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## **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 12, 2018 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 Chairwoman 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](http://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 Richard Murphy

#### **Pledge of Allegiance**

Director Murray



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**BOARD AGENDA****Special Calendar****Orange County Transportation Authority Special Calendar Matters**

1. **Presentation of Resolution of Appreciation for Hasan Ikhata, Executive Director of the Southern California Association of Governments**

Present Orange County Transportation Authority Resolution of Appreciation No. 2018-129 to Hasan Ikhata, Executive Director of the Southern California Association of Governments.

**Orange County Local Transportation Authority Special Calendar Matters**

2. **Adopt Resolutions of Necessity for the Interstate 405 Improvement Project Between State Route 73 and Interstate 605**

Joe Gallardo/James G. Beil

**Overview**

The Orange County Transportation Authority is implementing the Interstate 405 Improvement Project between State Route 73 and Interstate 605. The project requires acquisition of property rights from public and private parties adjacent to the existing freeway and city streets. On May 11, 2015, the Board of Directors approved acquiring right-of-way for the project. At this time, staff has been unable to reach an agreement to purchase required property rights from the subject property owners. It is now necessary for the Board of Directors to exercise its power of eminent domain by adopting resolutions of necessity in order to acquire these necessary property rights to make the properties available to meet the project delivery and construction schedules.

**Recommendations**

Adopt Resolution of Necessity Nos. 2018-105, 2018-116, 2018-126, and 2018-127, and authorize and direct General Counsel to prepare, commence, and prosecute a proceeding in eminent domain for the purpose of acquiring necessary right-of-way and real property interests for the Interstate 405 Improvement Project between State Route 73 and Interstate 605.



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## **BOARD AGENDA**

### **Consent Calendar (Items 3 through 19)**

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**

#### **3. Approval of Minutes**

Approval of the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of October 22, 2018.

#### **4. Fiscal Year 2018-19 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 2018-19 Internal Audit Plan on August 27, 2018. This update is for the first quarter of the fiscal year.

##### **Recommendation**

Receive and file the first quarter update to the Orange County Transportation Authority Internal Audit Department Fiscal Year 2018-19 Internal Audit Plan as an information item.

#### **5. Investments: Compliance, Controls, and Reporting, January 1 through June 30, 2018**

Gabriel Tang/Janet Sutter

##### **Overview**

The Internal Audit Department has completed an audit of investments for the period January 1 through June 30, 2018. Based on the audit, the Orange County Transportation Authority complied with its debt, investment, and reporting policies and procedures.



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**BOARD AGENDA****5. (Continued)****Recommendation**

Receive and file Investments: Compliance, Controls, and Reporting, January 1 through June 30, 2018, Internal Audit Report No. 19-501, as an information item.

**6. Agreement for Federal Legislative Advocacy and Consulting Services**  
Kristin Essner/Lance M. Larson**Overview**

On June 25, 2018, the Board of Directors approved the release of a request for proposals for federal legislative advocacy and consulting services to begin when the present term for these services expires on December 31, 2018. An evaluation team comprised of staff and members of the Board of Directors has reviewed the proposals and conducted interviews with a short list of proposers. Board of Directors' approval is requested to select a firm to provide federal legislative advocacy and consulting services for the two-year period beginning January 1, 2019.

**Recommendations**

- A. Approve the selection of Potomac Partners DC to provide federal legislative advocacy and consulting services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-8-1750 with Potomac Partners DC, in the amount of \$20,000 per month, for the period of January 1, 2019 to December 31, 2020, with two, two-year options, to perform federal legislative advocacy and consulting services.



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**BOARD AGENDA**

**7. Fiscal Year 2017-18 Fourth Quarter Budget Status Report**  
Anthony Baruch/Andrew Oftelie

**Overview**

The Orange County Transportation Authority's staff has implemented the fiscal year 2017-18 budget. This report summarizes the material variances between the budget and actual revenue and expenses through the fourth quarter of fiscal year 2017-18.

**Recommendation**

Receive and file as an information item.

**8. First Quarter Fiscal Year 2018-19 Procurement Status Report**  
Virginia Abadessa/Andrew Oftelie

**Overview**

The first quarter procurement status report summarizes the procurement activities for information purposes to the Orange County Transportation Authority Board of Directors. This report focuses on procurement activity from July 1 through September 30, 2018, that was approved by the Board of Directors during this period. The first quarter procurement status report also projects future procurement activity for the second quarter as identified in the fiscal year 2018-19 budget.

**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, 2018.



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**BOARD AGENDA****9. (Continued)****Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. A40297, 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, 2018 to December 1, 2019.

