent/lobbyist? Yes ____ No_____

If no, please sign and date below.

If yes, please provide the following information:

Prime Contractor Firm Name: _____

Contributor or Contributor Firm's Name: _____

Contributor or Contributor Firm's Address: _____

_____

Is Contributor:

- The Prime Contractor Yes___ No ___
- Subconsultant Yes___ No ___
- Agent/Lobbyist hired by Prime to represent the Prime in this RFP Yes___ No ___

Note: Under the State of California Government Code section 84308 and California Code of Regulations, Title 2, Section 18438, campaign contributions made by the Prime Contractor and the Prime Contractor's agent/lobbyist who is representing the Prime Contractor in this RFP must be aggregated together to determine the total campaign contribution made by the Prime Contractor.

_____

Identify the Board Member(s) to whom you, your subconsultants, and/or agent/lobbyist made campaign contributions, the name of the contributor, the dates of contribution(s) in the preceding 12 months and dollar amount of the contribution. Each date must include the exact month, day, and year of the contribution.

Name of Board Member: _____

Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s): _____

Name of Board Member: _____

Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s): _____

Date: _____ _____
Signature of Contributor

_____ _____
Print Firm Name Print Name of Contributor

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ORANGE COUNTY TRANSPORTATION AUTHORITY
AND AFFILIATED AGENCIES

Board of Directors

Steve Jones, Chairman

Andrew Do, Vice Chairman

Lisa A. Bartlett, Director

Doug Chaffee, Director

Laurie Davies, Director

Barbara Delgleize, Director

Michael Hennessey, Director

Gene Hernandez, Director

Joseph Muller, Director

Mark A. Murphy, Director

Richard Murphy, Director

Miguel Pulido, Director

Tim Shaw, Director

Harry S. Sidhu, Director

Michelle Steel, Director

Donald P. Wagner, Director

Greg Winterbottom, Director

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STATUS OF PAST AND PRESENT CONTRACTS FORM

On the form provided below, Offeror/Bidder shall list the status of past and present contracts where the firm has either provided services as a prime vendor or a subcontractor during the past five (5) years in which the contract has been the subject of or may be involved in litigation with the contracting authority. This includes, but is not limited to, claims, settlement agreements, arbitrations, administrative proceedings, and investigations arising out of the contract.

A separate form must be completed for each contract. Offeror/Bidder shall provide an accurate contact name and telephone number for each contract and indicate the term of the contract and the original contract value. Offeror/Bidder shall also provide a brief summary and the current status of the litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations. If the contract was terminated, list the reason for termination.

Offeror/Bidder shall have an ongoing obligation to update the Authority with any changes to the identified contracts and any new litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations that arise subsequent to the submission of the bid. Each form must be signed by an officer of the Offeror/Bidder confirming that the information provided is true and accurate.

Project city/agency/other:
Contact Name: **Phone:**
Project Award Date: **Original Contract Value:**
Term of Contract:
(1) Litigation, claims, settlements, arbitrations, or investigations associated with contract:
(2) Summary and Status of contract:
(3) Summary and Status of action identified in (1):
(4) Reason for termination, if applicable:

By signing this Form entitled "Status of Past and Present Contracts," I am affirming that all of the information provided is true and accurate.

Name _____ Signature _____

Title _____ Date _____

Revised. 03/16/2018

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PROPOSAL EXCEPTIONS AND/OR DEVIATIONS

The following form shall be completed for each technical and/or contractual exception or deviation that is submitted by Offeror for review and consideration by Authority. The exception and/or deviation must be clearly stated along with the rationale for requesting the exception and/or deviation. If no technical or contractual exceptions or deviations are submitted as part of the original proposal, Offerors are deemed to have accepted Authority's technical requirements and contractual terms and conditions set forth in the Scope of Work (Exhibit A) and Proposed Agreement (Exhibit B). Offerors will not be allowed to submit this form or any contractual exceptions and/or deviation after the proposal submittal date identified in the RFP. Exceptions and/or deviations submitted after the proposal submittal date will not be reviewed by Authority.

Offeror:_____

RFP No.:_____ RFP Title: _____

Deviation or Exception No. : _____

Check one:

- Scope of Work (Technical) _____
- Proposed Agreement (Contractual) _____

Reference Section/Exhibit: _____ Page/Article No._____

Complete Description of Deviation or Exception:

_____
_____
_____
_____
_____
_____
_____
_____

Rationale for Requesting Deviation or Exception:

_____
_____
_____
_____
_____
_____

Area Below Reserved for Authority Use Only:

_____
_____

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EXHIBIT D: SAFETY SPECIFICATIONS

PREPARATION OF PLANS, SPECIFICATIONS, AND ESTIMATES FOR INTERSTATE 605 / KATELLA AVENUE INTERCHANGE IMPROVEMENT PROJECT

LEVEL 1 HEALTH, SAFETY AND ENVIRONMENTAL SPECIFICATIONS

PART I – GENERAL

1.1 GENERAL HEALTH, SAFETY & ENVIRONMENTAL REQUIREMENTS

A. The Contractor, its subcontractors, suppliers, and employees have the obligation to comply with all Authority health, safety and environmental compliance department (HSEC) requirements of this safety specification, project site requirements, bus yard safety rules, as well as all federal, state, and local regulations pertaining to scope of work, contracts or agreements with the Authority. Additionally, manufacturer requirements are considered incorporated by reference as applicable to this scope of work.

B. Observance of repeated unsafe acts or conditions, serious violation of safety standards, non-conformance of Authority health, safety and environmental compliance department (HSEC) requirements, or disregard for the intent of these safety specifications to protect people and property, by Contractor or its subcontractors may be cause for termination of scope or agreements with the Authority, at the sole discretion of the Authority.

C. The health, safety, and environmental requirements, and references contained within this scope of work shall not be considered all-inclusive as to the hazards that might be encountered. Safe work practices shall be planned and performed, and safe conditions shall be maintained during this work scope.

D. The Authority Project Manager shall be responsible to ensure a safety orientation is conducted of known potential hazards and emergency procedures for all Contractor personnel, subcontractors, suppliers, vendors, and new employees assigned to the project prior to commencement of the project.

E. The Contractor shall ensure that all Contractor vehicles, including those of its subcontractors, suppliers, vendors and employees are parked in designated parking areas, and comply with traffic routes, and posted traffic signs in areas other than the employee parking lots.

F. California Code of Regulations (CCR) Title 8 Standards are minimum requirements; each Contractor is encouraged to exceed minimum requirements. When the Contractor's safety requirements exceed statutory standards, the more stringent requirements shall be applied for the safeguard of public and employees.

1.2 REGULATORY

A. Injury/Illness Prevention Program
The Contractor shall comply with CCR Title 8, Section with California Code of Regulations (CCR) Title 8, Section 3203. The intent and elements of the IIPP shall be implemented and enforced by the Contractor and its sub-tier contractors,

suppliers, and vendors. The program shall be provided to the Authority's Project Manager, upon request, within 72 hours.

B. Substance Abuse Prevention Program
Contractor shall comply with the Policy or Program of the Company's Substance Abuse Prevention Policy that complies with the most recent Drug Free Workplace Act. The program shall be provided to the Authority's Project Manager, upon request, within 72 hours.

C. Heat Illness Prevention Program
Contractor shall comply with CCR Title 8, Section, Section 3395, Heat Illness Prevention. The program shall be provided to the Authority's Project Manager, upon request, within 72 hours.

D. Hazard Communication Program
Contractor shall comply with CCR Title 8, Section 5194 Hazard Communication Standard. Prior to use on Authority property and/or project work areas Contractor shall provide the Authority Project Manager copies of SDS for all applicable chemical products used, if any. The program shall be provided to the Authority's Project Manager, upon request, within 72 hours.

a. All chemicals including paint, solvents, detergents and similar substances shall comply with South Coast Air Quality Management District (SCAQMD) rules 103, 1113, and 1171.

E. Storm Water Pollution Prevention Plan
The Contractor shall protect property and water resources from fuels and similar products throughout the duration of the contract. Contractor shall comply with Storm Water Pollution Prevention Plan (SWPPP) requirements. The program or plan if required by scope shall be provided to the Authority's Project Manager, upon request, within 72 hours.

1.3 INCIDENT NOTIFICATION AND INVESTIGATION

A. The Authority shall be promptly notified of any of the following types of incidents including but not limited to:

1. Damage incidents of property (incidents involving third party, contractor or Authority property damage);

2. Reportable and/or Recordable injuries (as defined by the U. S. Occupational Safety and Health Administration), a minor injury, and near miss incidents;
3. Incidents impacting the environment, i.e. spills or releases on Authority projects or property.

4. Outside Agency Inspections; agencies such as Cal/OSHA, DTSC, SCAQMD, State Water Resources Control Board, FTA, CPUC, EPA, USACE and similar agencies.

B. Notifications shall be made to Authority representatives, employees and/or agents. This includes incidents occurring to contractors, vendors, visitors, or members of the public that arise from the performance of Authority contract work. An immediate verbal notice followed by an initial written incident investigation report shall be submitted to the Authority's Project Manager within 24 hours of the incident.

C. A final written incident investigative report shall be submitted within seven (7) calendar days and include the following information. The Current Status of anyone injured, photos of the incident area, detailed description of what happened, Photos of the existing conditions and area of the injury/incident, the contributing factors that lead to the incident occurrence, a copy of the company policy or procedure associated with the incident and evaluation of effectiveness, copy of task planning documentation, copy of the Physician's first report of injury, copy of Cal/OSHA 300 log of work related injuries and illnesses, the Cal/OSHA 301 Injury Illness Incident Report, and corrective actions initiated to prevent recurrence. This information shall be considered the minimum elements required for a comprehensive incident report provided to OCTA.

D. A Serious Injury, Serious Incident, OSHA Recordable Injury/Illness, or a Significant Near Miss shall require a formal incident review at the discretion of the Authority's Project Manager. The incident review shall be conducted within seven (7) calendar days of the incident. This review shall require a company senior executive, company program or project manager from the Contractors' organization to participate and present the incident review as determined by the OCTA Project Manager. The serious incident presentation shall include action taken for the welfare of the injured, a status report of the injured, causation factors that lead to the incident, a root cause analysis (using 5 whys and fishbone methods), and a detailed recovery plan that identifies corrective actions to prevent a similar incident, and actions to enhance safety awareness.

1. Serious Injury: includes an injury or illness to one or more employees, occurring in a place of employment or in connection with any employment, which requires inpatient hospitalization for a period in excess of twenty-four hours for other than medical observation, or in which an employee suffers the loss of any member of the body, or suffers any serious degree of physical disfigurement. A serious injury also includes a lost workday or reassignment or restricted injury case as determined by the Physician's first report of injury or Cal/OSHA definitions.

2. Serious Incident: includes but not limited to property damage of $500.00 or more, an incident requiring emergency services (local fire, paramedics and ambulance response), news media or OCTA media relations response, and/or incidents

involving other agencies (Cal/OSHA, EPA, AQMD, DTSC, Metrolink, FTA, FRA etc.) notification or representation.

3. OSHA Recordable Injury / Illness: includes and injury / illness resulting in medical treatment beyond First Aid, an injury / illness which requires restricted duty, or an injury / illness resulting in days away from work.

4. Significant Near Miss Incident; includes incidents where no property was damaged and no personal injury sustained, but where, given a slight shift in time or position, damage and/or injury easily could have occurred.

1.4 DESIGNATED HEALTH AND SAFETY REPRESENTATIVE

A. Upon contract award, the contractor within 10 business days shall designate a health and safety representative and provide a resume and qualifications to the Authority project manager, upon request, within 72 hours.

B. This person shall be a competent or qualified individual as defined by the Occupational, Safety, and Health Administration (OSHA), familiar with applicable CCR Title 8 Standards (Cal/OSHA) and has the authority to affect changes in work procedures that may have associated cost, schedule and budget impacts.

1.5 PERSONAL PROTECTIVE EQUIPMENT

A. The Contractor, its subcontractors, suppliers, and employees are required to comply with applicable personal protective equipment (PPE) requirements while performing work at any Authority project or property. Generally minimum PPE requirements include eye protection; hearing protection, head protection, class 2 or 3 safety reflective vests, and appropriate footwear.

B. The Contractor, its subcontractors, suppliers, and employees are required to provide their own PPE, including eye, head, foot, and hand protection, safety vests, or other PPE required to perform their work safely on Authority projects or property. The Authority requires eye protection on construction projects and work areas that meet ANSI Z-87.1 Standards.

1.6 REFERENCES

A. CCR Title 8 Standards (Cal/OSHA)
B. FCR Including 1910 and 1926 Standards
C. NFPA, NEC, ANSI, NIOSH Standards
D. Construction Industry Institute (CII)
E. OCTA Yard Safety Rules

PREPARATION OF PLANS, SPECIFICATIONS, AND ESTIMATES FOR INTERSTATE 605 / KATELLA AVENUE INTERCHANGE IMPROVEMENT PROJECT

LEVEL 1 HEALTH, SAFETY AND ENVIRONMENTAL SPECIFICATIONS

END OF SECTION

EXHIBIT E: PUBLIC RECORDS ACT INDEMNIFICATION – PROPOSAL DOCUMENTS

PUBLIC RECORDS ACT INDEMNIFICATION – PROPOSAL DOCUMENTS

Offeror is required to submit one copy of the completed and signed form as part of its proposal and it should be included only in the original proposal. Offeror shall complete either Option 1 or Option 2 which ever applies.

Option #1: Public Records Act Indemnification Agreement

By signing below, the Proposer agrees as follows regarding its Proposal:

If Authority receives a Public Records Act request (Government Code sections 6250 et seq.) which seeks any portion of Proposer's proposal that the Proposer has marked as "confidential", "trade secret", "proprietary", "not subject to disclosure", or similar designation (the "PRA Documents"), the Authority will notify the Proposer of the request. The Proposer shall, within three business days of such notification from the Authority, inform the Authority as to whether it desires the PRA Documents to be withheld, and shall thereafter timely provide a legal basis for each such requested withholding. If the Authority determines to withhold the PRA Documents, Proposer shall indemnify and defend Authority from any and all costs or liabilities resulting from such withholding including, but not limited to, attorney fees and court costs.

Proposer shall pay all costs, immediately as they come due, pertaining to any action under the Public Records Act related to any portion of Proposer's proposal marked or designated as described above, and withheld by Authority. If the Proposer fails to notify the Authority in writing within three business days, or to timely provide a legal basis for the withholding of documents, Proposer agrees that Authority shall release and disclose Proposer records, notwithstanding any marking or designation of the PRA Documents.

In no case shall Authority be liable for any inadvertent disclosure of any Proposer proposal documents, or any disclosure made by Authority upon a good faith belief that disclosure is required by law, or in the event Proposer has failed to notify the Authority in writing of its desire to withhold the PRA Documents within three business days and/or to timely provide a legal basis for the withholding of documents, regardless of any marking or designation of such PRA Documents, and Proposer waives any claims it may have had related to such disclosure.

_____
Official, legal name of Proposing Firm (Type or Print)

Contact Name: _____ (Print Name)

Title: _____

Signed by: _____

Date: _____

Option #2: Non-Applicability

This Proposer has not marked any portion of its proposal as "confidential", “trade secret", “proprietary”, “not subject to disclosure”, or similar designation.

_____
Official, legal name of Proposing Firm (Type or Print)

Contact Name: _____ (Print Name)

Title: _____

Signed by: _____

Date: _____

COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Measure M2 Eligibility for the City of Santa Ana

Regional Planning and Highways Committee Meeting of April 6, 2020

Present: Directors Bartlett, Chaffee, Delgleize, Muller, M. Murphy, and R. Murphy
Absent: Director Pulido

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Committee Recommendations

A. Approve the City of Santa Ana as eligible to receive Measure M2 net revenues.

B. Direct staff to reinitiate payments to the City of Santa Ana for Measure M2 net revenues, which were held during its period of ineligibility (less fiscal year 2018-19 audit costs).

April 6, 2020

To: Regional Planning and Highways Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Measure M2 Eligibility for the City of Santa Ana

Overview

In 2019, the Orange County Transportation Authority conducted an audit of the City of Santa Ana's Measure M2-related expenditures for fiscal year 2017-18. The audit concluded that the City of Santa Ana had not invested sufficient discretionary funds on streets and roads purposes to meet Measure M2 maintenance of effort requirements. As a result, the Orange County Transportation Authority Board of Directors found the City of Santa Ana ineligible to receive Measure M2 net revenues. An audit of the City of Santa Ana's Measure M2-related expenditures for fiscal year 2018-19 has now been completed, and the Orange County Transportation Authority Board of Directors is being asked to consider reinstating the City of Santa Ana's Measure M2 eligibility status, based on the audit results.

Recommendations

A. Approve the City of Santa Ana as eligible to receive Measure M2 net revenues.

B. Direct staff to reinitiate payments to the City of Santa Ana for Measure M2 net revenues, which were held during its period of ineligibility (less fiscal year 2018-19 audit costs).

Background

In June 2017, the City of Santa Ana (City) provided required Measure M2 (M2) maintenance of effort (MOE) certification to the Orange County Transportation Authority (OCTA) as part of its M2 eligibility verification package submittal. The certification stated that the City had budgeted sufficient expenditures for fiscal year (FY) 2017-18, consistent with the following M2 requirement:

> "The Authority shall not allocate any net revenues to any jurisdiction for any fiscal year until that jurisdiction has certified to the Authority that it has included in its budget for that fiscal year an amount of local discretionary funds for streets and roads purposes, at least equal to the level of its maintenance of effort requirement."

Per M2 MOE requirements, the City was required to spend $7,755,107 using discretionary revenues toward streets and roads-related costs. According to the expenditure report that was submitted, the City spent $8,207,411. However, an OCTA audit could not verify the City's indirect cost methodology for ten transactions, totaling $715,626, in order to confirm that those costs were eligible M2 MOE expenditures.

The City, in its response to the audit, agreed that it could not produce its original allocation methodology that was being applied and indicated that it would engage a third party to implement updated internal service charges. After deducting these unverifiable expenditures, the City did not meet its M2 MOE requirement for FY 2017-18 and, consistent with M2 Ordinance requirements, the OCTA Board of Directors (Board) found the City ineligible to receive M2 net revenues. As part of that action, the OCTA Board also specified that the following actions be completed by OCTA staff in order to implement its finding of ineligibility.

- Suspend payments to the City of M2 net revenues;
- Deduct FY 2018-19 audit costs from any future M2 payments to the City;
- Increase the City's MOE requirement for FY 2018-19 by the amount that the City fell short in meeting the required MOE for FY 2017-18, as identified in the FY 2017-18 audit; and
- Execute a settlement agreement with the City to correct and remedy the issues identified by OCTA's audit of the City.

Discussion

Throughout fall 2019 and early 2020, OCTA worked with City staff to implement and address these actions. The OCTA Internal Auditor conducted an audit of the City's M2 MOE-related expenditures for FY 2018-19 in order to verify that its original findings had been addressed and remedied. This audit found that the City had met its FY 2018-19 MOE requirement (which included additional MOE expenditures to make up for the shortfall identified in OCTA's original FY 2017-18 audit). These findings were presented to the Finance and Administration Committee on March 11, 2020 and Board on March 23, 2020. The settlement agreement includes a requirement for audit of FY 19-2020 as well, which will be completed in early 2021.

Other Eligibility Requirements

M2 includes 13 eligibility requirements that all 35 local agencies are required to comply with to in order to receive M2 net revenues and agencies must submit these required documents by June 30. The City submitted all required M2 eligibility verification documents prior to June 30, 2019.

These documents were received, reviewed, and vetted by OCTA staff, the Taxpayer Oversight Committee's (TOC) Annual Eligibility Review Subcommittee, and the full TOC. In December, M2 eligibility findings for FY 2018-19 were advanced to the OCTA Regional Planning and Highways Committee and Board for consideration and approval. However, due to the City's ongoing ineligibility issue, the Board elected to only receive and file the City's M2 eligibility verification documents until the resolution of the prior year's MOE shortcomings had been remedied.

Now that an audit of the City's M2 MOE-related expenditures for FY 2018-19 has been completed and OCTA's Internal Auditor has found that the City met its FY 2018-19 MOE requirement, it is recommended that the City now be found eligible to again receive M2 net revenues and that M2 funds that were being held be released back to the City (less FY 2018-19 audit costs). These actions, if approved by the Board, would conclude the City's period of M2 ineligibility and would also place the City back on an eligibility review cycle consistent with all other eligible Orange County local agencies.

Summary

An audit of the City's M2 MOE-related expenditures for FY 2018-19 has been conducted by OCTA's Internal Auditor. Based upon findings from this audit, the City is recommended to be reinstated as eligible to receive M2 net revenues and M2 funds (which were held during the City's ineligibility period and are now recommended for release back to the City). If approved by the Board, these actions would conclude the City's period of M2 ineligibility and place the City back on an eligibility cycle consistent with other eligible local agencies.

Attachment

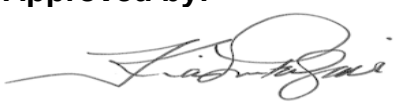
None.

Prepared by:



Joseph Alcock
Section Manager, M2 Local Programs
(714) 560-5372

Approved by:



Kia Mortazavi
Executive Director, Planning
(714) 560-5741

COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Measure M2 Eligibility for the City of Stanton

Regional Planning and Highways Committee Meeting of April 6, 2020

Present: Directors Bartlett, Chaffee, Delgleize, Muller, M. Murphy, and R. Murphy
Absent: Director Pulido

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Committee Recommendations

A. Approve the City of Stanton as eligible to receive Measure M2 net revenues.

B. Direct staff to reinitiate payments to the City of Stanton for Measure M2 net revenues, which were held during its period of ineligibility (less fiscal year 2018-19 audit costs).

OCTA

April 6, 2020

To: Regional Planning and Highways Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Measure M2 Eligibility for the City of Stanton

Overview

In 2019, the Orange County Transportation Authority conducted an audit of the City of Stanton's Measure M2-related expenditures for fiscal year 2017-18. The audit concluded that the City of Stanton had not invested sufficient discretionary funds on streets and roads purposes to meet Measure M2 maintenance of effort requirements. As a result, the Orange County Transportation Authority Board of Directors found the City of Stanton ineligible to receive Measure M2 net revenues. An audit of the City of Stanton's Measure M2-related expenditures for fiscal year 2018-19 has now been satisfactorily completed, and the Orange County Transportation Authority Board of Directors is being asked to consider reinstating the City of Stanton's Measure M2 eligibility status, based on the audit results.

Recommendations

A. Approve the City of Stanton as eligible to receive Measure M2 net revenues.

B. Direct staff to reinitiate payments to the City of Stanton for Measure M2 net revenues, which were held during its period of ineligibility (less fiscal year 2018-19 audit costs).

Background

In May 2017, the City of Stanton (City) provided required Measure M2 (M2) maintenance of effort (MOE) certification to the Orange County Transportation Authority (OCTA) as part of its M2 eligibility verification package submittal. The certification stated that the City had budgeted sufficient expenditures for fiscal year (FY) 2017-18, consistent with the following M2 requirement:

> "The Authority shall not allocate any net revenues to any jurisdiction for any fiscal year until that jurisdiction has certified to the Authority that it has included in its budget for that fiscal year an amount of local discretionary funds for streets and roads purposes, at least equal to the level of its maintenance of effort requirement."

Per M2 MOE requirements, the City was required to spend $245,213 using discretionary revenues toward streets and roads-related costs. According to the expenditure report that was submitted, the City spent $246,244. However, an OCTA audit determined that several of the expenditures included did not qualify as satisfying MOE requirements (i.e., streets and roads purposes). After deducting these non-transportation expenditures, the City did not meet its MOE requirement for FY 2017-18 and, consistent with M2 Ordinance requirements, the OCTA Board of Directors (Board) found the City ineligible to receive M2 net revenues. As part of that action, the OCTA Board also specified that the following actions be completed by OCTA staff in order to implement its finding of ineligibility.

- Suspend payments to the City of M2 net revenues;
- Deduct FY 2018-19 audit costs from any future M2 payments to the City;
- Increase the City's MOE requirement for FY 2018-19 by the amount of expenditures that were not met as identified in the FY 2017-18 audit; and
- Execute a settlement agreement with the City to correct and remedy the issues identified by OCTA's audit of the City.

Discussion

Throughout fall 2019 and early 2020, OCTA worked with City staff to implement and address these actions. The OCTA Internal Auditor conducted a second audit of the City's M2 MOE-related expenditures for FY 2018-19 in order to verify that its original findings had been addressed and remedied. This audit found that the City had met its FY 2018-19 MOE requirement (which included additional MOE expenditures to make up for the shortfall identified in OCTA's original FY 2017-18 audit). These findings were presented to OCTA's Finance and Administration Committee on March 11, 2020 and Board on March 23, 2020.

Other Eligibility Requirements

M2 includes 13 eligibility requirements that all 35 local agencies are required to comply with in order to receive M2 net revenues and agencies must submit these required documents by June 30. The City submitted all required M2 eligibility verification documents prior to June 30, 2019.

These documents were received, reviewed, and vetted by OCTA staff, the Taxpayer Oversight Committee's (TOC) Annual Eligibility Review Subcommittee, and the full TOC. In December, M2 eligibility findings for FY 2018-19 were advanced to the OCTA Regional Planning and Highways Committee and Board for consideration and approval. However, due to the City's ongoing ineligibility issue, the Board elected to only receive and file the City's M2 eligibility verification documents until the resolution of the prior years' MOE shortcomings had been remedied.

Now that an audit of the City's M2 MOE-related expenditures for FY 2018-19 has been completed and OCTA's Internal Auditor has found that the City met its FY 2018-19 MOE requirement, it is recommended that the City now be found eligible to again receive M2 net revenues and that M2 funds that were being held be released back to the City (less FY 2018-19 audit costs). These actions, if approved by the Board, would conclude the City's period of M2 ineligibility and would also place the City back on an eligibility review cycle consistent with all other eligible Orange County local agencies.

Summary

An audit of the City's M2 MOE-related expenditures for FY 2018-19 has been conducted by OCTA's Internal Auditor. Based upon findings from this audit, the City is recommended to be reinstated as eligible to receive M2 net revenues and M2 funds (which were held during the City's ineligibility period and are now recommended for release back to the City). If approved by the Board, these actions would conclude the City's period of M2 ineligibility and place the City back on an eligibility cycle consistent with other eligible local agencies.

Attachment

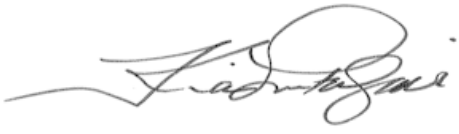
None.

Prepared by:



Joseph Alcock
Section Manager, M2 Local Programs
(714) 560-5372

Approved by:



Kia Mortazavi
Executive Director, Planning
(714) 560-5741

COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: 2020 Measure M2 Community-Based Transit Circulators (Project V) Call for Projects Programming Recommendations

Transit Committee Meeting of April 9, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom
Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Director Pulido was not present to vote on this item.

Committee Recommendations

A. Approve programming recommendations for Project V funding, in an amount not to exceed $9,043,613, plus inflationary adjustments, for six local agency projects submitted under the capital and operating reserve categories.

B. Approve the programming recommendations for Project V funding, in an amount not to exceed $177,900, for three local agency projects submitted under the planning category.

C. Authorize staff to execute cooperative funding agreements with local agencies.

D. Authorize staff to negotiate and execute lease agreements with interested local agencies, for the use of existing Project V-funded (and Orange County Transportation Authority-owned) vehicles.

OCTA

April 9, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: 2020 Measure M2 Community-Based Transit Circulators (Project V) Call for Projects Programming Recommendations

Overview

The Orange County Transportation Authority issued the 2020 Measure M2 Project V call for projects for community-based transit circulators on October 14, 2020. Applications have been received and scored consistent with the Board of Directors' approved Comprehensive Transportation Fund Programs Project V Guidelines. Projects recommended for funding are presented for review and approval.

Recommendations

A. Approve programming recommendations for Project V funding, in an amount not to exceed $9,043,613, plus inflationary adjustments, for six local agency projects submitted under the capital and operating reserve categories.

B. Approve the programming recommendations for Project V funding, in an amount not to exceed $177,900, for three local agency projects submitted under the planning category.

C. Authorize staff to execute cooperative funding agreements with local agencies.

D. Authorize staff to negotiate and execute lease agreements with interested local agencies, for the use of existing Project V-funded (and Orange County Transportation Authority-owned) vehicles.

Background

The Community-Based Transit Circulator Program (Project V) under Measure M (M2) provides funding to jurisdictions seeking to implement local

transit services that complement regional bus and rail services while also meeting local needs in areas not adequately served by regional transit.

In 2019, at the direction of the Board of Directors (Board), staff polled local agencies to determine if there was sufficient interest to support a 2020 Project V call for projects (call). Based upon these efforts, it was determined that there was strong support for a 2020 call. On October 14, 2019, the Board approved revised Comprehensive Transportation Funding Programs Project V Guidelines (Guidelines), and directed staff to issue a call making $9 million available to fund projects that met Board-specified 2020 call objectives.

These objectives include:

- Continuing to fund previously awarded successful projects that were expiring,
- Encouraging and supporting new special event or seasonal shuttle services,
- Encouraging shared-ride service options through promoting shared-ride hailing services, and
- Encouraging new and innovative services that would meet Project V's goals and performance standards by providing funding for transit planning studies.

Discussion

The 2020 Project V call opened on October 14, 2019, and applications were due on December 12, 2019. Thirteen Project V applications were submitted by 12 local agencies, requesting approximately $17.5 million in funding. Applications consisted of funding requests for planning studies, capital, initial marketing, and operations funding to support various service concepts, including extensions of existing fixed-route services, shared-ride hailing and commuter services, special event, weekend, seasonal, and microtransit services.

A total of eight local agencies submitted nine applications, requesting approximately $17.2 million in Project V funds to either implement new or extend existing Project V-funded services. There were four additional applications for planning projects, which requested the remaining funding and are discussed below.

The nine service-related applications were reviewed for eligibility, adherence to Guidelines requirements, and consistency with 2020 call objectives. Six of the

nine applications were deemed to be consistent with these criteria and recommended for funding (Attachment A). In total, $9,043,613 plus inflationary adjustments, is requested to be made available to support the programming recommendations identified in Attachment A.

It should be noted that of the applications recommended for funding, three included capital requests for vehicles. The Orange County Transportation Authority (OCTA) reached out to each of these local agencies to inquire if they were interested in leasing existing Project V-funded (and OCTA-owned) vehicles, as a cost-effective alternative to new capital vehicle purchase purchase/lease requests.

- The City of La Habra expressed interest in leasing two vehicles for its various special events which occur on weekends in April, October, and December.
- The City of Dana Point (Dana Point) also indicated that it was potentially interested in an OCTA vehicle but expressed concern with respect to potential capacity constraints due to the size of the OCTA vehicle. As a result of the impacts on staff resources related to the Corona Virus (COVID-19), this question was not resolved at the time of the publishing of this staff report. As such, the programming recommendation for Dana Point includes funding for a replacement trolley, which could be granted with OCTA Board approval, contingent upon the emergence of capacity constraints and the results of a cost-benefit analysis.
- The City of San Juan Capistrano (San Juan Capistrano), which requested funding for a spare or back-up vehicle, did not express interest in using an OCTA vehicle. As such, San Juan Capistrano's request was not advanced in the programming recommendations identified in Attachment A.

Staff is requesting Board authority to negotiate and execute leases for the existing OCTA-owned Project V vehicles and, if appropriate, provide funding to Dana Point for a replacement vehicle.

With respect to transit planning grant applications, OCTA received four applications through which the cities of Anaheim, Newport Beach, Orange, and the County of Orange requesting approximately $237,900 for transit planning activities. These applications were also reviewed for eligibility, adherence to Guidelines requirements, and consistency with 2020 call objectives, and in total, staff is recommending that $177,900 be awarded to support three applications, which are identified in Attachment B. More specific details on all of the projects being recommended for funding are provided in attachments C and D.

It should also be noted that funds awarded to support operations and maintenance of Project V services are subject to minimum performance requirements, which are identified in the Guidelines. Awarded local agencies are also required to report to OCTA quarterly on ridership productivity.

Next Steps

If the programming recommendations identified in Attachments A and Attachment B are approved by the Board, staff will develop cooperative agreements with local agencies, which will allow OCTA to reimburse awarded local agencies for program costs consistent with Board policy. Staff will also develop lease agreements, as appropriate, with the cities of La Habra, and Dana Point, for the use of existing Project V-funded (and OCTA-owned) vehicles.

Project implementation and delivery will be monitored through the M2 semi-annual review process and quarterly ridership updates to the Board, with the next Project V ridership productivity report scheduled to occur this summer.

Summary

Proposed programming recommendations for the 2020 Project V call for projects have been developed by staff. Funding for nine projects, at up to $9,221,513 in Measure M Project V funds, is being recommended for Board of Directors' approval, which will result in the initiation of and/or extension of six services and the completion of three new transit planning studies. Authorization is also requested to execute cooperative agreements and lease agreements, as appropriate, with local agencies to support implementation of the recommended proposed projects.

