



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, November 13, 2017 at 9:00 a.m.

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.

Call to Order

Invocation

Director Spitzer

Pledge of Allegiance

Director Shaw



BOARD AGENDA

Special Calendar

Orange County Transportation Authority Special Calendar Matters

1. **Presentation of 2017 Orange County Transportation Authority Bus and Maintenance Roadeo Awards**

Presentation of 2017 Orange County Transportation Authority Bus and Maintenance Roadeo trophies to the first place Coach Operator and Maintenance team.

Consent Calendar (Items 2 through 24)

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 October 23, 2017.

3. **Approval of Board Members Travel**

Approve the travel to Washington, D.C., for Chairman Michael Hennessey and Legislative and Communications Chairman Shawn Nelson the week of November 27, 2017 for the Orange County Transportation Authority's Washington advocacy trip focusing on the Orange County Transportation Authority transportation and legislative priorities for the remaining 1st Session of the 115th Congress.

4. **Fiscal Year 2017-18 Internal Audit Plan, First Quarter Update**
Janet Sutter

Overview

The Orange County Transportation Authority Board of Directors adopted the Orange County Transportation Authority Internal Audit Department Fiscal Year 2017-18 Internal Audit Plan on August 14, 2017. Along with the first quarter update, a revision to the Fiscal Year 2017-18 Internal Audit Plan is being recommended.



BOARD AGENDA

4. (Continued)

Recommendations

- A. Approve the revised Fiscal Year 2017-18 Internal Audit Plan.
- B. Receive and file the first quarter update to the Orange County Transportation Authority Internal Audit Department Fiscal Year 2017-18 Internal Audit Plan as an information item.

5. Employee Health Benefits, Internal Audit Report No. 17-506

Ricco Bonelli/Janet Sutter

Overview

The Internal Audit Department has completed an audit of employee health benefits. Based on the audit, controls in place to ensure proper enrollment, accounting, and compliance with laws, regulations, policies, and procedures are generally adequate; however, recommendations were made to develop and implement procedures for verification of Health Savings Account contribution payments and for collection of insurance premiums in arrears. Also, management should consider clarifications to the policy governing health plan participation.

Recommendation

Direct staff to implement three recommendations provided in Employee Health Benefits, Internal Audit Report No. 17-506.

6. Fiscal Year 2016-17 Comprehensive Annual Financial Report and 91 Express Lanes Fund Financial Statements

Benjamin Torres/Andrew Oftelie

Overview

The Orange County Transportation Authority is required to obtain an independent auditor's opinion on various financial statements and schedules. Vavrinek, Trine, Day and Company, LLP, an independent accounting firm, has completed its annual audit of the Orange County Transportation Authority's Comprehensive Annual Financial Report and 91 Express Lanes Fund Financial Statements for fiscal year 2016-17.



BOARD AGENDA

6. (Continued)

Recommendation

Receive and file the fiscal year 2016-17 Comprehensive Annual Financial Report and 91 Express Lanes Fund Financial Statements.

7. Orange County Employees Retirement System Early Payment For Fiscal Year 2018-19

Rodney Johnson/Andrew Oftelie

Overview

The Orange County Employees Retirement System has offered an early payment discount to member agencies of 4.5 percent if they elect to prepay their contributions for fiscal year 2019. Advance payments must be received before January 16, 2018. The Orange County Transportation Authority has estimated the savings over the next year and a half under this payment option will total approximately \$885,000.

Recommendation

Authorize the early payment of approximately \$23.3 million by January 16, 2018, to the Orange County Employees Retirement System, for member contributions for fiscal year 2018-19.

8. Environmental Mitigation Program Endowment Fund Investment Report For September 30, 2017

Rodney Johnson/Andrew Oftelie

Overview

The Orange County Transportation Authority has developed a Natural Community Conservation Plan/Habitat Conservation Plan; acquired conservation properties; and funded habitat restoration projects to mitigate the impacts of Measure M2 freeways projects. California Community Foundation manages the non-wasting endowment required to pay for the long-term management of the conservation properties. Each quarter, the California Community Foundation publishes a comprehensive report detailing the composition of the pool and the performance. Attached is the quarterly investment report for the Endowment Pool for the period ending September 30, 2017. The report has been reviewed and is consistent with the pool objectives.