**Orange County Transit District Consent Calendar Matters****10. ACCESS Service, Internal Audit Report No. 18-514**

Serena Ng/Janet Sutter

**Overview**

The Internal Audit Department has completed an audit of ACCESS services provided by MV Transportation, Inc. Based on the audit, the reservation and scheduling process, invoice approval procedures, and drug and alcohol program monitoring are adequate. However, improvements to contract amendment policies, calculation of call center hold-times, and monitoring of preventive maintenance, performance bond requirements, and farebox revenue reconciliations are recommended.

**Recommendation**

Direct staff to implement five recommendations provided in ACCESS Service, Internal Audit Report No. 18-514.

**11. Contract Change Order for Utilities to the Hydrogen Fuel Station**

George Olivo/James G. Beil

**Overview**

On November 13, 2017, the Orange County Transportation Authority Board of Directors authorized Agreement No. C-7-1577 with Trillium USA Company LLC, for the construction, operation, and maintenance of a hydrogen fuel station, and liquid hydrogen deliveries. A contract change order is requested to install private utilities to the hydrogen fuel station for electrical power and communication.



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**BOARD AGENDA****11. (Continued)****Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 3 to Agreement No. C-7-1577 with Trillium USA Company LLC, in the amount of \$400,000, for the installation of new private utilities for electrical power and communication to the hydrogen fueling station. This will increase the maximum obligation of the agreement to a total contract value of \$7,514,432.

**12. Sole Source Agreements for the Purchase of Driver Barriers for a Pilot Project**

Dayle Withers/Jennifer L. Bergener

**Overview**

The Orange County Transportation Authority has initiated a pilot project to test driver barriers meant to provide additional protection to coach operators. The six-month pilot project will allow staff to evaluate the use of the barriers in service. There are currently only two manufacturers of driver barriers for use in transit buses, both models offer similar functionality, but differ in operation. Board of Directors approval for two sole source agreements is requested to proceed with the pilot project.

**Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. C-8-1923 between the Orange County Transportation Authority and The Aftermarket Parts Company, LLC, in the amount of \$32,325, for the purchase and installation of six driver barriers in six of the forty-foot buses in the active fleet as part of a pilot project.
- B. Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. C-8-1924 between the Orange County Transportation Authority and Complete Coach Works, in the amount of \$34,888, for the purchase and installation of six driver barriers in six of the forty-foot buses in the active fleet as part of a pilot project.



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**BOARD AGENDA****13. Amendment to Cooperative Agreements with Non-Profit Agencies to Provide Senior Mobility Program Services**

Joanne Jacobsen/Jennifer L. Bergener

**Overview**

The Senior Mobility Program is designed to offer transportation alternatives to seniors in addition to local fixed-route, paratransit, or the OC ACCESS service. Four non-profit agencies participate in the Senior Mobility Program and receive funding from local sources other than Measure M2. The current funding agreements with these four agencies require amendments to include fiscal year 2018-19 funding in order to continue the service.

**Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Cooperative Agreement No. C-1-2490 between the Orange County Transportation Authority and Abrazar, Inc., in the amount of \$87,556, to provide funding through June 30, 2019.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Cooperative Agreement No. C-1-2491 between the Orange County Transportation Authority and Korean American Senior Association, in the amount of \$107,643, to provide funding through June 30, 2019.
- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Cooperative Agreement No. C-1-2492 between the Orange County Transportation Authority and Southland Integrated Services, Inc., formerly doing business as Vietnamese Community of Orange County, in the amount of \$94,649, to provide funding through June 30, 2019.
- D. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Cooperative Agreement No. C-1-2493 between the Orange County Transportation Authority and Jewish Federation and Family Services, in the amount of \$94,649, to provide funding through June 30, 2019.





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**BOARD AGENDA****Orange County Local Transportation Authority Consent Calendar Matters****14. Financial and Compliance Audits of Eight Measure M2 Comprehensive Transportation Funding Programs Projects**

Gabriel Tang/Janet Sutter

**Overview**

Audits have been completed of eight projects funded through the Measure M2 Comprehensive Transportation Funding Programs. Two recommendations were made to the City of Orange to improve compliance with procurement requirements and program guidelines.

**Recommendations**

- A. Receive and file financial and compliance audits of eight Comprehensive Transportation Funding Programs projects.
- B. Direct staff to follow up with the City of Orange on the status of implementation of two recommendations.

**15. Amendment to Cooperative Agreements with the Cities of Costa Mesa, Fountain Valley, Huntington Beach, and Westminster for the Interstate 405 Improvement Project**

Dennis Mak/James G. Beil

**Overview**

On March 14, 2016, the Orange County Transportation Authority Board of Directors approved Cooperative Agreement Nos. C-5-3612, C-5-3613, C-5-3614, and C-5-3615 with the cities of Costa Mesa, Fountain Valley, Huntington Beach, and Westminster, respectively, for city services required during design-build implementation of the Interstate 405 Improvement Project. These cooperative agreements need to be amended to provide reimbursement for pavement mitigation costs for city streets used for signed, long-term detour routes during construction.