Attachments

A. 2020 Measure M2 Community-Based Transit Circulators (Project V) Call for Projects, Programming Recommendations for Capital and O&M Applications
B. 2020 Measure M2 Community-Based Transit Circulators (Project V) Call for Projects, Programming Recommendations for Planning Applications
C. 2020 Measure M2 Community-Based Transit Circulators (Project V) Call for Projects, Proposed Service Descriptions for Recommended Applications
D. 2020 Measure M2 Community-Based Transit Circulators (Project V) Call for Projects, Service Maps

Prepared by:

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Approved By:

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Executive Director, Planning
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2020 Measure M2 Community-Based Transit Circulators (Project V) Call for Projects
Programming Recommendations for Capital and O&M Applications

Agency	Project	Initial Marketing	Capital	Operating Reserve	Total M2 Allocation	Total Local Contribution	Local Match Rate	Total Project Cost
Anaheim	Anaheim Canyon Circulator	$ -	$ 9,000	$ 1,132,864	$ 1,141,864	$ 126,874	10%	$ 1,268,738
Dana Point	Dana Point Trolley Continuity Program	$ 45,000	$ 171,810 [1]	$ 1,992,929	$ 2,209,739	$ 1,196,799	35%	$ 3,406,538
Huntington Beach (HB)	HB Southeast Rideshare Pilot Program	$ 12,000	$ -	$ 794,240	$ 806,240	$ 201,560	20%	$ 1,007,800
La Habra	La Habra Community Special Event Shuttle	$ 12,510	$ - [2]	$ 53,724	$ 66,234	$ 7,360	10%	$ 73,594
Laguna Beach	Off-Season Weekend Trolley Service	$ -	$ -	$ 3,850,000	$ 3,850,000	$ 625,556	14%	$ 4,475,556
San Clemente	San Clemente Downtown Route Continuation	$ -	$ -	$ 969,536	$ 969,536	$ 107,726	10%	$ 1,077,262
				Total Allocation	**$ 9,043,613**	$ 2,265,875		$ 11,309,488

UNFUNDED *(Not Eligible)* [3]		Initial Marketing	Capital	Operating Reserve	Total M2 Allocation	Total Local Contribution	Local Match Rate	Total Project Cost
Anaheim	Friends Around the Neighborhood Expansion	$ 50,000	$ 168,000	$ 3,632,000	$ 3,850,000	$ 714,543	16%	$ 4,564,543
Buena Park	Buena Park Microtransit	$ 18,000	$ 126,000	$ 3,247,882	$ 3,391,882	$ 404,876	11%	$ 3,796,758
San Juan Capistrano	New Trolley Purchase	$ -	$ 186,300	$ 18,000	$ 204,300	$ 22,700	10%	$ 227,000
				Total Allocation	**$ 7,446,182**	$ 1,142,119		$ 8,588,301

Acronyms:
O&M - Operations and maintenance
OCTA - Orange County Transportation Authority

1. Capital funding request maintained in programming recommendation to support a potential future vehicle replacement purchase, should the usage of OCTA provided vehicles result in boarding/productivity challenges. However, authorization to purchase a vehicle consistent with the intent of the Comprehensive Transportation Funding Programs Guidelines for Project V would be subject to OCTA approval.
2. Capital funding request removed due to City of La Habra's acceptance of usage of OCTA owned-vehicle in-lieu of vehicle purchase.
3. Did not meet 2020 Project V call for projects objectives

ATTACHMENT A

2020 Measure M2 Community-Based Transit Circulators (Project V) Call for Projects
Programming Recommendations for Planning Applications

Agency	Project	Planning	Total M2 Allocation	Total Local Contribution	Local Match Rate	Total Project Cost
Irvine	2020 Transit Vision Plan	$ 60,000	$ 60,000	$ 166,100	73%	$ 226,100
Newport Beach	Balboa Island/Corona del Mar Microtransit Feasibility Study	$ 58,500	$ 58,500	$ 6,500	10%	$ 65,000
City of Orange	Orange Community Circulator Feasibility Study	$ 59,400	$ 59,400	$ 6,600	10%	$ 66,000
			$ 177,900	$ 179,200		$ 357,100

UNFUNDED *(Not Eligible)* [1]

County of Orange	Ranch Ride Capital Operations Planning Study	$ 60,000	$ 60,000	$ 6,667	10%	$ 66,667
			$ 60,000	$ 6,667		$ 66,667

Acronyms:
M2 - Measure M2

1. Did not meet Project V 2020 call objectives

ATTACHMENT B

2020 Measure M2 Community-Based Transit Circulators (Project V) Call for Projects
Proposed Service Descriptions for Recommended Applications

Project Name	Service Description	Service Type	Service Details
Anaheim Anaheim Canyon Circulator	The City of Anaheim is proposing to extend its existing Project S rail feeder service (provided by Anaheim Transportation Network {ATN}) from the Anaheim Canyon Metrolink Station to the Kaiser Medical Center, CtrCity (downtown Anaheim and City Hall), and the Anaheim Resort. Project S funds for the service will expire on June 30, 2020. This proposal is to extended the existing service (through Project V) for an additional seven years through June 30, 2027. No capital funds are requested. Vehicles are to be provided by ATN.	Commuter/Fixed Route	• **Start Date:** October, 2020 • **Service Period:** All Year • **Service Frequency:** Commuter Hours (designed to meet 4 morning Metrolink trains and 3 evening Metrolink trains) • **Service Days:** Monday through Friday
Dana Point Trolley Continuity Program	The City of Dana Point is proposing to secure a sixth vehicle in summer 2021 to replace an existing older trolley. It is also proposing funds to support future trolley engine maintenance and rehab needs, amenity improvements (i.e. WIFI capabilities and backup cameras), additional outreach/marketing, and extension of its trolley service through June 30, 2027.	Seasonal/ Fixed-Route and Special Event	• **Start Date:** July, 2021 • **Service Period:** Memorial Day- Labor Day • **Service Frequency:** 15 minutes • **Service Days:** All week (Memorial Day-Labor Day)
Huntington Beach (HB) HB Southeast Rideshare Pilot Program	The City of Huntington Beach is proposing a two year pilot-program to provide a demand responsive shared-ride hailing service in southeast Huntington Beach.	Shared-Ride Hailing	• **Start Date:** July, 2020 • **Service Period:** All Year • **Service Frequency:** 8am-8pm • **Service Days:** All week
Irvine Transit Vision Study	The City of Irvine is proposing to complete a 2020 Transit Vision Planning Study focused upon identifying feasibility, potential routes, ranking, and implementation strategies for a potential future local circulator.	Planning Study	• **Start Date:** September, 2020
La Habra La Habra Community Special Event Shuttle	The City of La Habra is proposing to provide city-led shuttle services (with an existing OCTA-funded Project V vehicle) from satellite parking lots at up to four annual high-volume special events - including La Fiesta, The La Habra Tamale Festival, Eggstravaganza Festival, and the La Habra Centennial.	Special Event	• **Start Date:** April, 2021 • **Service Period:** Various special event dates in April,October, and December • **Service Frequency:** Every 20 minutes • **Service Days:** Various weekend days at special events in April, October, and December
Laguna Beach Off-Season Weekend Trolley Service	The City of Laguna Beach is proposing to extend its existing off-season weekend trolley service, beyond its current June 30, 2020 expiration date through June 30, 2027. Routes would include the existing "long" and "short" Pacific Coast Highways routes and "ACT V" shuttle route. A limited number of special events within the service period would also be provided, including Saturday Farmers' Markets, the Sawdust Festival Winter Fantasy, Hospitality Night, Patriot's Day, and select federal holidays.	Fixed Route	• **Start Date:** July, 2020 • **Service Period:** 40 weekends a year • **Service Frequency:** 20-45 minutes (depending upon traffic) • **Service Days:** Weekends
Newport Beach Balboa Island/Corona del Mar Microtransit Feasibility Study	The City of Newport Beach is proposing to complete a planning study to determine if microtransit service concepts (including shared-ride hailing) services types are potentially feasible on Balboa Island, Corona del Mar, and potentially in the Newport Center and Irvine Terrace areas.	Planning Study	• **Start Date: To Be Determined (**TBD) depending upon procurement (likely fall 2020)
Orange Community Circulator Feasibility Study	The City of Orange is proposing to conduct a planning/feasibility study to explore and potentially develop a community circulator concept, which would service key destinations within the city, including the Outlets, University of California, Irvine and other Medical Centers, Old Towne Orange, Chapman University, and the Orange Transit Center.	Planning Study	• **Start Date:** TBD depending upon procurement (likely fall 2020)
San Clemente San Clemente Downtown Route Continuation	The City of San Clemente is proposing to extend Project V funding for the downtown trolley from its current end date of June 30, 2023 through June 30, 2027. The service would also provide for a limited number of special event services, including the San Clemente Classic Car Show, 4th of July festivities, the San Clemente Ocean Feast, and San Clemente Fiesta.	Seasonal/ Fixed-Route and Special Event	• **Start Date:** May, 2021 • **Service Period:** May-September • **Service Frequency:** 15 minutes • **Service Days:** All week (Summer)

* OCTA funding eligibility starts July 1, 2020

Acronyms:
ATN - Anaheim Transportation Network
HB - Huntington Beach
PCH - Pacific Coast Highway
TBD - To Be Determined
UCI - University of California, Irvine
O&M - Operations and Maintenance

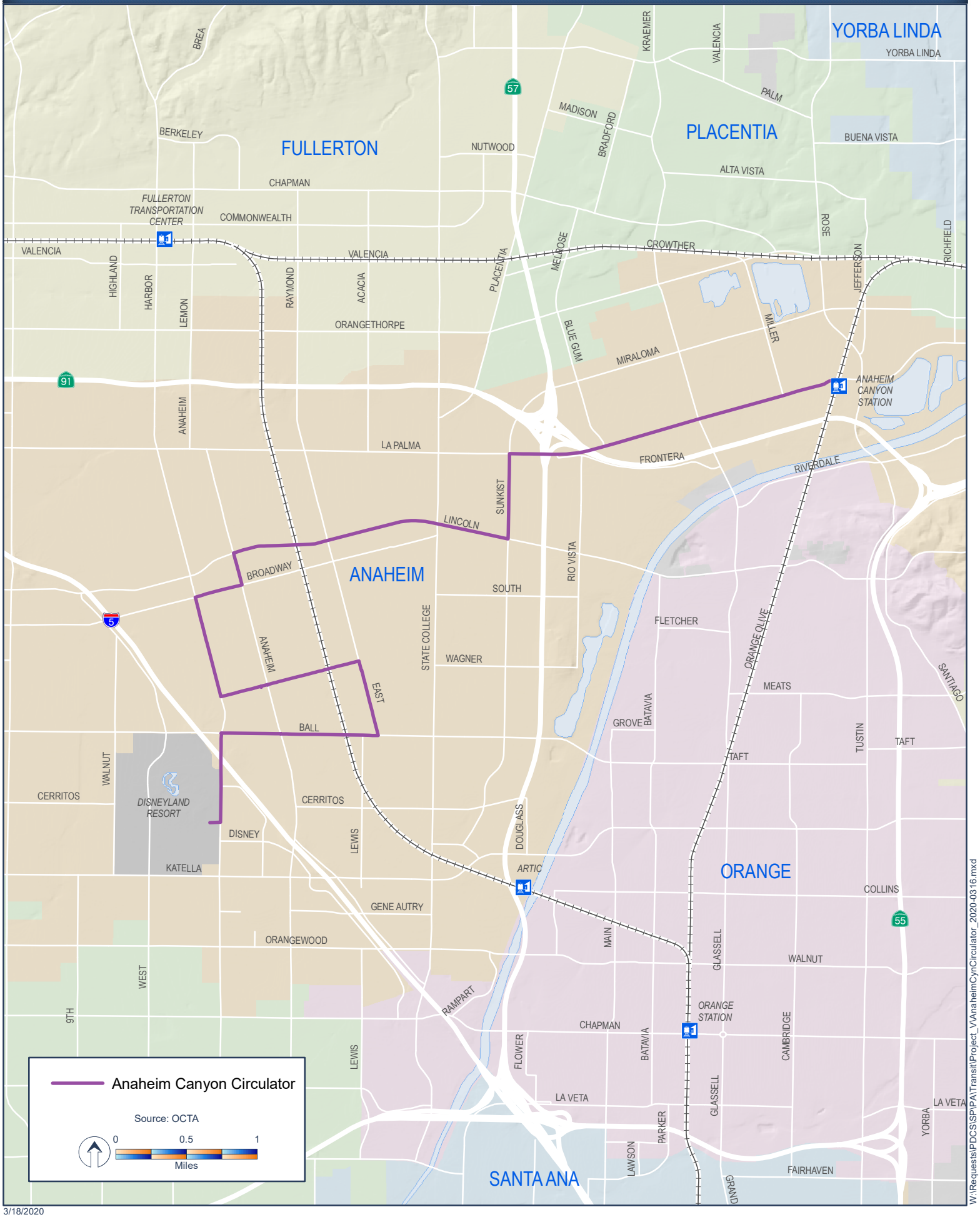
ATTACHMENT C

ATTACHMENT D

2020 Measure M2 Community-Based Transit Circulators (Project V) Call for Projects

Service Maps

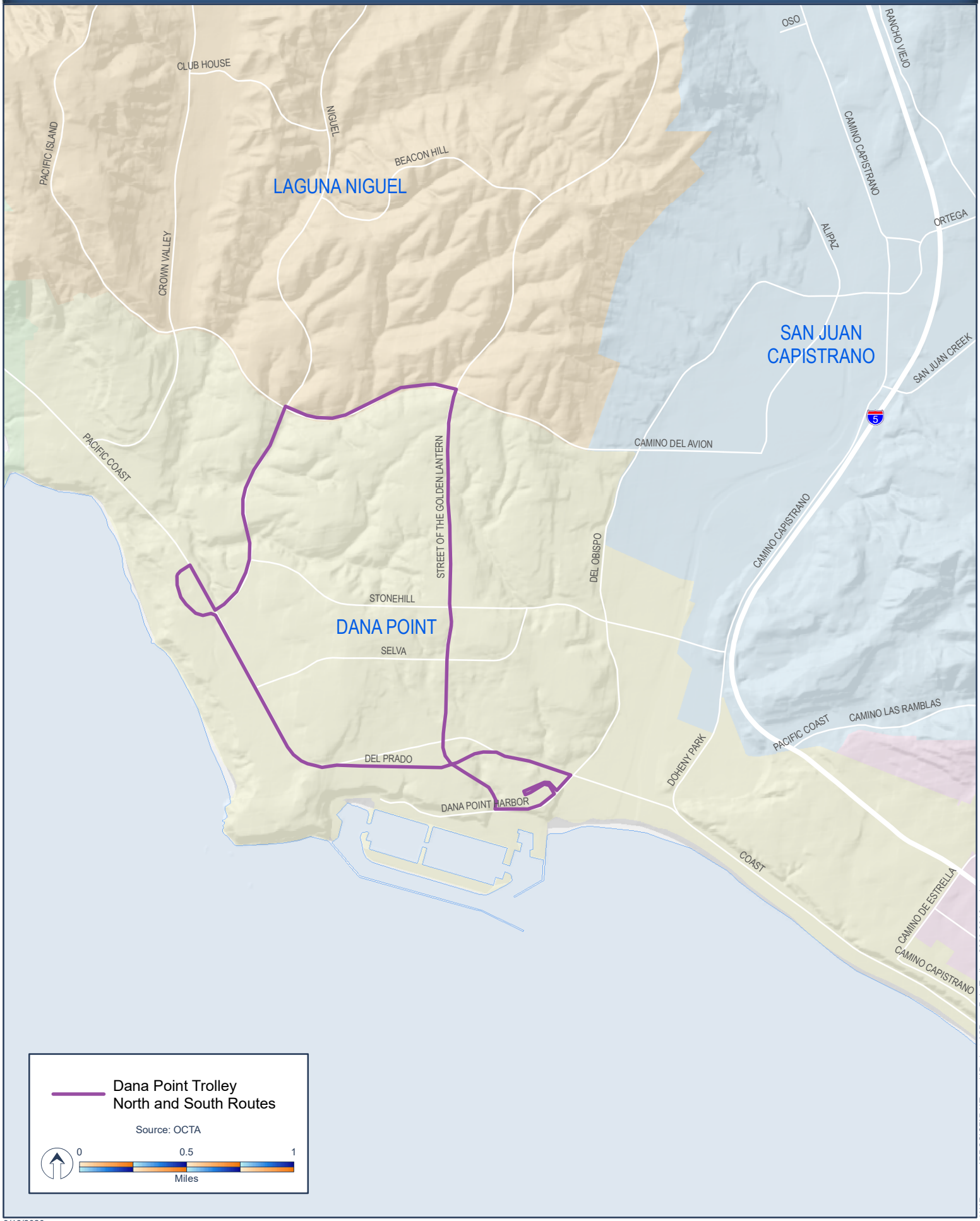
Anaheim Canyon Circulator



3/18/2020

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Dana Point Trolley Continuity Program



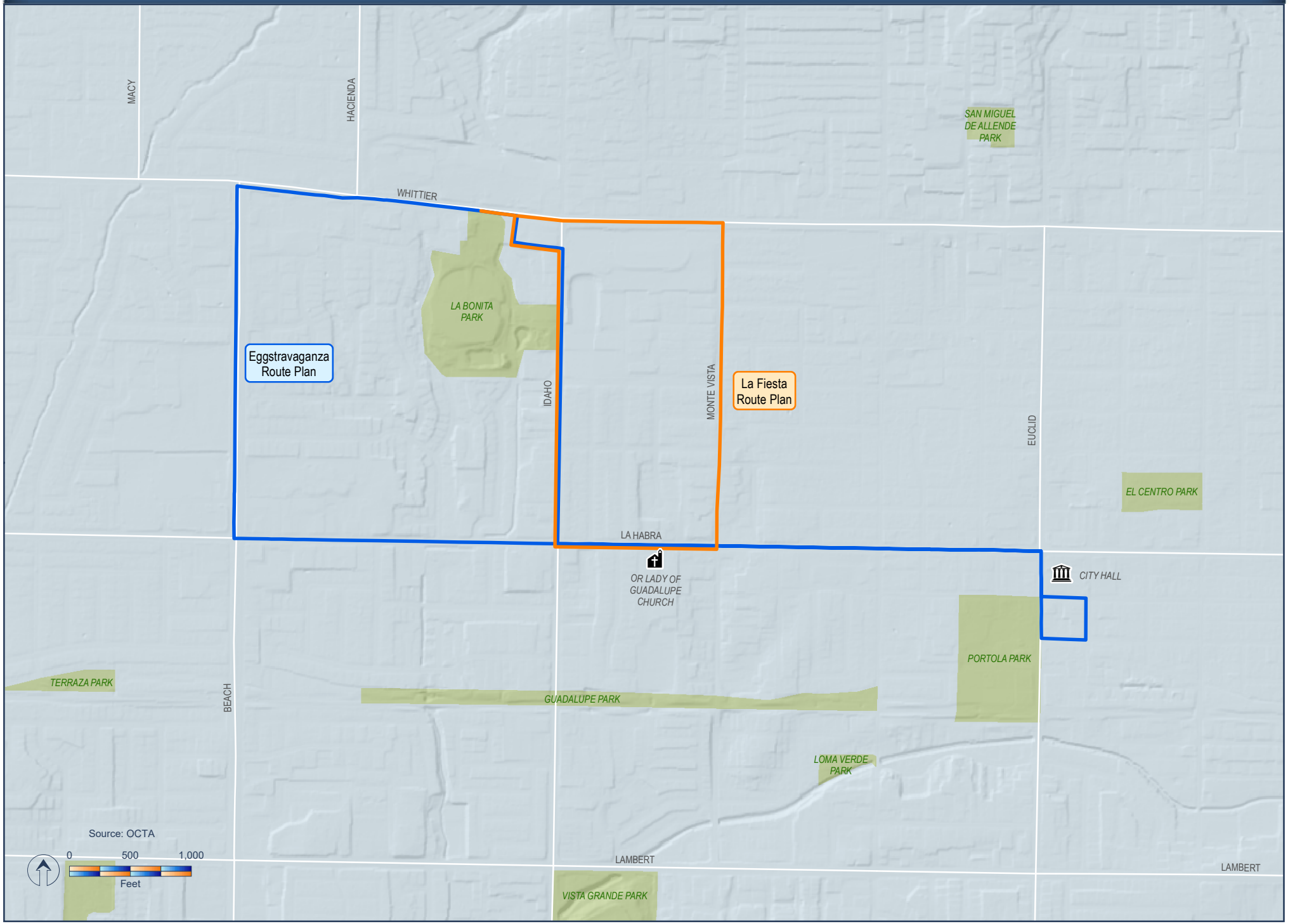
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Huntington Beach Southeast Rideshare Pilot Program



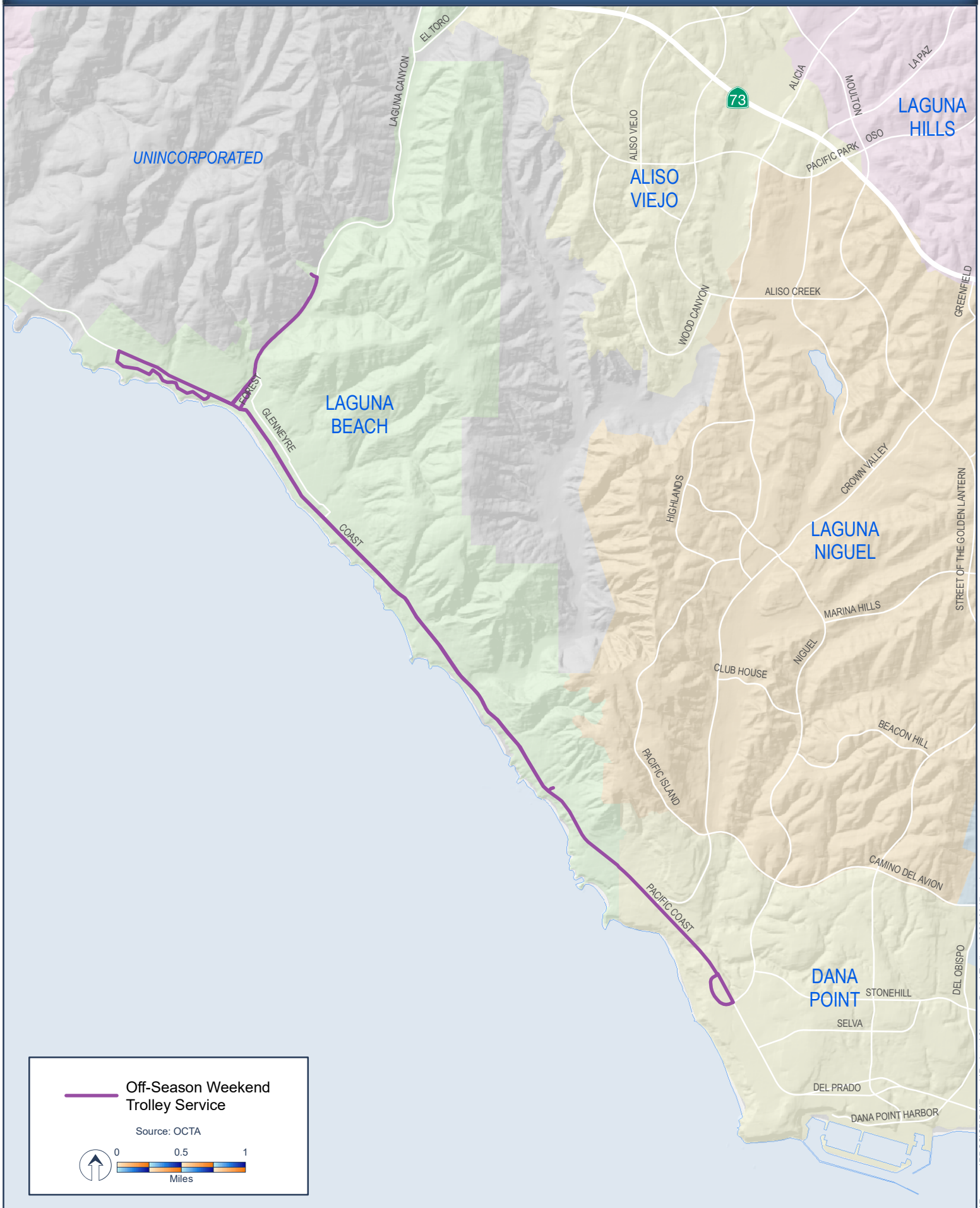
La Habra Community Special Event Shuttles



3/17/2020

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Laguna Beach Off-Season Weekend Trolley Service



3/17/2020

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San Clemete Downtown Route Continuation



3/17/2020

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OCTA

COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Fiscal Year 2020-21 Updates to the Measure M2 Eligibility, Local Signal Synchronization Plan, and Pavement Management Plan Guidelines

Regional Planning and Highways Committee Meeting of April 6, 2020

Present: Directors Bartlett, Chaffee, Delgleize, Muller, M. Murphy, and R. Murphy
Absent: Director Pulido

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Committee Recommendations

A. Approve proposed revisions to the Fiscal Year 2020-21 Measure M2 Eligibility Guidelines.

B. Direct staff to reevaluate maintenance of effort requirements for fiscal year 2020-21 pending a review of the economic impacts of the Coronavirus.

C. Approve proposed revisions to the Guidelines for the Preparation of Local Signal Synchronization Plans 2020.

D. Approve proposed revisions to the Countywide Pavement Management Plan Guidelines.

OCTA

April 6, 2020

To: Regional Planning and Highways Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Fiscal Year 2020-21 Updates to the Measure M2 Eligibility, Local Signal Synchronization Plan, and Pavement Management Plan Guidelines

Overview

The Orange County Transportation Authority regularly develops and updates guideline documents, including the Measure M2 Eligibility Guidelines, Guidelines for the Preparation of Local Signal Synchronization Plans, and Guidelines for Countywide Pavement Management Plans to assist local agencies in completing Measure M2 eligibility requirements. Proposed revisions for each of these documents have been developed and are recommended for Board of Directors' consideration and approval.

Recommendations

A. Approve proposed revisions to the Fiscal Year 2020-21 Measure M2 Eligibility Guidelines.

B. Direct staff to reevaluate maintenance of effort requirements for fiscal year 2020-21 pending a review of the economic impacts of the Coronavirus.

C. Approve proposed revisions to the Guidelines for the Preparation of Local Signal Synchronization Plans 2020.

D. Approve proposed revisions to the Countywide Pavement Management Plan Guidelines.

Background

The Orange County Transportation Authority's (OCTA) Ordinance No. 3 specifies requirements that local agencies must satisfy to be eligible to receive net Measure M2 (M2) revenues. To assist local agencies with these requirements, OCTA regularly develops and updates guideline documents, which include M2 Eligibility Guidelines (Eligibility Guidelines), the Guidelines for the Preparation of Local Signal Synchronization Plans (LSSPs), and Guidelines for Countywide Pavement Management Plans (PMPs).

Staff has completed a review of each of these guidelines and are recommending approval of proposed revisions (discussed below) in order to both satisfy and support local agencies in meeting M2 eligibility requirements. All of the proposed revisions incorporate feedback received from local agencies during previous eligibility cycles and also include updates to better streamline and clarify M2 eligibility document development, submittal, and review processes for the M2 Fiscal Year (FY) 2020-21 Eligibility Review Cycle (Eligibility Review Cycle).

It should be noted that while these guidelines and OCTA's staff review support of eligibility submitals are intended to assist local agencies in completing required M2 eligibility processes, it is ultimately local agencies' responsibility to ensure that they meet and satisfy all required M2 eligibility requirements each year.

Discussion

Eligibility Guidelines

The Eligibility Guidelines specify basic requirements and procedures that local agencies must adhere to in order to establish and maintain M2 funding eligibility on an annual basis.

Currently, proposed revisions to the Eligibility Guidelines include:

- Updates to required due dates;
- The addition of a section on audits;
- An update to the maintenance of effort (MOE) benchmark table to reflect the MOE benchmark adjustment process (described below);
- Inclusion of an updated resolution for the LSSP requirement; and
- Streamlining of the Circulation Element/Master Plan of Arterial Highways Consistency and Congestion Management Program sections.

Other changes include minor updates to the eligibility checklist, general wording modifications, expansion on certain concepts, and technical clarifications throughout the document and appendices.

A summary of proposed revisions to the Eligibility Guidelines is provided in Attachment A, and a redlined version of proposed changes to the Eligibility Guidelines is provided in Attachment B.

MOE Benchmark Adjustment

One change to the Eligibility Guidelines was the MOE benchmark adjustment; which per M2, OCTA is required to calculate and update every three FYs, based upon the percentage of growth in the California Department of Transportation's Construction Cost Index (CCI) for the three preceding calendar years. However, if the growth in a local agencies' general fund revenues (GFRs) are less than CCI growth for the same period, the GFRs growth value is used as the escalation factor.

To calculate this adjustment, OCTA solicited from each local agency excerpts from their FY 2018-19 Comprehensive Annual Financial Reports (CAFRs)[1]. A comparison of the growth in GFRs from 2016 through 2019 was then calculated. These findings were then compared to the growth rate in the CCI for the same period, which was 16.58 percent. MOE benchmark adjustments were then calculated for each local agency (with the exception of the County of Orange[2]) based upon the lesser of these two percentages. Recommended MOE benchmark adjustments are identified in Attachment C.

Given the economic and financial impacts anticipated to occur as a result of the Coronavirus (COVID-19), it is requested that the Board of Directors (Board) direct staff to examine the potential impacts to the local agencies related to the MOE requirement. The ordinance did not consider a situation such as the current pandemic, and this particular requirement needs to be reviewed as it is possible that some of the local agencies may experience negative growth in general fund revenue in FY 2020-21. Staff will keep the Board apprised on status and options through M2 quarterly reports initially, and specific Board items once options have been developed.

[1] The City of Villa Park (City) has not released or adopted a final CAFR. It has; however, provided a trial balance in order to calculate an estimated benchmark adjustment. As such, the recommended MOE benchmark adjustment may require further updating once the City adopts their CAFR.

[2] Orange County Public Works and their predecessor agencies did not (and continue to not) use discretionary funds for transportation purposes. Instead they fund transportation with various restricted and/or partially restricted funding sources.

Guidelines for the Preparation of LSSPs Guidelines

M2 also requires local agencies, on a triennial basis, to develop and update their respective LSSPs. During the FY 2020-21 eligibility review cycle, LSSPs will be required to be submitted. As such, a review of the LSSP Guidelines was completed and minor date, process, and formatting adjustments are recommended (see Attachment D).

Countywide PMP Guidelines

The PMP Guidelines establish a consistent methodology for local agencies to evaluate and report on pavement conditions, monitor changes, anticipate expected improvements, and verify compliance with M2's PMP requirements. For these guidelines, staff is recommending revising the acceptable criteria formula, updating dates, and revising Appendix B (Page B-1 in the PMP Guidelines) to list current prequalified pavement inspection consultants. These proposed revisions to the PMP Guidelines are identified and included in a redlined version of that document, which is provided in Attachment E.

Next Steps

Upon Board approval of the recommended guidelines revisions, the eligibility review recycle will be initiated. In addition to public outreach and a workshop (anticipated in April), staff will also coordinate with all local agencies throughout the eligibility review cycle in order to facilitate timely submittal of all required M2 eligibility components for this FY. Staff will also review the MOE component in light of the impacts of COVID-19 on the economy and may return with additional recommendations. Upon completion of the eligibility review cycle, staff will return to the Board to seek approval of M2 eligibility findings and recommendations through a two-phased process, with the first component being submitted for Board consideration in December 2020, and the second and final component being submitted in spring 2021.

Summary

Proposed modifications to the Eligibility Guidelines (including MOE benchmark adjustments), LSSP Guidelines, and PMP Guidelines are recommended to support and facilitate the initiation of the eligibility review cycle. Upon Board approval of the recommended guidelines revisions, the first phase of the eligibility review cycle will commence.

Attachments

A. Revisions to the Measure M2 Eligibility Guidelines
B. Measure M2 Eligibility Guidelines, Fiscal Year 2020/2021
C. MOE Benchmark by Local Agency
D. Guidelines for the Preparation of Local Signal Synchronization Plans 2020
E. Countywide Pavement Management Plan Guidelines, April 2020

Prepared by:



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Approved by:



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ATTACHMENT A

Revisions to the Measure M2 Eligibility Guidelines

Proposed Substantive Changes:

- **Page 2** – Expanding upon the intent and allowable activities of the Local Fair Share Program.
- **Page 3** – Adding a section on audits in Chapter 1.
- **Page 5** – Updating deadlines in the eligibility requirements table consistent with eligibility requirements discussed in Chapter 2.
- **Page 7-8** – Editing the Circulation Element/Master Plan of Arterial Highways consistency section to be more concise and reference the "Guidance for Administration of the Orange County Master Plan of Arterial Highways" manual.
- **Page 9** – Updating Exhibit 1 with the latest centerline mileage that is used to calculate Local Fair Share payments.
- **Page 10** – Editing the Congestion Management Program section to be more concise.
- **Page 11** – Clarifying that the expenditure report is self-certified by the jurisdiction and that Orange County Transportation Authority's (OCTA) review is to check for consistency with Measure M2 disbursements only. Further clarifying that OCTA's review and receipt of expenditure reports does not constitute approval, and the document is subject to audit.
- **Page 12-13** – Referencing the Gas Tax Guidelines where eligible maintenance of effort (MOE) expenditures are outlined. Emphasizing the importance of jurisdictions exceeding their MOE benchmark. Clarifying that it is the local jurisdiction's responsibility to ensure expenditures on the MOE certification form are eligible.
- **Page 14** – Updating Exhibit 2 with the latest MOE benchmark adjustments.
- **Page 17** – Updating deadlines for eligibility requirements on Exhibit 3.
- **Page 18** – Clarifying the encumbrance and expenditure deadlines for competitive programs.

Revisions to the Measure M2 Eligibility Guidelines

- **Pages 22-23** – Clarifying that OCTA's review and receipt of expenditure reports does not constitute approval, and the document is subject to audit. Clarifying the Annual Eligibility Review Subcommittee and the Taxpayer Oversight Committees' role in eligibility.

- **Page 24-25** – Expanding on the eligibility non-compliance consequences and Board of Directors process related to ineligibility.

- **Appendix D** – Striking out eligibility requirements that are due as part of the fiscal year (FY) 2020-21 eligibility cycle.

- **Appendix E** – Striking out the Master Plan of Arterial Highway Circulation Element Consistency and Mitigation Fee Program resolutions and adding the Local Signal Synchronization Plan resolution.

- **Appendix G** – Graying out the "other" cell of "MOE" column and adding Finance Director initial to confirm understanding of MOE on schedule 3. Adding additional Finance Director certification checkboxes on the signature page and also acknowledging the OCTA Coronavirus waiver for FY 2022-21.

- **Appendix I –** Adding Finance Director certification of awareness of and compliance with the "Guidelines Relating to Gas Tax Expenditures for Cities and Counties" regarding MOE expenditures, and that the jurisdiction has budgeted and will meet its MOE requirement.

ATTACHMENT B



MEASURE M2 ELIGIBILITY GUIDELINES

FISCAL YEAR 2020/2021

OCTA

OCGO
Local Tax Dollars at Work

ORANGE COUNTY TRANSPORTATION AUTHORITY

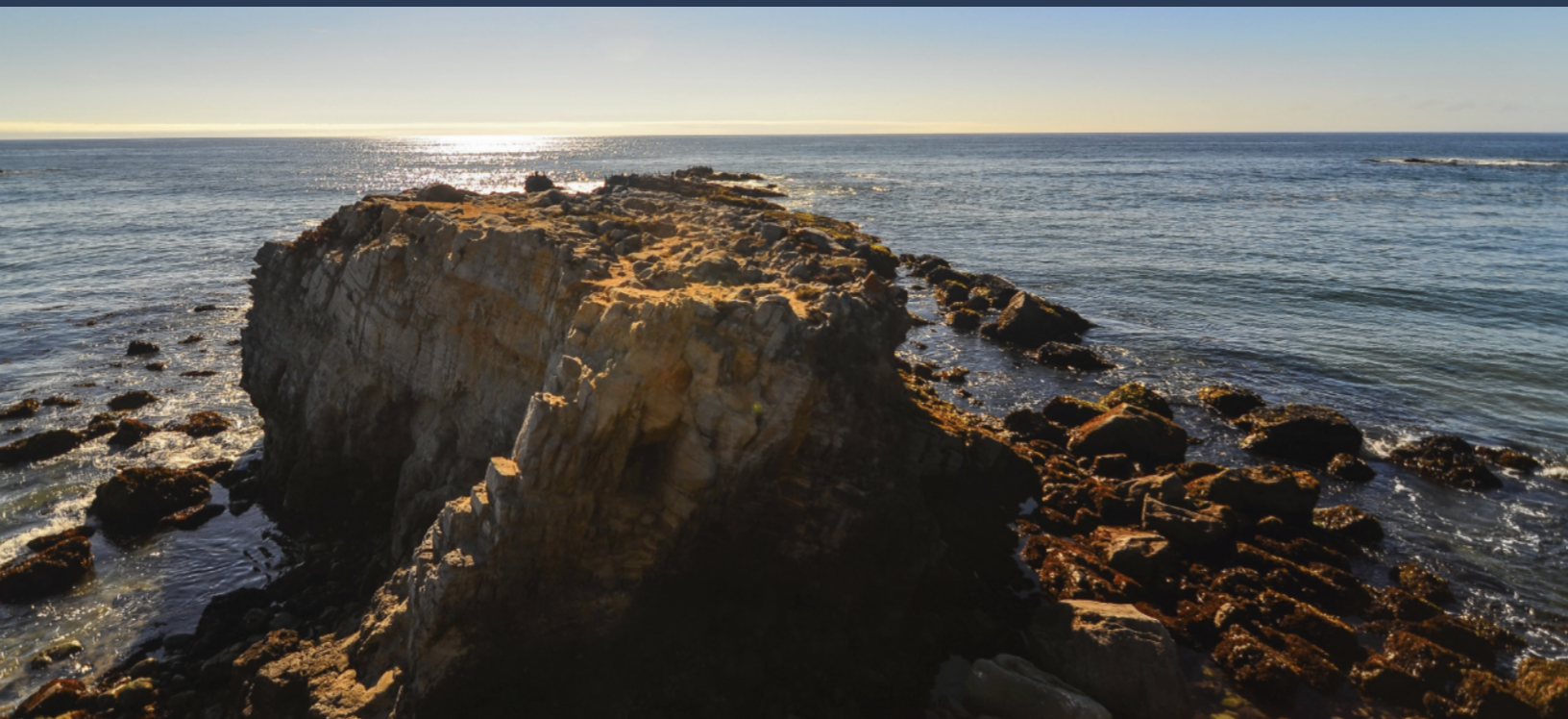


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Chapter 1 – Eligibility Overview

1.1 Introduction

On November 6, 1990, the voters in Orange County approved a ½-cent sales tax for transportation improvements known as Measure M. On November 7, 2006, voters approved a renewal of the original sales tax measure (M2) to continue the ½-cent sales tax for thirty years, beginning in 2011. Major improvement plans target Orange County freeways, streets and roads, transit and environmental programs.

The Measure M2 Ordinance, included as Appendix A, outlines the eligibility requirements that local jurisdictions must satisfy ~~annually in order~~ to receive M2 Net Revenues. The M2 Eligibility Guidelines (Eligibility Guidelines) provide the resources local jurisdictions need to remain eligible to participate in M2 funding programs. Guidelines for newly incorporated cities are outlined in Appendix B.

Net Revenues are generated from the transactions and use tax plus any interest or other earnings, after allowable deductions. Net Revenues may be allocated to local jurisdictions for a variety of programs and the Orange County Transportation Authority (OCTA) shall allocate the Net Revenues to freeways, environmental, transit, and streets and roads projects.

Freeway Projects

Orange County freeways will receive forty-three percent (43%) of Net Revenues. Relieving congestion on State Route 91 is the centerpiece of the freeway program. Other major projects include improving Interstate 5 (I-5) in south Orange County, Interstate 405 (I-405) in west Orange County and State Route 57 in North Orange County. Under the plan, major traffic chokepoints on almost every freeway will be improved.

Environmental Programs

To address any environmental impact of freeway improvements, five percent (5%) of the allocated freeway funds will be used for environmental mitigation programs. A Master Agreement between OCTA and state and federal resource jurisdictions will provide higher-value environmental benefits such as habitat protection, wildlife corridors and resource preservation in exchange for streamlined project approvals for the freeway program as a whole. Funds are also available under the Environmental Cleanup Program (ECP) to implement water quality improvement projects.

Transit Projects

Orange County's rail and bus service will receive twenty-five percent (25%) of Net Revenues. These funds will be used to add transit extensions to the Metrolink corridor, reduce bus fares for senior citizens and persons with disabilities, and establish local bus circulators.

Streets and Roads Projects

Orange County has more than 7,300 lane miles of streets and roads; many in need of repair and rehabilitation. This sales tax measure will allocate thirty-two percent (32%) of Net Revenues to streets and roads. These funds will help fix potholes, improve intersections, synchronize traffic signals countywide, and make the existing network of streets and roads safer and more efficient.

The allocation of thirty-two percent (32%) of the Net Revenues for Streets and Roads Projects shall be made as follows:

1. Ten percent (10%) of the Net Revenues shall be allocated to Project O, Regional Capacity Program (RCP).
2. Four percent (4%) of the Net Revenues shall be allocated to Project P, Regional Traffic Signal Synchronization Program (RTSSP).
3. Eighteen percent (18%) of the Net Revenues shall be allocated to Project Q, Local Fair Share (LFS) Program.

1.2 Competitive Funds

OCTA shall select projects through a competitive process for the RCP, RTSSP, various transit programs (Projects S, T, V, and W), and the ECP (Project X). The criteria for selecting these projects are included in the Comprehensive Transportation Funding Programs (CTFP) Guidelines. The process for calculating and distributing LFS funds are described in Section 1.3.

1.3 Local Fair Share (LFS) Funds

The LFS Program is a formula-based allocation provided to eligible jurisdictions for use on allowable transportation planning and implementation activities. It is intended to provide flexible funding to help jurisdictions keep up with the rising cost of repairing the aging street system. In addition, cities can use these funds for other local transportation needs such as residential street projects, traffic and pedestrian safety near schools, signal priority for emergency vehicles, etc. The LFS Program~~It~~ is funded through an eighteen percent (18%) allocation from Net Revenues and is distributed to eligible jurisdictions on a formula basis as determined by the following:

- Fifty percent (50%) is divided between eligible jurisdictions based upon the ratio of the jurisdiction's population to the County's total population, each from the previous calendar year.
- Twenty-five percent (25%) is divided between eligible jurisdictions based upon the ratio of the jurisdiction's existing Master Plan of Arterial Highways (MPAH) centerline miles to the total MPAH centerline miles within the County as determined annually by OCTA.
- Twenty-five percent (25%) is divided between eligible jurisdictions based upon the ratio of the jurisdiction's total taxable sales to the total taxable sales for the County, each from the previous calendar year.
- OCTA contracts with three universities (Chapman University; University of California, Los Angeles; and California State University, Fullerton) to provide a long-range forecast of taxable sales to forecast M2 revenues for the purposes of planning projects and program expenditures. In the past, OCTA has taken an average of the three university taxable sales projections to develop a long-range forecast of taxable sales. On March 28, 2016, as part of the FY 2016-17 budget development process, the Board approved a new sales tax forecast methodology. The new methodology includes a more conservative approach by utilizing a five-year forecast from MuniServices, Inc. The resulting revenue estimates are used for programming of competitive funds and as a guide for local jurisdiction planning within their respective Capital Improvement Programs (CIPs).