BOARD AGENDA

8. (Continued)

Recommendation

Receive and file as an information item.

9. Property Insurance Policy Renewal

Al Gorski/Maggie McJilton

Overview

The Orange County Transportation Authority holds a property insurance policy with Zurich Insurance Company. This policy is scheduled to expire on December 1, 2017.

Recommendation

Authorize the Chief Executive Officer to issue Purchase Order No. A38332, in the amount of \$550,000, to Marsh Risk and Insurance Services, Inc., to purchase property insurance on behalf of the Orange County Transportation Authority for the policy period of December 1, 2017 to December 1, 2018.

10. Amendment to the Master Plan of Arterial Highways

Carolyn Mamaradlo/Kia Mortazavi

Overview

The Orange County Transportation Authority administers the Master Plan of Arterial Highways, including the review and approval of amendments requested by local agencies. The City of Placentia has requested an amendment to the Master Plan of Arterial Highways that is recommended for approval. A status update on the active Master Plan of Arterial Highways amendments is also provided.



BOARD AGENDA

10. (Continued)

Recommendations

- A. Approve amendment to the Master Plan of Arterial Highways for Golden Avenue between Kraemer Boulevard and the eastern city limits from a secondary (four-lane, undivided) arterial to divided collector (two-lane, divided) arterial. The proposed amendment will become final, contingent upon the Orange County Transportation Authority receiving documentation that the City of Placentia has amended their respective general plan, and has complied with the requirements of the California Environmental Quality Act.

If the originally proposed Master Plan of Arterial Highways amendment is modified as a result of the California Environmental Quality Act and/or general plan amendment processes, the modified Master Plan of Arterial Highways amendment shall be returned to the Orange County Transportation Authority's Board of Directors for consideration.

- B. Direct the Executive Director of Planning, or his designee, to file a Notice of Exemption from the California Environmental Quality Act in support of the amendment to the Master Plan of Arterial Highways.
- C. Receive and file a status report on active Master Plan of Arterial Highways amendments.

Orange County Transit District Consent Calendar Matters

- 11. Agreement for Liquefied Natural Gas Storage Tank Removal at the Anaheim and Garden Grove Bus Bases**
George Olivo/James G. Beil

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2017-18 Budget, the Board of Directors approved the removal of liquefied natural gas storage tanks at the Anaheim and Garden Grove bus bases. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. Board of Directors' approval is requested to execute the agreement.



BOARD AGENDA

11. (Continued)

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-7-1756 between the Orange County Transportation Authority and Gems Environmental Management Services, Inc., the lowest responsive, responsible bidder, in the amount of \$1,791,306, for removal of liquefied natural gas storage tanks at the Anaheim and Garden Grove bus bases.

12. Agreement for the Construction, Operation, and Maintenance of a Hydrogen Fuel Station, and the Purchase and Delivery of Liquid Hydrogen for the Santa Ana Bus Base

George Olivo/James G. Beil

Overview

The Orange County Transportation Authority has been awarded grant funds for the purchase of ten hydrogen buses, construction of a hydrogen fuel station, and modifications to facilities. In March 2017, the Board of Directors awarded a sole source agreement for the hydrogen station to the vendor identified in the grant; however, the vendor was unable to accept the terms and conditions of the proposed contract that were intended to protect the Orange County Transportation Authority from risk. A procurement was conducted and award of an agreement is recommended.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-7-1577 between the Orange County Transportation Authority and Trillium USA Company LLC, in the amount of \$6,472,127, for the construction, operation, and maintenance of a hydrogen fuel station and liquid hydrogen deliveries for a three-year term, with two, one-year option terms.
- B. Amend the Orange County Transportation Authority's Fiscal Year 2017-18 Budget, in the amount of \$4,777,732, to accommodate the construction of a liquid hydrogen fuel station at the Santa Ana Bus Base.



