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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, January 14, 2019 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 Delgleize

#### **Pledge of Allegiance**

Director Muller



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## **BOARD AGENDA**

### **Special Calendar**

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

**1. Administration of the Oath of Office to New and Returning Orange County Transportation Authority Board of Directors**

Oath of Office will be administered to new Board Member Doug Chaffee and returning Board Members Lisa A. Bartlett, Tim Shaw, Mark A. Murphy, Richard Murphy, Miguel Pulido, and Michelle Steel.

**2. Election of Orange County Transportation Authority Board of Directors Chair**

**3. Election of Orange County Transportation Authority Board of Directors Vice Chair**

**4. 2018 Year In Review**

A progress report on the 2018 accomplishments of the Orange County Transportation Authority.

#### **Consent Calendar (Items 5 through 21)**

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**

**5. Approval of Minutes**

Approval of the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of December 10, 2018.

**6. Approval of Board Member Travel**

Approve the travel to Washington, D.C., for Vice Chairman Shaw to travel the week of January 28, 2019 for the Orange County Transportation Authority's Washington advocacy trip focusing on the Orange County Transportation Authority transportation and legislative priorities for the 1st session of the 116th United States Congress.



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**BOARD AGENDA**

7. **State of California, Department of Transportation, Incurred Cost Audit - Orange County Transportation Authority**  
Janet Sutter

**Overview**

The California Department of Transportation, Division of Local Assistance, has issued a letter notifying the Orange County Transportation Authority of their determination of required corrective actions to be taken to address deficiencies identified in the State of California, Department of Transportation, Incurred Cost Audit, issued April 26, 2016. The Orange County Transportation Authority has been asked to reimburse \$450,393 of right-of-way costs, revise policy and procedure manuals, and obtain staff training by May 2, 2019.

**Recommendation**

Direct staff to work with the California Department of Transportation, Division of Local Assistance, and to address corrective action recommendations.

8. **Orange County Employees Retirement System: Audit of Orange County Transportation Authority Payroll Transmittals**  
Janet Sutter

**Overview**

The Internal Audit Department of the Orange County Employees Retirement System has completed an audit of the Orange County Transportation Authority's payroll transmittals and has concluded that payroll transmittals were accurate and complete. The audit, which was completed in April 2018 and issued in November 2018, identified inconsistencies in contribution withholding practices among plan sponsors. To address this, the auditors recommended that Orange County Employees Retirement System management create a contribution policy and apply it uniformly across all plan sponsors.

**Recommendation**

Receive and file an audit completed by the Internal Audit Department of the Orange County Employees Retirement System, Audit of Orange County Transportation Authority (OCTA) Payroll Transmittals, Report Date: November 12, 2018, as an information item.



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**BOARD AGENDA**

9. **Audit of Oversight Controls and Contract Compliance Related to the Interstate 5 High-Occupancy Vehicle Improvement Project: Pacific Coast Highway to San Juan Creek Road**  
Ricco Bonelli/Janet Sutter

**Overview**

The Internal Audit Department has completed an audit of oversight controls and contract compliance related to Segment 3 of the Interstate 5 High-Occupancy Vehicle Improvement Project. Based on the audit, consultants were procured in compliance with policy; however, some concerns were identified related to amendment processing. Also, invoices were generally paid in compliance with contract terms; however, one consultant was paid more than the contractually allowed amount for a specified task. Finally, a written Project Management Plan outlining the scope of work, constraints, and technical requirements of the project, was not prepared as required.

**Recommendation**

Direct staff to implement three recommendations provided in the Audit of Oversight Controls and Contract Compliance Related to the Interstate 5 High-Occupancy Vehicle Improvement Project: Pacific Coast Highway to San Juan Creek Road, Internal Audit Report No. 18-512.

10. **91 Express Lanes Corona Customer Service Center Construction Update**  
Christina Runge Haidl/Kenneth Phipps

**Overview**

In May 2018, the Orange County Transportation Authority Board of Directors approved a ten-year lease agreement with the Riverside County Transportation Commission for 5,009 square feet of space, as well as tenant improvement cost sharing, at a facility owned by the Riverside County Transportation Commission. The leased space will accommodate the 91 Express Lanes walk-in customer service center and call center, and the facility will be shared with the Riverside County Transportation Commission. Construction is currently underway and the space is anticipated to be ready for occupancy in the first quarter of 2019.



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**BOARD AGENDA****10. (Continued)****Recommendation**

Authorize additional funding for Agreement No. C-8-1660 with Riverside County Transportation Commission to cover the additional tenant improvement costs for the 91 Express Lanes Corona Office, located at 301 Corporate Terrace Circle, Corona, California, in an amount not to exceed \$365,000, which represents Orange County Transportation Authority's share of the additional costs.

**11. Fiscal Year 2018-19 First Quarter Grant Reimbursement Status Report**  
Sam Kaur/Andrew Oftelie**Overview**

The Quarterly Grant Reimbursement Status Report summarizes grant activities for the Orange County Transportation Authority Board of Directors. This report focuses on activity for the period of July through September 2018.

**Recommendation**

Receive and file as an information item.

**12. Update on the Loan Agreements with the Cities of Anaheim, Buena Park, Placentia, and the West Orange County Water Board**  
Sam Kaur/Andrew Oftelie**Overview**

The Orange County Transportation Authority Board of Directors authorized loan agreements with the cities of Anaheim, Buena Park, Placentia, and the West Orange County Water Board. Per Board of Directors' direction, staff provides annual updates on the status of the agreements.