1.4 Eligibility Requirements for Net Revenues

Every year, OCTA determines if a local jurisdiction is eligible to receive M2 Net Revenues. A local jurisdiction must satisfy certain requirements as outlined in the Ordinance. Specifically, a jurisdiction must:

- Comply with the conditions and requirements of the Orange County Congestion Management Program (CMP)
- Establish a policy which requires new development to pay its fair share of transportation-related improvements associated with their new development
- Adopt a General Plan Circulation Element consistent with the MPAH
- Adopt and update a Capital Improvement Program (CIP)
- Participate in Traffic Forums
- Adopt and maintain a Local Signal Synchronization Plan (LSSP)
- Adopt and update biennially a Pavement Management Plan (PMP)
- Adopt and provide an annual Expenditure Report to OCTA
- Provide OCTA with a Project Final Report within six months following completion of a project funded with Net Revenues
- Agree to expend Net Revenues received through M2 within three years of receipt
- Satisfy Maintenance of Effort (MOE) requirements
- Agree that Net Revenues shall not be used to supplant developer funding
- Consider, as part of the eligible jurisdiction's General Plan, land use and planning strategies that accommodate transit and non-motorized transportation

1.5 Audits

Eligibility requirements are subject to audit. Audits shall be conducted by the OCTA Internal Audit Department or other authorized agent either through a regular annual process or on a schedule to be determined by the OCTA Board. Local agencies are responsible for meeting eligibility 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. Audit findings may result in an ineligibility determination and/or other sanctions. Please see Chapter 4 for more information regarding ineligibility and non-compliance consequences.

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Chapter 2 – Eligibility Requirements

The annual eligibility process relies upon a variety of reporting methods to verify local jurisdiction compliance. Most methods leverage tools routinely used in the public planning process while others require certification forms or specialized reports. Templates, forms, and report formats are included as appendices to these guidelines and are available in electronic format. The table below summarizes certification frequency and documentation requirements.

Compliance Category	Schedule	Documentation
Capital Improvement Program (CIP)	**Annual** Next submittal is due June ~~30~~28, 20~~20~~19.	• Electronic (online) and hard copy of OC Fundtracker CIP Report~~, hard copy~~ • City Council/Board of Supervisors approval by July 31, 2020.
Circulation Element/MPAH Consistency	~~**Biennial**~~**Odd numbered years** Next submittal is due June 30~~28~~, 20~~21~~19.	• Resolution (Appendix E) • Circulation Element Exhibit • Arterial Highway Mileage Change Report (Appendix H) • Certify that the Circulation Element is consistent with MPAH in the Eligibility Checklist (Appendix D)
Congestion Management Program (CMP)	**Odd numbered years** Next submittal is due June 30~~28~~, 20~~21~~19.	• Eligibility Checklist item in Appendix D • Include projects to address deficient intersections in CIP (if applicable) • CMP Checklist (Appendix C)
Expenditure Report	**Annual** – six months after end of fiscal year Next submittal is due December 31, 20~~20~~19.	• Expenditure Report and resolution (Appendix G)
Local Signal Synchronization Plan (LSSP)	**Every three years** Next submittal is due June 30, 2020	• Copy of plan • Resolution (Appendix E)
Maintenance of Effort (MOE)	**Annual** Next submittal is due June 30~~28~~, 20~~20~~19.	• MOE Certification form (Appendix I) signed by Finance Director or equivalent designee that meets/exceeds MOE Benchmark in Exhibit 2 • Budget excerpts and fund key
Mitigation Fee Program (MFP)	~~**Biennial**~~**Odd numbered years** Next submittal is due June 30~~28~~, 20~~21~~19.[1]	• Eligibility Checklist item in Appendix D • Copy of nexus study, revised impact fee schedule, or process methodology • Resolution (Appendix E)
No Supplanting Existing Commitments	**Annual** Next submittal is due June 30~~28~~, 20~~20~~19.	• Eligibility Checklist item in Appendix D
Pavement Management Plan (PMP)	**Every two years** Next submittal for ~~odd~~ even year agencies is due June 30~~28~~, 20~~20~~19. Refer to Exhibit 3 to determine the required PMP submittal schedule.	• PMP Submittal Template (Appendix F) with PMP Certification form signed by Public Works Director or City Engineer • ~~CD with p~~Pavement report, and street listings • Adoption - Resolution (Appendix E) or City Council/Board of Supervisors approved adoption recommendation
Project Final Report	**Within 6 months of project completion**	• Final Report
Timely Expenditure of Funds	**Annual** Next submittal is due June 30~~28~~, 20~~20~~19.	• Eligibility Checklist item in Appendix D
Traffic Forums	**Annual** Next submittal is due June 30~~28~~, 20~~20~~19.	• Eligibility Checklist item in Appendix D
Transit/Non-motorized Transportation in General Plan	**Annual** Next submittal is due June 30~~28~~, 20~~20~~19.	• Eligibility Checklist item in Appendix D • Letter outlining land use planning strategies that accommodate transit and active transportation • Excerpts of policies from the land use section of the General Plan

[1] Jurisdictions must submit their updated program and revised fee schedule or process methodology when the jurisdiction updates their mitigation program and/or nexus study regardless of eligibility submittal schedule.

2.1 Capital Improvement Program (CIP)

A CIP is a multi-year funding plan to implement capital transportation projects and/or programs including, but not limited to, capacity, safety, operations, maintenance, and rehabilitation projects. For purposes of eligibility, the Ordinance specifies that each jurisdiction must prepare a CIP. The annual seven-year CIP updates are required to enable timely review of eligible use of funds. The CIP shall include all capital transportation projects, such as projects funded by Net Revenues (i.e. ECP, RTSSP, RCP, other M2 Competitive Programs, and LFS projects) and transportation projects required to demonstrate compliance with signal synchronization, pavement management, and CMP requirements (See section 2.3 for the CIP's relevance to the CMP).

Projects funded by M2 Net Revenues include:

Project Description	Project
Freeway ~~Environmental Mitigation~~Projects	A-M
Regional Capacity Program (RCP)	O
Regional Traffic Signal Synchronization Program (RTSSP)	P
Local Fair Share Program (LFS)	Q
High Frequency Metrolink Service	R
Transit Extensions to Metrolink	S
Convert Metrolink Station(s) to Regional Gateways that connect Orange County with High-Speed Rail Systems	T
Community Based Transit/Circulators	V
Safe Transit Stops	W
Environmental Cleanup Program (ECP) – Water Quality	X

Each eligible jurisdiction must include projects in their CIP that are needed to meet and maintain the adopted Traffic Level of Service and Performance Standards. The CIP shall also include all projects proposed to receive M2 funding. Local jurisdictions are encouraged, but not required, to include all transportation related projects regardless of M2 funding participation.

If M2 funding needed for a project is not reflected on the current CIP, an amended CIP should be adopted with contract award prior to expending funds. The revised CIP should be submitted to OCTA in hard copy format with evidence of council approval.

Submittal Frequency: Minimum annual or as needed to add M2 projects that are not reflected on the current CIP. Next submittal is due by June ~~28~~30, 2020~~19~~. Final CIP adoption due by July 31, 2020.

City Council/Board of Supervisors approval: Required

Verification Method: Each jurisdiction must submit an electronic (online) and hard copy of its CIP with evidence of City Council/Board of Supervisors approval. ~~The~~ OCTA provides a web-based database ~~called the Web Smart CIP~~on OC Fundtracker that is used countywide for reporting approved CIP information. A separate CIP User's Manual has been developed to assist local jurisdictions with the preparation of the seven-year CIP.

The CIP User's Manual is available for download at https://www.octa.net/OCGo~~M2~~Eligibility.

2.2 Circulation Element/MPAH Consistency

A Circulation Element is one component of a jurisdiction's General Plan that depicts a planned multimodal network and related policies. Each jurisdiction is required to adopt and maintain a Circulation Element that is consistent with the OCTA MPAH, which defines the minimum planned lane configurations for major regionally significant roads in Orange County.

MPAH Consistency

~~Through a cooperative process, OCTA, the City Engineers Association, the City Managers Association, and the County of Orange developed criteria for determining consistency with the MPAH.~~ Criteria and policies for determining MPAH Consistency are included in a separate manual titled "Guidance for Administration of the Orange County Master Plan of Arterial Highways" and supersede these guidelines. ~~and are summarized below:~~ "Consistent" for eligibility purposes means that local general plans maintain a comparable or greater number of through lanes on MPAH arterials. Every two years, each local jurisdiction must submit a resolution adopted by the governing body attesting that no unilateral reduction in lanes has been made on any MPAH arterial. The local jurisdiction may be determined ineligible to participate in M2 programs if a roadway on the MPAH has been knowingly and unilaterally removed from or downgraded on their Circulation Element and/or does not meet the planned capacity criteria. If a local jurisdiction requests a change to the MPAH and enters into a cooperative study to analyze the request, it may be considered conditionally consistent. No change shall be made to its Circulation Element until after the cooperative study is completed and agreement is reached on the proposed amendment. Please refer to the "Guidance for Administration of the Orange County Master Plan of Arterial Highways" manual for more information on re-establishing MPAH consistency. In cases of conflict between the Eligibility Guidelines and "Guidance for Administration of the Orange County Master Plan of Arterial Highways" manual, please refer to the latter.

- ~~The local jurisdiction's Circulation Element is to have the minimum planned carrying capacity equivalent to the MPAH for all MPAH links within its jurisdiction. "Planned carrying capacity" is the number of through lanes on each arterial highway as shown on the local Circulation Element.~~
- ~~Local jurisdictions will not be found inconsistent with the MPAH due to existing capacity limitations on arterials not yet constructed to the ultimate capacity shown on the MPAH.~~
- ~~Every two years, each local jurisdiction must submit a resolution adopted by the governing body attesting that no unilateral reduction in lanes has been made on any MPAH arterial.~~
- ~~The local jurisdiction will be ineligible to participate in M2 programs if a roadway on the MPAH has been unilaterally removed from or downgraded on their Circulation Element and/or does not meet the planned capacity criteria. Eligibility may be reinstated upon completion of a cooperative study that resolves the inconsistency. Additionally, the local jurisdiction can re-establish eligibility upon restoring its Circulation Element to its previous state of MPAH consistency.~~
- ~~The local jurisdiction must adopt a General Plan Circulation Element that does not preclude implementation of the MPAH.~~
- ~~A local jurisdiction is inconsistent with the MPAH as of the date the governing body takes unilateral action reducing the number of existing and/or planned through lanes on an MPAH arterial built to its ultimate configuration to less than the ultimate capacity shown on the~~

~~MPAH. "Unilateral action" means physical action such as striping, signing, or other physical restrictions executed by the local jurisdiction.~~

- ~~A local jurisdiction may be permitted to reduce existing through lanes, if prior to acting, it can demonstrate to the OCTA that such action is temporary and can be justified for operational reasons. The local jurisdiction must enter into a binding agreement to restore capacity upon demand by OCTA, in which case OCTA may recommend that the local jurisdiction remain eligible on a conditional basis. If it is found to be ineligible, it may regain eligibility upon physical restoration of the arterial to the original state that is consistent with the MPAH.~~
- ~~Traffic calming measures shall be administered on MPAH facilities per the latest version of the Guidance for the Administration of the Orange County MPAH.~~

~~If a local jurisdiction requests a change to the MPAH and enters into a cooperative study to analyze the request, it may be considered conditionally consistent. No change shall be made to its Circulation Element until after the cooperative study is completed and agreement is reached on the proposed amendment.~~

Submittal Frequency: Odd years - ~~Odd year requirement.~~ Next submittal is due by June ~~30~~28, 202~~1~~19.

City Council/Board of Supervisors approval: Required (Appendix E)

Verification Method: Each jurisdiction must provide the following every odd year:

- ~~Document within the~~ Eligibility Checklist (Appendix D) ~~that confirms~~confirmation of understanding that the local jurisdiction's Circulation Element is consistent with the MPAH.
- A copy of the most current Circulation Element Exhibit biennially showing all arterial highways and their individual arterial designations. Any proposed changes and/or requests for changes to the MPAH should also be included.
- Resolution adopted by the governing body of the local jurisdiction.
- The Arterial Highway Mileage Change Report (Appendix H). Changes are in actual (built or annexed) MPAH centerline miles since the previous MPAH Consistency Review are to be reported to the nearest 0.01 mile, excluding State highways. Data should be current as of April 30 of the reporting year. Exhibit 1 lists the current MPAH centerline miles by jurisdiction that is used to calculate Local Fair Share.

OCTA shall review the materials submitted, and determine whether the local jurisdictions' Circulation Element submittals~~s are consistent with the MPAH, meaning there is a minimum planned carrying capacity equivalent to the MPAH for all MPAH links within the local agency's jurisdiction.~~ satisfy M2 Eligibility requirements. However, it is ultimately each local agencies' responsibility for ensuring that their Circulation Element is consistent with the MPAH.

Exhibit 1: MPAH Centerline Miles

As of August 15, ~~2018~~2019

Local Jurisdiction	Centerline Mileage
Aliso Viejo	14.85~~14.85~~
Anaheim	148.90~~148.69~~
Brea	20.57~~20.57~~
Buena Park	34.44~~34.44~~
Costa Mesa	49.33~~49.33~~
County of Orange	60.83~~59.36~~
Cypress	24.93~~24.93~~
Dana Point	20.16~~20.16~~
Fountain Valley	35.50~~35.28~~
Fullerton	62.18~~62.18~~
Garden Grove	63.78~~63.59~~
Huntington Beach	93.05~~93.05~~
Irvine	138.05~~134.82~~
La Habra	17.13~~17.13~~
La Palma	7.23~~7.23~~
Laguna Beach[2]	14.01~~14.01~~
Laguna Hills	20.73~~20.73~~
Laguna Niguel	35.94~~35.94~~
Laguna Woods	5.77~~5.77~~
Lake Forest	38.03~~37.47~~
Los Alamitos	6.44~~6.44~~
Mission Viejo	~~43.77~~43.77
Newport Beach	~~48.92~~48.92
Orange	85.03~~85.24~~
Placentia	25.01~~25.01~~
Rancho Santa Margarita	18.20~~18.20~~
San Clemente	25.57~~25.57~~
San Juan Capistrano	18.88~~18.55~~
Santa Ana	100.15~~100.21~~
Seal Beach	12.24~~12.24~~
Stanton	9.48~~9.48~~
Tustin	41.71~~41.28~~
Villa Park	3.49~~3.49~~
Westminster	35.75~~35.75~~
Yorba Linda	32.67~~32.67~~
	~~1,406.35~~1,412.27

[2] Laguna Beach credited with State Highway mileage by agreement of the TAC.

2.3 Congestion Management Program (CMP)

With the passage of Proposition 111 Gas Tax increase in June 1990, urbanized areas of California were required to adopt a CMP. OCTA was designated as the County's Congestion Management Agency (CMA), and as such, is responsible for the development, monitoring, and biennial updating of Orange County's CMP. Orange County's CMP is a countywide program established in 1992 to support regional mobility and air quality objectives by reducing traffic congestion, providing a mechanism for coordinating land use and development decisions that support the regional economy, and determining gas tax eligibility. ~~through the effective use of transportation funds, coordinated land use, and development planning practices.~~ Required elements of the County's CMP include traffic level of service (LOS) standards, performance measures, travel demand assessment methods and strategies, land use analysis programs, and Capital Improvement Programs.

~~The goals of Orange County's CMP are to support regional mobility and air quality objectives by reducing traffic congestion, providing a mechanism for coordinating land use and development decisions that support the regional economy, and determining gas tax eligibility.~~ Each jurisdiction must comply with the following conditions and requirements of the Orange County CMP pursuant to the provisions of Government Code Section 65089 to be considered eligible for both gas tax revenues and M2 funding:

- Level of Service – Highways and roadways designated by OCTA must operate at an established LOS of no less then LOS "E" (unless the LOS from the baseline CMP dataset was lower).
- Deficiency Plans – Any CMP intersections that do not comply with the LOS standards must have a deficiency plan prepared by the responsible local jurisdiction that identifies the cause and necessary improvements for meeting LOS standards (certain exceptions apply).
- Land Use Analysis – Jurisdictions must analyze the impacts of land use decisions on the transportation system, using a designated methodology, consistent with the CMP Traffic Impact Analysis guidelines. The analysis must also include estimated cost to mitigate associated impacts.
- Modeling and Data Consistency – A jurisdiction utilizing a local area model for traffic impact analysis must conform to the Orange County Sub-Area Modeling guidelines, prepared by OCTA.
- CIP – Jurisdictions must submit an adopted seven-year CIP that includes projects to maintain or improve the LOS on CMP facilities or adjacent facilities.

Submittal Frequency: Odd years ~~—~~ Next submittal is due by June 30~~28~~, 202~~1~~19.

City Council/Board of Supervisors approval: Not Required

Verification Method: The CMP checklist, as shown in Appendix C, must be submitted to demonstrate compliance with CMP requirements. If a deficient intersection is identified, the jurisdiction must include a project in their CIP to address the issue or develop a deficiency plan. OCTA will use the M2 CIP prepared by each local jurisdiction as the default CMP CIP rather than require a separate submittal. Projects intended to address CMP deficiencies should be clearly identified in the project description within the CIP. Appendix C is available for download at https://www.octa.net/OCGo~~M2~~Eligibility.

2.4 Expenditure Report

The ~~expenditure report~~Expenditure Report is a detailed financial report that tracks financial activity for M2 and other improvement revenue sources. Each jurisdiction must adopt an annual Expenditure Report to account for M2 funds, developer/traffic impact fees, and funds expended by the jurisdiction that satisfy the MOE requirements. This report is used to validate eligible uses of funds and to report actual MOE expenditures.

- Report required within six months of jurisdiction's end of fiscal year.
- Report to include all Net Revenue, fund balances, and interest earned. If interest earnings are negative, an explanation should be included to explain why.
- Reported expenditures shall be identified by activity type (i.e. construction, maintenance/operations, indirect and/or overhead) and funding source for each M2 program and/or project.

Submittal Frequency: Annual ~~- within~~ Within 6 months of the end of the fiscal year. The deadline is December 31~~ for jurisdictions following a state fiscal year (July-June).~~.

City Council/Board of Supervisors approval: Required (Appendix G)

Verification Method: The ~~expenditure report~~Expenditure Report signed by the jurisdiction's Finance Director and City C~~c~~ouncil/Board of Supervisors resolution attesting to the adoption is required. The Expenditure Report is self-certified by the jurisdiction and OCTA's review is to check for consistency with M2 disbursements only. Further, OCTA's receipt of the Expenditure Report does not constitute or confirm OCTA's acceptance or approval of reporting in the Expenditure Report itself, which is ultimately subject to audit review. The ~~expenditure report~~Expenditure Report template, instructions, and resolution are provided in Appendix G. Appendix G is available for download at https://www.octa.net/OCGo~~M2~~Eligibility.

2.5 Local Signal Synchronization Plan (LSSP)

The LSSP[3] is a three-year plan identifying traffic signal synchronization, street routes and traffic signals to be improved in eligible jurisdictions. The LSSP shall be consistent with the Regional Traffic Signal Synchronization Master Plan (RTSSMP). The LSSP will outline the costs associated with the identified improvements, funding and phasing of capital, and the operations and maintenance of the street routes and traffic signals. Inter-jurisdictional planning of traffic signal synchronization is also a component of the LSSP. Local jurisdictions must update LSSPs every three years and include a performance assessment which compares the information in the current report to prior cycle activities.

Submittal Frequency: Every 3 years - Next LSSP update submittal is due by June 30, 2020.

City Council/Board of Supervisors approval: Required

Verification Method: Local jurisdictions must ensure that their LSSP is in conformance with the RTSSMP. LSSPs must be updated and adopted every three years starting June 30, 2014. At a minimum, a Public Works Director must sign the LSSP Consistency Review Checklist. A separate document prepared by OCTA, "Guidelines for the Preparation of Local Signal Synchronization Plans," provides additional detail for agency submittal and is available for download at https://www.octa.net/OCGo~~M2~~Eligibility.

[3] A local match reduction of ten percent (10%) is provided for competitive grant applications submitted through the Regional Capacity Program (Project O) if the local jurisdiction has adopted a LSSP consistent with the RTSSMP.

2.6 Maintenance of Effort (MOE)

The MOE Certification is a financial reporting document, which provides annual certification of planned/budgeted maintenance, construction and indirect/other transportation related expenditures and the comparison to the annual MOE Benchmark Requirements for the fiscal year. Each jurisdiction must provide annual certification to OCTA that ~~the~~ it will meet MOE requirements of Section 6 of the Ordinance ~~have been satisfied~~. MOE applies to street and road transportation-related discretionary expenditures using General Funds or other non-transportation discretionary funds by local agencies ~~for street and road expenditures~~. Eligible expenditures are outlined in the State Controller's "Guidelines Relating to Gas Tax Expenditures for Cities and Counties", consistent with Article XIX of the State Constitution, and are subject to audit.

MOE Certification Process

M2 funds may be used to supplement, not replace, existing local revenues being used for transportation improvements and programs. A local jurisdiction cannot redirect discretionary funding such as general fund currently being used for transportation purposes to other uses and replace the redirected funds with M2 revenues.

Each jurisdiction is required to maintain a minimum level of local streets and roads expenditures to conform to the MOE requirement. The original minimum level of expenditures was based upon an average of General Fund expenditures for local street maintenance and construction over the period from Fiscal Year 1985-86 through Fiscal Year 1989-90. The expenditure information was obtained from the Orange County Transportation Commission's (OCTC's) Annual Report data collection sheets. The established benchmark was reported in constant dollars and was not adjusted for inflation. Annexation of land into an existing jurisdiction does not affect the MOE.

Per the Ordinance, the MOE benchmark must be adjusted in 2014 and every three years thereafter based upon Caltrans' Construction Cost Index (CCI) for the preceding three ~~years~~calendar years. The CCI-based adjustment cannot exceed growth rate in General Fund revenues during the update period. The current MOE benchmark is reflected in Exhibit 2. The next MOE benchmark adjustment will be effective July 1, 2023~~0~~.

Submittal Frequency: Annual - Next MOE submittal is due June 30~~28~~, 2020~~19~~.

City Council/Board of Supervisors approval: Not Required

Verification Method: An MOE ~~reporting~~ Certification form must be completed, signed by the jurisdiction's finance director and submitted on an annual basis. The form is included in the Eligibility Guidelines as Appendix I and is available for download at https://www.octa.net/OCGo~~M2~~Eligibility.

In addition, excerpts from the jurisdiction's annual budget showing referenced MOE expenditures and dedication of ~~General F~~funds should be included in the annual submittal to substantiate planned relevant discretionary fund ~~(General Funds)~~ expenditures, such as General Funds. MOE expenditures should be budgeted carefully, with clear focus upon benefits to local streets and roads, which can withstand periodic expenditure audit processes. Jurisdictions are encouraged to submit MOE eligible expenditures higher than their MOE benchmark, so that should certain expenses be ruled ineligible during an MOE audit, the local jurisdiction still has sufficient MOE expenditures to demonstrate continued achievement of the MOE benchmark.

Any California State Constitution Article XIX street and road eligible expenditure may be "counted" in a local jurisdiction's annual calculation of MOE if the activity is supported (funded) by a local jurisdiction's discretionary funds (e.g. General Fund). This is ~~the same definition used~~similar to how

MOE is defined ~~for Gas Tax expenditures~~in the Gas Tax Guidelines related to the use of Road Maintenance and Rehabilitation Program funds. The California State Controller also provides useful information on Article XIX and Streets and Highways Code eligible expenditures. These guidelines do not replace statutory or legal authority, but explain the general information found in California Constitution Article XIX and the Streets and Highways Code. Additional expenditures ~~for which the jurisdiction can demonstrate that the funds were~~ spent in support of streets and roads may also be eligible for MOE~~, but would need to withstand audit scrutiny~~subject to providing acceptable justification.

It is the local jurisdiction's responsibility to ensure that the expenditures are eligible street and road expenditures that are budgeted and certified through the MOE certification. OCTA's review and receipt of the MOE Certification form does not constitute or confirm OCTA's acceptance or approval of the MOE Certification form.

Exhibit 2: MOE Benchmark by Local Jurisdiction

Local Jurisdiction	MOE Benchmark
Aliso Viejo	$ 538,604 ~~$ 462,004~~
Anaheim	$ 11,725,957 ~~$ 10,058,292~~
Brea	$ 838,243 ~~$ 719,028~~
Buena Park	$ 4,206,464 ~~$ 3,743,072~~
Costa Mesa	$ 8,607,340 ~~$ 7,383,205~~
Cypress	$ 3,607,878 ~~$ 3,117,765~~
Dana Point	$ 1,510,094 ~~$ 1,313,011~~
Fountain Valley	$ 1,564,638 ~~$ 1,342,115~~
Fullerton	$ 4,413,567 ~~$ 3,785,870~~
Garden Grove	$ 3,938,473 ~~$ 3,378,344~~
Huntington Beach	$ 5,921,206 ~~$ 5,607,203~~
Irvine	$ 8,001,915 ~~$ 7,050,145~~
La Habra	$ 1,737,300 ~~$ 1,529,313~~
La Palma	$ 201,688 ~~$ 173,004~~
Laguna Beach	$ 1,806,353 ~~$ 1,549,454~~
Laguna Hills	$ 331,579 ~~$ 310,467~~
Laguna Niguel	$ 908,566 ~~$ 908,566~~
Laguna Woods	$ 104,578 ~~$ 89,705~~
Lake Forest	$ 226,678 ~~$ 194,440~~
Los Alamitos	$ 182,250 ~~$ 162,506~~
Mission Viejo	$ 2,864,895 ~~$ 2,538,900~~
Newport Beach	$ 12,547,102 ~~$ 10,871,763~~
Orange	$ 3,392,885 ~~$ 2,917,858~~
Placentia	$ 770,006 ~~$ 660,496~~
Rancho Santa Margarita	$ 428,337 ~~$ 390,747~~
San Clemente	$ 1,316,842 ~~$ 1,135,209~~
San Juan Capistrano	$ 492,518 ~~$ 422,472~~
Santa Ana	$ 9,040,904 ~~$ 7,755,107~~
Seal Beach	$ 642,598 ~~$ 551,208~~
Stanton	$ 285,869 ~~$ 245,213~~
Tustin	$ 1,697,045 ~~$ 1,455,691~~
Villa Park	$ 360,429 ~~$ 321,697~~
Westminster	$ 1,805,546 ~~$ 1,548,761~~
Yorba Linda	$ 2,608,191 ~~$ 2,279,688~~
Annual Total Orange County	$ 98,626,539 ~~$ 85,972,319~~

2.7 Mitigation Fee Program (MFP)

The MFP is a locally established fee program, which assesses fees used to mitigate effects of new development on transportation infrastructure. Appropriate mitigation measures, including payment of fees, construction of improvements, or any combination thereof, will be determined through an established and documented process by each jurisdiction.

Each eligible jurisdiction must assess traffic impacts of new development and require new development to pay a fair share of necessary transportation improvements attributable to the new development. To ~~insure~~ensure eligibility, each jurisdiction must have a clearly defined mitigation fee program.

Submittal Frequency: Odd years - Next MFP submittal is due by June ~~30~~28, 2021~~19~~.[4]

City Council/Board of Supervisors approval: Required (Appendix E)

Verification Method: The eligibility submittal should include a copy of the nexus study improvement list, a current fee schedule or the process methodology, and the City Council/Board of Supervisors resolution approving the MFP. Where mitigation measures, including fair share contributions and construction of direct impact improvements are used in lieu of an AB1600 compliant Nexus Study fee program, each jurisdiction shall provide a council resolution adopting the mitigation policy.

At such time that a jurisdiction updates their mitigation program and/or nexus study, they must submit their updated program and revised fee schedule or process methodology for the following review cycle. In addition, ~~a~~an MFP resolution must be submitted biennially to reaffirm that council concurs with the existing MFP. It is the local jurisdiction's responsibility to ensure fee programs and mitigation measures are updated periodically and meet the infrastructure needs of their community.

2.8 No Supplanting of Developer Commitments

Eligible jurisdictions must ensure that M2 funding will not be used to supplant existing or future development funding commitments for transportation projects. Development must be required to continue paying their fair share for new transportation improvements that are necessary because of the new traffic their project(s) create.

- Development must continue to pay their fair share for needed infrastructure improvements and transportation projects
- Net revenues must not supplant development funding or contributions which have been previously committed to transportation projects through payment of fees in a defined program, fair share contribution, Community Facilities District (CFD) financing, or other dedicated contribution to a specific transportation improvement

Submittal Frequency: Annual - Next submittal is due by June 28, 2020~~19~~.

City Council/Board of Supervisors approval: Not Required

Verification Method: Each jurisdiction must document within the Eligibility Checklist (Appendix D) that there has been no supplanting of developer commitments for transportation projects as outlined in the Ordinance. Appendix D is available for download at https://www.octa.net/OCGo~~M2~~Eligibility.

[4] Jurisdictions must submit their updated program and revised fee schedule or process methodology when the jurisdiction updates their mitigation program and/or nexus study on an even year. Annual cost adjustments should be reported but do not constitute an "update" on the Eligibility Checklist (Appendix D).

2.9 Pavement Management Plan (PMP)

A PMP[5] is a plan to manage the preservation, rehabilitation, and maintenance of paved roads by analyzing pavement life cycles, assessing overall system performance costs, and determining alternative strategies and costs necessary to improve paved roads. MicroPaver or StreetSaver will be used for countywide consistency. The software must be consistent with ASTM Standard D6433-11.

Each jurisdiction must biennially adopt and update a PMP consistent with the specific requirements outlined in the Ordinance, and issue, using a common format (Appendix F) approved by OCTA, a report regarding the status of road pavement conditions and implementation of the PMP including, but not limited to, the following elements:

- The current status of pavement roads
- A seven-year plan for road maintenance and rehabilitation, including projects, funding, and unfunded backlog of pavement needs
- Projected pavement conditions resulting from improvements
- Alternative strategies and estimated costs to improve road pavement conditions

The Countywide PMP Guidelines have been prepared by OCTA to assist local jurisdictions with the PMP submittal. Local jurisdictions should refer to the guidelines for additional PMP submittal criteria. The Countywide PMP Guidelines can be downloaded from OCTA's Eligibility webpage: https://www.octa.net/OCGo~~M2~~Eligibility.

Submittal Frequency: ~~Biennial~~ Every two years ~~—~~ 14 local jurisdictions submit PMP updates in odd years (i.e. June 30~~28~~, 2021~~19~~) and 21 local jurisdictions submit PMP updates in even years (i.e. June 30, 2020). Refer to Exhibit 3 to determine the local jurisdiction's required PMP submittal schedule.

City Council/Board of Supervisors approval: Required (Appendix E)

Verification Method: To establish eligibility, each jurisdiction must complete and submit the adopted PMP Submittal Template (Appendix F). The adoption must be approved by the City Council/Board of Supervisors as a staff report recommendation or through a resolution. A sample resolution is provided in Appendix E. The PMP certification form included in the template must be signed by the Public Works Director or City Engineer. These appendices are available for download at https://www.octa.net/OCGo~~M2~~Eligibility.

The Executive Summary should include a brief overview of their PMP highlighting issues that have developed between review cycles and provide additional information regarding the projects funded through the program. At a minimum, the Executive Summary should include Pavement Condition Index (PCI) reports, Projected PCI, and Alternative Funding Levels.

[5] RCP includes an incentive for successful PMP implementation. A local match reduction of ten percent (10%) is provided for competitive grant applications submitted through the Regional Capacity Program (Project O) if the jurisdiction either has measurable improvement of paved road conditions during the previous reporting period as determined through the countywide pavement management rating standards, or has road pavement conditions during the previous reporting period which are within the highest twenty percent (20%) of the scale for road pavement conditions in conformance with the Ordinance, defined as a PCI of 75 or higher, otherwise defined as in "good condition".

Exhibit 3: Submittal Schedule for Periodic Components

Local Jurisdiction	Updated PMP	CMP	MPAH Consistency	MFP[6]	Project Final Reports	LSSP
Aliso Viejo	Even Year	Odd Years (Next submittal is due by June 3028, 20211~~9~~)	Odd Years (Next submittal is due by June 3028, 20211~~9~~)	Odd Years (Next submittal is due by June 3028, 20211~~9~~)	Within 6 months of project completion	Every 3 years (Next submittal is due June 30, 2020)
Anaheim	Odd Year					
Brea	Odd Year					
Buena Park	Even Year					
Costa Mesa	Even Year					
County of Orange	Odd Year					
Cypress	Odd Year					
Dana Point	Odd Year					
Fountain Valley	Even Year					
Fullerton	Even Year					
Garden Grove	Even Year					
Huntington Beach	Even Year					
Irvine	Odd Year					
La Habra	Odd Year					
La Palma	Even Year					
Laguna Beach	Even Year					
Laguna Hills	Even Year					
Laguna Niguel	Even Year					
Laguna Woods	Even Year					
Lake Forest	Odd Year					
Los Alamitos	Odd Year					
Mission Viejo	Even Year					
Newport Beach	Odd Year					
Orange	Even Year					
Placentia	Even Year					
Rancho Santa Margarita	Even Year					
San Clemente	Odd Year					
San Juan Capistrano	Odd Year					
Santa Ana	Even Year					
Seal Beach	Even Year					
Stanton	Odd Year					
Tustin	Odd Year					
Villa Park	Even Year					
Westminster	Even Year					
Yorba Linda	Even Year					

~~[6] Jurisdictions must submit their updated program and revised fee schedule or process methodology when the jurisdiction updates their mitigation program and/or nexus study regardless of allocated submittal schedule.~~

2.10 Project Final Report

Each jurisdiction must provide OCTA a Project Final Report within six months following completion of a project funded with Net Revenues. Final report formats follow the template used by the CTFP. The CTFP Guidelines define the term "project phase completion" as the date all final third-party contractor invoices have been paid and any pending litigation has been adjudicated either for the engineering phase or for the right-of-way 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 Ordinance.

City Council/Board of Supervisors approval: Not Required

Verification Method: To establish eligibility, a jurisdiction must submit a copy of the CTFP Project Final Report for each project utilizing Net Revenues. Each Final Report must be individually submitted to OCTA within six months of the completion of a project funded by Net Revenues, regardless of the eligibility review cycle. For the purposes of reporting non-project work (indirect and/or overhead, maintenance, repair, and other non-project related costs) funded by LFS funds, the annual Expenditure Report shall satisfy reporting requirements. If LFS funds are used for capital projects, the local jurisdiction shall also include a list of those funds and/or other M2 funds in the Project Final Report.

2.11 Time Limit for Use of Net Revenues

The timely expenditure of funds is a policy which must be adopted by each local jurisdiction to ensure Net Revenues are expended and accounted for within 3 years. The local jurisdiction must certify that the receipt and use of all M2 funds received will adhere to the time limits for use as outlined in the Ordinance.

Competitive Programs

- Jurisdictions must agree that Net Revenues for RCP projects and/or RTSSP projects shall be ~~expended or~~ encumbered by the end of the fiscal year for which Net Revenues are programmed. Agencies can request a delay through the Semi-Annual Review. Refer to the CTFP Guidelines for additional information regarding ~~expenditure~~ encumbrance deadlines and ~~extension~~ delay requests.
- Local agencies are generally required to expend funds within 36 months from the date of encumbrance for CTFP projects. Agencies can request timely use of funds extensions through the Semi-Annual Review. Refer to the CTFP Guidelines for additional information regarding expenditure deadlines and extension requests.

Local Fair Share (LFS)

- Net Revenues received by local jurisdictions through the LFS program shall be expended or encumbered within three years. An extension may be granted but is limited to a total of five years from the date of receipt of funds. OCTA uses the check date as the date of receipt of funds. Requests for extension must be submitted as part of the semi-annual review process prior to the end of the third year from the date of receipt of funds. Requests for extension must include a plan of expenditure.
- Expired funds including interest earned and related revenues must be returned to OCTA. These funds shall be returned for redistribution within the same source program.
- Use of LFS revenues for bonding (including debt service) shall be limited to 25% of the jurisdiction's annual LFS revenues. Bonding or loan must clearly support work that is

otherwise eligible for LFS funds. The Board may consider an exception to the percentage limitation policy on a case-by-case basis.

Interest Derived from Net Revenues

- Interest from any M2 competitive funding program and LFS must be held in separate accounts.
- Local M2 interest proceeds must be spent by the local jurisdiction on transportation activities consistent with LFS eligible transportation activities.
- Interest revenues must be expended within 3 years of receipt.
- Interest may be accumulated for substantive projects where necessary, with prior OCTA approval, provided that the account balance does not exceed aggregate LFS payments received in the preceding three (3) years of reporting period.
- All interest accumulated at the conclusion of M2 is to be expended within three years of the program sunset date (March 31, 2041).

Submittal Frequency: Annual~~.~~ ~~-~~ Next submittal is due by June 30~~28~~, 2020~~19~~.

City Council/Board of Supervisors approval: Required if an extension is requested.

Verification Method: Each jurisdiction must document within the Eligibility Checklist (Appendix D) confirmation that the jurisdiction complies with the timely use of Net Revenues throughout the year as outlined in the Ordinance. Net Revenue and Interest balances are reported on the annual Expenditure Report.

2.12 Traffic Forums

Traffic Forums are working group sessions that include local jurisdictions and OCTA. Traffic forums provide a venue for local jurisdictions to discuss general traffic and transportation issues, traffic circulation between participating jurisdictions, the coordination of specific projects, and the overall RTSSP. Each jurisdiction must participate in Traffic Forums on an annual basis to ensure eligibility.

Submittal Frequency: Annual~~.~~ ~~-~~ Next submittal is due by June 30~~28~~, 2020~~19~~.

City Council/Board of Supervisors approval: Not Required

Verification Method: Each jurisdiction must document within the Eligibility Checklist (Appendix D) evidence of its annual participation in a Traffic Forum.

2.13 Transit/Non-motorized Transportation in General Plan

As part of the eligible jurisdiction's land use section of the General Plan, the jurisdiction must consider land use planning strategies that accommodate transit and non-motorized transportation. Multi-modal options are vital to a comprehensive transportation network. General Plans should include policies and language that demonstrate a thoughtful approach toward land use planning that encourages and facilitates mobility options.

Submittal Frequency: Annual~~.~~ ~~-~~ Next submittal is due by June 30~~28~~, 202019~~19~~.

City Council/Board of Supervisors approval: Not Required

Verification Method: Each jurisdiction must document within the Eligibility Checklist (Appendix D) that it considers, as part of the land use section of the General Plan, land use planning strategies that accommodate transit and non-motorized transportation. A letter outlining the approach to land use planning strategies or policies that accommodate transit and non-motorized transportation should be provided with supporting General Plan excerpts. Policy summaries that directly tie land use planning to alternative modes are required.