BOARD AGENDA

13. Amendment to Agreement for Schedule Checking Activities

Johnny Dunning/Beth McCormick

Overview

On November 25, 2013, the Board of Directors approved an agreement with National Data and Surveying Services, doing business as Southland Car Counters, to conduct bus system schedule checking services for the Orange County Transportation Authority fixed-route bus service. The term of this agreement, as amended, expires on December 31, 2017. A contract amendment is required to exercise the second, one-year option term of the agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Agreement No. C-3-1855 between the Orange County Transportation Authority and National Data and Surveying Services, doing business as Southland Car Counters, in the amount of \$244,184, to exercise the second, one-year option term of the agreement, through December 31, 2018, for schedule checking services. This will increase the maximum obligation of the agreement to a total contract value of \$1,273,483.

14. Approval to Release Request for Proposals for Operation and Maintenance of a Micro-Transit Pilot Program

Curt Burlingame/Beth McCormick

Overview

As part of the OC Bus 360° program, a number of initiatives have been implemented to improve bus ridership and meet the changing mobility demands within the Orange County Transportation Authority service area. In an effort to continue to improve mobility choices for transit riders, approval has been received to implement a one-year pilot program to provide micro-transit in two low transit demand areas of the County. A draft request for proposals has been developed to initiate the competitive procurement process to select a firm to operate and maintain the micro-transit pilot program.



BOARD AGENDA

14. (Continued)

Recommendations

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 7-2052 for operation and maintenance of a micro-transit pilot program.
- B. Approve the release of Request for Proposals 7-2052 to select a firm to operate and maintain the micro-transit pilot program for a one-year initial term with two, one-year option terms.

15. Sole Source Agreement for the Purchase of Ten Hydrogen Fuel Cell Electric Buses

P. Sue Zuhlke/Beth McCormick

Overview

The Orange County Transportation Authority has been awarded grant funds for the purchase of ten hydrogen buses, construction of a hydrogen fuel station, and modifications to facilities. The grant application was submitted in partnership with the bus and hydrogen fuel station manufacturers. A sole source agreement is required for the purchase of ten hydrogen fuel cell electric buses.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-7-1701 between the Orange County Transportation Authority and New Flyer Industries, Inc., in the amount of \$13,307,125, for the purchase of ten hydrogen fuel cell electric buses.
- B. Amend the Orange County Transportation Authority's Fiscal Year 2017-18 Adopted Budget, in the amount of \$13,307,125, to accommodate the purchase of ten hydrogen fuel cell electric buses.



BOARD AGENDA**Orange County Local Transportation Authority Consent Calendar Matters**

16. **Limited-Scope Audit: Right-of-Way Acquisition Activities for Interstate 405 Improvement Project, Internal Audit Report No. 18-502**
Serena Ng/Janet Sutter

Overview

The Internal Audit Department has completed a limited-scope audit of right-of-way acquisition activities for the Interstate 405 Improvement Project. Based on the audit, administrative settlement and incentive program payments have been properly authorized and reported to the Board of Directors; however, initial activities were not reported timely, and reports are not provided as frequently as requested by the Regional Planning and Highways Committee and the Board of Directors.

Recommendation

Direct staff to implement the recommendation provided in Limited-Scope Audit: Right-of-Way Acquisition Activities for Interstate 405 Improvement Project, Internal Audit Report No. 18-502.

17. **Administrative Support Agreement with the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency**
Kenneth Phipps

Overview

In August 2013, the Orange County Transportation Authority was selected through a competitive process to serve as the managing agency for the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency. An administrative support agreement was negotiated and executed in November 2013 to allow the Orange County Transportation Agency to assume that role formally. The existing administrative support agreement will expire on June 30, 2018. A new administrative support agreement is necessary to allow the Orange County Transportation Authority to continue in its role as the managing agency for the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency.



BOARD AGENDA

17. (Continued)

Recommendation

Authorize the Chief Executive Officer to negotiate and execute an updated administrative support agreement with the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency for a three-year initial term with two three-year option terms.