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**BOARD AGENDA****15. (Continued)****Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-5-3612 between the Orange County Transportation Authority and the City of Costa Mesa, in the amount of \$661,981, to provide reimbursement for pavement mitigation on city streets used for signed, long-term detour routes during construction. This will increase the maximum obligation of the cooperative agreement to a total value of \$1,006,881.
  
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-5-3613 between the Orange County Transportation Authority and the City of Fountain Valley, in the amount of \$657,008, to provide reimbursement for pavement mitigation on city streets used for signed, long-term detour routes during construction. This will increase the maximum obligation of the cooperative agreement to a total value of \$1,632,708.
  
- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-5-3614 between the Orange County Transportation Authority and the City of Huntington Beach, in the amount of \$682,737, to provide reimbursement for pavement mitigation on city streets used for signed, long-term detour routes during construction. This will increase the maximum obligation of the cooperative agreement to a total value of \$1,278,937.
  
- D. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-5-3615 between the Orange County Transportation Authority and the City of Westminster, in the amount of \$623,888, to provide reimbursement for pavement mitigation on city streets used for signed, long-term detour routes during construction. This will increase the maximum obligation of the cooperative agreement to a total value of \$1,823,888.



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**BOARD AGENDA**

**16. Contract Change Order for Demolition and Clearance Services for the OC Streetcar Project in the City of Santa Ana**

Joe Gallardo/James G. Beil

**Overview**

On July 23, 2018, the Orange County Transportation Authority Board of Directors approved Agreement No. C-8-1622 with Sandwood Enterprises, Inc., for right-of-way demolition and clearance services for the OC Streetcar Project. A contract change order is required for additional demolition and clearance services related to the removal of hazardous materials from residential structures.

**Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 1 to Agreement No. C-8-1622 between the Orange County Transportation Authority and Sandwood Enterprises, Inc., in the amount of \$77,654, and to add 60 calendar days to the contract duration for additional asbestos and abatement activity for the OC Streetcar Project in the City of Santa Ana.

**17. Amendment to Agreement for the Design of the OC Streetcar Project**

Mary Shavalier/James G. Beil

**Overview**

On September 14, 2015, the Orange County Transportation Authority Board of Directors approved an agreement with HNTB Corporation for preparation of plans, specifications, and estimates for the OC Streetcar project. An amendment to the agreement is required for additional design support services.

**Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Agreement No. C-5-3337 between the Orange County Transportation Authority and HNTB Corporation, in the amount of \$1,152,212, for additional design support services for the OC Streetcar project. The amendment will increase the maximum cumulative obligation of the agreement to a total contract value of \$19,183,841.



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**BOARD AGENDA**

**18. Approval to Release Request for Proposals for Operations and Maintenance of the OC Streetcar**

Cleve Cleveland/Jennifer L. Bergener

**Overview**

On March 27, 2017, the Orange County Transportation Authority Board of Directors approved the use of a contractor to provide operations and maintenance services for the OC Streetcar project and directed staff to return to the Board of Directors for approval to release a request for proposals to procure these services. A request for proposals has been developed, and staff is seeking Board of Directors' approval of the proposed evaluation criteria and weightings, and to issue the request for proposals.

**Recommendations**

- A. Approve the proposed evaluation criteria and weighting for Request for Proposals 8-2039 to select a contractor for operations and maintenance services for the OC Streetcar.
- B. Approve the release of Request for Proposals 8-2039 for operations and maintenance services for the OC Streetcar for an initial term of June 1, 2020 through October 31, 2026, with two, two-year option terms.

**19. Approval to Release Request for Proposals for Traffic and Intelligent Transportation Systems Engineering Services**

Ron Keith/Kia Mortazavi

**Overview**

The Orange County Transportation Authority has developed a request for proposals to initiate a competitive procurement process to retain a consultant to provide intelligent transportation systems and traffic engineering services for the Katella Avenue and Main Street regional traffic signal synchronization projects.



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**BOARD AGENDA****19. (Continued)****Recommendations**

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 8-2038 for selection of consultants to provide intelligent transportation systems and traffic engineering services.
- B. Approve the release of Request for Proposals 8-2038 for selection of consultants to provide intelligent transportation systems and traffic engineering services for the Katella Avenue and Main Street regional traffic signal synchronization projects.