These may include:

- Pedestrian friendly neighborhoods
- Transit Oriented Development (TOD)
- Transportation Demand Management (TDM) programs
- Mixed-use development

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Chapter 3 - Eligibility Determination

3.1 Submittal Review Process

The Eligibility submittal process has two distinct phases.

First Phase

In the first phase, local jurisdictions submit the eligibility checklist, CIP, MOE Certification and land use planning strategies considered in the General Plan on an annual basis. In addition, the PMP, CMP, MFP, and adoption of the Circulation Element for MPAH consistency are due on a biennial basis. The LSSP is due every three years. The periodic submittal schedule of the eligibility requirements is included in Exhibit 3. The applicable eligibility components for a given year must be submitted to OCTA by June 30 (except the ~~expenditure report~~Expenditure Report).

To assist in the initiation of the eligibility process, OCTA hosts eligibility workshops attended by local jurisdictions to prepare for the June 30 submittal~~s~~ date. The workshops outline any changes and provide instructions as to the requirements of the current fiscal year's eligibility. Eligibility package development begins for most local jurisdictions in April and concludes with submittal to OCTA by the June 30 deadline each year.

Second Phase

The second phase includes the submittal of the Expenditure Report, which is due six months following the end of the local jurisdiction's fiscal year per the Ordinance. All local jurisdictions must submit their ~~expenditure report~~Expenditure Reports annually by December 31. OCTA staff typically holds a workshop in July/August to go over the eligibility requirements for submitting an ~~expenditure report~~Expenditure Report that is compliant with the Ordinance. The OCTA Finance department reviews ~~expenditure report~~Expenditure Reports. However, OCTA receipt and review of Expenditure Reports does not constitute or confirm OCTA's acceptance or approval of the reporting provided in the Expenditure report itself, which is ultimately subject to audit review.

3.2 Approval Process

Annual eligibility determinations are based upon satisfactory submittal of the required documentation of eligibility outlined in the Ordinance and further described in Chapter 2 of these guidelines. OCTA and/or its representatives perform an administrative review of the data to determine eligibility compliance for M2 funds. Once all eligibility submittals have been received ~~as satisfactory and complete~~, the applicable submittals must be prepared for review and confirmation that the process has been followed by the Taxpayer Oversight Committee (TOC).

TOC

M2 established the TOC to provide an enhanced level of accountability for expenditure of Net Revenues under the Ordinance. The TOC is an independent citizens' committee established for overseeing compliance with the Ordinance and ensuring that safeguards are in place to protect the integrity of the overall program. TOC responsibilities include:

- Approval of any amendment to the Ordinance proposed by OCTA which changes the funding categories, programs or discrete projects identified for improvements in the Funding Plan.
- Receive and r~~R~~eview ~~of~~ select documentation establishing annual eligibility by ~~a~~ jurisdictions including ~~a jurisdiction's~~the CMP, MFP, Expenditure Report, LSSP, and PMP.
- Verification that the OCTA is proceeding in accordance with the M2 Plan and is meeting the performance standards outlined in the Ordinance.

The TOC designates the Annual Eligibility Review (AER) subcommittee to first receive and review ~~five of the thirteen~~the required eligibility ~~requirements~~ components ~~listed in the Ordinance, including~~. ~~The AER subcommittee reviews the CMP, MFP, Expenditure Report, LSSP, and PMP~~ for each local jurisdiction on an annual basis. The AER subcommittee confirms it has completed ~~the eligibility determination~~its eligibility process annually to the TOC.

In addition, OCTA staff will review items that do not directly require TOC ~~approval~~ review and confirm ~~compliance~~acceptance. After TOC and OCTA's review of all eligibility requirements, OCTA staff will prepare eligibility recommendations for the OCTA Board of Directors (Board). The OCTA Regional Planning and Highways Committee reviews the item prior to being considered by the full Board. The Board will make a final determination as to whether or not a local jurisdiction remains eligible for M2 funding on an annual basis.

Chapter 4 – Failure to Meet Eligibility Requirements

4.1 Non-Compliance Consequences

M2 extends a legacy of successful public funding investment in transportation throughout Orange County. The eligibility process includes a review of required compliance components to ensure that programs and funding guidelines are met as defined by Ordinance. The State Controller's "Guidelines Relating to Gas Tax Expenditures for Cities and Counties", provides useful information regarding the use of revenues for streets and roads purposes, consistent with Article XIX of the State Constitution. These guidelines are used by OCTA to determine eligibility for MOE expenditures. In addition, other non-Article XIX transportation expenditures may be eligible for certain M2 programs. Local agencies should contact OCTA's M2 Program Management Office for specific questions on eligible and ineligible expenditures.~~Article XIX of the California Constitution, provides guidance regarding the use of tax revenues for transportation purposes, and provides a useful definition of eligible transportation planning/implementation activities, especially with respect to meeting MOE eligibility requirements[7].~~

OCTA routinely conducts an audit of local jurisdictions' annual eligibility materials and financial records. Full cooperation is expected to complete the process in a timely manner. Failure to adhere to eligibility compliance components may result in Board action to suspend M2 funds until satisfactory compliance is achieved. For example, failure to meet MOE or other M2 requirements could result in suspension of all M2 formula and competitive grant payments and may prevent approval of awards until specific deficiencies are corrected.

The M2 Ordinance also includes provisions related to misspent M2 funds. For the purposes of this section, "misspent" means misappropriation of public funds, pursuant to state law. If the Board determines that a local jurisdiction has misspent M2 funds, then those funds must be fully re-paid, and the Board may deem that jurisdiction ineligible to receive M2 funds for a period of five (5) years.~~OCTA routinely conducts an audit of local jurisdictions' annual eligibility materials, and financial records, and LFS expenditures. Full cooperation is expected required in order to complete the process in a timely manner and not jeopardize potential M2 eligibility. A finding of non-compliance may be made if either of the following conditions exists and/or occur:~~

- ~~Use of M2 funding for non-transportation or non-eligible activities, or~~
- ~~Failure to meet eligibility requirements~~

~~If a determination is made that a local jurisdiction has misspent[8] M2 funds those funds must be fully repaid and the jurisdiction may be deemed ineligible to receive Net Revenues for a period of five (5) years. A finding of ineligibility is determined by the Board. Failure to adhere to eligibility compliance components may result in suspension of funds until satisfactory compliance is achieved.~~

4.2 ~~Appeals Process~~Board Process Related to Ineligibility

Eligibility review and determination is a multi-step process, which relies upon an objective review of information by OCTA staff. Actions related to ineligibility are made by the Board.~~with a final~~

~~[7] It should be noted that for the LFS program, the Article XIX definition has been expanded to include other transportation purposes generally to include in the following, so long as there is a continued direct nexus to the transportation system. OCTA staff is available to advise local agencies on the interpretation of whether or not an expenditure is eligible under the LFS program.~~
~~[8] Misspent shall be defined as the following: NEED DEFINITION from AUDIT/LEGAL~~

determination made by the Board. An appeal of findings may be presented to the Board as part of the required Board hearing to determine a local jurisdiction as ineligible.

4.3 Re-establishing MPAH Eligibility

If a Circulation Element is found to be inconsistent with the MPAH and a local jurisdiction is determined ineligible for M2 funds, the local jurisdiction may re-establish eligibility by requesting to undertake a cooperative study with OCTA. The study will be designed to do the following:

- Ascertain the regional transportation system needs
- Make provisions to meet those needs in the local jurisdiction's General Plan
- Re-establish consistency with the MPAH

Any changes to a local jurisdiction's General Plan or the MPAH shall be mutually acceptable to the jurisdiction and OCTA. Until such a study has been completed and an agreement reached on the proposed amendment, the jurisdiction shall be ineligible to apply for and/or receive M2 competitive funds.

THIS CHAPTER IS UNDER REVIEW BY STAFF AND RECOMMENDED CHANGES TO LANGUAGE WILL BE PROVIDED TO THE BOARD IN THE SUMMER OF 2019.

4.~~4~~ 3 For Additional Information

The Eligibility Guidelines have been developed to assist local jurisdictions located throughout Orange County to understand and continue to implement all eligibility requirements to receive M2 funding. The Guidelines provide general summary information regarding all eligibility requirements as well as a comprehensive summary of all responsibilities and actions for which a local jurisdiction must follow to continue their eligibility.

Please contact the following OCTA staff when seeking additional information or clarification regarding any of the Eligibility Guidelines:

Kelsey Imler
Associate Transportation Funding Analyst
(714) 560-5397
kimler@octa.net

Or

Joe Alcock
Section Manager
(714) 560-5372
JAlcock@octa.net

Appendices:

Appendix A: Ordinance

The Ordinance can be found on the Eligibility Website:
https://www.octa.net/OCGo~~M2~~Eligibility

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Appendix B: Eligibility for New Cities

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Eligibility for New Cities

Eligibility for Fair Share Funds - New Cities

At the time of incorporation, a new city may adopt current practices previously established by the County of Orange, which have already established eligibility under ~~the~~ current M2. As new cities mature, they will adopt their own general plan and growth strategies.

To provide for this transition period, the OCTA Board of Directors (Board) has previously adopted the following new city eligibility process for Fair Share funds:

- A new city may, at its discretion, adopt the approved PMP of the predecessor governing body as its own, providing these policies are fully enforced.
- Prior to incorporation, the proposed new city must work with OCTA and the Local Agency Formation Commission (LAFCO) to identify the variables used in the LFS funds calculation (population, taxable sales, and MPAH mileage). Preliminary data must be identified prior to the date of incorporation.
- The new city will begin accruing LFS funds as of the date of incorporation.
- OCTA will reserve the accrued funds for the new city, pending the determination of eligibility by the Board within one year of the date of incorporation.
- For the new city to receive the reserved accrued funds, OCTA must receive all necessary elements of the eligibility package, complete the necessary review and approval of the package, and the Board must determine the new city eligible to receive M2 funds within one year of the date of incorporation. OCTA recommends the city submit its eligibility package within six months of incorporation to allow sufficient time for OCTA review and approval processes.
- Upon determination of eligibility by the Board, the new city will receive its first LFS payment including the reserved accrued funds, on the first regular payment cycle following the eligibility determination.
- The first LFS payment will be adjusted to reflect final calculation (population, taxable sales, and MPAH miles) as determined through the new city eligibility process.
- In the event a new city is determined to be ineligible to receive LFS funds by the Board, the reserved accrued funds and interest on the funds, shall be distributed to the eligible local jurisdictions on a pro-rata basis, until such time that the new city attains eligibility.
- Such new city will begin to accrue funds as of the first day of the first regular accrual period following its determination of eligibility by the Board and receive its first LFS payment on the corresponding regular payment cycle.

Eligibility for Competitive Funds-New Cities

In addition to the new city eligibility process for LFS funds, the Board has adopted the following process for eligibility for competitive funds:

- A new city may apply for competitive funding upon the date of incorporation, however, may not be awarded competitive funding until the new city has been determined eligible to receive LFS funds by Board, as described above.
- A new city must include an adopted PMP that is consistent with countywide pavement condition assessment standards (Arterial Highway Rehabilitation Program), a General Plan Circulation Element consistent with the MPAH, and a City Council resolution attesting that no unilateral reduction in lanes have been made on any MPAH arterials in its eligibility package for review and approval by the Board.

- Applications for competitive funding by new cities will be considered until such time in the process of the competitive funding program that projects are ranked for award. If the new city has not been determined eligible by the Board by the time projects are ranked for award, any application by the new city for competitive funding will be withdrawn from further consideration. OCTA staff will work with the new city to revise the schedule specific to its time of incorporation in relation to the current competitive funding program process.

New Cities – MOE

M2 requires the development of a method to apply the MOE to new cities without five years of streets and roads data, including cities incorporated during the thirty years the tax is in effect. New cities unable to meet this requirement may use the appeals process to establish a benchmark number that more accurately reflects network needs. A phase-in period of two years has been established for new cities to achieve the approved MOE expenditure requirement.

The approved method uses the following formula to calculate the MOE for new cities:

$$\frac{\text{Total MOE benchmark for the county}}{\text{Total county population}} = \text{Per capita expenditure}$$

$$\text{Per capita expenditure} \times \text{city population} = \text{MOE benchmark for the city}$$

Appeals Process

New cities may appeal the formula benchmark determination above where there is a dispute regarding the city population. OCTA shall use the most recent Census or figures from the State of California Department of Finance. Appeals will be submitted first to the TAC and then to the Board for final determination.

Appendix C: Congestion Management Program Checklist

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APPENDIX C

Congestion Management Program (CMP)

Jurisdiction: _____

CMP Monitoring Checklist: Level of Service (LOS)				
CMP Checklist		YES	NO	N/A
1.	Check "Yes" if either of the following apply: • There are no CMP intersections in your jurisdiction. • Factoring out statutorily-exempt activities[1], all CMP intersections within your jurisdiction are operating at LOS E (or the baseline level, if worse than E) or better.	☐	☐	
NOTE: ONLY THOSE AGENCIES THAT CHECKED "NO" FOR QUESTION 1 NEED TO ANSWER THE REMAINING QUESTIONS.				
2.	If any, please list those intersections that are not operating at the CMP LOS standards. • _____ • _____ • _____			☐
3.	Will deficient intersections, if any, be improved by mitigation measures to be implemented in the next 18 months or improvements programmed in the first year of any recent funding program (i.e. local jurisdiction CIP, Measure M CIP)?	☐	☐	☐
	a. If not, has a deficiency plan been developed for each intersection that will be operating below the CMP LOS standards?	☐	☐	☐
Additional Comments:				

[1]The following activities are statutorily-exempt from deficiency determinations: interregional travel, traffic generated by the provision of low and very low income housing, construction rehabilitation or maintenance of facilities that impact the system, freeway ramp metering, traffic signal coordination by the state or multi-jurisdictional agencies, traffic generated by high-density residential development within 1/4 mile of a fixed-rail passenger station, traffic generated by mixed-use residential development within 1/4 mile of a fixed-rail passenger station.

CMP Monitoring Checklist: Deficiency Plans				
CMP Checklist		YES	NO	N/A
1.	Check "Yes" if either of the following apply: • There are no CMP intersections in your jurisdiction. • Factoring out statutorily-exempt activities[2], all CMP Highway System (CMPHS) intersections within your jurisdiction are operating at LOS E (or the baseline level, if worse than E) or better.	☐	☐	
NOTE: ONLY THOSE AGENCIES THAT CHECKED "NO" FOR QUESTION 1 NEED TO ANSWER THE REMAINING QUESTIONS.				
2	If any, please list those intersections that are not operating at the CMP LOS standards. • _____ • _____ • _____			☐
3.	Are there improvements to bring these intersections to the CMP LOS standard scheduled for completion during the next 18 months or programmed in the first year of the CIP?	☐	☐	☐
NOTE: ONLY THOSE AGENCIES THAT CHECKED "NO" FOR QUESTION 3 NEED TO ANSWER THE REMAINING QUESTIONS.				
4.	Has a deficiency plan or a schedule for preparing a deficiency plan been submitted to OCTA?	☐	☐	☐
5.	Does the deficiency plan fulfill the following statutory requirements? :			
	a. Include an analysis of the causes of the deficiency?	☐	☐	☐
	b. Include a list of improvements necessary to maintain minimum LOS standards on the CMPHS and the estimated costs of the improvements?	☐	☐	☐
	c. Include a list of improvements, programs, or actions and estimates of their costs, which will improve LOS on the CMPHS and improve air quality?	☐	☐	☐
	i. Do the improvements, programs, or actions meet the criteria established by South Coast Air Quality Management District (SCAQMD) (see the CMP Preparation Manual)?	☐	☐	☐

[2]The following activities are statutorily-exempt from deficiency determinations: interregional travel, traffic generated by the provision of low and very low income housing, construction rehabilitation or maintenance of facilities that impact the system, freeway ramp metering, traffic signal coordination by the state or multi-jurisdictional agencies, traffic generated by high-density residential development within 1/4 mile of a fixed-rail passenger station, traffic generated by mixed-use residential development within 1/4 mile of a fixed-rail passenger station.

CMP Monitoring Checklist: Deficiency Plans (cont.)				
CMP Checklist		**YES**	**NO**	**N/A**
6.	Are the capital improvements identified in the deficiency plan programmed in your seven-year CIP?	☐	☐	☐
7.	Does the deficiency plan include a monitoring program that will ensure its implementation?	☐	☐	☐
8.	Does the deficiency plan include a process to allow some level of development to proceed pending correction of the deficiency?	☐	☐	☐
9.	Has necessary inter-jurisdictional coordination occurred?	☐	☐	☐
10.	Please describe any innovative programs, if any, included in the deficiency plan:			☐
Additional Comments:				

CMP Monitoring Checklist: Land Use Coordination				
CMP Checklist		**YES**	**NO**	**N/A**
1.	Have you maintained the CMP traffic impact analysis (TIA) process you selected for the previous CMP?	☐	☐	
	a. If not, have you submitted the revised TIA approach and methodology to OCTA for review and approval?	☐	☐	☐
2.	Did any development projects require a CMP TIA during this CMP cycle?[3]	☐	☐	
NOTE: ONLY THOSE AGENCIES THAT CHECKED "YES" FOR QUESTION 2 NEED TO ANSWER THE REMAINING QUESTIONS.				
3.	If so, how many?		_____	
4.	Please list any CMPHS links & intersections that were projected to not meet the CMP LOS standards (indicate whether any are outside of your jurisdiction). • _____ • _____ • _____			☐
	a. Were mitigation measures and costs identified for each and included in your seven-year CIP?	☐	☐	☐
	b. If any impacted links & intersections were outside your jurisdiction, did your jurisdiction coordinate with other jurisdictions to develop a mitigation strategy?	☐	☐	☐
5.	If a local traffic model was/will be used, did you follow the data and modeling consistency requirements as described in the CMP Preparation Manual (available online at http://www.octa.net/pdf/cmpprepmanual.pdf)?	☐	☐	☐
Additional Comments:				

[3]Exemptions include: any development generating less than 2,400 daily trips, any development generating less than 1,600 daily trips (if it directly accesses a CMP highway), final tract and parcel maps, issuance of building permits, issuance of certificate of use and occupancy, and minor modifications to approved developments where the location and intensity of project uses have been approved through previous and separate local government actions prior to January 1, 1992.

CMP Monitoring Checklist: Capital Improvement Program (CIP)				
CMP Checklist		**YES**	**NO**	**N/A**
1.	Did you submit a seven-year CIP to OCTA by June 30?	☐	☐	☐
2.	Does the CIP include projects to maintain or improve the performance of the CMPHS (including capacity expansion, safety, maintenance, and rehabilitation)?	☐	☐	☐
3.	Is it consistent with air quality mitigation measures for transportation- related vehicle emissions?	☐	☐	☐
4.	Was the Web Smart CIP provided by the OCTA used to prepare the CIP?	☐	☐	☐
Additional Comments:				

I certify that the information contained in this checklist is true.

Signature: _____ Title: _____

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Appendix D: Eligibility Checklist

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APPENDIX D
Eligibility Checklist

Jurisdiction:	

Capital Improvement Program (CIP)		**YES**	**NO**
1.	Did you submit your draft or adopted Measure M2 (M2) seven-year CIP to OCTA by June 30?	☐	☐
	a. Did you utilize the required OCTA CIP database?	☐	☐
	b. Have you included projects required to demonstrate compliance with signal synchronization, pavement maintenance and environmental clean-up commitments?	☐	☐
	c. Are there any non-transportation related projects included in your M2 CIP?	☐	☐
	d. Did you include all projects that are partially, fully, or potentially funded by M2 Net Revenues?	☐	☐
	e. The City Council/Board of Supervisors approval date* to adopt the final 7-Year CIP is: _____ *Must be prior to July 31		
Maintenance of Effort (MOE)		**YES**	**NO**
2.	Did you submit the MOE certification form (Appendix I) to OCTA by June 30?	☐	☐
	a. Did you provide supporting budget documentation?	☐	☐
	b. Has the MOE Reporting form been signed by the Finance Director or appropriate designee?	☐	☐
Pavement Management ~~Program~~ Plan (PMP)		**YES**	**~~N/A~~NO**
3.	Are you required to submit a PMP update to OCTA for this eligibility cycle? ~~If you are not required to submit a PMP update, check N/A.~~ Refer to Exhibit 3 for PMP submittal schedule.	☐	☐
	a. If yes, did you use the current PMP Submittal Template (Appendix F)?	☐	☐
	b. If yes, is the adopted PMP consistent with the OCTA Countywide Pavement Management ~~Program~~Plan?	☐	☐
4.	If you answered "no~~N/A~~" to question 3, did you submit a PMP Update to OCTA through the previous eligibility cycle by June 30?	☐	☐
~~Resolution of Master Plan of Arterial Highways (MPAH) Consistency~~		**~~YES~~**	**~~NO~~**
~~5.~~	~~Did you submit a resolution demonstrating consistency with the MPAH?~~	~~☐~~	~~☐~~
	~~a. Have you enclosed a figure representing your most current circulation element?~~	~~☐~~	~~☐~~
~~6.~~	~~If the requirement is not due as part of the current cycle, has there been an update to the circulation element since the last report period? If yes, include a copy of the latest circulation element.~~	~~☐~~	~~☐~~
Local Signal Synchronization Plan (LSSP)		**YES**	**~~N/A~~NO**
7.	Did you adopt and submit an update to the LSSP as part of the current cycle?	☐	☐
	a. Is your LSSP consistent with the Regional Traffic Signal Synchronization Master Plan?	☐	☐

APPENDIX D
Eligibility Checklist

Time Limits for Use of Net Revenues		**YES**	**NO**
8.	Has your jurisdiction complied with the three-year time limit for the use of Net Revenues over the last year per the requirements outlined in the Ordinance?	☐	☐
	a. If no, has a time extension been requested through the semi-annual review process for funds subject to expiration?	☐	☐
Supplanting of Developer Commitments		**YES**	**NO**
9.	Has your jurisdiction ensured they have not supplanted developer commitments for transportation projects and funding with M2 funds?	☐	☐
Mitigation Fee Program (MFP)		**YES**	**NO**
10.	Does your jurisdiction currently have a defined development impact MFP in place?	☐	☐
11.	Has an update to the MFP occurred since the last reporting period?	☐	☐
12.	If yes to 11, has your jurisdiction submitted a copy of the current MFP or City Council/Board of Supervisors approved policy?	☐	☐
	a. Have you included a copy of your current impact fee schedule; or	☐	☐
	b. Have you provided OCTA with a copy of your mitigation fee nexus study; or	☐	☐
	c. Have you provided OCTA with a copy of your City Council/Board of Supervisors resolution approving the MFP?	☐	☐
Planning Strategies		**YES**	**NO**
13.	Does your jurisdiction consider as part of its General Plan, land use planning strategies that accommodate transit and non-motorized transportation?	☐	☐
14.	Have you provided a letter identifying land use planning strategies that accommodate transit and non-motorized transportation consideration in the General Plan?	☐	☐
Traffic Forums		**YES**	**NO**
15.	Did representatives of your jurisdiction participate in the regional traffic forum(s)?	☐	☐
	a. If you answered yes, provide dates of attendance: _____		
~~**Congestion Management Program (CMP)**~~		~~**YES**~~	~~**NO**~~
~~16.~~	~~Has your jurisdiction completed the required CMP checklist? (Appendix C)~~	☐	☐

Name (Print) _____ Signature _____ Date _____

Appendix E: ~~Sample~~ Resolutions

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[SAMPLE RESOLUTION FOR MPAH CIRCULATION ELEMENT CONSISTENCY AND MITIGATION FEE PROGRAMS]

A RESOLUTION OF THE CITY COUNCIL/BOARD OF SUPERVISORS OF THE CITY/COUNTY OF _____ _____ CONCERNING THE STATUS AND UPDATE OF THE CIRCULATION ELEMENT, AND MITIGATION FEE PROGRAM FOR THE MEASURE M (M2) PROGRAM

WHEREAS, the City/County of _____ desires to maintain and improve the streets within its jurisdiction, including those arterials contained in the Master Plan of Arterial Highways (MPAH) and

WHEREAS, the City/County of _____ had endorsed a definition of and process for, determining consistency of the City's/County's Traffic Circulation Plan with the MPAH, and

WHEREAS, the City/County has adopted a General Plan Circulation Element which does not preclude implementation of the MPAH within its jurisdiction, and

WHEREAS, the City/County is required to adopt a resolution biennially informing the Orange County Transportation Authority (OCTA) that the City/County's Circulation Element is in conformance with the MPAH and whether any changes to any arterial highways of said Circulation Element have been adopted by the City/County during Fiscal Years (FY) 2017-18 and FY 2018-19, and

WHEREAS, the City/County is required to send biennially to the OCTA all recommended changes to the City/County Circulation Element and the MPAH for the purposes of re-qualifying for participation in the Comprehensive Transportation Funding Programs;

WHEREAS, the City/County is required to adopt a resolution biennially certifying that the City/County has an existing Mitigation Fee Program that assesses traffic impacts of new development and requires new development to pay a fair share of necessary transportation improvements attributable to the new development; and

NOW, THEREFORE, BE IT RESOLVED that the City Council/Board of Supervisors for the City/County of _____, does hereby inform OCTA that:

a) The arterial highway portion of the City/County Circulation Element of the City/County is in conformance with the MPAH.

b) The City/County attests that no unilateral reduction in through lanes has been made on any MPAH arterials during FY 2017-18 and FY 2018-19.

c) The City/County reaffirms that Council concurs with the existing Mitigation Fee Program.

PASSED, APPROVED AND ADOPTED THIS [Insert Day] day of [Insert Month], [Insert Year].

[RESOLUTION FOR LOCAL SIGNAL SYNCHRONIZATION PLAN UPDATE]

A RESOLUTION OF THE CITY COUNCIL/BOARD OF SUPERVISORS OF THE CITY/COUNTY OF _____ CONCERNING THE UPDATE OF THE LOCAL SIGNAL SYNCHRONIZATION PLAN FOR THE MEASURE M (M2) PROGRAM.

WHEREAS, the Orange County Transportation Authority has developed the Regional Traffic Signal Synchronization Master Plan to identify traffic signal synchronization street routes and traffic signals within and across jurisdictional boundaries, and defines the means of implementing the Regional Traffic Signal Synchronization Program; and

WHEREAS, the Regional Traffic Signal Synchronization Program requires that local agencies adopt 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

WHEREAS, the Local Signal Synchronization Plan must be updated by June 30, 2020 to continue to be eligible to receive Net Revenues as part of Measure M2;

NOW, THEREFORE, BE IT RESOLVED that the City Council/Board of Supervisors for the City/County of _____, does hereby inform OCTA that:

a) The City/County adopts and maintains a Local Signal Synchronization Plan whichincludes goals that are consistent with those outlined as part of the Regional Signal Synchronization Master Plan, including signal synchronization across jurisdictions.

b) The Local Signal Synchronization Plan identifies traffic signal synchronization street routes, including all elements of the Regional Signal Synchronization Network located within the City/County.

c) The Local Signal Synchronization Plan includes the traffic signal inventory for all traffic signal synchronization street routes.

d) The Local Signal Synchronization Plan includes a three-year plan showing capital, operations, and maintenance of signal synchronization along the traffic signal synchronization street routes and traffic signals.

e) The Local Signal Synchronization Plan includes an update on the status and performance of traffic signal synchronization activities.

f) The Local Signal Synchronization Plan includes a discussion on the review and revision, as may be necessary, on the timing of traffic signals on the traffic signal synchronization street routes.

PASSED, APPROVED AND ADOPTED THIS [Insert Day] day of [Insert Month], [Insert Year].

[~~SAMPLE~~ RESOLUTION FOR PAVEMENT MANAGEMENT PLAN ADOPTION]

A RESOLUTION OF THE CITY COUNCIL/BOARD OF SUPERVISORS OF THE CITY/COUNTY OF _____ CONCERNING THE STATUS AND UPDATE OF THE PAVEMENT MANAGEMENT PLAN FOR THE MEASURE M2 (M2) PROGRAM

WHEREAS, the local jurisdiction is required to meet eligibility requirements and submit eligibility verification packages to Orange County Transportation Authority (OCTA) in order to remain eligible to receive M2 funds.

WHEREAS, the local jurisdiction is required to adopt and update a Pavement Management Plan (PMP), using the required format, regarding the status of road pavement conditions and implementation of the PMP on a biennial basis; and

WHEREAS, the local jurisdiction is required to provide a plan that manages the preservation, rehabilitation, and maintenance of paved roads by analyzing pavement life cycles, assessing overall system performance costs, and determining alternative strategies and costs necessary to improve paved roads.

NOW, THEREFORE, BE IT RESOLVED that the City Council/Board of Supervisors for the City/County of _____ does hereby inform OCTA that:

a) The PMP is in conformance with the PMP Submittal Template provided in the Countywide Pavement Management Plan Guidelines.

b) The City/County hereby adopts a PMP and has provided an updated PMP report, using the required format, to OCTA.

c) The Public Works Director, City Engineer or designee is authorized to sign the PMP certification form.

PASSED, APPROVED, AND ADOPTED THIS [Insert Day] day of [Insert Month], [Insert Year].

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Appendix F: PMP Submittal Template

Agency

Pavement Management Plan

Prepared by: [Author Name]
Submitted to OCTA: [Date]

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I. Pavement Management Plan Certification

The City/County of Type Here certifies that it has a Pavement Management Plan in conformance with the criteria stated in the Orange County Transportation Authority Ordinance No. 3. This ordinance requires that a Pavement Management Plan be in place and maintained to qualify for allocation of revenues generated from renewed Measure M2.

The plan was developed by Type here* using Type here, a pavement management system, conforming to American Society of Testing and Materials (ASTM) Standard D6433, and contains, at a minimum, the following elements:

- Inventory of MPAH and local routes reviewed and updated biennially. The last update of the inventory was completed on Month, Year for Arterial (MPAH) streets and Month, Month for local streets.
- Assessment of pavement condition for all routes in the system, updated biennially. The last field review of pavement condition was completed on Month, Year.
- Percentage of all sections of pavement needing:
  - Preventative Maintenance: Type here%
  - Rehabilitation: Type here%
  - Reconstruction: Type here%
- Budget needs for Preventative Maintenance, Rehabilitation, and/or Reconstruction of deficient sections of pavement for:
  - Current biennial period $Type here
  - Following biennial period $Type here
- Funds budgeted or available for Preventative Maintenance, Rehabilitation, and/or Reconstruction:
  - Current biennial period $Type here
  - Following biennial period $Type here
- Backlog by year of unfunded pavement rehabilitation, restoration, and reconstruction needs.
- The Pavement Management Plan is consistent with countywide pavement condition assessment standards as described in the OCTA Countywide Pavement Management Plan Guidelines adopted by the OCTA Board of Directors.

*An electronic copy of the Pavement Management Plan (with Micro Paver or StreetSaver compatible files) has been, or will be, submitted with the certification statement.

A copy of this certification is being provided to the Orange County Transportation Authority.

Submitted by:

Click here to enter text.	Click here to enter text.
Name (Print)	Jurisdiction
	Click here to enter a date.
Signed	Date
Click here to enter text.	
Title (Public Works Director and/or City Engineer)	

II. Executive Summary

Click here to enter text.

III. Background (Optional)

Click here to enter text.

IV. Current Pavement Conditions (PCI)

Current Network PCI	Current MPAH PCI	Current Local PCI
Click here to enter	Click here to enter	Click here to enter

V. Projected Pavement Conditions (PCI)

Should be by projected PCI by year under existing or expected funding levels for next seven fiscal years ("Today" is before June 30, 2020).

Fiscal Year	Current Funding	Entire Network PCI	MPAH	Local
Today	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2020-21~~2018-19~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2021-22~~2019-20~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2022-23~~2020-21~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2023-24~~2021-22~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2024-25~~2022-23~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2025-26~~2023-24~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2026-27~~2024-25~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter

VI. Alternative Funding Levels

Maintain Existing Average Network PCI

Fiscal Year	Maintain Funding	Entire Network PCI	MPAH	Local
Today	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2020-21~~2018-19~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2021-22~~2019-20~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2022-23~~2020-21~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2023-24~~2021-22~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2024-25~~2022-23~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2025-26~~2023-24~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2026-27~~2024-25~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter

Improve Average Network PCI

Fiscal Year	Current Funding	Entire Network PCI	MPAH	Local
Today	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2020-21~~2018-19~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2021-22~~2019-20~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2022-23~~2020-21~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2023-24~~2021-22~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2024-25~~2022-23~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2025-26~~2023-24~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2026-27~~2024-25~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter

VII. Current and Projected Backlog by Year of Pavement Maintenance Needs

Fiscal Year	Current Funding Backlog	Maintain PCI Backlog	Increase PCI Backlog
Current	Click here to enter	Click here to enter	Click here to enter
2020-21~~2018-19~~	Click here to enter	Click here to enter	Click here to enter
2021-22~~2019-20~~	Click here to enter	Click here to enter	Click here to enter
2022-23~~2020-21~~	Click here to enter	Click here to enter	Click here to enter
2023-24~~2021-22~~	Click here to enter	Click here to enter	Click here to enter
2024-25~~2022-23~~	Click here to enter	Click here to enter	Click here to enter
2025-26~~2023-24~~	Click here to enter	Click here to enter	Click here to enter
2026-27~~2024-25~~	Click here to enter	Click here to enter	Click here to enter

VIII. Centerline Mileage

Entire Pavement Network	MPAH	Local Roads
Click here to enter	Click here to enter	Click here to enter

IX. Percentage of Network in Each of Five Condition Categories Based on Centerline Miles

Condition Category	PCI Range	Network	Percent Area of Total Pavement	Area of Pavement (sf)	Percent Centerline Mileage of Network	Centerline Mileage of Network
Very Good	**86-100**	*MPAH*	Click here to enter%	Click here to enter	Click here to enter%	Click here to enter
		Local	Click here to enter%	Click here to enter		Click here to enter
Good	**75-85**	*MPAH*	Click here to enter%	Click here to enter	Click here to enter%	Click here to enter
		Local	Click here to enter%	Click here to enter		Click here to enter
Fair	**60-74**	*MPAH*	Click here to enter%	Click here to enter	Click here to enter%	Click here to enter
		Local	Click here to enter%	Click here to enter		Click here to enter
Poor	**41-59**	*MPAH*	Click here to enter%	Click here to enter	Click here to enter%	Click here to enter
		Local	Click here to enter%	Click here to enter		Click here to enter
Very Poor	**0-40**	*MPAH*	Click here to enter%	Click here to enter	Click here to enter%	Click here to enter
		Local	Click here to enter%	Click here to enter		Click here to enter

X. Reduction in Local Match

A local agency match reduction of 10% of the eligible cost for projects submitted for consideration of funding through the Comprehensive Transportation Funding Programs (CTFP) call for projects is available if the local agency either:

a. Shows 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 Master Plan of Arterial Highways (MPAH) or local street categories;

or

b. Have road pavement conditions during the previous reporting period, within the highest 20% 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 applicable, please use the space below to justify the local agency's eligibility for a reduction in Local Match based on the statement above.

Click here to enter text.

XI. Appendix A – Seven-Year Road Maintenance and Rehabilitation Plan Based on Current *or* Expected Funding Level

The seven-year plan for road maintenance and rehabilitation should be based on current and projected budget. Street sections selected for treatment should be identified here. Specific data to be submitted should follow the format below:

MPAH								
	Limits of Work							
Street Name	From	To	Length of Segment	Width of Segment	Pavement Area	Type of Treatment	Cost of Treatment	Year of Treatment

LOCAL								
	Limits of Work							
Street Name	From	To	Length of Segment	Width of Segment	Pavement Area	Type of Treatment	Cost of Treatment	Year of Treatment

Please attach the seven-year road maintenance and rehabilitation plan, following the above template, after this sheet. The plan should be labeled Appendix A.

XII. Appendix B – Complete Listing of Current Street Conditions

A complete listing of current pavement conditions should be included in this report. Specific data to be submitted should follow the format below:

MPAH						
Street Name	**From**	**To**	**Width of Segment**	**Area**	**Current PCI**	**Most Recent Inspection Date**

LOCAL						
Street Name	**From**	**To**	**Width of Segment**	**Area**	**Current PCI**	**Most Recent Inspection Date**

Please attach the complete street listing, following the above template, after this sheet. The pages should be labeled Appendix B.

XIII. Appendix C – Quality Assurance/Quality Control Plan

Introduction

When performing data collection in any field, the need for quality control is paramount as it is essential for accurate planning, analysis and design. This is particularly true for collecting pavement distress data for a pavement management system.

The Quality Assurance/Quality Control (QA/QC) Plan establishes minimum quality standards for performance and procedures for updates of the pavement management system.

If applicable, utilize the space below to include information on the agency's QA/QC policies:

Click here to enter text.

Objectives

This document constitutes a formal QA/QC Plan for the City/County. It was prepared on Select date and last revised on Select date.

Specifically, it is intended for the Year Applicable Pavement Management Plan Update. The focus is on the collection of network-level pavement distress data (defined by National Cooperative Highway Research Program (NCHRP) Synthesis 401 Quality Management of Pavement Data Collection, as "Network-level data collection involves collection of large quantities of pavement condition data, which is often converted to individual condition indices or aggregated into composite condition indices.")

This document also addresses the QA/QC plan requirements of the Orange County Transportation Authority (OCTA)'s "Countywide Pavement Management Plan Guidelines" (section 2.4), originally adopted in May 2010.

Structure of QA/QC Plan

The following components are addressed in this QA/QC Plan:

- Condition survey procedures used
- Accuracy required for data collection
- Inspector qualifications and experience
- Safety

Condition Survey Procedures

The governing document in performing condition surveys for the Enter agency nameis ASTM D6433 "Standard Practice for Roads and Parking Lots Pavement Condition Index (PCI) Surveys." Both asphalt concrete (AC) and Portland cement concrete (PCC) pavements are included in this protocol. The following distresses are collected for each pavement type.

Asphalt Concrete AC Pavements

1. Alligator (fatigue) cracking
2. Bleeding
3. Block cracking
4. Bumps and sags
5. Corrugation
6. Depression
7. Edge cracking
8. Joint reflection cracking
9. Lane/Shoulder drop off
10. Longitudinal & Transverse cracking
11. Patching and utility cut patching
12. Polished aggregate
13. Potholes
14. Railroad crossing
15. Rutting
16. Shoving
17. Slippage cracking
18. Swell
19. Weathering
20. Raveling

Portland Cement Concrete (Jointed)

1. Blowup/buckling
2. Corner breaks
3. Divided slab
4. Durability ("D") cracking
5. Faulting
6. Joint seal damage
7. Lane/shoulder drop off
8. Linear cracking
9. Patching (large) and utility cuts
10. Patching (small)
11. Polished aggregate
12. Popouts
13. Pumping
14. Punchout
15. Railroad crossing
16. Scaling, map cracking and crazing
17. Shrinkage cracks
18. Spalling (corner)
19. Spalling (joint)

Any exceptions to the above procedures are discussed before any surveys are performed. These are documented in the paragraphs below.