18. Amendment to Agreement for Additional Design Services for Interstate 5 Widening Project Between State Route 73 and Oso Parkway Hamid Torkamanha/James G. Beil

Overview

On June 9, 2014, the Orange County Transportation Authority Board of Directors authorized an agreement with WKE, Inc., for preparation of plans, specifications, and estimates for the Interstate 5 Widening Project between State Route 73 and Oso Parkway. An amendment to the existing agreement is required for additional design services.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Agreement No. C-3-2189 between the Orange County Transportation Authority and WKE, Inc., in the amount of \$449,702, for additional design services for Interstate 5 Widening Project between State Route 73 and Oso Parkway. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$9,838,041.

19. Capital Programs Division - First Quarter Fiscal Year 2017-18 Capital Action Plan Performance Metrics James G. Beil

Overview

The Orange County Transportation Authority's Strategic Plan key strategies and objectives to achieve the goals for Mobility and Stewardship include delivery of all Capital Action Plan projects on time and within budget. The Capital Action Plan is used to create a performance metric to assess capital project delivery progress on highway, grade separation, rail, and facility projects. This report provides an update on the Capital Action Plan delivery and performance metrics.



BOARD AGENDA

19. (Continued)

Recommendation

Receive and file as an information item.

20. Amendment to Increase Agreement Value for On-Call Property Maintenance Services for Highway and Transit Projects

Joe Gallardo/James G. Beil

Overview

On July 8, 2013, the Orange County Transportation Authority Board of Directors approved an agreement with So Cal Sandbags, Inc., to provide on-call contracted property maintenance services for the former Pacific Electric railroad right-of-way and other Orange County Transportation Authority-owned property. An amendment to the existing agreement is required to provide additional funding to perform ongoing property maintenance services through September 2018.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Agreement No. C-3-1428 between the Orange County Transportation Authority and So Cal Sandbags, Inc., to increase the contract value in the amount of \$200,000, for property maintenance services for highway and transit projects. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$1,002,500.

21. Consultant Selection for Construction Management Support Services for the Interstate 5 High-Occupancy Vehicle Improvement Project Between State Route 55 and State Route 57

Niall Barrett/James G. Beil

Overview

On July 24, 2017, 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 High-Occupancy Vehicle Improvement Project from State Route 55 to State Route 57. Board of Directors' approval is requested for the selection of a firm to perform the required work.



BOARD AGENDA

21. (Continued)

Recommendations

- A. Approve the selection of CALTROP Corporation as the firm to provide construction management support services for the Interstate 5 High-Occupancy Vehicle Improvement Project from State Route 55 to State Route 57.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-7-1834 between the Orange County Transportation Authority and CALTROP Corporation to provide construction management support services for the Interstate 5 High-Occupancy Vehicle Improvement Project from State Route 55 to State Route 57.

22. Amendment to Cooperative Agreement with the California Department of Transportation for the Interstate 5 High-Occupancy Vehicle Improvement Project Between State Route 55 and State Route 57

Niall Barrett/James G. Beil

Overview

On July 24, 2017, the Orange County Transportation Authority Board of Directors authorized the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-7-1817, with the California Department of Transportation for construction capital and construction management support services for the Interstate 5 High-Occupancy Vehicle Improvement Project between State Route 55 and State Route 57. An amendment is required to increase construction capital and construction support funding for the construction phase of the project.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-7-1817 between the Orange County Transportation Authority and California Department of Transportation, to increase the funding by \$1,994,000 for the construction phase, from \$30,849,000 to \$32,843,000, comprised of \$654,000 for supplemental construction capital and \$1,340,000 for supplemental construction support for the Interstate 5 High-Occupancy Vehicle Improvement Project between State Route 55 and State Route 57.



BOARD AGENDA

22. (Continued)

- C. Authorize the use of \$654,000 in federal Congestion Mitigation and Air Quality Program funds for the construction capital amount, which will increase the construction capital funding from \$26,049,000 to \$26,703,000.
- D. Authorize the use of \$1,340,000 in State Transportation Block Grant Funds or Measure M2 for consultant construction management services, which will increase the total funding for construction support from \$4,800,000 to \$6,140,000. Should State Transportation Block Grant funding not be approved, staff is recommending to use \$1,340,000 in Measure M2 funds.
- D. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program, and execute or amend all necessary agreements to facilitate the above action.