**Regular Calendar****Orange County Transit District Regular Calendar Matters**

- 20. Amendment to the Agreement with First Transit, Inc., for the Provision of Contracted Fixed-Route Service**  
Beth McCormick/Jennifer L. Bergener

**Overview**

On March 23, 2015, the Orange County Transportation Authority Board of Directors approved an agreement with First Transit, Inc., for the management and operation of contracted fixed-route, Stationlink, and express bus services. Several amendments have been made to this agreement expanding the scope of work to include providing iShuttle services and additional Measure M, Project V-funded circulators on behalf of cities. The initial term of the agreement will expire on May 31, 2019. An amendment to exercise the first two-year option term of the contract is necessary to continue providing these services through May 31, 2021.

**Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 8 to Agreement No. C-4-1737 between the Orange County Transportation Authority and First Transit, Inc., in the amount of \$87,126,726, to exercise the first two-year option term to provide contracted fixed-route services through May 31, 2021, increasing the maximum obligation of the agreement to a total contract value of \$236,026,978.



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**BOARD AGENDA****Orange County Transportation Authority Regular Calendar Matters****21. Final 2018 Long-Range Transportation Plan**

Gregory Nord/Kia Mortazavi

**Overview**

The Long-Range Transportation Plan provides the vision for Orange County's regional transportation system over the next 20+ years. The final plan has been prepared, incorporating input received through public review of the draft document as appropriate. Based on public input, minor modifications were made to the project list, and the results remain consistent with the draft document. With direction from the Board of Directors, the final plan will be submitted to the Southern California Association of Governments as input to the 2020 Regional Transportation Plan and Sustainable Communities Strategy that is currently in development.

**Recommendation**

Direct staff to submit the final 2018 Long-Range Transportation Plan to the Southern California Association of Governments as input to the 2020 Regional Transportation Plan and Sustainable Communities Strategy.

**Orange County Local Transportation Authority Regular Calendar Matters****22. Approval of the 2018 Measure M2 Plan of Finance, Issuance of Measure M2 Bonds, Selection of Underwriting Team, and Bond Counsel Services Amendment**

Andrew Oftelie/Kenneth Phipps

**Overview**

Staff has completed an update to the Measure M2 Plan of Finance that identifies the program requirements over the next few years for the Measure M2 Program. The updated Measure M2 Plan of Finance highlights the need for the issuance of Measure M2 bonds to fund future expenditures. If a financing is approved, the selection of an underwriting team is recommended, along with additional funds required for bond counsel services.



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**BOARD AGENDA****22. (Continued)****Recommendations**

- A. Authorize the selection of Bank of America Merrill Lynch; Barclays Capital, Inc.; Citigroup Global Markets, Inc.; Goldman Sachs & Co.; J.P. Morgan Securities LLC; and Stifel, Nicolaus & Company, Inc., from the Orange County Transportation Authority's underwriting pool, to assist with the next Measure M2 bond offering.
- B. Authorize the selection of Bank of America Merrill Lynch and Citigroup Global Markets, Inc., from the Orange County Transportation Authority's underwriting pool, to serve as the senior underwriting manager and co-senior underwriting manager, respectively, for the next Measure M2 bond transaction.
- C. Authorize the Chief Executive Officer to execute Amendment No. 5 to Agreement No. C-5-3099 between the Orange County Transportation Authority and Nossaman LLP, in the amount of \$200,000, to provide bond counsel services for the Orange County Transportation Authority Sales Tax Revenue Bonds, Series 2019 transaction. The total contract amount will be \$527,250.
- D. Adopt the 2018 Measure M2 Plan of Finance, which identifies the Measure M2 project requirements over the next several years.
- E. Direct staff to pursue financing opportunities through the Transportation Infrastructure Innovation Act for Measure M2 projects.

**23. OC Streetcar Vehicle Delivery Update**

Kelly Hart/Jennifer L. Bergener

**Overview**

An update on the OC Streetcar vehicle delivery activities is provided for Board of Directors' review. The update includes an overview of the feedback received from the public and the industry on the exterior vehicle design concepts as presented to the Board of Directors in August 2018. In order to advance the vehicle manufacturing process, a vehicle design concept must be approved and submitted to Siemens Industries, Inc.



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## **BOARD AGENDA**

### **23. (Continued)**

#### **Recommendation**

Direct staff to submit OC Streetcar vehicle design option C to Siemens Industries, Inc., in order to advance the OC Streetcar vehicle design process.

### **Discussion Items**

#### **24. 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 Chairwoman subject to the approval of the Board of Directors.

#### **25. Chief Executive Officer's Report**

#### **26. Directors' Reports**

#### **27. Closed Session**

There are no Closed Sessions scheduled.

#### **28. Adjournment**

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, November 26, 2018**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07-08, Orange, California.