[Note to agency: these are usually related to distresses or situations that are not covered in the manuals. Examples include roller check marks or edge cracking on streets with no curbs and gutters. Others include the raveling of surface seals or the use of open-graded asphalt concrete mixes where the surface appears to have large voids present. Any modifications must be documented and included in this document. Photos are extremely helpful.]

All surveys are performed as Indicate type of surveys – walking, windshield, semi-automated etc. surveys, and a minimum 10% sampling rate is utilized. Field crews are typically composed of Click here to enter field crew information *(Typically a one-person crew on residential streets and some collectors, and up to two-person crews for major arterials, depending on traffic volumes and speeds. Edit as appropriate)*. The safety of field personnel is paramount in all instances.

The sample unit selected must be representative of the entire pavement section. This assumes that the section is homogenous; if it is not homogeneous, then the section must be split according to the criteria agreed upon by the agency. Typically, the criteria used are:

- Pavement condition
- Construction age, if known
- Maintenance history, if known
- Traffic volumes (or functional classification as a surrogate)
- Surface types (e.g. asphalt concrete or Portland cement concrete)
- Geometric elements (e.g. widths)

Any modifications to the section inventory data are documented in the pavement management report. A sample unit must be between 2,500 ± 1,000 square feet in conformance with ASTM D6433 protocols. Typical sample unit dimensions are 100 feet long by the width of the street. Streets that are wider than 40 feet wide will have shorter lengths (generally 50 feet) or if they are divided by a raised median, separate sample units will be taken in each direction.
Any pavement areas that are not representative of the section will be noted and surveyed as an additional sample unit.

Accuracy Required for Data Collection

The accuracy required for data collection has two components, both of which are further described in the following paragraphs.

- Re-inspections
- PCI comparisons with past surveys

Random and Systematic Re-Inspections

Random Re-inspections

Random re-inspections will include a representative selection across the following categories:

- Functional classes (i.e. MPAH, locals);
- Surface types (e.g. asphalt concrete or Portland cement concrete);
- Pavement conditions (e.g. good, fair, poor);
- Inspectors;
- Geographical areas, if applicable.

Systematic Re-inspections

For systematic re-inspections, this could be due to noticed trends such as specific treatment types (e.g. open-graded mixes), a specific inspector or geographical area. In such cases, more than 5% will be re-inspected.

Acceptability Criteria

At the time of re-inspection, the actual distresses will be re-inspected and verified, and any corrections made, if necessary. Distress types and severities must be the same and re-measured quantities within ±10% of the original measured quantity.

If corrections are required on more than 10% of the re-inspected sample unit, then an additional 5% will be re-inspected. This will continue until more than 95% of the re-inspected sections meet the acceptability criteria.

PCI Comparison with Past Surveys

As another level of quality control, the new PCIs are compared with the previous PCIs. If they differ by more than ±10 PCI points, these sections are automatically flagged for further investigation.

If PCI Increases 10 points

The section is investigated to see if a maintenance and rehabilitation event has occurred since the last survey, but has not been recorded. Typically, it may include activities such as:

- Crack sealing activities – changes medium or high severity cracking to low severity
- Patching activities – alligator cracking that has been removed and patched, so that the resultant PCI is increased.
- Surface seals
- Overlay
- Others

Therefore, an up to date maintenance and rehabilitation history file in the pavement management database is desirable, both for historical accuracy as well as to provide additional quality control.

If PCI decreases 10 points

The section is checked to see if the average deterioration rate (usually 3 to 4 points per year) is exceeded. If the drop in PCI is within range of what is acceptable, no further action is required. If the drop is more than the acceptable range, a re-inspection will be performed. The default performance curves in the pavement management software form the basis for what is acceptable.

Inspector's Qualifications and Experience

The Enter agency here inspectors have attended formal training on pavement condition distress surveys. This training was conducted prior to performing any work using the ASTM D6433 protocols, consistent with OCTA's requirements.

Inspector Name	Date of ASTM D6433 Training	Training Conducted By:
Click here to enter	Click here to enter	Click here to enter
Click here to enter	Click here to enter	Click here to enter

Resumes of the technicians utilized on this project are included as an attachment.

Safety Procedures

The Enter agency here administers a health and safety program in compliance with the Cal Occupational Safety and Health Administration (OSHA) Title VIII, Section 3203. The program is documented in Enter document name here.

Generally, the safety procedures include (Edit as applicable to agency):

- Inspectors to wear a Class 2 or 3 safety vest at all times;
- Flashing beacon on all vehicles utilized for surveys; and
- Stopped vehicles to be parked at locations away from moving traffic (e.g. nearby parking, shoulders, etc.).
- Enter safety protocol here.

On streets where there is a high volume of traffic or high speeds, additional measures may be necessary, such as:

- Surveys to occur during off-peak periods or on weekends;
- Additional inspector to watch out for traffic; and
- Traffic flaggers in extreme cases.

Attachment – Appendix C: Resumes of Field Inspectors

---End of QA/QC Plan---

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XIV. Appendix D – Pavement Management Data Files

The Pavement Management data files shall be submitted to OCTA in spreadsheet format. This must include the following information:

- Street name and limits for all public streets
- Street identifiers (Branch ID, Section ID)
- Direction (if applicable)
- Beginning and ending of each section
- Length, widths, and true areas
- Functional Classification (MPAH, Local)
- Number of travel lanes
- PCI and date of inspection
- Type of recommended treatment
- Cost of recommended treatment

The Pavement Management data files are attached here ~~as~~ on a CD/flash drive, or included as Appendix D.

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XV. Appendix E – GIS Maps – Current Conditions (Optional)

If included, attach and label Appendix E.

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Appendix G: M2 Expenditure Report Template, Instructions & Resolution

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Measure M2 Expenditure Report Template

Schedule 1: Summary Statement of Beginning and Ending Balances

Lines 1 – 12: Balances at Beginning of Fiscal Year

Report all fund balances and interest intended for transportation purposes at the beginning of the fiscal year. These balances should be classified by funding source as illustrated in the table below. To provide for continuity of reporting, the beginning balances of any restricted funds must agree with the ending balances of such funds as shown in the prior year's report.

Project	Description
A-M	Freeway ~~Environmental Mitigation~~Projects
O	Regional Capacity Program (RCP)
P	Regional Traffic Signal Synchronization Program (RTSSP)
Q	Local Fair Share
R	High Frequency Metrolink Service
S	Transit Extensions to Metrolink
T	Convert Metrolink Station(s) to Regional Gateways that connect Orange County with High-Speed Rail Systems
U	Senior Mobility Program or Senior Non-Emergency Medical Program
V	Community Based Transit/Circulators
W	Safe Transit Stops
X	Environmental Cleanup Program (Water Quality)
Other	Please provide description for other categories

Line 13: Balances at Beginning of Fiscal Year - TOTAL

Sum of Lines 1 – 12 in the "Amount" and "Interest" columns

Line 14: Monies Made Available During Fiscal Year

Report total available monies (revenues) from Schedule 2, Line 13 in the "Amount" and "Interest" columns

Line 15: Total Monies Available

Sum of Lines 13 - 14 in the "Amount" and "Interest" columns

Line 16: Expenditures During Fiscal Year

Report total available monies (revenues) from Schedule 2, Line 26 in the "Amount" and "Interest" columns

Lines 17 - 28: Balances at End of Fiscal Year

Report by funding source all fund balances and interest for transportation purposes at the end of the fiscal year. To provide for continuity of reporting, the beginning balances of the fund sources in next year's report must agree with the ending balances of such funds as shown in this year's report (or otherwise reconciled).

City/County of: _____ **Schedule 1**

M2 Expenditure Report
Fiscal Year Ended June 30, 20___
Beginning and Ending Balances

Description		Line No.	Amount	Interest
Balances at Beginning of Fiscal Year				
A-M	Freeway ~~Environmental Mitigation~~Projects	1		
O	Regional Capacity Program (RCP)	2		
P	Regional Traffic Signal Synchronization Program (RTSSP)	3		
Q	Local Fair Share	4		
R	High Frequency Metrolink Service	5		
S	Transit Extensions to Metrolink	6		
T	Convert Metrolink Station(s) to Regional Gateways that connect Orange County with High-Speed Rail Systems	7		
U	Senior Mobility Program or Senior Non-Emergency Medical Program	8		
V	Community Based Transit/Circulators	9		
W	Safe Transit Stops	10		
X	Environmental Cleanup Program (Water Quality)	11		
	Other*	12		
	Balances at Beginning of the Fiscal Year (Sum Lines 1 to 12)	13		
	Monies Made Available During Fiscal Year	14		
	Total Monies Available (Sum Lines 13 & 14)	15		
	Expenditures During Fiscal Year	16		
	Balances at End of Fiscal Year			
A-M	Freeway ~~Environmental Mitigation~~Projects	17		
O	Regional Capacity Program (RCP)	18		
P	Regional Traffic Signal Synchronization Program (RTSSP)	19		
Q	Local Fair Share	20		
R	High Frequency Metrolink Service	21		
S	Transit Extensions to Metrolink	22		
T	Convert Metrolink Station(s) to Regional Gateways that connect Orange County with High-Speed Rail Systems	23		
U	Senior Mobility Program or Senior Non-Emergency Medical Program	24		
V	Community Based Transit/Circulators	25		
W	Safe Transit Stops	26		
X	Environmental Cleanup Program (Water Quality)	27		
	Other*	28		

* Please provide a specific description

Measure M2 Expenditure Report

Schedule 2: Summary Statement of Sources and Uses

Lines 1 - 12: Report the Following Revenue Sources and Interest on the Appropriate Line

Project	Description
A-M	Freeway ~~Environmental Mitigation~~Projects
O	Regional Capacity Program (RCP)
P	Regional Traffic Signal Synchronization Program (RTSSP)
Q	Local Fair Share
R	High Frequency Metrolink Service
S	Transit Extensions to Metrolink
T	Convert Metrolink Station(s) to Regional Gateways that connect Orange County with High-Speed Rail Systems
U	Senior Mobility Program or Senior Non-Emergency Medical Program
V	Community Based Transit/Circulators
W	Safe Transit Stops
X	Environmental Cleanup Program (Water Quality)
Other	Please provide description for other categories

Line 13: Total Revenues

Sum of Lines 1 - 12 (should match Total in Schedule 1, Line 14 in the "Amount" and "Interest" columns)

Lines 14 - 25: Report the Following Expenditures on the Appropriate Line

Project	Description
A-M	Freeway ~~Environmental Mitigation~~Projects
O	Regional Capacity Program (RCP)
P	Regional Traffic Signal Synchronization Program (RTSSP)
Q	Local Fair Share
R	High Frequency Metrolink Service
S	Transit Extensions to Metrolink
T	Convert Metrolink Station(s) to Regional Gateways that connect Orange County with High-Speed Rail Systems
U	Senior Mobility Program or Senior Non-Emergency Medical Program
V	Community Based Transit/Circulators
W	Safe Transit Stops
X	Environmental Cleanup Program (Water Quality)
Other	Please provide description for other categories

Line 26: Total Expenditures

Sum of Lines 14 - 25 (Should match Total in Schedule 1, Line 16 in the "Amount" and "Interest" columns)

Line 27: Total Balance

Subtract Line 26 from Line 13 in the "Amount" and "Interest" columns

City/County of: _____ **Schedule 2**

M2 Expenditure Report
Fiscal Year Ended June 30, 20___
Sources and Uses

	Description	Line No.	Amount	Interest
	Revenues:			
A-M	Freeway ~~Environmental Mitigation~~Projects	1		
O	Regional Capacity Program (RCP)	2		
P	Regional Traffic Signal Synchronization Program (RTSSP)	3		
Q	Local Fair Share	4		
R	High Frequency Metrolink Service	5		
S	Transit Extensions to Metrolink	6		
T	Convert Metrolink Station(s) to Regional Gateways that connect Orange County with High-Speed Rail Systems	7		
U	Senior Mobility Program or Senior Non-Emergency Medical Program	8		
V	Community Based Transit/Circulators	9		
W	Safe Transit Stops	10		
X	Environmental Cleanup Program (Water Quality)	11		
	Other*	12		
	TOTAL REVENUES: (Sum Lines 1 to 12)	13	$	$
	Expenditures:			
A-M	Freeway ~~Environmental Mitigation~~Projects	14		
O	Regional Capacity Program	15		
P	Regional Traffic Signal Synchronization Program	16		
Q	Local Fair Share	17		
R	High Frequency Metrolink Service	18		
S	Transit Extensions to Metrolink	19		
T	Convert Metrolink Station(s) to Regional Gateways that connect Orange County with High-Speed Rail Systems	20		
U	Senior Mobility Program or Senior Non-Emergency Medical Program	21		
V	Community Based Transit/Circulators	22		
W	Safe Transit Stops	23		
X	Environmental Cleanup Program (Water Quality)	24		
	Other*	25		
	TOTAL EXPENDITURES: (Sum Lines 14 to 25)	26	$	$
	TOTAL BALANCE (Subtract line 26 from 13)	27	$	$

* Please provide a specific description

Measure M2 Expenditure Report Template Instructions

Schedule 3: Summary Statement of Detailed Use of Funds

Line 1: Indirect and/or Overhead

This line covers local agency costs that cannot be readily identified to a specific project. The costs listed in this line item represent an equitable share of expenditures for activities not directly allocated to right-of-way, construction, or other categories. Allocations must be based on a reasonable, documented methodology.

This includes, but is not limited to:

Payroll	General accounting/finance
Personnel	Departmental accounts/finance
Purchasing/Procurement	Facilities
Advertising	Data processing
Legal costs	Top management
General government	Bids

Lines 2 - 7: Construction

Construction expenditures include the following:

- Projects developing new streets, bridges, lighting facilities, storm drains, etc., in locations that formerly had no such facilities, or projects departing to such an extent from existing alignment and grade that no material salvage value is realized from the old facilities.
- Additions and betterments to the street system and its rights-of-way, including grade separations and urban extensions.
- Any work that materially increases the service life of the original project.
- Resurfacing to a thickness greater than one inch.
- Resurfacing to a thickness less than one inch if the project has been certified by a lead agency as construction.
- Construction of traffic islands and other traffic safety devices.
- Transit facilities including, but not limited to, bus stops, shelters, and maintenance facilities.
- Streetscape including original landscaping, tree planting, and similar work.
- Acquisition and installation of street lighting facilities, traffic signals, and/or street signs (only when such signs are installed in connection with developing new streets).
- Planning, environmental, or design related to construction.
- Salaries and expenses of employees in connection with construction (direct costs).

Line 8: Total Construction

Sum of Lines 2 - 7

Line 9: Right-of-Way Acquisition

Right-of-way expenditures include the following:

- The acquisition of land or interest for use as a right-of-way in connection with the city's street system; the amount reported should include the cost of acquisition of any improvements situated on the real property at the date of its acquisition by the city.
- The cost of removing, demolishing, moving, resetting, and altering buildings or other structures that obstruct the right-of-way.
- The court costs of condemnation proceedings.

- Title searches and reports.
- Salaries and expenses of employees and right-of-way agents in connection with the acquisition of rights-of-way (direct costs).
- Severance damage to property sustained due to the city's street projects.
- All other costs of acquiring rights-of-way free and clear of all physical obstructions and legal encumbrances.

Line 10: Total Construction and Right-of-Way

Sum of Lines 8-9

Line 11 - 15: Maintenance / Operations

Maintenance expenditures include the following:

- The preservation and keeping of rights-of-way, street structures, and facilities in the safe and usable condition, to which they have been improved or constructed, but not reconstruction or other improvements.
- General utility services such as roadside planting, tree trimming, street cleaning, snow removal, and general weed control.
- Repairs or other work necessitated by damage to street structures or facilities resulting from storms, slides, settlements, or other causes unless it has been determined by the city engineer that such work is properly classified as construction.
- Maintenance of traffic signal equipment, coordination and timing on the city streets, as well as the city's share of such expenditures covering traffic signals situated at intersections of city streets and state highways within the incorporated area of the city.
- Salaries and expenses of employees in connection with maintenance and/or operations (direct costs).

Line 16: Total Maintenance

Sum of Lines 11 - 15

Line 17: Other

Please provide description for other categories. For example: transit, Senior Mobility Program, water quality, transit operations such as vehicle leases and other related operating expenses, etc. This category is not applicable to the MOE column as MOE expenditures would fall into the categories listed above.

Line 18: Grand Totals

Sum of Lines 1, 10, 16, and 17

Line 19: Finance Director Confirmation

Finance Director initials to confirm understanding of MOE.

City/County of: _____ **Schedule 3**

M2 Expenditure Report
Fiscal Year Ended June 30, 20___
Streets and Roads Detailed Use of Funds

Type of Expenditure	Line Item	MOE[2]	Developer / Impact Fee+	O	O Interest	P	P Interest	Q	Q Interest	X	X Interest	Other M2[23]	Other M2 Interest	Other*	TOTAL
Indirect and/or Overhead	1														$
Construction & Right-of-Way															
New Street Construction	2														$
Street Reconstruction	3														$
Signals, Safety Devices, & Street Lights	4														$
Pedestrian Ways & Bike paths	5														$
Storm Drains	6														$
Storm Damage	7														$
Total Construction[1]	8														$
Right of Way Acquisition	9														$
Total Construction & Right-of-Way	10														$
Maintenance															
Patching	11														$
Overlay & Sealing	12														$
Street Lights & Traffic Signals	13														$
Storm Damage	14														$
Other Street Purpose Maintenance	15														$
Total Maintenance[1]	16														$
Other	17														$
GRAND TOTALS (Sum Lines 1, 10, 16, 17)	18	$	$	$	$	$	$	$	$	$	$	$	$	$	$
Finance Director Confirmation	19	Any California State Constitution Article XIX streets and road eligible expenditure may be "counted" in local jurisdictions' calculation of MOE if the activity is supported (funded) by a local jurisdictions' discretionary funds (e.g. general fund). The California State Controller also provides useful information on Article XIX and the Streets and Highways Code eligible expenditures in its "Guidelines Relating to Gas Tax Expenditures for Cities and Counties". I have reviewed and am aware of these guidelines and their applicability in calculating and reporting on Maintenance of Effort expenditures. Finance Director initial: _____													

[1] Includes direct charges for staff time

[3]2 Other M2 includes A-M, R, S, T, U, V, and W

+ Transportation related only

* Please provide a specific description

Measure M2 Expenditure Report Template Instructions

Schedule 4: Summary Statement of Local Fair Share Project List

List the project titles and brief description (maximum of two sentences) for all projects that utilized any portion of Measure M2 (M2) Local Fair Share funding. Please include the total amount of **M2 Local Fair Share** funds **only** that were expended.

City/County of: _____ **Schedule 4**

M2 Expenditure Report
Fiscal Year Ended June 30, 20___
Local Fair Share Project List

PROJECT NAME	AMOUNT EXPENDED

City/County of: _____ **Signature Page**

M2 Expenditure Report
Fiscal Year Ended June 30, 20___

I hereby certify that:

☐ All the information attached herein and included in schedules 1 through 4 is true and accurate to the best of my knowledge;

☐ ~~I certify that the~~The interest earned on Net Revenues allocated pursuant to the Ordinance shall be expended only for those purposes for which the Net Revenues were allocated~~; and all the information attached herein is true and accurate to the best of my knowledge:~~

☐ The City/County of _____ is aware of the State Controller's "Guidelines Relating to Gas Tax Expenditures for Cities and Counties", which is a guide for determining MOE Expenditures for M2 Eligibility purposes;

☐ The City/County's Expenditure Report is in compliance with direction provided in the State Controller's "Guidelines Relating to Gas Tax Expenditures for Cities and Counties;" and

☐ The City/County of has expended in this fiscal year an amount of local discretionary funds for streets and roads purposes at least equal to the level of its maintenance of effort requirement~~r~~

_____ _____
Director of Finance (Print Name) Date

_____
Signature

[EXPENDITURE REPORT RESOLUTION]

A RESOLUTION OF THE CITY COUNCIL/BOARD OF SUPERVISORS OF THE CITY/COUNTY OF _____ CONCERNING THE MEASURE M2 (M2) EXPENDITURE REPORT FOR THE CITY/COUNTY OF _____.

WHEREAS, local jurisdictions are required to meet eligibility requirements and submit eligibility verification packages to the Orange County Transportation Authority (OCTA) in order to remain eligible to receive M2 funds.; and

WHEREAS, local jurisdictions are required to adopt an annual M2 Expenditure Report as part of one of the eligibility requirements.; and

WHEREAS, local jurisdictions are required to account for Net Revenues, developer/traffic impact fees, and funds expended by the local jurisdiction in the M2 Expenditure Report that satisfy the Maintenance of Effort requirements; and

WHEREAS, the M2 Expenditure Report shall include all Net Revenue fund balances, interest earned and expenditures identified by type and program or project; and

WHEREAS, the M2 Expenditure Report must be adopted and submitted to the OCTA each year within six months of the end of the local jurisdiction's fiscal year to be eligible to receive Net Revenues as part of M2.

NOW, THEREFORE, BE IT RESOLVED that the City Council/Board of Supervisors for the City/County of _____ does hereby inform OCTA that:

a) The M2 Expenditure Report is in conformance with the template provided in the Measure M2 Eligibility Guidelines and accounts for Net Revenues including interest earned, expenditures during the fiscal year, and balances at the end of fiscal year.

b) The M2 Expenditure Report is hereby adopted by the City/County of _____.

c) The City/County of _____ Finance Director is hereby authorized to sign and submit the M2 Expenditure Report to OCTA for the fiscal year ending _____.

PASSED, APPROVED, AND ADOPTED THIS [Insert Day] day of [Insert Month], [Insert Year].

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Appendix H: Arterial Highway Mileage Change Report

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APPENDIX H

Arterial Highway Mileage Change Report

Jurisdiction:	Choose an item.

☐ **Check here if there are no changes to report**

Street Name	Date Added	Date Deleted	From	To	8-Lane Centerline Miles	6-Lane Centerline Miles	4-Lane Centerline Miles	Total Centerline Miles
				Subtotals:				

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Appendix I: Maintenance of Effort Reporting Form

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APPENDIX I

Maintenance of Effort (MOE) Reporting Form

Jurisdiction: _____

Type of GENERAL FUND Transportation Expenditures:
Please attach supporting budget documentation for each line item listed below.

MAINTENANCE	Total Expenditure
Subtotal Maintenance	**$**

CONSTRUCTION	Total Expenditure
Subtotal Construction	**$**

INDIRECT /OTHER	Total Expenditure
Subtotal Indirect /Other	**$**

Total General Fund Transportation Expenditures	**$**
(Less Total MOE Exclusions[1])	$
MOE Expenditures	$
MOE Benchmark Requirement	$
(Shortfall)/Surplus	$

Certification:
I hereby certify that:
☐ ~~T~~the City/County of _____ is aware of the State Controller's "Guidelines Relating to Gas Tax Expenditures for Cities and Counties", which is a guide for determining MOE Expenditures for M2 Eligibility purposes;
☐ The City/County of _____'s MOE Reporting Form is in compliance with direction provided in the State Controller's "Guidelines Relating to Gas Tax Expenditures for Cities and Counties;" and
☒~~☐~~ The City/County of _____ certifies that it has included in its budget for Fiscal Year 2020-21 an amount of local discretionary funds for streets and roads purposes consistent with Fiscal Year 2020-21 Maintenance of Efforts requirements. ~~has budgeted and will meet the Maintenance of Effort (MOE) requirement for Fiscal Year _____. 2020/21.~~

_____	_____	_____
Finance Director Signature	Finance Director (Print Name)	Date

[1]Funding sources include Measure M, federal, state, redevelopment, and bond financing.

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Appendix J: Acronyms

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APPENDIX J

Acronyms

Acronym	Description
AHRP	Arterial Highway Rehabilitation Program
CCI	Construction Cost Index
CFD	Community Facilities District
CIP	Capital Improvement Program
CMP	Congestion Management Program
CTFP	Comprehensive Transportation Funding Programs
ECP	Environmental Cleanup Program (Project X)
LAFCO	Local Agency Formation Commission
LOS	Level of Service
LSSP	Local Signal Synchronization Plan
MOE	Maintenance of Effort
MPAH	Master Plan of Arterial Highways
OCTA	Orange County Transportation Authority
OCTC	Orange County Transportation Commission
PCI	Pavement Condition Index
PMP	Pavement Management Plan
RCP	Regional Capacity Program (Project O)
RTSSMP	Regional Traffic Signal Synchronization Master Plan (Project P)
SCAQMD	South Coast Air Quality Management District
TAC	Technical Advisory Committee
TDM	Traffic Demand Management
TOC	Taxpayer Oversight Committee
TOD	Transit Oriented Development
TSC	Technical Steering Committee

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ATTACHMENT C

MOE Benchmark by Local Agency

Column	A	B	C	D
Agency	Current MOE Benchmark	MOE Adjustment*	Amount Increased (A * B)	New MOE Benchmark (A + C)
Aliso Viejo	$ 462,004	16.58%	$ 76,600	$ 538,604
Anaheim	$ 10,058,292	16.58%	$ 1,667,665	$ 11,725,957
Brea	$ 719,028	16.58%	$ 119,215	$ 838,243
Buena Park	$ 3,743,072	12.38%	$ 463,392	$ 4,206,464
Costa Mesa	$ 7,383,205	16.58%	$ 1,224,135	$ 8,607,340
County of Orange	$ -	0.00%	$ -	$ -
Cypress	$ 3,117,765	15.72%	$ 490,113	$ 3,607,878
Dana Point	$ 1,313,011	15.01%	$ 197,083	$ 1,510,094
Fountain Valley	$ 1,342,115	16.58%	$ 222,523	$ 1,564,638
Fullerton	$ 3,785,870	16.58%	$ 627,697	$ 4,413,567
Garden Grove	$ 3,378,344	16.58%	$ 560,129	$ 3,938,473
Huntington Beach	$ 5,607,203	5.60%	$ 314,003	$ 5,921,206
Irvine	$ 7,050,145	13.50%	$ 951,770	$ 8,001,915
La Habra	$ 1,529,313	13.60%	$ 207,987	$ 1,737,300
La Palma	$ 173,004	16.58%	$ 28,684	$ 201,688
Laguna Beach	$ 1,549,454	16.58%	$ 256,899	$ 1,806,353
Laguna Hills	$ 310,467	6.80%	$ 21,112	$ 331,579
Laguna Niguel	$ 908,566	0.00%	$ -	$ 908,566
Laguna Woods	$ 89,705	16.58%	$ 14,873	$ 104,578
Lake Forest	$ 194,440	16.58%	$ 32,238	$ 226,678
Los Alamitos	$ 162,506	12.15%	$ 19,744	$ 182,250
Mission Viejo	$ 2,538,900	12.84%	$ 325,995	$ 2,864,895
Newport Beach	$ 10,871,763	15.41%	$ 1,675,339	$ 12,547,102
Orange	$ 2,917,858	16.28%	$ 475,027	$ 3,392,885
Placentia	$ 660,496	16.58%	$ 109,510	$ 770,006
Rancho Santa Margarita	$ 390,747	9.62%	$ 37,590	$ 428,337
San Clemente	$ 1,135,209	16.00%	$ 181,633	$ 1,316,842
San Juan Capistrano	$ 422,472	16.58%	$ 70,046	$ 492,518
Santa Ana	$ 7,755,107	16.58%	$ 1,285,797	$ 9,040,904
Seal Beach	$ 551,208	16.58%	$ 91,390	$ 642,598
Stanton	$ 245,213	16.58%	$ 40,656	$ 285,869
Tustin	$ 1,455,691	16.58%	$ 241,354	$ 1,697,045
Villa Park**	$ 321,697	12.04%	$ 38,732	$ 360,429
Westminster	$ 1,548,761	16.58%	$ 256,785	$ 1,805,546
Yorba Linda	$ 2,279,688	14.41%	$ 328,503	$ 2,608,191

* The MOE benchmark adjustment is based on the percent change in CCI for the immediately preceding three-year period. The adjustment cannot exceed the percent change in the jurisdiction's GFR over the same period of time. If there is negative growth in the jurisdiction's GFR, the local agencies will have a zero percent MOE adjustment. The 2016 CCI is 140.75, and the 2019 CCI is 164.09. The CCI percent change is 16.58 percent.

** Final CAFR has not been adopted/released. The Trial Balance has been used to calculate the estimated benchmark. Adjustment may be required.

MOE - Maintenance of effort
FY - Fiscal year
CCI - Construction cost index
GFR - General fund revenue
CAFR - Comprehensive Annual Financial Report
N/A - Not Applicable



GUIDELINES FOR THE PREPARATION OF

LOCAL SIGNAL SYNCHRONIZATION PLANS

2020

ORANGE COUNTY TRANSPORTATION AUTHORITY

OCTA

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Chapter 1. Overview

On November 6, 1990, voters in Orange County approved a ½-cent sales tax for transportation improvements known as Measure M. This sales tax includes funding for streets and roads available to eligible local agencies through both a formula distribution and a competitive process. On November 6, 2006, voters approved Measure M2 to continue the ½-cent sales tax for thirty years, beginning in 2011. Project P, the Regional Traffic Signal Synchronization Program (RTSSP), was included as part of Measure M2.

The RTSSP is comprised of a 750-mile regional signal synchronization network with approximately 2,000 signals. The goals of the program are to improve the flow of traffic on Orange County streets and roads by implementing multi-agency signal synchronization. Local agencies and Caltrans are encouraged to work cooperatively with the Orange County Transportation Authority (OCTA) to synchronize traffic signals throughout Orange County on a corridor basis to improve travel time and reduce stops. Local agencies will maintain local control and responsibility for signals within their jurisdiction. Any changes to traffic signals, signal timing equipment, or related signal policies (including transit signal priority, transit preemption, or emergency vehicle preemption) are at the full discretion of the responsible local agency.

1.1. Measure M2 Eligibility Requirements

1.1.1. Local Signal Synchronization Plan Initial Adoption

Eligibility requirements included in Measure M2 specify that each local jurisdiction must adopt a local signal synchronization plan (LSSP). For eligibility purposes, each local jurisdiction initially adopted a LSSP in 2010 that included the following components:

- Signal synchronization goals
- Traffic signal synchronization street routes
- Traffic signal inventory
- Three-year capital, operations, and maintenance plan

1.1.2. Local Signal Synchronization Plan Update

Subsequent to the adoption of each 2010 LSSP, the local agencies must maintain and update their respective LSSP for the duration of Measure M2 to remain eligible for funding. In addition to refreshing the section 1.1.1 elements included in the adopted LSSP with current information, the update shall include information on the following:

- Review and revise signal timing, as may be necessary, along traffic signal synchronization street routes and traffic signals based on the signal synchronization assessment.
- Report on the status and performance of signal synchronization activities along the traffic signal synchronization street routes and traffic signals. Jurisdictions may use related efforts that are included as part of the RTSSP Master Plan (Appendix A) to the extent appropriate to fulfill this reporting requirement. In addition, performance results from Project P corridor projects completed since the last update may be included.

For eligibility purposes, this means that a local agency must update an adopted plan by June 30, 2017, concurrent with the annual eligibility cycle and every three years thereafter. For a plan update, city council adoption is required.

The following table outlines the LSSP eligibility requirements and completion dates for the first seven years of Measure M2. Additionally, the table identifies the fiscal years for which the eligibility requirement applies.

Local Signal Synchronization Plan Eligibility Requirement and Completion Date	Applicable Fiscal Years (FY)
Initial Adoption Completed: December 31, 2010	Part of FY 2010-11 as well as all of FY 2011-12 through FY 2013-14
3-Year Update Completed: June 30, 2014	FY 2014-15 through FY 2016-17
3-Year Update Completion Date: June 30, 2017	FY 2017-18 through FY 2019-20
3-Year Update Completion Date: June 30, 2020	FY 2020-21 through FY 2022-23

1.2. Local Match Reduction

By implementing, maintaining, and operating an LSSP in conformance with the RTSSP Master Plan, a local agency benefits through a local match reduction of 10 percent of eligible costs as part of the Regional Capacity Program (Project O) competitive grant program.

1.3. Purpose and Objectives of LSSP

LSSPs provide a tool to succinctly report local agency plans, goals and objectives regarding signal operations. Budgetary needs and system performance metrics are included to help communicate overall system operations and investment effectiveness. Submittal of these plans as part of the M2 Eligibility process enables OCTA verification of consistency with the RTSSP Master Plan.

This manual provides guidelines and procedures necessary for Orange County agencies to develop and maintain their LSSP in conformance with the criteria stated in the Measure M2 Ordinance No. 3. The guidelines outline the components of the LSSP and the required documents to fulfill the signal synchronization portion of the Measure M2 eligibility process, including a "Consistency Review Checklist" in Appendix B.

Chapter 2. Local Signal Synchronization Plan Guidelines

The LSSP guidelines are discussed under the following categories:

- Signal synchronization goals
- Traffic signal synchronization street routes
- Traffic signal inventory
- Three-year capital, operations, and maintenance plan
- Signal synchronization timing review, revision, and assessment

2.1. Signal Synchronization Goals

The Measure M2 RTSSP is envisioned as a multi-agency, corridor-based approach that optimizes the performance of traffic signals based on existing traffic patterns. The approach acknowledges local agency responsibility and control of signal timing, and works with those agencies to develop acceptable synchronization timing. Concurrence with these broad goals shall be provided. Information on how traffic signals and street routes may be coordinated across jurisdictional boundaries shall be described.

The LSSP should provide sufficient information to describe the role of existing and planned synchronized signals and coordinated corridors within the city ensuring an efficient and effective transportation circulation system. Supporting information including compatible traffic signal timing technical parameters and communication with other agencies may be included. Additional information including existing traffic patterns and time periods when synchronization is implemented (peak periods, midday, and weekends) may be expanded upon as necessary.

2.2. Traffic Signal Synchronization Street Routes

At minimum, all street routes included in the RTSSP located within the local agency boundaries must be identified by the LSSP, regardless of implementation status, ownership and operating responsibility. Reductions below that level will result in the LSSP being inconsistent with the RTSSP Master Plan and therefore not meet M2 eligibility requirements. Local agencies have the option to include additional streets not part of the Master Plan. This information will be useful for cities and OCTA to coordinate future projects with neighboring jurisdictions and aid in development of funding strategies. OCTA will provide maps with the Master Plan of Arterial Highways (MPAH) network identified for each local agency to facilitate this process.

2.3. Traffic Signal Inventory

Traffic signals that are part of the local agency signal synchronization routes identified in section 2.2 shall be inventoried in the LSSP, regardless of ownership and operating responsibility. The inventory is designed to help improve information flow to enhance signal coordination between agencies. Along with the signal inventory, cycle length information by time period shall be provided. Maintenance responsibility for shared signals should be indicated. Equipment status may be included to identify signals that meet current technology requirements, as well as those planned for upgrade and, as a result, are candidates for replacement when feasible.

2.4. Three-year Capital, Operations, and Maintenance Plan

Implementing, maintaining and updating signal synchronization includes initial and periodic capital equipment investment and periodic timing plan updates. The LSSP identifies specific goals, routes and equipment required to ensure network operability with maximum traffic management efficiency. A planning level budget estimate shall be presented reflecting expenditures required to fully implement near term (three year) and long-term (beyond three years) synchronization program. These scenarios should be presented without regard to available funds (unconstrained scenario).The 3-year budget estimate shall be provided by fiscal year and separated into capital, operations, and maintenance elements. This unconstrained scenario should be presented with candidate signal synchronization projects for planning purposes. These projects may be submitted as part of future Project P calls for projects.

A separate three-year budget estimate based upon available funding (constrained scenario) using resources the local agency will commit to signal synchronization efforts shall also be provided. Anticipated monies not yet awarded as part of competitive Project P should not be included in this constrained plan. This budget estimate shall be provided by fiscal year and separated into capital, operations, and maintenance elements.

The following definitions are provided to help meet the intent of the three-year plan. Capital should include traffic signal infrastructure (e.g., detection and traffic controllers) and communication infrastructure (e.g., Ethernet and software for system traffic control) improvements necessary to achieve signal synchronization. Operations should consist of the development, on-going review/monitoring, and fine-tuning of synchronized signal timing. Finally, maintenance should comprise of the upkeep of traffic signal and communication infrastructure related to signal synchronization. Routine signal maintenance such as replacing signal heads, bulbs, and poles should not be included. The inclusion of other costs not listed here shall be at the discretion of the local agency.

2.5. Signal Synchronization Timing Review, Revision, and Assessment

This section shall show the status of required signal synchronization timing reviews along the agency's identified signal synchronization routes. Timing revisions should be noted; if additional information such as a "before and after study" is available, it should be provided. Qualitative descriptions of the review process may also be provided if desired. In addition, specific details may be provided on the signal timing revisions such as cycle length changes.

A signal synchronization assessment shall be provided by each local agency. This assessment will report on the performance of synchronization activities along the signal synchronization street routes and traffic signals. The assessment shall be prepared based on overall performance criteria that may include average speeds, green lights to red lights, and stops per mile. Jurisdictions may collect assessment data themselves or use the assessment information collected by OCTA.

Chapter 3. Agency Submittals

This chapter summarizes for submittal purposes the information required to fulfill the LSSP requirements. This information has been described more fully previously in this document. As a summary, local agencies must submit the following to OCTA:

- Local Signal Synchronization Plan which includes the following:
    - Signal synchronization goals
        - Concurrence with the goals: corridor-based, multi-agency, existing traffic patterns, and local traffic signal timing and operation responsibility
    - Traffic signal synchronization street routes
        - Regional signal synchronization network from the Regional Traffic Signal Synchronization Master Plan
        - Relationship to Master Plan of Arterial Highways
        - Additional local streets, if desired
    - Traffic signal inventory for traffic signal synchronization street routes
        - Traffic signals
        - Cycle length data by time period
    - Three-year plan showing capital, operations, and maintenance costs
        - Unconstrained scenario with candidate projects
        - Constrained scenario
    - Signal synchronization review, revision, and assessment
        - Note timing reviews and updates underway and those completed since the 2014 LSSP Update
        - Identify revisions
        - Provide performance assessment
- Local Signal Synchronization Plan Consistency Review Checklist (Appendix B)

Appendices

A. Regional Traffic Signal Synchronization Master Plan

B. Local Signal Synchronization Plan Consistency Review Checklist

Appendix A: Regional Traffic Signal Synchronization Master Plan

Appendix A: Regional Traffic Signal Synchronization Master Plan

Introduction

The Regional Traffic Signal Synchronization Program is comprised of a 750-mile regional signal synchronization network with about 2,000 signals. The goals of the program are to improve the flow of traffic on Orange County streets and roads by implementing multi-agency signal synchronization. Local agencies and Caltrans are encouraged to work cooperatively with the Orange County Transportation Authority (OCTA) to synchronize traffic signals throughout Orange County on a corridor basis to improve travel time and reduce stops. Local agencies will maintain local control and responsibility for signals within their jurisdiction and control. Any changes to traffic signals, signal timing equipment, or related signal policies (including transit signal priority, transit preemption, or emergency vehicle preemption) are at the full discretion of the responsible local agency.

