



September 5, 2019

To: Executive Committee

From: Darrell E. Johnson, Chief Executive Officer

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

Subject: Guidance for the Orange County Transportation Authority Decision-Making When Requested to Lead a Locally-Sponsored Capital Project

Overview

The Orange County Transportation Authority can serve as the lead agency for delivery of certain locally-sponsored transportation capital projects if requested. A framework to guide decision-making in the event of such requests is presented for Board of Directors' consideration and action.

Recommendation

Adopt a guidance document to assist the Orange County Transportation Authority in responding to future requests to deliver a locally-sponsored capital project, and direct staff to share the guidance with Orange County local jurisdictions for their information.

Background

Throughout the years, the Orange County Transportation Authority (OCTA) has been asked to deliver projects initiated by local jurisdictions. Some examples include the Sand Canyon Grade Separation Project (City of Irvine), the Orange Transportation Parking Structure (City of Orange), and the upcoming Placentia Metrolink Station Project (City of Placentia). The reasons for the requests can vary and include factors such as the scale of the project, lack of resources, lack of specialty expertise, and/or not having relationships with regulatory agencies (e.g., utilities, railroads, and environmental agencies). Such considerations can point the local jurisdiction to OCTA as the better choice to lead project delivery. However, taking over as the lead for a locally-sponsored project would only be considered by OCTA when the project has regional transportation nexus.

At the time of transfer, past projects have been in various stages of project development. This has resulted in challenges that could have been avoided if certain project elements were more thoroughly defined and specific understandings were in place upfront.

Discussion

OCTA has served as the lead agency for a multitude of capital projects in recent years, as noted above. The purpose of the proposed guidance document (Attachment A) is to draw on lessons learned from past projects to inform future decision making. The guidance document outlines explicit parameters under which OCTA would accept a request to lead the delivery of a locally-sponsored transportation capital project and was developed using the following fundamental considerations:

- Does the project have a regional transportation nexus?
- Does the project align with OCTA's roles and responsibilities?
- Is there consensus on the purpose and need for the project?
- Are the project elements clearly defined?
- Are the primary risk factors understood?
- Does OCTA have the necessary powers or the ability to acquire the required powers to take on the project?
- Does OCTA have the resources to take on this responsibility?
- Will OCTA have authority to control project scope, schedule, and cost?

The guidance document is designed to provide OCTA and the requesting agency with a shared understanding of the project elements and critical aspects of project delivery responsibilities. This is intended to ensure the scope of improvements are in line with the given budget and schedule. Further, it helps ensure respective agency expectations are clearly defined and understood. The guidance document will help inform OCTA's decision-making in responding to potential requests and would be a precursor to the project-specific agreements if OCTA accepts. This draft guidance document was shared with the members of the OCTA Technical Advisory Committee for information and feedback.

Summary

A guidance document has been developed to assist OCTA's decision making when requested to deliver a locally-sponsored major capital project on behalf of a local agency. The goal is to outline relevant preconditions and parameters in advance, so future arrangements can be more efficient and effective for both parties. The draft guidance is presented for consideration of adoption by the Board of Directors.

Attachment

- A. Local Jurisdiction Requests for the Orange County Transportation Authority to Serve as Lead Agency for a Locally-Sponsored Capital Project Draft Guidance

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