23. Measure M2 Sales Tax Forecast

Sean Murdock/Andrew Oftelie

Overview

The Orange County Transportation Authority contracts with MuniServices, LLC, and three universities to forecast Measure M2 taxable sales. MuniServices, LLC, and the three universities have provided updated forecasts, and staff has incorporated the new information into the annual update for the long-range forecast of Measure M2 taxable sales.

Recommendation

Receive and file as an information item.



BOARD AGENDA

Orange County Service Authority For Freeway Emergencies Consent Calendar Matters

24. Fiscal Year 2017-18 Freeway Service Patrol Program Fund Transfer Agreement

Patrick Sampson/Beth McCormick

Overview

The Orange County Freeway Service Patrol receives funding from the California Department of Transportation under the terms of an annual funding agreement. The fiscal year 2017-18 funding agreement will provide a total of \$3,188,042 to support the Freeway Service Patrol program through June 30, 2018.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-7-2019 between the Orange County Transportation Authority and the California Department of Transportation for fiscal year 2017-18 Freeway Service Patrol program funding.

Regular Calendar

Orange County Transit District Regular Calendar Matters

25. OC Bus 360° Update

Kurt Brotcke/Kia Mortazavi

Overview

The Orange County Transportation Authority is implementing a comprehensive effort to reposition the bus system in response to changing market conditions. The goals are to reverse ridership declines by reducing passenger travel times, improving travel speeds, and designing services to benefit existing customers and attract new customers. A status report on major OC Bus 360° elements is presented for review.

Recommendation

Direct staff to request letters of interest from local agencies related to a future Project V call for projects, and return with an update in January 2018.



BOARD AGENDA

26. Transit Master Plan - Corridor Line Evaluation

Gary Hewitt/Kia Mortazavi

Overview

The Transit Master Plan will develop an integrated bus, rail, and paratransit plan for Orange County. This plan will identify future potential transit corridor studies and recommended changes to existing transit service. An evaluation of potential corridor lines is presented for review and potential next steps.

Recommendation

Direct staff to seek public/stakeholder input and return to the Board of Directors in January 2018 with an action plan.

Orange County Local Transportation Authority Regular Calendar Matters

27. Measure M2 Updated Next 10 Delivery Plan

Tamara Warren/Kia Mortazavi

Overview

The Measure M2 Next 10 Delivery Plan was approved on November 14, 2016, incorporating the 2016 revenue forecast with a plan for continued acceleration of the delivery of Measure M2 freeway, streets and roads, transit, and environmental projects through the year 2026. In response to the lower 2017 revenue forecast, staff reviewed the Next 10 Delivery Plan and updated the revenue, bonding assumptions, project costs and schedules, and identified adjustments needed to ensure continued delivery of the Measure M2 projects and programs as outlined. The status of this effort is presented to the Board of Directors.

Recommendations

- A. Adopt the Measure M2 updated Next 10 Delivery Plan with revised financial assumptions.
- B. Direct staff to identify cost-effective alternatives that meet the intent of the Measure M2 scope as projects advance through project development for Board of Directors consideration.



BOARD AGENDA

Discussion Items

28. 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.

29. Chief Executive Officer's Report

30. Directors' Reports

31. Closed Session

Closed Session matters will be held as follows:

- A. Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Roxanne Barnes v. Orange County Transportation Authority, et al.; OCSC Case No. 30-2016-00839553.
- B. Pursuant to Government Code Section 54956.9(d)(2) - Conference with Legal Counsel - One matter.
- C. Pursuant to Government Code Section 54956.9(a) - Conference with Legal Counsel - Existing Litigation, Alberto Hernandez, et al., v. Orange County Transportation Authority, et al. OCSC Case No. 30-2016-00878824.

32. Adjournment

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, November 27, 2017**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07-08, Orange, California.