Regional Traffic Signal Synchronization Master Plan Components

To ensure that this program is successful, this Regional Traffic Signal Synchronization Master Plan has been developed through local agency discussions, Board of Director guidance and Measure M2 requirements. The Regional Traffic Signal Synchronization Program is composed of the following:

1. Regional signal synchronization network
2. Priority corridors for accelerated signal synchronization
3. Traffic forums
4. Model agreements (presenting roles and responsibilities)
5. Signal synchronization regional assessment

In defining these five elements of the Regional Traffic Signal Synchronization Master Plan, the foundation is set for funding and implementing the competitive Regional Traffic Signal Synchronization Program. The program focuses on higher volume priority corridors for an accelerated signal synchronization effort. It incorporates traffic forums to help implement and maintain signal synchronization along corridors. Model agreements define the roles and responsibilities for local agencies and OCTA resulting in competitively funded projects that successfully meet the goals of the Regional Traffic Signal Synchronization Program.

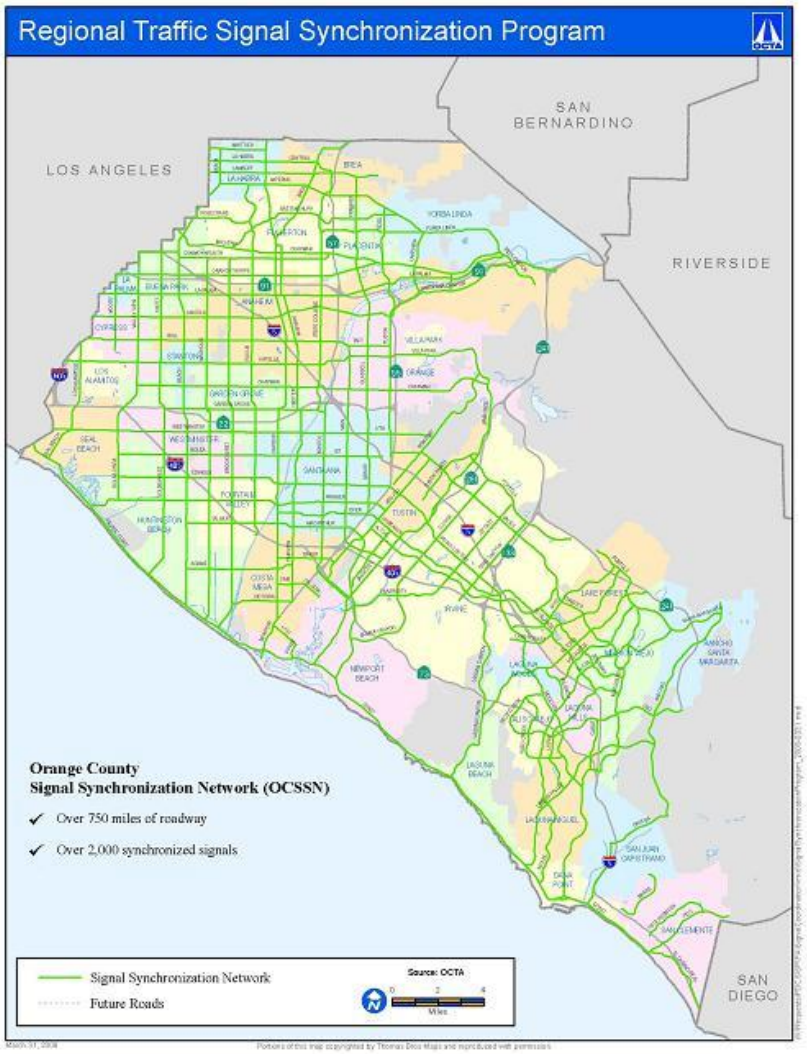
Finally, to ensure compliance with the M2 Ordinance and the promises made to voters to benefit the public from this effort, OCTA will include an element for accountability purposes that will occur through a signal synchronization regional assessment prepared by OCTA every three years. This effort will evaluate performance of the regional signal synchronization network, and identify areas for future improvement. Each of these elements is further discussed below.

Regional Signal Synchronization Network

The regional signal synchronization network (see below) was defined in the Measure M2 Ordinance No. 3. It is a 750-mile network consisting of approximately 2000 signalized intersections. It is a subset of the Master Plan of Arterial Highways. The Regional Traffic Signal Synchronization Master Plan is designated as an element of the Master Plan of Arterial Highways. Specifically, Measure M2 Ordinance No. 3 includes the following definition of the Master Plan of Arterial Highways:

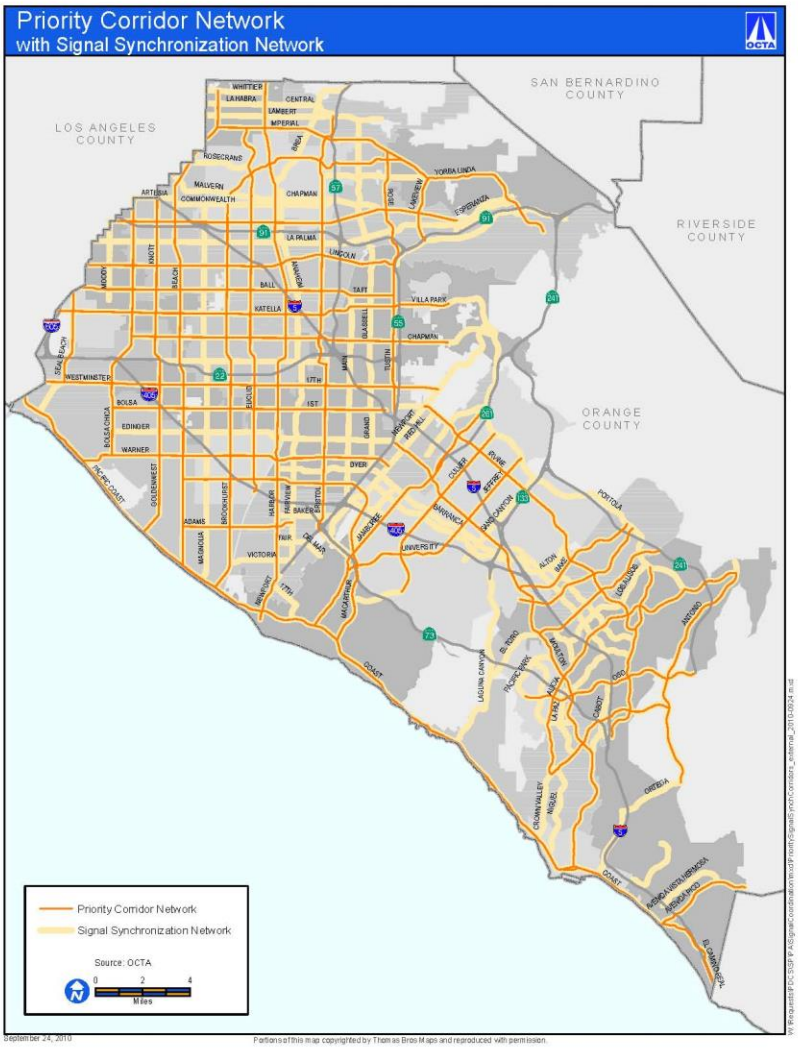
> "A countywide transportation plan administered by the Authority defining the ultimate number of through lanes for arterial streets, and designating the traffic signal synchronization street routes in Orange County."

OCTA has a well-defined process for changes to the Master Plan of Arterial. A procedure for updating the 750-mile signal network will be defined in the future and included in the Guidelines for the Master Plan of Arterial Highways. This would allow documentation and approval of changes to the regional signal synchronization network.



Priority Corridors for Signal Synchronization

Focusing a significant portion of Project P resources to a core set of priority corridors is a main component of the Regional Traffic Signal Synchronization Master Plan. This focused effort will result in a high level of performance along key corridors given the limited resources that are part of the Regional Traffic Signal Synchronization Program. These priority corridors were developed in consultation with and the assistance of the local agencies. They are based on the significance of each route, the traffic volumes, and geographic traffic patterns.



Under this focused effort, signalized intersections along each corridor will be upgraded to provide state of the practice intersection control and associated communications. Optimized timing plans will be developed and implemented along each corridor, aiding movement of the existing traffic patterns. This approach is considered essential to producing an optimized system as early as possible.

The map provides the locations of approximately 36 priority corridors identified along the regional signal synchronization network. These priority corridors reflect key locations for signal synchronization along the signal network. As the Regional Traffic Signal Synchronization Master Plan is implemented through Project P funds, changes to the priority corridors may be made based on results of the regional assessment subject to OCTA's Board of Directors approval.

Priority corridors ensure implementation of optimized signal timing in a systematic manner. These priority corridors will allow the Regional Traffic Signal Synchronization Program to quickly and continually meet its stated purpose of improving the flow of traffic by developing and implementing signal synchronization that cross jurisdictional boundaries. Most importantly, a priority corridor strategy will facilitate consistent operating speeds along key corridors and provide a good level of public perception.

Traffic Forums

Project P is a competitive program designed to implement signal synchronization across multiple jurisdictions. Traffic forums will facilitate the completion of traffic signal synchronization projects. Traffic forums will be working group sessions that include local agencies, the California Department of Transportation (Caltrans), and OCTA. The interaction between cities, Caltrans, and OCTA will help coordinate multiple signal synchronization projects funded through the Regional Traffic Signal Synchronization Program. It will also provide a venue to project participants to express and address concerns.

Model Agreements

The Regional Traffic Signal Synchronization Master Plan includes model agreement terms that set expectations for roles and responsibilities for the implementation of signal synchronization on a project basis. These agreements would be executed following award of Project P funds through a competitive process. It is anticipated that multiple agreements would be developed based on the number of projects funded as part of Project P. A more detailed version of the agreement will be developed and include all local agencies that are identified in the competitive application as well as OCTA.

The model agreement terms help guide the respective roles and responsibilities for the lead agencies, participating agencies, and OCTA. Two versions of the proposed agreements are presented. Option 1 allows the local agencies to implement the synchronized corridors using Project P and local funds while Option 2 authorizes OCTA to implement the synchronized corridors on behalf of the local agencies. The default is Option 1, and local agencies will be required to formally request Option 2.

Signal Synchronization Regional Assessment

To keep the public informed of ongoing signal synchronization efforts, OCTA will prepare a signal synchronization regional assessment every three years. This effort will evaluate status performance of synchronization across agencies along the signal network and identify segments for improvement. An assessment will be prepared based on overall performance for each corridor in the Regional Traffic Signal Synchronization Master Plan; and that assessment will be described using average speed, stops per mile, and the ratio of green signals to red signals. The regional assessment will be ~~presented to the OCTA Board of Directors,~~ provided

to the local agencies~~,~~ and ~~posted on the internet for review and comment by the public. Results~~ may be used in calls for projects for Project P~~ and changes to the priority corridors~~.

Summary

Measure M2 Ordinance No. 3 requires that OCTA develop a Regional Traffic Signal Synchronization Master Plan for cross-jurisdictional traffic signal synchronization. Combined with input from local agencies and OCTA's Board of Directors, the Regional Traffic Signal Synchronization Program is described by the following five components:

1. Regional signal synchronization network – provides the basis for signal synchronization
2. Priority corridors – identifies key corridors for accelerated signal synchronization
3. Traffic forums – working group sessions to facilitate continued signal synchronization
4. Model agreements – define roles and responsibilities for signal synchronization
5. Signal synchronization regional assessment – provides triennial evaluation of regional signal synchronization

These five elements of the Regional Traffic Signal Synchronization Program define the process implementing the competitive Regional Traffic Signal Synchronization Program.

Exhibits

A. Local Agency Lead Model Agreement Terms – Option 1

B. OCTA Lead Model Agreement Terms – Option 2

Exhibit A: Local Agency Lead Model Agreement Terms - Option 1

RESPONSIBILITES OF THE ORANGE COUNTY TRANSPORTATION AUTHORITY:

The Orange County Transportation Authority agrees to the following responsibilities for the project:

- To provide Project P funds for the project and designated to the lead agency
- To perform outreach activities for the project to communicate major project milestones and results
- To provide oversight in order to maintain inter-jurisdictional traffic signal operational integrity between existing and new projects and operations
- To provide project audits for allowable expenditures and exceptions

RESPONSIBILITIES OF DESIGNATED LEAD AGENCY:

Lead agency agrees to the following responsibilities for implementation and funding for the project:

- To manage, procure, and implement the project consistent with the agreed scope of work, schedule, and key milestones
- To interface with the Orange County Transportation Authority and coordinate outreach for the project
- To collect manual intersection movement and automated machine traffic counts.
- To develop new timing plans optimized for signal synchronization
- To provide updated timing plans and traffic count data to the Orange County Transportation Authority and agencies
- To prepare "before" and "after" studies for the project. These studies shall be provided to the agencies and the Orange County Transportation Authority for comment
- To provide the Orange County Transportation Authority with a Project Final Report for the project as required by Measure M2 Ordinance No. 3, Section (B)(III)(9), and further described in Measure M2 Eligibility Guidelines separately prepared and adopted by the Orange County Transportation Authority

RESPONSIBILITIES OF ALL PROJECT AGENCIES:

ALL project agencies agree to the following responsibilities for implementation and funding of the project:

- Provide a technical representative from each agency to meet and participate as a member of the project team
- To designate the lead agency for the project for receipt of Project P funds and related matching funds
- To authorize the lead agency to manage, procure, and implement all aspects of the project

- To provide local match or in-kind services for the project in accordance with the 20 percent requirement as identified in the scope of work
- To provide lead agency and the Orange County Transportation Authority all current intersection, local field master, and/or central control system timing plans and related data upon request
- To provide plans, specifications, and estimates to the Orange County Transportation Authority and lead agency or its representative upon request
- To give project related signal and telecommunications equipment a high maintenance priority
- To take reasonable steps to keep signal control systems, inter–tie, detection systems and related equipment in proper working order
- To maintain and repair their own signal control systems inter–tie, detection systems and related equipment located within each of their respective jurisdiction
- To provide all plan check, permit, and construction inspection functions for facilities within their ownership or control
- To provide on-site support, if needed, for timing plan changes and the construction and/or installation of traffic control elements as specified in the scope of work
- To authorize an agency traffic engineer or other designee to make changes or adjustments to the signal timing plans, when required
- To perform the changes required at central or field control locations and/or intersection controller assemblies

Exhibit B: The Orange County Transportation Authority Lead Model Agreement Terms - Option 2

RESPONSIBILITES OF THE ORANGE COUNTY TRANSPORTATION AUTHORITY:

The Orange County Transportation Authority agrees to the following responsibilities for the project:

- To manage, procure, and implement the project consistent with the agreed budget, scope of work, schedule, and key milestones
- To provide Project P funds for the project
- To interface with the agencies and coordinate outreach for the project
- To collect manual intersection movement and automated machine traffic counts
- To develop new timing plans optimized for signal synchronization
- To provide new timing plans and turning movements to the agencies
- To prepare "before" and "after" studies for the project. These studies shall be provided to the agencies for comment
- To perform outreach activities for the project to communicate major project milestones and results
- To provide project oversight in order to maintain inter-jurisdictional traffic signal operational integrity between existing/legacy and new projects and operations
- To provide project audits for allowable expenditures and exceptions
- To prepare a Project Final Report for each project as required by Measure M2 Ordinance No. 3, Section (B)(III)(9), and further described in Measure M2 Eligibility Guidelines separately prepared and adopted by OCTA

RESPONSIBILITIES OF AGENCIES:

Agencies agree to the following responsibilities for implementation and funding of project:

- Provide a technical representative from each agency to meet and participate as a member of the project team
- To designate OCTA as lead agency for the project for receipt of Project P funds and related matching funds
- To provide local match or in-kind services for the project in accordance with the 20 percent requirement as identified in the scope of work
- To authorize OCTA to manage, procure, and implement all aspects of the project
- To provide OCTA all current intersection, local field master, and/or central control system timing plans and related data upon request
- To give project related signal and telecommunications equipment a high maintenance priority
- To take reasonable steps to keep signal control systems, inter–tie, detection systems and related equipment in proper working

- To provide all plan check, permit, and construction inspection functions for facilities within their ownership or control
- To maintain and repair their own signal control systems inter-tie, detection systems and related equipment located within each of their respective jurisdiction
- To provide on-site support, if needed, for timing plan changes and the construction and/or installation of traffic control elements as specified in the project scope of work
- To authorize an agency traffic engineer or other designee to make changes or adjustments to the signal timing plans, when required
- To perform the changes required at central or field control locations and/or intersection controller assemblies

Appendix B: Local Signal Synchronization Plan Consistency Review Checklist

Appendix B: Local Signal Synchronization Plan Consistency Review Checklist

The Local Agency Name: _____ Date: _____

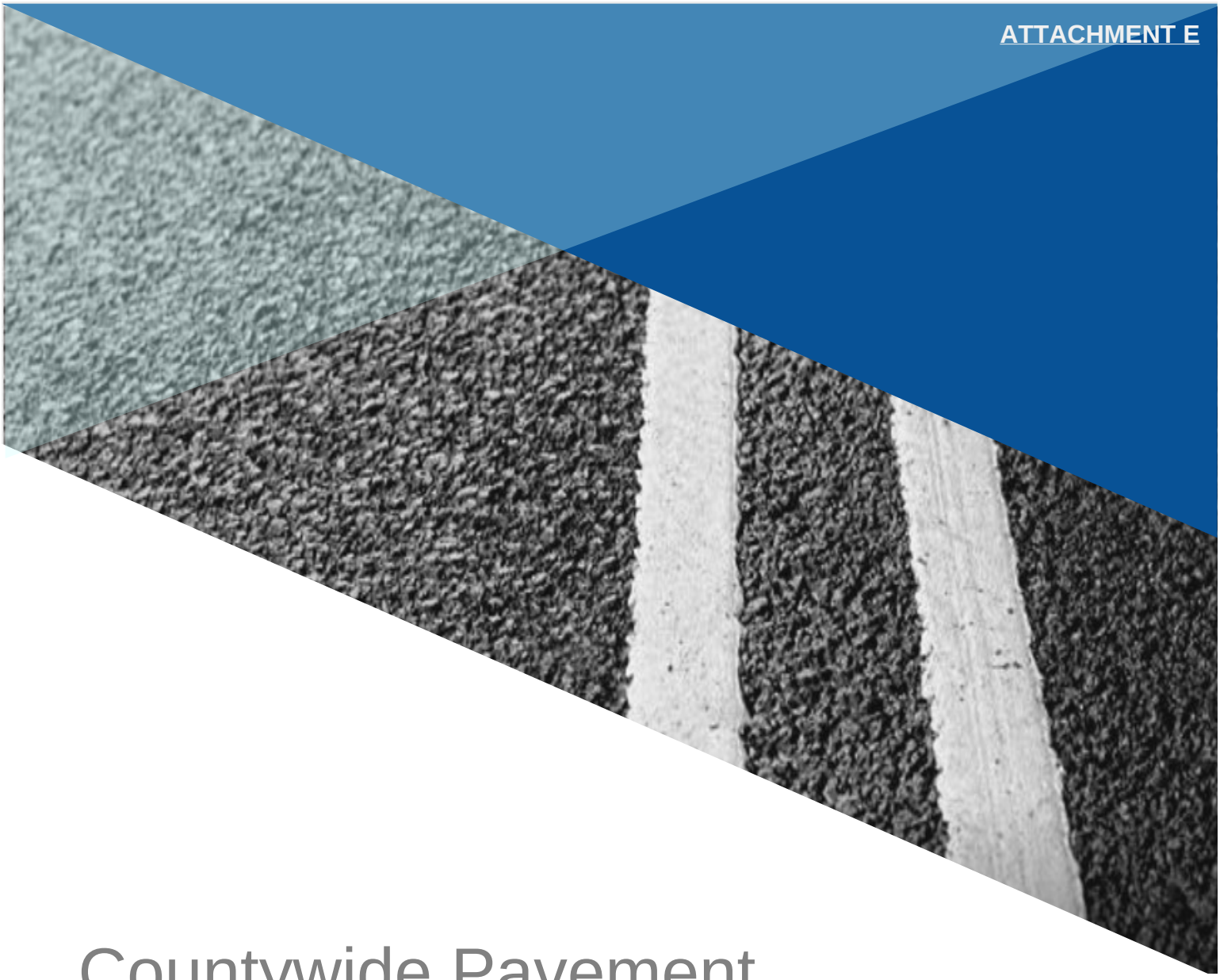
Local agencies must submit a copy of the updated Local Signal Synchronization Plan, a completed checklist, and any supporting documentation. Complete the table below.

Local Agency Statement	Page #s in LSSP	Provided or N/A
1. Signal synchronization goals of the agency are consistent with those outlined as part of the Regional Traffic Signal Synchronization Master Plan. Include information on how the traffic signal synchronization street routes and traffic signals may be coordinated with traffic signals on the street routes in adjoining jurisdictions.		
2. Traffic signal synchronization street routes are identified, including all corridors along the regional signal synchronization network located within the local agency.		
3. Traffic signal inventory for all traffic signal synchronization street routes.		
4. Three-year plan separately showing costs, available funding, and phasing for capital, operations, and maintenance of signal synchronization along the traffic signal synchronization street routes and traffic signals.		
5. Signal synchronization review, revision, and assessment of synchronization activities along the traffic signal synchronization street routes and traffic signals.		

I certify that the above statements are true to the best of my knowledge.

Name (Print)	Signature	Date

ATTACHMENT E



Countywide Pavement Management Plan Guidelines

April 2020

OCTA

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Chapter 1 – Introduction

On November 6, 1990, the voters in Orange County approved a ½-cent sales tax for transportation improvements known as Measure M. This sales tax includes funding for streets and roads that is available to local agencies through both a formula distribution and a competitive process. On November 6, 2006, voters approved a renewal of Measure M to continue the ½-cent sales tax for thirty years, beginning in 2011.

Background

The primary goal of these guidelines is to ensure consistent field data collection and reporting procedures so that countywide funding allocations can be based on agency comparable pavement conditions.

Given that all agencies are using uniform data collection procedures, OCTA can answer typical questions such as:

- What is the average countywide condition of local streets and roads? For individual streets? For Arterial Highways?
- Which streets have a higher priority and need to be funded first?
- How much does it cost to bring them up to an acceptable condition?
- How much will it cost to maintain them in an acceptable condition over the next seven years or more?
- What are the impacts on pavement condition at the existing funding levels?

Training is provided, periodically, by OCTA to maintain consistency in data collection procedures and assist local agencies in the use of pavement management software.

The key is to ensure a reliable, consistent, and uniform approach to data collection.

Eligibility Requirements

One of the eligibility requirements included in Measure M2 (M2) specifies that each local jurisdiction must adopt and update a Pavement Management Plan (PMP) every two years. All agencies must use a common format as part of the countywide pavement management effort conforming to American Society for Testing and Materials (ASTM) Standard D6433. In 2010, the Orange County Transportation Authority (OCTA) adopted MicroPaver as the countywide standard PMP software and all agencies participating in M2 were required to adopt this software for consistency in reporting pavement management conditions. In 2011, all local agencies submitted PMPs that were in conformance with the requirements in the PMP Guidelines. Local agencies may now also utilize StreetSaver, since it is in conformance with ASTM Standard D6433. The PMP must include:

- The current status of road pavement conditions;
- A seven-year plan for road maintenance and rehabilitation (including projects, funding, and any unfunded backlog of pavement needs);
- The projected pavement condition resulting from the maintenance and rehabilitation plan; and
- Alternative strategies and costs necessary to improve road pavement conditions.

Local Match Reduction

In addition to the above requirements, a local agency match reduction of 10% of the eligible cost for projects submitted for consideration of funding through the Comprehensive Transportation Funding Programs (CTFP) call for projects is available if the local jurisdiction either:

a. Shows 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 Master Plan of Arterial Highways (MPAH) or local street categories;

or

b. Road pavement conditions during the previous reporting period within the highest 20% 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".

Chapter 2 – Pavement Management Plan Guidelines

These guidelines and procedures are necessary for Orange County agencies to implement and update their PMPs with respect to conducting condition surveys. This is required to certify conformance with the criteria stated in OCTA's Ordinance No. 3. This ordinance requires that a PMP be in place and maintained to qualify for an allocation of net revenues generated from M2. A copy of Ordinance No. 3 is available from OCTA. PMP Certification is part of the submittal required for each agency (see Appendix A).

The pavement management guidelines are discussed under the following categories:

1. Condition Survey Protocols
2. Inspection Frequency
3. Countywide Assessment Standards
4. Quality Assurance/Quality Control (QA/QC) Plan
5. Re-inspections
6. Prequalification/Calibration of Inspectors
7. Pavement Management Software Training
8. Pavement Management Data Files

Condition Survey Protocols

In 1998, OCTA adopted condition survey protocols that required the collection of certain surface distresses as a minimum for both asphalt concrete and Portland cement concrete pavements. These distresses were common to the variety of pavement management systems then in use by Orange County local agencies. Based on the usage of a common county-wide software, it is now possible to include all of the distresses in ASTM Standard D6433 "Standard Practice for Roads and Parking Lots Pavement Condition Index Surveys" in these Guidelines. These surface distresses are as follows:

Asphalt Concrete (AC)

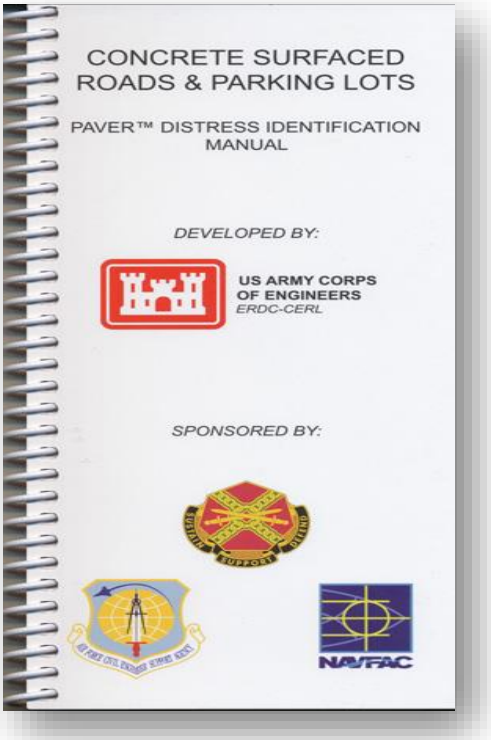
1. Alligator or Fatigue Cracking
2. Bleeding
3. Block Cracking
4. Bumps and Sags
5. Corrugation
6. Depression
7. Edge Cracking
8. Joint Reflection Cracking
9. Lane/ Shoulder Drop-off
10. Longitudinal Cracking
11. Patching and Utility Cut Patching
12. Polished Aggregate
13. Potholes
14. Railroad Crossing
15. Rutting
16. Shoving
17. Slippage Cracking
18. Swell
19. Raveling
20. Weathering (Surface Wear)

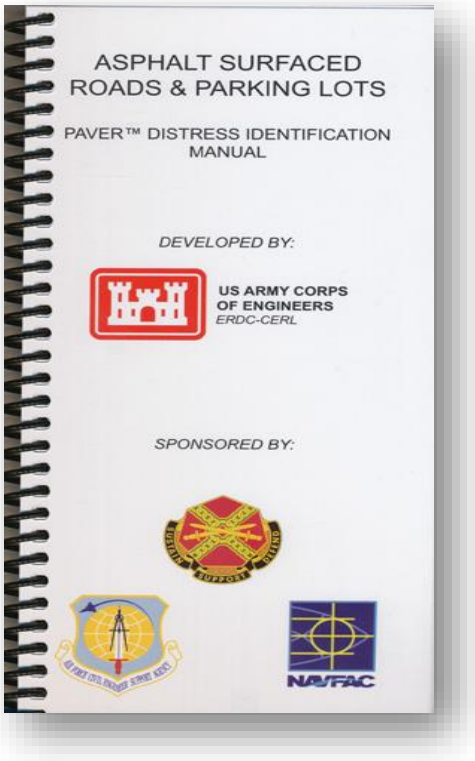
Portland Cement Concrete (PCC)

1. Blowup/ Buckling
2. Corner Break
3. Divided Slab
4. Durability ("D") Cracking
5. Faulting
6. Joint Seal Damage
7. Lane/ Shoulder Drop-Off
8. Linear Cracking
9. Patching, Large And Utility Cuts
10. Patching, Small
11. Polished Aggregate
12. Popouts
13. Pumping
14. Punchout
15. Railroad Crossing
16. Scaling
17. Shrinkage Cracks
18. Spalling, Corner
19. Spalling, Joint

The distress definitions, severity levels, and measurement methods are based on criteria described in Pavement Management for Airports, Roads and Parking Lots[1]. This reference has been formalized as ASTM Standard D6433[2] . ASTM's copyright does not allow for electronic distribution or copying of this standard. However, a link to purchase the standard is included in the footnote. OCTA's guidelines follow ASTM D6433, with a few minor exceptions.

In addition, field manuals are available from the American Public Works Association (APWA)[3,4]. The field manuals include photographs of distress types and detailed descriptions and definitions, and are intended for the field inspector. All personnel involved with inspection or performing condition surveys must have read and understood these manuals.





Note that both ASTM D6433 and these field manuals contain 20 distresses and 19 distresses for AC and PCC pavements, respectively. These distresses are now required for data collection.

OCTA allows windshield, walking, and calibrated automated surveys. It is recommended that windshield surveys be supplemented with walking surveys.

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[1] Shahin, M.Y. *Pavement Management for Airports, Roads and Parking Lots*, Chapman & Hall, 1994.
[2] *ASTM D6433 – Standard Practice for Roads and Parking Lots Pavement Condition Index Surveys.* A copy may be purchased at http://www.astm.org/Standards/D6433.htm.
[3] *Paver Distress Identification Manual: Asphalt-Surfaced Roads and Parking Lots,* U.S. Army Corps of Engineers, Construction Engineering Research Laboratories, June 2009. To purchase, go to www.apwa.net.
[4] *Paver Concrete Distress Identification Manual: Concrete Surfaced Roads and Parking Lots,* U.S. Army Corps of Engineers, Construction Engineering Research Laboratories, June 2009. To purchase go to www.apwa.net.

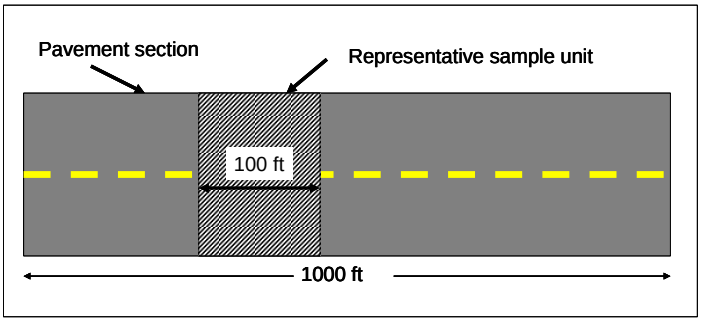
In a windshield survey, the inspector travels in a vehicle at slow speeds (5 to 10 mph) and observes the pavement condition from within the vehicle. The entire length of the pavement section is driven and observed. A driver is required for safety reasons, with the inspector/recorder in the passenger side of the vehicle. The inspector should have a list of street sections to be surveyed and a planned route.

The entire pavement section is surveyed, and the distress data are estimated and recorded. In situations where the distresses need closer examination, or where there are difficulties in observation, the inspector should stop the vehicle and walk the pavement section to verify the distresses observed from the vehicle.

All field data collection procedures should conform to the local agency's safety practices and should be included in the QA/QC Plan (see Appendix A).

When walking surveys are used, the following procedure should be followed:

1. Each pavement section must be inspected using sample units. Individual sample units should be representative of the pavement section conditions and may be marked or identified to allow easy location for quality control purposes. Paint marks along the edge or sketches with locations connected to physical pavement features are acceptable. The figure below illustrates the definition of a pavement section and a representative sample unit.



2. The area of AC sample units should be 2500±1500 square feet, and for PCC sample units, this should be 20±8 slabs. The total inspected area or slabs for a pavement section must be at least 10% of the total pavement section area or slabs. This is an exception to the procedure described in ASTM D6433.

   For example, a pavement section 950 feet long and 32 feet wide must have at least one sample unit (typically 100 feet long x 32 feet wide = 3200 sf). Longer sections will require multiple sample units.

3. Additional sample units are to be inspected only when non-representative distresses are observed. Typically, these will be distresses that are localized in nature and not representative of the entire pavement section e.g. high severity alligator cracking found near bus pads, rutting in intersections, distresses due to landscape watering/ponding etc.

4. Conduct the distress inspection by walking on the pavement shoulder or sidewalk adjacent to the sample unit being surveyed, measuring the quantity of each severity level of every distress type present, and recording the data. Each distress must correspond in type and severity to that described in the Paver Distress Identification Manuals.

5. A copy of the recorded distress data should be provided on a weekly basis to the responsible agency personnel for quality assurance.

It should be noted that windshield surveys, while reasonably fast and inexpensive, do have shortcomings. Chief among these are that low severity distresses are difficult to identify in this procedure, and consequently, the PCI may be significantly higher than it ought to be. A pavement may therefore be selected for a slurry seal when a thin overlay is more appropriate or for a thin overlay when a thick overlay is more appropriate. This may result in treatments that are not cost-effective.

When certain pavements are a high priority (usually those with high traffic volumes or other distinctive features) for a local agency, walking surveys are preferred to ensure that all pertinent distresses are captured, although windshield surveys are the minimum standard. For residential or local streets, windshield surveys are acceptable.

When automated or semi-automated surveys are used, the following procedure should be followed.

The Local Agency should:

- Establish a series of test sites
- Determine the distress data on those sites using a walking survey
- Compare the data from the automated equipment with the walking survey data.

It is desirable for the PCI values from the automated survey to be within plus or minus 5 PCI points of the values obtained from the walking survey. However, plus or minus 10 PCI points is generally considered acceptable. Any site with a difference greater than 10 PCI points should be carefully rechecked to determine the cause for the discrepancy. The agency must then make a judgement whether the automated data is acceptable.

OCTA's role is limited to the evaluation of the distress data submitted by the agencies and does not include a verification or evaluation of the automated equipment or procedure used by the agency submitting the automated survey.

Inspection Frequency

All streets identified on the MPAH must be surveyed at least once every two years. All local streets must be surveyed at least once every six years. This is a requirement of OCTA's PMP certification program.

Countywide Assessment Standards

In 1998, OCTA adopted the countywide pavement condition assessment standards for treatments as shown in Table 2.1.

Table 2.1 Pavement Condition Assessment Standards

Pavement Quality	PCI Thresholds	Funded Treatment
Very Good	86-100	None
Good	75-85	Surface seal*
Fair	60-74	Thin overlay
Poor	41-59	Thick overlay
Very Poor	0-40	Reconstruction

* Not eligible for CTFP competitive funding program

Note that Table 2.1 does NOT preclude other treatments that a local agency may choose to select or use. Indeed, there have been many new pavement technologies and techniques introduced since 1998 that a local agency should consider for preventive maintenance, and which may be funded under the M2 Fair Share program. **The treatments in Table 2.1 are intended to identify the types of treatments that OCTA will fund under the competitive grant program only.**

Quality Assurance/Quality Control (QA/QC) Plan

A QA/QC plan must be prepared by all agencies. The purpose of the QA/QC plan is to ensure that all procedures used to collect distress data comply with OCTA's guidelines and result in the delivery of a quality data product. The QA/QC plan should also provide for corrective actions when deficiencies are encountered. As a minimum, the following components must be included:

a. Description of condition survey procedures (distress types, severities) or reference to the relevant documents in Chapter 3. All procedures, changes or modifications should be well documented in the QA/QC plan so that future updates will be consistent. In particular, unique situations are especially important and their documentation should be included.

b. How data will be collected (windshield, walking, automated or combination of methods).

c. Accuracy required for data collection.

d. Description of how data will be checked for accuracy by agency e.g. re-inspections.

e. Schedule for when data will be submitted to local agency staff.

f. Experience of inspectors including past training on condition surveys or calibration procedures.

g. Field data collection safety procedures.

Any findings that may compromise data integrity and consistency should be discussed and

corrected. Examples of these include differences in survey methods from the last update (e.g. changing from windshield to walking surveys), collecting additional distress types and unique situations that may not lend themselves to existing condition survey procedures (e.g. gap-graded mixes, edge cracking with unpaved shoulders).

Prior to performing any work, local jurisdictions must review the QA/QC plan with inspection personnel.

A copy of the QA/QC plan must be submitted to OCTA together with the PMP certification.

Re-inspections

As part of any QA/QC process, it is essential to re-inspect portions of the network with different personnel than those performing the condition surveys. Re-inspections should be performed within one month of the original date of collection as pavement data will change with time, and during the winter, may change very rapidly.

The data to be re-inspected should include distress types, severities and quantities collected during the survey. At least 5% of the pavement sections should be re-inspected.

The selected sections for re-inspections should be representative of the local agency's network. This should include sections from:

- All functional classifications (i.e. MPAH and residential/local)
- All surface types (i.e. AC and PCC)
- Entire range of pavement conditions (i.e. good, fair, poor)
- All significant changes in PCI (i.e. sections with more than ±10 PCI points a year with no plausible explanations should be targeted for re-inspections)
- All inspectors
- Different geographical areas

Acceptability Criteria

In general, inspectors should identify distress types accurately 95% of the time. Linear measurements should be considered accurate when they are within ±10% if re-measured, and area measurements should be considered accurate when they are within ±20% if re-measured.

For the data to be acceptable, 90% of the re-inspected sections must be within ±10 PCI points.

If the results of the re-inspections do not meet the above criteria, all inspections should be immediately halted and any differences should be identified and discussed. Corrective actions should be taken immediately. The local jurisdiction should then perform re-inspections of an additional 5% of the pavement sections.

Prequalification/Calibration of Inspectors

Prequalification or calibration of inspectors ensures that proper procedures are followed and that the results obtained are within acceptable variability ranges. This will be implemented by OCTA staff.

Briefly, the procedures to prequalify or calibrate inspectors are as follows:

a. OCTA will select approximately 20 pavement sections to be used as control or test sites. Collectively, the control sites should exhibit common distress types and levels of severity that will be encountered in the pavement network and should be across all functional classes, pavement age, surface type, pavement condition and distresses.

b. Inspect the sections manually (walking survey) using at least two different experienced inspectors and the established survey protocols (Appendix A and ASTM D6433), including any modifications. This will establish the baseline PCI for each control section.

c. The candidate inspectors should then survey the same pavement sections within one month of the control surveys established in Step (b). The data for the sections should be collected and submitted to OCTA as soon as they are completed.

d. OCTA will calculate the PCIs based on the survey data collected by inspectors.

e. Compare the control PCI data with survey results by candidate inspectors. Identify the differences and areas of variability.

Acceptability Criteria

The criteria for acceptability are:

a. nRMSE ≤ 1.4 where:

$$\text{nRMSE} = \sqrt{\frac{\sum_{i=1}^{n}\left(\frac{\text{RPCI}_i - \text{BPCI}_i}{\text{SD}_{\text{PCI}}}\right)^2}{n}}$$

Where:
nRMSE = Normalized root mean square error or deviation
$RPCI_i$ = Reported PCI for control section i
$BPCI_i$ = Baseline PCI for control section i
n = Number of control sections
and

$$\text{SD}_{\text{PCI}} = \frac{100 - 3(5.29 - \text{BPCI})}{3.65.29}$$

b. Inspectors that obtain nRMSE values higher than 1.4 will be allowed to re-inspect and re-submit PCI values for three control sections. OCTA will indicate the three control sections where the inspectors showed the highest deviations from the baseline survey. Re-inspections are allowed only once. The normalized root mean square error (nRMSE) will be recalculated and the criteria described at point (a) applied.

c. All inspections must be performed independently by each inspector.

d. Inspectors will be individually prequalified
e. At least one inspector of a consultant firm or local agency staff must be prequalified for a submitted Pavement Management Plan to be considered compliant with these Guidelines.

Pavement Management Software Training

Local agencies may utilize either MicroPAVER or StreetSaver® software for their PMPs, as long as they conform to ASTM D6433 and these guidelines. At least one representative of the local jurisdiction must be familiar with the PMP software utilized, and have attended one training class. In the case of MicroPAVER, training classes are conducted regularly. The American Public Works Association (APWA) conducts "hands-on" MicroPAVER training classes for a fee, at least once a year (see www.apwa.net for more information). Web-based training programs on specific modules are also available for a fee and broadcast schedules are periodically posted on the APWA website.

The Metropolitan Transportation Commission (MTC) provides free training classes on their StreetSaver® software program as well as field condition surveys. Typically, two field training classes are conducted annually; one in Northern California and one in Southern California (see www.mtcpms.org for more information). There are enough similarities between StreetSaver's and MicroPAVER's condition surveys that this training class will benefit any inspector new to the process.

OCTA offers limited software and field training focusing on those items to be included in the biennial PMP submittals. This training is sufficient to satisfy the training requirement of these Guidelines.

Pavement Management Data Files

The Pavement Management data files shall be submitted to OCTA in spreadsheet format. This must include the following information:

- Street name and limits for all public streets
- Street identifiers (Branch ID, Section ID)
- Direction (if applicable)
- Beginning and ending of each section
- Length, widths and true areas
- Functional Classification (MPAH, local)
- Number of travel lanes
- PCI and date of inspection
- Type of recommended treatment
- Cost of recommended treatment

Public alleys formally accepted as part of the local agency's street system may be included in the PMP submittal at the local agency's option. Public parking lots and private streets shall not be included in this submittal.

Chapter 3 – Agency Submittals

Local agencies must submit to OCTA the following as part of the biennial certification:

1. PMP Agency Submittal Template (See Appendix A)
2. PMP certification (see Page A-5)
3. QA/QC plan (see Pages A-15 – A-19)
4. Pavement management data files in a form useable by OCTA (see Page 2-8)
5. PMP "hard copies" which include the following:
    a. Average (weighted by area) PCI as of June 30 of the submittal year for:
        i. Entire pavement network
        ii. MPAH roadways
        iii. Local streets
    b. Projected PCI under existing funding levels, by year, over the next seven years for:
        i. Entire pavement network
        ii. MPAH roadways
        iii. Local streets
    c. Seven-year plan for road maintenance and rehabilitation based on current and projected budget, identifying street sections selected for treatment. Specific data to be submitted are:
        i. Street name
        ii. Limits of work
        iii. Lengths, widths
        iv. Pavement areas
            1. Each street
            2. Total area for local streets
            3. Total area for MPAH roadways
            4. Total area for entire public streets network
        v. Functional classification (i.e. MPAH or local street)
        vi. PCI and most recent date of inspection
        vii. Type of treatment
        viii. Cost of treatment
        ix. Year of treatment
    d. Alternative funding levels required to:
        i. Maintain existing average network PCI
        ii. To improve average network PCI
    e. Backlog by year of unfunded pavement rehabilitation, restoration, and reconstruction needs.
    f. Centerline mileage for MPAH, local streets, and total network.
    g. Percentage of total network in each of the five condition categories based on centerline miles.
6. In order to be eligible for the local match reduction of 10%, the local jurisdiction must 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 PCI point with no reduction in the overall weighted (by area) average PCI in the MPAH or local street categories;

or

b. Have road pavement conditions for the overall network during the previous reporting period within the highest 20% of the scale for road pavement conditions in conformance with OCTA Ordinance No. 3, defined as a PCI of 75 or higher.

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Appendix A – Pavement Management Plan Submittal Template

The following template shall be used to submit the required Pavement Management Plan to OCTA. The Word document is available for download at octa.net/OCGoM2Eligibility.

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Agency

Pavement Management Plan

Prepared by: [Author Name]
Submitted to OCTA: [Date]

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I. Pavement Management Plan Certification

The City/County of Type Here certifies that it has a Pavement Management Plan in conformance with the criteria stated in the Orange County Transportation Authority Ordinance No. 3. This ordinance requires that a Pavement Management Plan be in place and maintained to qualify for allocation of revenues generated from renewed Measure M2.

The plan was developed by Type here* using Type here, a pavement management system, conforming to American Society of Testing and Materials (ASTM) Standard D6433, and contains, at a minimum, the following elements:

- Inventory of MPAH and local routes reviewed and updated biennially. The last update of the inventory was completed on Month, Year for Arterial (MPAH) streets and Month, Month for local streets.
- Assessment of pavement condition for all routes in the system, updated biennially. The last field review of pavement condition was completed on Month, Year.
- Percentage of all sections of pavement needing:
  - Preventative Maintenance: Type here%
  - Rehabilitation: Type here%
  - Reconstruction: Type here%
- Budget needs for Preventative Maintenance, Rehabilitation, and/or Reconstruction of deficient sections of pavement for:
  - Current biennial period $Type here
  - Following biennial period $Type here
- Funds budgeted or available for Preventative Maintenance, Rehabilitation, and/or Reconstruction:
  - Current biennial period $Type here
  - Following biennial period $Type here
- Backlog by year of unfunded pavement rehabilitation, restoration, and reconstruction needs.
- The Pavement Management Plan is consistent with countywide pavement condition assessment standards as described in the OCTA Countywide Pavement Management Plan Guidelines adopted by the OCTA Board of Directors.

*An electronic copy of the Pavement Management Plan (with Micro Paver or StreetSaver compatible files) has been, or will be, submitted with the certification statement.

A copy of this certification is being provided to the Orange County Transportation Authority.

Submitted by:

Click here to enter text.	Click here to enter text.
Name (Print)	Jurisdiction
	Click here to enter a date.
Signed	Date
Click here to enter text.	
Title (Public Works Director and/or City Engineer)	

II. Executive Summary

Click here to enter text.

III. Background (Optional)

Click here to enter text.

IV. Current Pavement Conditions (PCI)

Current Network PCI	Current MPAH PCI	Current Local PCI
Click here to enter	Click here to enter	Click here to enter

V. Projected Pavement Conditions (PCI)

Should be by projected PCI by year under existing or expected funding levels for next seven fiscal years ("Today" is before June 30, 2020).

Fiscal Year	Current Funding	Entire Network PCI	MPAH	Local
Today	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2020-21~~2018-19~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2021-22~~2019-20~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2022-23~~2020-21~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2023-24~~2021-22~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2024-25~~2022-23~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2025-26~~2023-24~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2026-27~~2024-25~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter

VI. Alternative Funding Levels

Maintain Existing Average Network PCI

Fiscal Year	Maintain Funding	Entire Network PCI	MPAH	Local
Today	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2020-21~~2018-19~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2021-22~~2019-20~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2022-23~~2020-21~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2023-24~~2021-22~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2024-25~~2022-23~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2025-26~~2023-24~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2026-27~~2024-25~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter

Improve Average Network PCI

Fiscal Year	Current Funding	Entire Network PCI	MPAH	Local
Today	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2020-21~~2018-19~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2021-22~~2019-20~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2022-23~~2020-21~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2023-24~~2021-22~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2024-25~~2022-23~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2025-26~~2023-24~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter
2026-27~~2024-25~~	Click here to enter	Click here to enter	Click here to enter	Click here to enter

VII. Current and Projected Backlog by Year of Pavement Maintenance Needs

Fiscal Year	Current Funding Backlog	Maintain PCI Backlog	Increase PCI Backlog
Current	Click here to enter	Click here to enter	Click here to enter
2020-21~~2018-19~~	Click here to enter	Click here to enter	Click here to enter
2021-22~~2019-20~~	Click here to enter	Click here to enter	Click here to enter
2022-23~~2020-21~~	Click here to enter	Click here to enter	Click here to enter
2023-24~~2021-22~~	Click here to enter	Click here to enter	Click here to enter
2024-25~~2022-23~~	Click here to enter	Click here to enter	Click here to enter
2025-26~~2023-24~~	Click here to enter	Click here to enter	Click here to enter
2026-27~~2024-25~~	Click here to enter	Click here to enter	Click here to enter

VIII. Centerline Mileage

Entire Pavement Network	MPAH	Local Roads
Click here to enter	Click here to enter	Click here to enter

IX. Percentage of Network in Each of Five Condition Categories Based on Centerline Miles

Condition Category	PCI Range	Network	Percent Area of Total Pavement	Area of Pavement (sf)	Percent Centerline Mileage of Network	Centerline Mileage of Network
Very Good	**86-100**	*MPAH*	Click here to enter%	Click here to enter	Click here to enter%	Click here to enter
		Local	Click here to enter%	Click here to enter		Click here to enter
Good	**75-85**	*MPAH*	Click here to enter%	Click here to enter	Click here to enter%	Click here to enter
		Local	Click here to enter%	Click here to enter		Click here to enter
Fair	**60-74**	*MPAH*	Click here to enter%	Click here to enter	Click here to enter%	Click here to enter
		Local	Click here to enter%	Click here to enter		Click here to enter
Poor	**41-59**	*MPAH*	Click here to enter%	Click here to enter	Click here to enter%	Click here to enter
		Local	Click here to enter%	Click here to enter		Click here to enter
Very Poor	**0-40**	*MPAH*	Click here to enter%	Click here to enter	Click here to enter%	Click here to enter
		Local	Click here to enter%	Click here to enter		Click here to enter

X. Reduction in Local Match

A local agency match reduction of 10% of the eligible cost for projects submitted for consideration of funding through the Comprehensive Transportation Funding Programs (CTFP) call for projects is available if the local agency either:

a. Shows 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 Master Plan of Arterial Highways (MPAH) or local street categories;

or

b. Have road pavement conditions during the previous reporting period, within the highest 20% 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 applicable, please use the space below to justify the local agency's eligibility for a reduction in Local Match based on the statement above.

Click here to enter text.

XI. Appendix A – Seven-Year Road Maintenance and Rehabilitation Plan Based on Current *or* Expected Funding Level

The seven-year plan for road maintenance and rehabilitation should be based on current and projected budget. Street sections selected for treatment should be identified here. Specific data to be submitted should follow the format below:

MPAH								
	Limits of Work							
Street Name	From	To	Length of Segment	Width of Segment	Pavement Area	Type of Treatment	Cost of Treatment	Year of Treatment

LOCAL								
	Limits of Work							
Street Name	From	To	Length of Segment	Width of Segment	Pavement Area	Type of Treatment	Cost of Treatment	Year of Treatment

Please attach the seven-year road maintenance and rehabilitation plan, following the above template, after this sheet. The plan should be labeled Appendix A.

XII. Appendix B – Complete Listing of Current Street Conditions

A complete listing of current pavement conditions should be included in this report. Specific data to be submitted should follow the format below:

MPAH						
Street Name	**From**	**To**	**Width of Segment**	**Area**	**Current PCI**	**Most Recent Inspection Date**

LOCAL						
Street Name	**From**	**To**	**Width of Segment**	**Area**	**Current PCI**	**Most Recent Inspection Date**

Please attach the complete street listing, following the above template, after this sheet. The pages should be labeled Appendix B.

XIII. Appendix C – Quality Assurance/Quality Control Plan

Introduction

When performing data collection in any field, the need for quality control is paramount as it is essential for accurate planning, analysis and design. This is particularly true for collecting pavement distress data for a pavement management system.

The Quality Assurance/Quality Control (QA/QC) Plan establishes minimum quality standards for performance and procedures for updates of the pavement management system.

If applicable, utilize the space below to include information on the agency's QA/QC policies:

Click here to enter text.

Objectives

This document constitutes a formal QA/QC Plan for the City/County. It was prepared on Select date and last revised on Select date.

Specifically, it is intended for the Year Applicable Pavement Management Plan Update. The focus is on the collection of network-level pavement distress data (defined by National Cooperative Highway Research Program (NCHRP) Synthesis 401 Quality Management of Pavement Data Collection, as "Network-level data collection involves collection of large quantities of pavement condition data, which is often converted to individual condition indices or aggregated into composite condition indices.")

This document also addresses the QA/QC plan requirements of the Orange County Transportation Authority (OCTA)'s "Countywide Pavement Management Plan Guidelines" (section 2.4), originally adopted in May 2010.

Structure of QA/QC Plan

The following components are addressed in this QA/QC Plan:

- Condition survey procedures used
- Accuracy required for data collection
- Inspector qualifications and experience
- Safety

Condition Survey Procedures

The governing document in performing condition surveys for the Enter agency nameis ASTM D6433 "Standard Practice for Roads and Parking Lots Pavement Condition Index (PCI) Surveys." Both asphalt concrete (AC) and Portland cement concrete (PCC) pavements are included in this protocol. The following distresses are collected for each pavement type.

Asphalt Concrete AC Pavements

1. Alligator (fatigue) cracking
2. Bleeding
3. Block cracking
4. Bumps and sags
5. Corrugation
6. Depression
7. Edge cracking
8. Joint reflection cracking
9. Lane/Shoulder drop off
10. Longitudinal & Transverse cracking
11. Patching and utility cut patching
12. Polished aggregate
13. Potholes
14. Railroad crossing
15. Rutting
16. Shoving
17. Slippage cracking
18. Swell
19. Weathering
20. Raveling

Portland Cement Concrete (Jointed)

1. Blowup/buckling
2. Corner breaks
3. Divided slab
4. Durability ("D") cracking
5. Faulting
6. Joint seal damage
7. Lane/shoulder drop off
8. Linear cracking
9. Patching (large) and utility cuts
10. Patching (small)
11. Polished aggregate
12. Popouts
13. Pumping
14. Punchout
15. Railroad crossing
16. Scaling, map cracking and crazing
17. Shrinkage cracks
18. Spalling (corner)
19. Spalling (joint)

Any exceptions to the above procedures are discussed before any surveys are performed. These are documented in the paragraphs below.

[Note to agency: these are usually related to distresses or situations that are not covered in the manuals. Examples include roller check marks or edge cracking on streets with no curbs and gutters. Others include the raveling of surface seals or the use of open-graded asphalt concrete mixes where the surface appears to have large voids present. Any modifications must be documented and included in this document. Photos are extremely helpful.]

All surveys are performed as Indicate type of surveys – walking, windshield, semi-automated etc. surveys, and a minimum 10% sampling rate is utilized. Field crews are typically composed of Click here to enter field crew information *(Typically a one-person crew on residential streets and some collectors, and up to two-person crews for major arterials, depending on traffic volumes and speeds. Edit as appropriate)*. The safety of field personnel is paramount in all instances.

The sample unit selected must be representative of the entire pavement section. This assumes that the section is homogenous; if it is not homogeneous, then the section must be split according to the criteria agreed upon by the agency. Typically, the criteria used are:

- Pavement condition
- Construction age, if known
- Maintenance history, if known
- Traffic volumes (or functional classification as a surrogate)
- Surface types (e.g. asphalt concrete or Portland cement concrete)
- Geometric elements (e.g. widths)

Any modifications to the section inventory data are documented in the pavement management report. A sample unit must be between 2,500 ± 1,000 square feet in conformance with ASTM D6433 protocols. Typical sample unit dimensions are 100 feet long by the width of the street. Streets that are wider than 40 feet wide will have shorter lengths (generally 50 feet) or if they are divided by a raised median, separate sample units will be taken in each direction.
Any pavement areas that are not representative of the section will be noted and surveyed as an additional sample unit.

Accuracy Required for Data Collection

The accuracy required for data collection has two components, both of which are further described in the following paragraphs.

- Re-inspections
- PCI comparisons with past surveys

Random and Systematic Re-Inspections

Random Re-inspections

Random re-inspections will include a representative selection across the following categories:

- Functional classes (i.e. MPAH, locals);
- Surface types (e.g. asphalt concrete or Portland cement concrete);
- Pavement conditions (e.g. good, fair, poor);
- Inspectors;
- Geographical areas, if applicable.

Systematic Re-inspections

For systematic re-inspections, this could be due to noticed trends such as specific treatment types (e.g. open-graded mixes), a specific inspector or geographical area. In such cases, more than 5% will be re-inspected.

Acceptability Criteria

At the time of re-inspection, the actual distresses will be re-inspected and verified, and any corrections made, if necessary. Distress types and severities must be the same and re-measured quantities within ±10% of the original measured quantity.

If corrections are required on more than 10% of the re-inspected sample unit, then an additional 5% will be re-inspected. This will continue until more than 95% of the re-inspected sections meet the acceptability criteria.

PCI Comparison with Past Surveys

As another level of quality control, the new PCIs are compared with the previous PCIs. If they differ by more than ±10 PCI points, these sections are automatically flagged for further investigation.

If PCI Increases 10 points

The section is investigated to see if a maintenance and rehabilitation event has occurred since the last survey, but has not been recorded. Typically, it may include activities such as:

- Crack sealing activities – changes medium or high severity cracking to low severity
- Patching activities – alligator cracking that has been removed and patched, so that the resultant PCI is increased.
- Surface seals
- Overlay
- Others

Therefore, an up to date maintenance and rehabilitation history file in the pavement management database is desirable, both for historical accuracy as well as to provide additional quality control.

If PCI decreases 10 points

The section is checked to see if the average deterioration rate (usually 3 to 4 points per year) is exceeded. If the drop in PCI is within range of what is acceptable, no further action is required. If the drop is more than the acceptable range, a re-inspection will be performed. The default performance curves in the pavement management software form the basis for what is acceptable.

Inspector's Qualifications and Experience

The Enter agency here inspectors have attended formal training on pavement condition distress surveys. This training was conducted prior to performing any work using the ASTM D6433 protocols, consistent with OCTA's requirements.

Inspector Name	Date of ASTM D6433 Training	Training Conducted By:
Click here to enter	Click here to enter	Click here to enter
Click here to enter	Click here to enter	Click here to enter

Resumes of the technicians utilized on this project are included as an attachment.

Safety Procedures

The Enter agency here administers a health and safety program in compliance with the Cal Occupational Safety and Health Administration (OSHA) Title VIII, Section 3203. The program is documented in Enter document name here.

Generally, the safety procedures include (Edit as applicable to agency):

- Inspectors to wear a Class 2 or 3 safety vest at all times;
- Flashing beacon on all vehicles utilized for surveys; and
- Stopped vehicles to be parked at locations away from moving traffic (e.g. nearby parking, shoulders, etc.).
- Enter safety protocol here.

On streets where there is a high volume of traffic or high speeds, additional measures may be necessary, such as:

- Surveys to occur during off-peak periods or on weekends;
- Additional inspector to watch out for traffic; and
- Traffic flaggers in extreme cases.

Attachment – Appendix C: Resumes of Field Inspectors

---End of QA/QC Plan---

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XIV. Appendix D – Pavement Management Data Files

The Pavement Management data files shall be submitted to OCTA in spreadsheet format. This must include the following information:

- Street name and limits for all public streets
- Street identifiers (Branch ID, Section ID)
- Direction (if applicable)
- Beginning and ending of each section
- Length, widths, and true areas
- Functional Classification (MPAH, Local)
- Number of travel lanes
- PCI and date of inspection
- Type of recommended treatment
- Cost of recommended treatment

The Pavement Management data files are attached here ~~as~~ on a CD/flash drive, or included as Appendix D.

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XV. Appendix E – GIS Maps – Current Conditions (Optional)

If included, attach and label Appendix E.

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Appendix B – Prequalified Pavement Inspection Consultants and Local Agencies

~~**March 23, 2016 – Expires June 30, 2018**~~

~~1. Bucknam Infrastructure Group~~
~~2. City of Cypress~~
~~3. Civil Source, Inc.~~
~~4. Dynatest~~
~~5. Fugro~~
~~6. GIE~~
~~7. NCE~~
~~8. Onward Engineering~~
~~9. City of Orange~~

~~**April 21, 2017 – Expires June 30, 2019**~~

~~1. Adhara Systems, Inc.~~
- ~~Jeff Vu~~
- ~~William Duong~~

~~2. Fugro Roadware, Inc. (Automated)~~
- ~~Shi Chang~~
- ~~Thomas Burchett~~

~~3. GMU~~
- ~~Armando Roa~~
- ~~Ashley Varni~~

~~4. Harris & Associates~~
- ~~Marissa Baclig~~
- ~~Mike DeVila~~
- ~~Paul Muse~~
- ~~Vijay Pulijal~~

~~5. IMS~~
- ~~Alan Sadowsky~~
- ~~David Butler~~

~~6. Marker Geospatial (Automated)~~
- ~~John Zimmer~~
- ~~Ken Huisaran~~

~~7. NCE~~
- ~~David Na~~
- ~~Jacob Rajnowski~~

~~8. Twining~~
- ~~Adrian Moreno~~
- ~~Amir Ghavjbazoo~~
- ~~David Hanna Ford~~
- ~~Paul Soltis~~

~~9. Vanderhawk~~
- ~~Mat Huff~~

February 15, 2018 – Expires June 30, 2020

1. Bucknam Infrastructure Group
2. Dynatest

April 24, 2019 – Expires June 30, 2021

1. GMU
   - Greg Bucknam
   - Lucie Anderson
   - Rosali Chavez
2. Bucknam Infrastructure Group
   - Shaun Ross
3. IMS
   - David Butler
4. NCE
   - Franc Escobedo
   - Joseph Deleon

- Kevin Dao
- Narut Leehacharoenkul

February 7, 2020 – Expires June 30, 2022

1. Dynatest/ARA
   - Phil Donovan, Automated
   - Kenneth Flack, Automated
   - Jung Moon, Automated
   - Sara Pournoman, Automated
   - Leah Ramirez, Automated
   - Sebastian Ramos, Automated
2. Harris
   - Paul Muse, Manual
   - Vijay Pulijal, Manual
3. Bucknam Infrastructure Group
   - Aaron Cohodas, Manual
   - Joshua Logsdon, Manual
   - Cade Bucknam, Manual
4. Kimley Horn
   - Timothy Miller, Manual
5. NCE
   - Marvin Mann, Manual
   - Katrina Cai, Manual Survey
   - Jake Rajnowski, Manual
6. Fugro
   - Michael Tavares, Manual
   - Dona Daniels, Automated
7. IMS
   - David Bratton, Automated
8. GMU
   - Ali Zalghout, Manual
9. Marker
   - John Zimmer, Automated/Manual
   - Ken Huisman, Manual

* Firms prequalified at least one representative in both cycles
(x) Number of inspectors prequalified

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Appendix C – Recommendations for Pavement Inspectors

Since 2011, OCTA has completed prequalification studies which involved more than 30 inspectors and over 60 different pavement control sections. From one prequalification cycle to the next, OCTA made an effort to streamline and improve the process by learning from the observations made during each prequalification cycle. Following are recommendations for inspectors interested in participating in the prequalification program:

General

- Inspectors should have in their possession the latest edition of the Paver pocket guides for easy reference to distress definitions and severity levels during field surveys.

- It is important to accurately measure crack width in order to correctly identify the severity of distress.

- It is strongly advised that inspectors have a second person watch for traffic while they are conducting the surveys. Visually approximating quantities of distress and severities will most certainly result in inaccurate estimates of the PCI.

PCC Pavements

- There are a limited number of concrete pavements in Orange County. The majority of these pavements are old and in some instances the slabs are more than 50 feet long. According to ASTM D6433, slabs longer than 9m (29.5 feet) must be divided into imaginary joints that are considered to be in perfect condition.

- Missing joint seal on concrete pavement is recorded as high severity joint seal damage for the entire length of joints affected. Most PCC pavements in the county completely lack joint sealant.

- When surveying a PCC section, it is very important to make sketch of the slabs being evaluated. Without the sketch, it will be very difficult to correctly count and report distress.

Asphalt Concrete Pavements

- Several types of distress may occur in the same area. With few exceptions, all types of distress have to be recorded: e.g. raveling and alligator cracking.

- Measurements of rutting require the use of a straight edge of minimum 6 feet length. Repeated measurements are required to correctly identify the areas of rutting and severity levels. This type of measurement requires the help of a second person to watch for traffic. Remember that OCTA does not provide traffic control.

Surface Treatments

- ASTM D6433 does not include distresses specific to surface treatment such as slurry seals or chip seals. Inspectors should use their best judgment to evaluate the condition of the original asphalt concrete surface underneath the surface treatment.

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COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: South County Traffic Relief Effort Update and Next Steps

Regional Planning and Highways Committee Meeting of April 6, 2020

Present: Directors Bartlett, Chaffee, Delgleize, Muller, M. Murphy, and R. Murphy
Absent: Director Pulido

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Committee Recommendations ***(Reflects a change from staff recommendations)***
Recommendation A was amended

A. Direct staff to work with the Transportation Corridor Agencies, County of Orange, and all relevant stakeholders in the preparation of a project development plan for a non-tolled extension to Los Patrones Parkway.

B. Direct staff to work with the California Department of Transportation and the City of San Juan Capistrano to advance funding for the final design for the widening of Ortega Highway.

C. Direct staff to work with the California Department of Transportation and the San Diego Association of Governments to advance funding for the environmental process for Interstate 5 high-occupancy vehicle lane improvements.

D. Direct staff to return in summer 2020 with a status report on the South Orange County Multimodal Transportation Study.

Committee Discussion

At the April 6, 2020, Regional Planning and Highways Committee meeting, Directors Bartlett and Muller discussed Recommendation A and noted that multiple agencies may need to be consulted in the development of the Los Patrones Extension, including but not limited to City of San Juan Capistrano, OC Waste & Recycling, etc. As such, Recommendation A was amended to allow for engagement of all potential stakeholders.

OCTA

April 6, 2020

To: Regional Planning and Highways Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: South County Traffic Relief Effort Update and Next Steps

Overview

The Transportation Corridor Agencies and the California Department of Transportation are in the process of concluding a study of toll road expansion options in south Orange County through the South County Traffic Relief Effort. Based on technical work, public input, and policy direction, three alternatives are proposed to move forward in the project development process. These include a non-tolled extension of Los Patrones Parkway from Cow Camp Road to Avenida La Pata, widening of Ortega Highway between Calle Entradero to Reata Road, and extension of the Interstate 5 carpool lane from Avenida Pico to the San Diego County line area. Other future projects will be considered as part of the Orange County Transportation Authority's comprehensive South Orange County Multimodal Transportation Study. A status report and recommended next steps are presented for review and approval.

Recommendations

A. Direct staff to work with the Transportation Corridor Agencies, County of Orange, and City of San Clemente in the preparation of a project development plan for a non-tolled extension to Los Patrones Parkway.

B. Direct staff to work with the California Department of Transportation and the City of San Juan Capistrano to advance funding for the final design for the widening of Ortega Highway.

C. Direct staff to work with the California Department of Transportation and the San Diego Association of Governments to advance funding for the environmental process for Interstate 5 high-occupancy vehicle lane improvements.

D. Direct staff to return in summer 2020 with a status report on the South Orange County Multimodal Transportation Study.

Background

The Orange County Transportation Authority (OCTA) finalized the South Orange County Major Investment Study (SOCMIS) in 2008. Since that time, most of the recommendations from the SOCMIS locally-preferred strategy have been implemented or are underway, including the recently completed Interstate 5 (I-5) carpool lanes between San Juan Creek Road and Avenida Pico. There have also been significant changes since 2008 within south Orange County, including development pattern changes, elimination of the proposed State Route 241 (SR-241) Green Alignment extension (assumed in the SOCMIS baseline scenario), and the opening of Los Patrones Parkway as a north-south local arterial within right-of-way, previously reserved for the SR-241 extension. In response to these changes, along with a need to align projects to compete for various funding programs, such as the Solutions for Congested Corridors Program, in fall 2019, OCTA initiated a two-year South Orange County Multimodal Transportation Study as an update to SOCMIS.

As noted above, one of the most significant changes since SOCMIS was the elimination of the SR-241 Green Alignment. This occurred in 2016 through a settlement agreement between the Transportation Corridor Agencies (TCA), the State Attorney General, and a coalition of environmental groups. TCA has since been seeking other options to expand the toll road network. These efforts led to the development of the South County Traffic Relief Effort (SCTRE). TCA, in cooperation with the California Department of Transportation (Caltrans), initiated the environmental phase in fall 2019, based on earlier planning efforts. Through these earlier planning efforts, OCTA expressed significant concerns with the planning process. These concerns generally focus on conflicts with Measure M2 (M2) projects, either already implemented, under construction, or planned by OCTA and other agencies.

Discussion

TCA and Caltrans issued a Notice of Intent/Notice of Preparation in November 2019, which started the scoping period for the environmental phase. The scoping period is primarily used to define the set of alternatives that will undergo detailed technical study and environmental analysis. This included a public comment period that concluded on February 10, 2020. The alternatives include the concepts identified in TCA's earlier planning documents.

TCA and Caltrans described ten project alternatives plus four project variations as part of the noticing for the public scoping period. Several of these alternatives would impact recently completed or ongoing projects. These include the recently completed and M2-funded carpool lanes on I-5 from Pacific Coast Highway to Avenida Pico, the M2-funded construction currently underway on I-5

from El Toro Road to Avery Parkway, and the recently constructed Los Patrones Parkway from Oso Parkway to Cow Camp Road, which is on the Master Plan of Arterial Highways. In addition, the ten project alternatives, related variations, and overall traffic assumptions include a +3.5-mile extension of the I-5 carpool lane from Avenida Pico to the San Diego County line area, and a planned 1.1-mile widening of Ortega Highway between between Calle Entradero to Reata Road. The latter two projects are also included in OCTA's current Long-Range Transportation Plan and Southern California Association of Governments Regional Transportation Plan.

During the scoping period, TCA and Caltrans received 1,650 comments by the public, cities, and other stakeholders, including a comment letter sent by OCTA. General themes emerging from the scoping period comments include:

- Concerns with alternatives that conflict with other public projects;
- Concerns with potential community, open space, and preserved land impacts;
- Objection to tolling or conversion of high-occupancy vehicle lanes or existing arterial highways to tolled lanes;
- Opposition to a toll road extension to I-5;
- General support for shifting traffic eastward on a new arterial roadway (Los Patrones Parkway extension); and
- Request to defer current and future studies to OCTA.

Other more detailed comments are included in the TCA scoping summary document (available on the TCA website).

Concurrent with the scoping process, TCA and Caltrans reviewed technical travel demand modeling work and concluded that an untolled extension of Los Patrones Parkway from Cow Camp Road to Avenida La Pata offered the highest traffic relief benefit and lowest cost compared to the other build alternatives. This arterial extension would deliver more traffic to SR-241 at Oso Parkway than tolled and other alternatives.

Given the technical analysis, public input, and comments from OCTA and Caltrans, the TCA Board of Directors (Board) approved a recommendation on March 12, 2020, to direct staff to work with the County of Orange and other stakeholders to prepare a project development plan for the Los Patrones Parkway Untolled Extension (Attachment A). The TCA Board also approved recommendations to support Caltrans and OCTA efforts to advance the I-5 carpool lane improvements from Avenida Pico to the San Diego County line area, as well as support plans to complete the widening of Ortega Highway in the City of San Juan Capistrano.

Overall, the TCA recommendations – that reflect significant input from OCTA and Caltrans – complete the SCTRE process and advances the best performing and publicly-supported alternatives forward into a separate project development process, which formally concludes the TCA efforts to identify solutions for a southerly extension of the SR-241 toll road in south Orange County. Support for the March 12, 2020, TCA action has been generally well-received by the public, cities, stakeholders, and elected officials.

For OCTA, the conclusion of the SCRTE process enables the quick start-up of project development work (e.g., environmental clearance, final design, etc.) on the widening of Ortega Highway and the I-5 carpool lane extension projects. Therefore, recommendations are included in this report that direct staff to work with Caltrans, the City of San Juan Capistrano, and the San Diego Association of Governments to advance project development funding to get these projects ready for future construction funding. Further, OCTA expects to work with TCA, the County of Orange, and San Clemente on the preparation of a project development plan for a non-tolled extension Los Patrones Parkway. Regular updates on development of the plan will be prepared by the stakeholders. Staff will keep the Board apprised of the progress as appropriate.

Finally, the three projects (Los Patrones Parkway extension, Ortega Highway widening, and I-5 carpool lane extension) are focused on meeting travel demand over the next decade. Longer-term multimodal solutions are also necessary, and OCTA's South Orange County Multimodal Transportation Study will help define these future solutions. A status report will be provided to the OCTA Board in summer 2020.

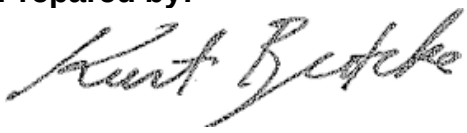
Summary

Efforts are under way to conclude the South County Traffic Relief Effort. Three alternatives are proposed to move forward in the project development process, including a non-tolled extension of Los Patrones Parkway, widening of Ortega Highway, and extension of the I-5 carpool lane. The comprehensive South Orange County Multimodal Transportation Study will consider other future multimodal improvements. Recommendations are presented to move forward in the project development process.

Attachment

A. Key South Orange County Transportation Projects

Prepared by:



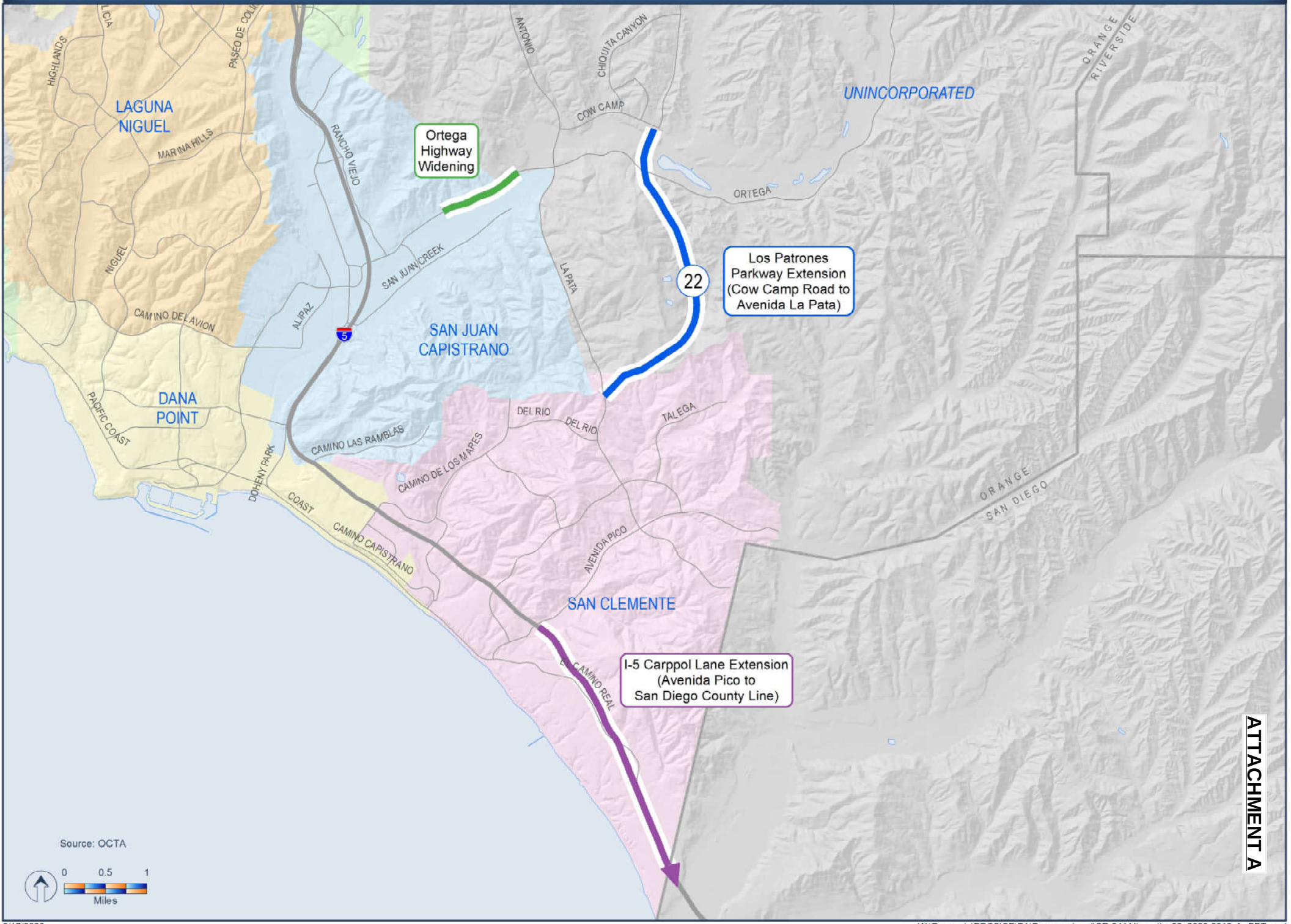
Kurt Brotcke
Director, Strategic Planning
(714) 560-5742

Approved by:



Kia Mortazavi
Executive Director, Planning
(714) 560-5741

Key South Orange County Transportation Projects



ATTACHMENT A

South County Traffic Relief Effort Update and Next Steps

Overview

Transportation Corridor Agencies

- 2004: South Orange County Transportation Infrastructure Improvement Project (SOCTIIP)
- 2013: Tesoro Extension Addendum to SOCTIIP
- 2016:
  - South Orange County Mobility Working Group (six elected official meetings)
  - Community Ascertainment Study
  - Foothill South and Tesoro Extensions Settlement Agreement
- 2017:
  - Initiated South County Traffic Relief Effort PSR-PDS
  - South County Traffic Relief Initial Screening Report
- 2019: South County Traffic Relief Effort – Final PSR-PDS
- Current:
  - **South County Traffic Relief Effort – PA&ED – Scoping**
  - **Comment period ended in February 2020**
  - **TCA action in March 2020**

PSR-PDS – Project Study Report-Project Development Support
PA&ED – Project Approval and Environmental Document
TCA – Transportation Corridor Agencies

OCTA

- 2008: South Orange County Major Investment Study
- 2010: Long-Range Transportation Plan
- 2011: Measure M2 improvements initiated
- 2012: Expanded Metrolink service launched
- 2015: New I-5/Ortega interchange opens
- 2016: Initiated I-5 PSR-PDS (Avenida Pico to County line)
- 2018: New I-5 HOV lanes open (San Juan Creek Road to Avenida Pico)
- Current:
  - **Ortega Highway widening – environmental assessment (Caltrans)**
  - **I-5 widening from Avery Parkway to El Toro Road in construction**
  - **South Orange County Multimodal Transportation Study**
- Proposed:
  - Final design of Ortega Highway Widening Project
  - Environmental assessment of I-5 HOV extension

I-5 – Interstate 5 / HOV – High-Occupancy Vehicle /
Caltrans – California Department of Transportation

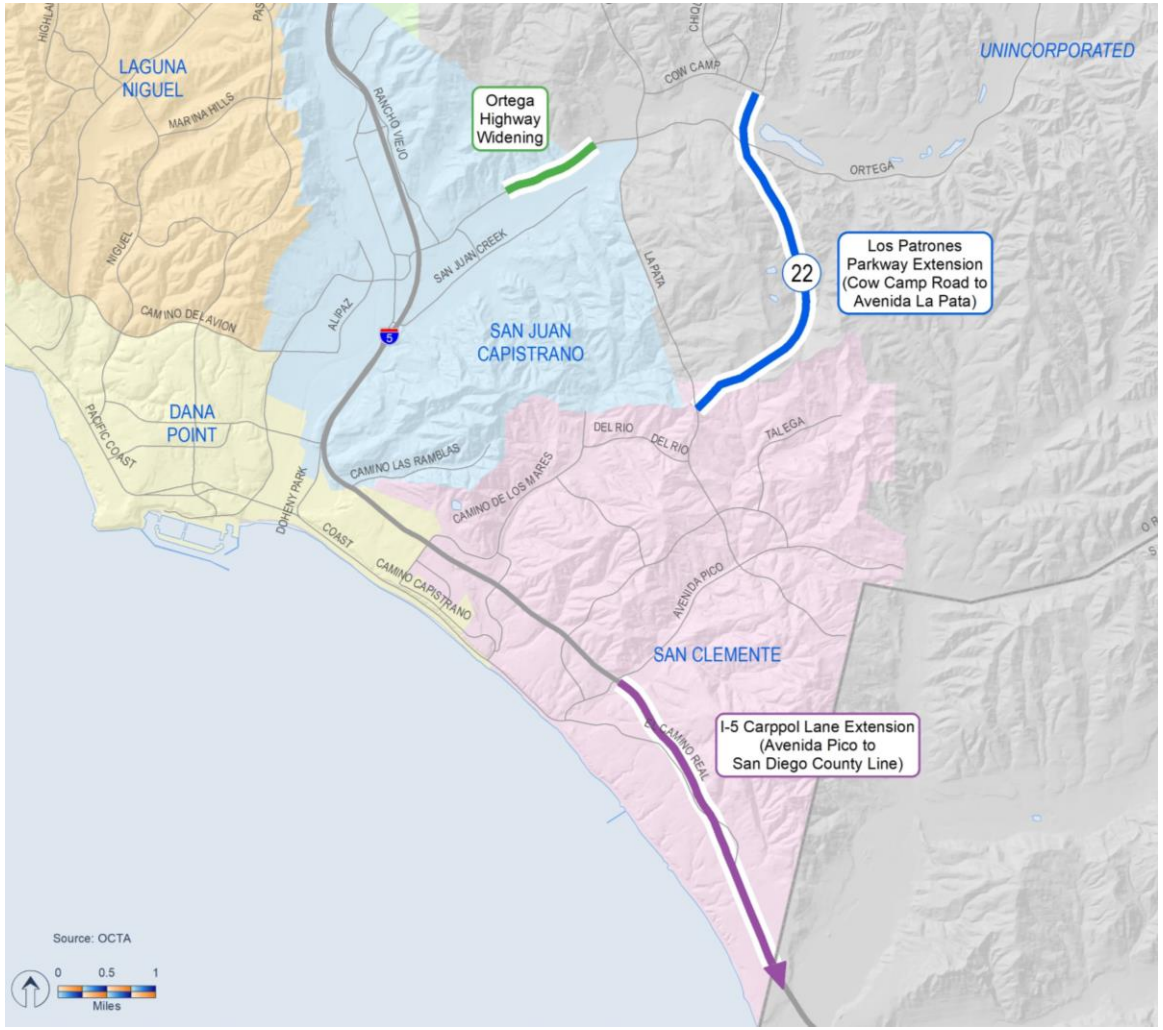
Scoping Period Comments

- Conflicts with Measure M2 freeway program and other public projects
- Concerns with potential community, open space, and preserved land impacts
- Objections to tolling freeway carpool lanes and arterial roadways
- Opposition to a toll road extension to I-5
- General support for shifting traffic eastward on a new arterial roadway (Los Patrones Parkway extension)
- Request to defer current and future studies to OCTA
- Other more detailed comments

OCTA – Orange County Transportation Authority

Agreed Upon Next Steps

- Prepare a project development plan for a non-tolled extension to Los Patrones Parkway
- Advance funding for final design for the widening of Ortega Highway
- Advance funding for the environmental process for I-5 HOV lane improvements
- Defer longer solutions to the South Orange County Multimodal Transportation Study



COMMITTEE TRANSMITTAL

April 13, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Contract Change Order for Utility Conflicts for the Construction of the OC Streetcar Project

Transit Committee Meeting of April 9, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom
Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Director Pulido was not present to vote on this item.

Committee Recommendation

Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 4.2 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of $2,426,000, for work to address utility conflicts for the construction of the OC Streetcar project.

April 9, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Contract Change Order for Utility Conflicts for the Construction of the OC Streetcar Project

Overview

On September 24, 2018, the Orange County Transportation Authority Board of Directors approved Agreement No. C-7-1904 with Walsh Construction Company II, LLC, for construction of the OC Streetcar project. A contract change order is required for necessary work to address continuing utility conflicts.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 4.2 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of $2,426,000, for work to address utility conflicts for the construction of the OC Streetcar project.

Discussion

On September 24, 2018, the Orange County Transportation Authority (OCTA) Board of Directors (Board) awarded the contract to construct the OC Streetcar project (Project) to Walsh Construction Company II, LLC (Walsh). The Notice to Proceed with Construction was issued to Walsh on March 4, 2019. Construction activities are underway, with the focus on construction of the Maintenance and Storage Facility and the underground storm drain, sewer, and water utility relocations within City of Santa Ana (City) streets. Installation of foundations and retained approaches for both the new 350-foot long bridge across the Santa Ana River and the bridge over Westminster Avenue is also underway.

Walsh continues to encounter many unknown utility lines during the underground relocation work that are neither shown on the contract plans nor on City and private utility record maps. Additionally, Walsh is continuing to encounter underground utilities that are not in the locations reflected in utility records and

not as noted on the plans. When unidentified utilities are encountered, or when utilities are at a different location than shown on the plans, Walsh notifies OCTA and requests direction to resolve the conflict. Additional potholing is often necessary to confirm the utility type and location for supporting design change decisions. Work to alleviate the utility conflict can include cutting and capping the utility or relocating the utility.

The Project is being constructed in one of the oldest developed areas of the City, and contains old and abandoned utilities dating back approximately 150 years. Many of these old and abandoned utilities are not documented on City utility base maps or in utility company records. Significant efforts were undertaken during the design phase of the Project to identify existing utilities and develop plans for relocation or protection for those determined to conflict with the Project. It is not possible to exactly locate all the known and unknown existing underground utilities without trenching for the new installations and exposing as-built conditions to identify unknown conflicts. The type of potholing allowed by the City and performed during the design could only be used to verify the location and depth of critical utilities shown on record maps.

On April 15, 2019, Contract Change Order (CCO) No. 4.0 was issued to Walsh, in the amount of $200,000, for work to address unknown utilities on a time-and-expense basis. CCO No. 4.0 included potholing, cutting, capping, and/or relocating unidentified or mislocated utilities to different locations or elevations. As the work progressed, numerous additional unknown and existing mis-located utilities were encountered. This required additional efforts by Walsh to eliminate the conflicts, with the cost of the work exceeding the approved CCO No. 4.0 budget.

Supplemental CCO No. 4.1, in an amount not to exceed $833,000, was approved by the Board on November 25, 2019, and issued to Walsh for continued work to address the utility conflicts. The amount of CCO 4.1 was an estimate of the cost for the remaining work and was based on the assumption that the conditions encountered in the initial stages of work for sewer and water lines would remain consistent for the duration of the work, including relocations of storm drains.

As work continued on sewer and waterline relocations and commenced on the remaining storm drain relocations, it became apparent that the utility conflicts encountered by the contractor are more complex than anticipated, requiring extensive redesign work and additional construction to eliminate the conflicts. As a result, the funds in CCO No. 4.1 are nearly depleted, and additional funding is required to address utility conflicts with the remaining storm drain, sewer, and waterline construction. The current status of completed work is 85 percent of the sewer line construction, 45 percent of the water line formation, and 15 percent of the storm drain relocations.

An independent cost estimate, which provides an order of magnitude cost for the continued work to address unknown utility conflicts, has been prepared by the construction management team. The cost of the additional work is estimated at $2,426,000, and includes conservative assumptions on the number of unknown utility conflicts that may be encountered, and the associated work to address the conflicts based upon experience to date with the completed sewer, waterline, and storm drain work. This estimate reflects the significant efforts required to address conflicts encountered with the storm drain relocations, including trench potholing that involves opening up a large section of the street to expose and survey all potential conflicts, re-design, coordination with the City and affected third-party utilities, and relocation work. The storm drain work was commencing at the time of the preparation of CCO No. 4.1, and the full extent of conflicts and required work to address the conflicts was not known.

Proposed supplemental CCO No. 4.2, to augment CCO nos. 4.0 and 4.1 by $2,426,000, for the remaining work to address unknown utility conflicts requires Board approval. This CCO is paid on a time-and-materials basis to the contractor after labor and equipment quantities are confirmed through daily extra work reports prepared by the contractor, and approved by the construction management team. Deductive change directives will be issued for work included in the original contract that was not performed.

Walsh has also requested time-related overhead be paid as part of the CCO because the Project schedule may be impacted. It was agreed that the request would be deferred until the required time impact evaluation is provided and reviewed by OCTA. Staff will return to the Board for approval of any required supplemental costs related to the change when the final impacts have been agreed to by both OCTA and Walsh.

The cost of the work will be funded from the Project contingency because the work was unknown and not evident when the Project cost estimate was prepared. It will not increase the Project cost of $407.7 million, as defined in the Full Funding Grant Agreement.

Procurement Approach

The initial procurement was handled in accordance with OCTA's Board-approved procedures for public works projects. These procedures, which conform to both federal and state requirements, require that contracts are awarded to the lowest responsive, responsible bidder after a sealed bidding process. On September 24, 2018, the Board authorized Agreement No. C-7-1904 with Walsh, in the amount of $220,638,549, for construction of the Project.

Proposed CCO No. 4.2, in the amount of $2,426,000, will increase the cumulative value of the contract to $233,550,377, as shown in Attachment A. Board approval is required for CCO No. 4.2, pursuant to the State of California Public Contracting Code Section 20142.

Fiscal Impact

The additional work for this Project is included in OCTA's Fiscal Year 2019-20 Budget, Capital Programs Division, Account 0051-9017-TS010-Z42, and is funded with Federal Section 5309 New Starts and local Measure M2 funds.

Summary

Staff recommends Board of Directors' authorization for the Chief Executive Officer to negotiate and execute Contract Change Order No. 4.2 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of $2,426,000, for continued work to address utility conflicts for the OC Streetcar project.

Attachment

A. Walsh Construction Company II, LLC, Agreement No. C-7-1904, Contract Change Order (CCO) Log

Prepared by:

Mary Shavalier
Program Manager
(714) 560-5856

Virginia Abadessa
Director, Contracts Administration and Materials Management
(714) 560-5623

Approved by:

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

Walsh Construction Company II, LLC
Agreement No. C-7-1904
Contract Change Order (CCO) Log

CCO No.	Title	Status	Date Executed	Cost	Remarks
1	Demolition, Removals, and Disposal at the Maintenance and Storage Facility (MSF) Property	Approved	6-20-2019	$199,749	
1.1	Demolition, Removals, and Disposal at the MSF Property Additional Funding	Approved	6-25-2019	$113,884	
2	Removal and Disposal of Contaminated Materials at the MSF Property	Approved	6-25-2019	$200,000	
2.1	Removal and Disposal of Contaminated Materials at the MSF Property Additional Funding	Approved	8-15-2019	$160,000	
3	Removal and Disposal of Contaminated Materials within the Orange County Transit District-Owned Pacific Electric Right-of-Way	Approved	9-12-2019	$1,600,000	
3.1	Contract Change Order for Removal and Disposal of Contaminated Materials Within the Orange County Transit District-Owned Pacific Electric Right-of-Way and Other Project Areas for the OC Streetcar Project	Approved	2-25-2020	$7,278,795	
4	Required Work to Address Utility Conflicts	Approved	8-27-2019	$200,000	
4.1	Required Work to Address Utility Conflicts Additional Funding	Approved	2-25-2020	$833,300	
4.2	Required Work to Address Utility Conflicts Additional Funding	Pending		$2,426,000	

Subtotal Executed CCOs	$10,585,728
Subtotal Pending CCOs	$2,426,000
TOTAL CCOs	$13,011,728
ORIGINAL VALUE	$220,538,649
PROPOSED REVISED VALUE	$233,550,377

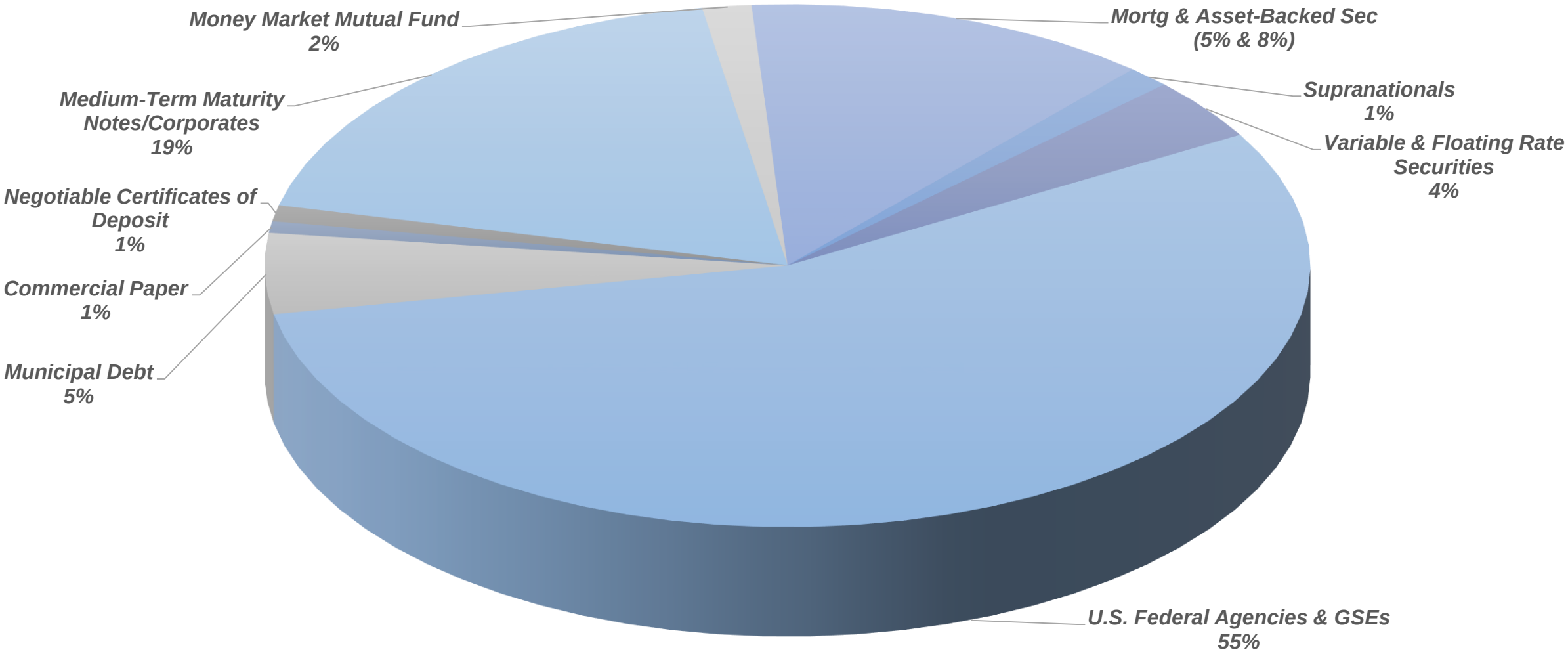
ATTACHMENT A

Orange County Transportation Authority
Financial Update

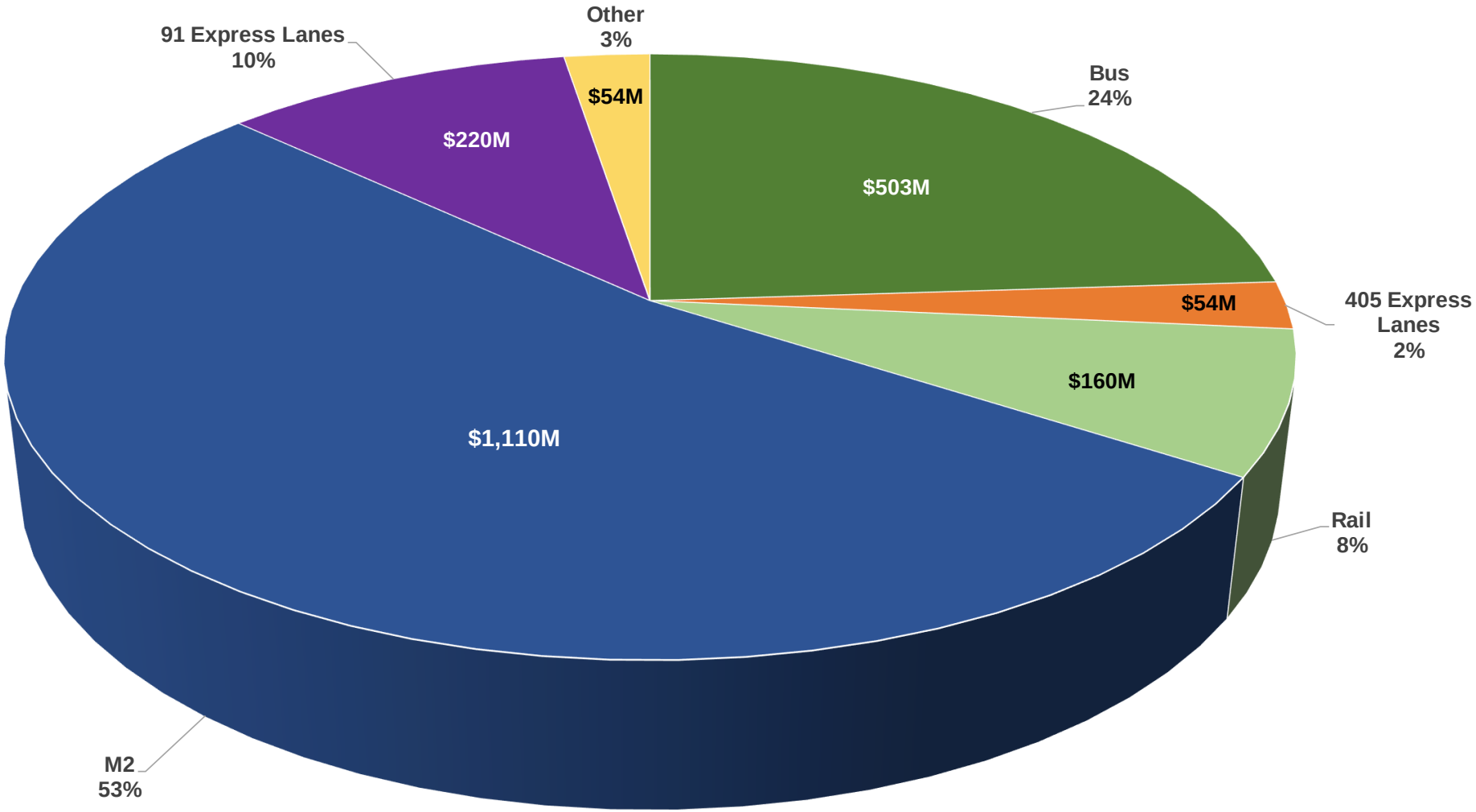
Program Updates

- Investments
- Measure M2 (M2)
- Bus
- Express Lanes Programs
  - 91 Express Lanes
  - Interstate 405 (I-405) Express Lanes

Short-Term Portfolio Balance of $1.6 Billion



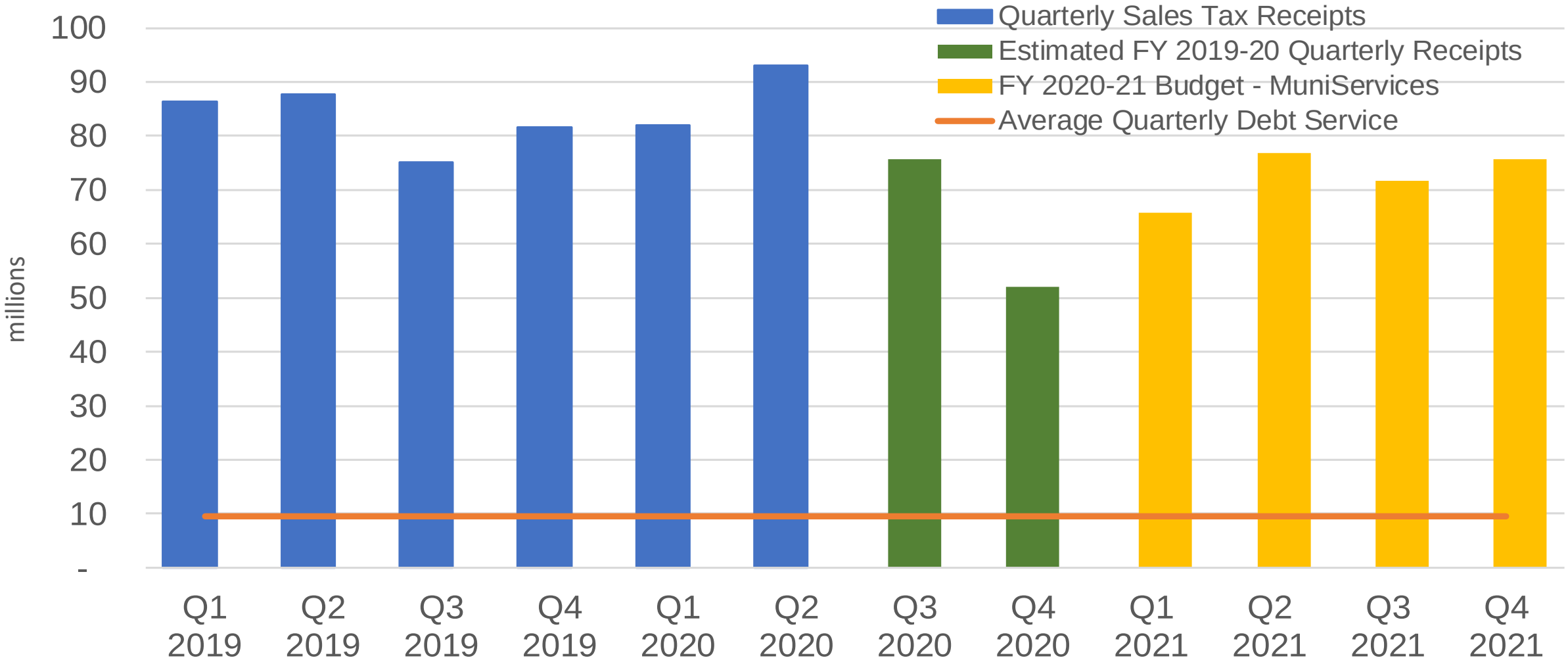
Cash Balance of $2.1Billion



M2 Program

- Sales tax collections
  - Fiscal Year (FY) 2018-19: $331 million
  - FY 2019-20 (estimated): $303 million
  - FY 2020-21 (forecast): $290 million
- Historically strong debt service coverage and cash balances
  - Outstanding sales tax revenue bonds of $627 million
  - Annual debt service of $39 million
  - FY 2019 coverage ratio - 8.8x
  - Cash balance of $1.1 billion
  - Economic uncertainty of $1.9 billion
- Future financing
  - No need for additional financing until FY 2022-23

M2 Program: Sales Tax vs Debt Service



Bus Program

- Sales tax collections
  - FY 2018-19: $176 million
  - FY 2019-20 (estimated): $161 million
  - FY 2020-21 (forecast): $154 million
- Fixed-route ridership down 72 percent negatively impacting fare revenue
  - Current losses for fixed-route fare revenue of ~ $2.5 million per month
- State Transit Assistance anticipated to decrease due to declining fuel usage
- Annual operating cost per year is ~ $320 million

Bus Program

- Coronavirus Aid, Relief, and Economic Security (CARES) Act – $155M
- Strong cash position
  - Board approved an increase in operating reserve from 45 days to 60 days
  - Operating reserve is currently $107 million (120 days)
- No outstanding debt and no plans for future issuances
- Capital program remains funded

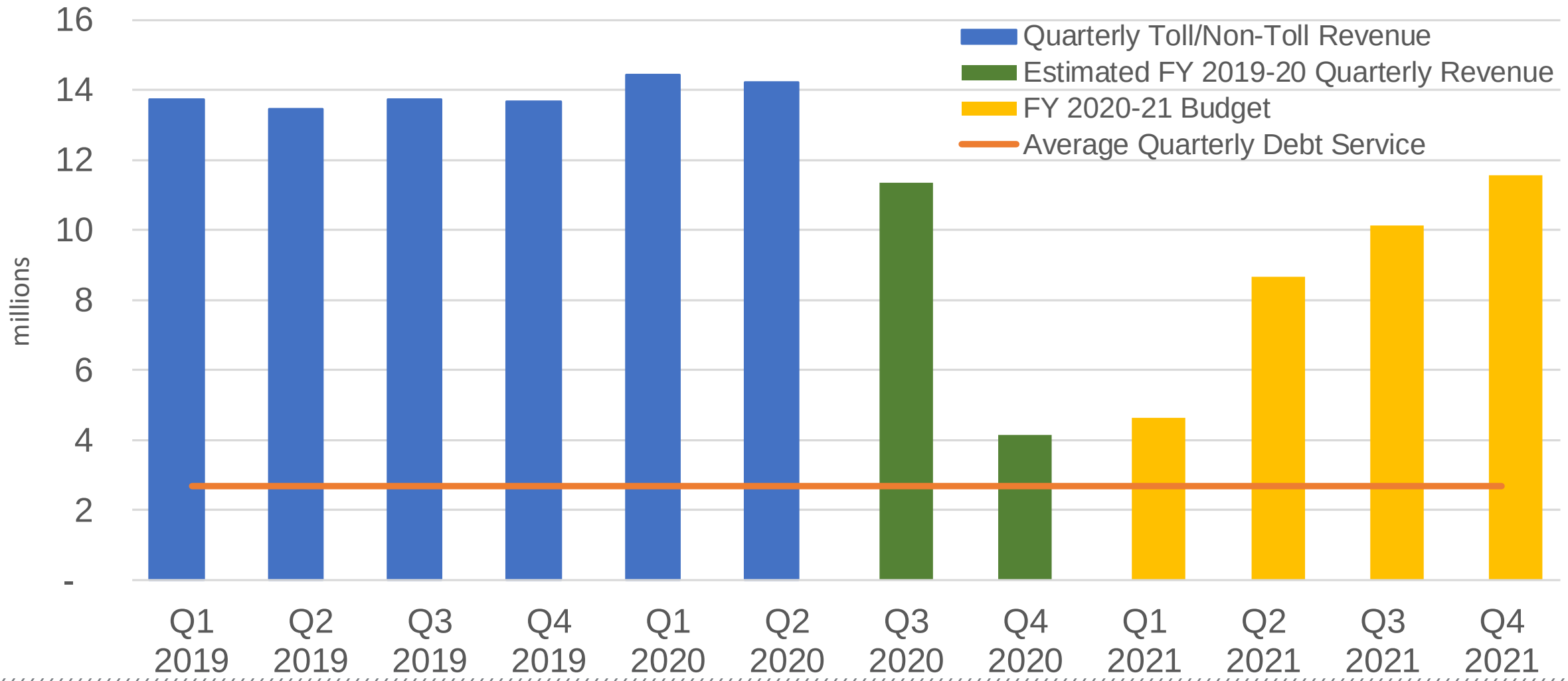
91 Express Lanes

- Toll revenue down 60 percent due to declining traffic volume

- Historically strong debt service coverage ratio
  - Outstanding toll road revenue bonds of $92 million
  - Annual debt service of $11 million
  - FY 2019 coverage ratio – 4.6x (1.3x required)

- Strong cash position
  - Indenture required reserves fully funded at $25 million
  - Unrestricted reserves total $180 million
    - Includes internal capital fund ($25 million), M2 Project Fund ($57 million), and excess toll revenue reservice ($98 million)

91 Express Lanes: Revenue vs Debt Service



I-405 Express Lanes

- Supported by $629 million federal Transportation Infrastructure Finance and Innovation Act Loan
  - Interest rate of 2.91 percent
  - Loan terms will not change due to impact of COVID-19
  - Current draws on the loan total $287 million
- Required Line of Credit
  - Outstanding amount of $500 million
  - Annual fee of 36 basis points
  - Line of credit expires July 2021
- Construction continues

Rating Agencies

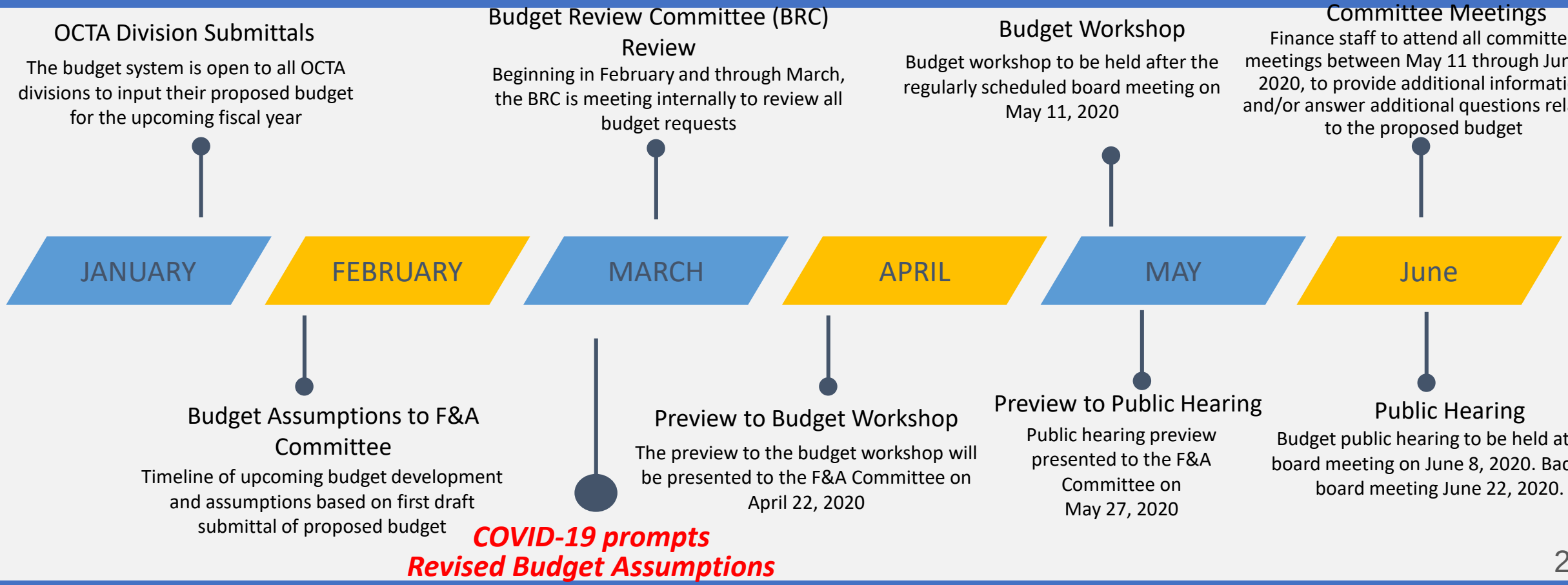
- Rating agencies took action to address credit outlooks in the transportation sector amid COVID-19 disruptions
- Fitch placed five major transit agencies on negative watch
  - Also initiated a review of all toll road credits
- Standard & Poor's revised the transportation sector outlook to negative
- Moody's revised toll road outlook to negative from stable
- Fitch affirmed OCTA's 91 Express Lanes Rating at "A+" and the Rating Outlook continues to be "Stable"

Next Steps

- Proactively reach out to rating agencies and investors
- Continue to assess impacts of COVID-19 to the debt and investment markets
- Utilize CARES Act funding to support the Bus and Metrolink Programs
- Continue to assess impacts of COVID-19 to OCTA's programs

Fiscal Year 2020-21
Revised
Budget Assumptions

FY 2020-21 Budget Timeline



Major Programs

- Measure M2
  - Freeway
  - Streets and Roads
  - Transit
- 91 Express Lanes
- Transit
  - Bus Program
  - Rail Program
    - Metrolink
    - OC Streetcar

Measure M2 Program Assumptions

- Sales Tax Revenue
  - Pre-Coronavirus (COVID-19) forecast of $345 million based on MuniServices forecasted growth rate of 2.4 percent
  - Revised forecast of $290 million based on MuniServices revised rate of negative 4.3 percent
- Expenditures – No changes
  - Freeway Mode expenditures primarily driven by right-of-way, design, and construction efforts for the I-405 Improvement, South County I-5 Improvement, and SR-55 Improvement projects
  - Streets and Roads Mode expenditures driven by contributions to the cities to support the Local Fair Share, Regional Capacity, and Traffic Signal Synchronization programs
  - Transit Mode expenditures primarily to support Metrolink operations and construction of the OC Streetcar

Bus Program Revenue Assumptions

- Operating Revenue
  - Pre-COVID-19 forecast of $179 million based on MuniServices forecasted growth rate of 2.5 percent
  - Revised forecast of $154 million based on MuniServices revised rate of negative 4.3 percent
  - Pre-COVID-19 fare revenue projected at $47 million
  - Revised fare revenue projection $40 million
  - Coronavirus Aid Relief and Economic Security (CARES) Act to offset change in revenues
- Capital Revenue – No changes
  - Federal grants for bus purchases $135 million
  - Road Repair and Accountability Act to support rehabilitation and replacement of capital estimated to increase by $0.2 million from the current year to $5.9 million

Bus Operations Expenditure Assumptions

- Fixed-Route Service
  - Revenue hours consistent with current year budget of 1.6 million revenue hours
- Paratransit Service
  - Total trips forecasted to decrease by 2 percent to 1.7 million driven by demand
  - Trips comprised of ACCESS primary and supplemental service, same-day taxi service, and special agency service
- Microtransit Service
  - Continuation of OC Flex service with 23,640 revenue hours

Rail Program Revenue Assumptions

- Metrolink Operating Revenue
  - Measure M2 High Frequency Metrolink Service
    - Pre- COVID-19 estimated at $23 million; revised $19 million
    - Federal Transportation Administration (FTA) grants estimated at $8.5 million
    - CARES Act to offset change in revenues

- Metrolink Capital Revenue
  - FTA grants providing approximately $13 million to support rehabilitation and replacement of capital

Rail Program Expenditure Assumptions

- Metrolink Operating Expenditures
  - Sustain current service levels of 74 trip
  - Operating subsidy to increase by 3.9 percent to $31.6 million
    - Metrolink will directly draw down $8.5 million in OCTA FTA Section 5307 grants
    - OCTA operating budget subsidy of $19 million
    - CARES Act to offset change in revenues

- Metrolink Capital Expenditures
  - Anaheim Canyon Metrolink Station
  - Irvine Station

91 Express Lanes Program Assumptions

- Revenue
  - Toll revenue: Decrease from $54.4 million in current year budget to $32.7 million driven by 10.9 million trips
  - Non-toll revenue: Decrease from $6.1 million in current year budget to $2.3 million
- Expenditure
  - Primary operating cost consists of the Cofiroute contract estimated at $7 million
  - Contribution to SR-91 Riverside Freeway improvements between SR-55 and SR-57 (M2 Program Project I) of $29.7 million and SR-91, SR-241 to SR-71 (Project J) $12.1 million

Next Steps

- Preview Budget Workshop Presentation – Finance and Administration Committee — April 22
- Budget Workshop Presentation – Board of Directors — May 11
- Committee meetings and one-on-one meetings with Board Members — May 11-June 7
- Public Hearing Preview – Finance and Administration Committee — May 27
- Public Hearing – Board (public hearing and approval) — June 8
- Back-up Public Hearing – Board (public hearing and approval) — June 22