**Recommendation**

Receive and file as an information item.



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**BOARD AGENDA**

- 13. Fiscal Year 2018-19 First Quarter Budget Status Report**  
Anthony Baruch/Andrew Oftelie

**Overview**

The Orange County Transportation Authority's staff has implemented the fiscal year 2018-19 budget. This report summarizes the material variances between the budget and actual revenues and expenses through the first quarter of fiscal year 2018-19.

**Recommendation**

Receive and file as an information item.

- 14. Approval of Use of Federal Funds for Orange County Transportation Authority Projects Related to the Federal Fiscal Year 2018-19 Obligation Authority Plan**  
Ben Ku/Kia Mortazavi

**Overview**

The federal government requires states to obligate federal funds by September 30 of each year. To ensure the timely commitment of all available federal funding by September 2019, the Orange County Transportation Authority prepares an annual obligation plan and requests corresponding Board of Directors authorization to use federal funds.

**Recommendations**

- A. Approve the use of \$134.670 million in Congestion Mitigation and Air Quality Improvement Program funds for 201 40-foot replacement buses.
- B. Approve the use of \$5.500 million in Congestion Mitigation and Air Quality Improvement Program funds for the project approval and environmental document phase for the Interstate 5 Improvement Project from Avenida Pico to San Diego County Line Project.
- C. Approve the use of \$0.750 million in Surface Transportation Block Grant Program funds for the South County Multi-Modal Study.



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**BOARD AGENDA****14. (Continued)**

- D. Approve the use of \$7.921 million in Highway Infrastructure Program funds for the Interstate 5 Improvement Project from Oso Parkway to Alicia Parkway to replace Surface Transportation Block Grant Program funds.
- E. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute any necessary amendments and/or agreements to facilitate associated programming actions.

**15. Federal Transit Administration Sections 5307, 5310, 5337, and 5339 Program of Projects for Federal Fiscal Year 2018-19**

Ben Ku/Kia Mortazavi

**Overview**

The Orange County Transportation Authority annually prepares a program of projects to secure formula Federal Transit Administration grants for capital projects, capital cost of contracting, and preventive maintenance. The federal fiscal year 2018-19 program, including amendments to prior programs, is presented for review and approval. The federal fiscal year 2018-19 program directs \$91.854 million in federal funds to transit projects, of which \$65.457 million is for bus projects and \$26.397 million is for rail projects.

**Recommendations**

- A. Approve the federal fiscal year 2018-19 Federal Transit Administration Section 5307 Urbanized Area Formula, Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities, Section 5337 State of Good Repair, and Section 5339 Bus and Bus Facilities program of projects, including federal and local funds, and the use of match credit for projects.
- B. Approve the five-year programming plans for Federal Transit Administration Section 5307, Federal Transit Administration Section 5310, Federal Transit Administration Section 5337, and Federal Transit Administration Section 5339.



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

- C. Authorize staff to adjust individual project funding consistent with final apportionments and eligibility determinations through the Fixing America's Surface Transportation Act, and direct staff to include updated numbers in grant and programming status reports.
- D. Authorize the Chief Executive Officer to submit the federal fiscal year 2018-19 Federal Transit Administration grant applications to the Federal Transit Administration.
- E. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above actions.

**Orange County Transit District Consent Calendar Matters****16. Agreement for Building Repairs at the Irvine Construction Circle Bus Base**  
George Olivo/James G. Beil**Overview**

As part of the Orange County Transportation Authority's Fiscal Year 2018-19 Budget, the Board of Directors approved building repairs at the Irvine Construction Circle Bus Base. 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.

**Recommendations**

- A. Find Jazzar Construction Group, Inc., the apparent low bidder, as non-responsive for failure to execute and submit the required certification of restrictions on lobbying form.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-8-1802 between the Orange County Transportation Authority and Fast-Track Construction Corporation, the lowest responsive, responsible bidder, in the amount of \$438,000, for building repairs at the Irvine Construction Circle Bus Base.





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**BOARD AGENDA**

**17. Agreement for Bus Ridership Data Collection Services**  
Jeffrey N. Tatro/Jennifer L. Bergener

**Overview**

The Orange County Transportation Authority utilizes professional data collection services to perform vital ridership data collection for benchmarking and reporting. Ridership data is one of the primary performance indicators utilized to evaluate service performance and is required by the Federal Transit Administration to be annually reported via the National Transit Database for the allocation of federal funds. Board of Directors' approval is requested to select a firm to assist in bus ridership data collection services.

**Recommendations**

- A. Approve the selection of National Data & Surveying Services, Inc., doing business as Southland Car Counters, as the firm to provide bus ridership data collection services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-8-1850 between the Orange County Transportation Authority and National Data & Surveying Services, Inc., doing business as Southland Car Counters, in the amount of \$765,141, to provide bus ridership data collection services for a term of three years with two, one-year option terms.

**18. Bus Operations Performance Measurements Report for the First Quarter of Fiscal Year 2018-19**  
Johnny Dunning, Jr./Jennifer L. Bergener

**Overview**

The Orange County Transportation Authority operates fixed-route bus and demand-response paratransit service throughout Orange County and into neighboring counties. This report summarizes the year-to-date performance of these transit services provided through the first quarter of fiscal year 2018-19. The established measures of performance gauge the safety, courtesy, reliability, and overall quality of the transit services provided.

**Recommendation**

Receive and file as an information item.



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**BOARD AGENDA****Orange County Local Transportation Authority Consent Calendar Matters****19. 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 the 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. 7 to Agreement No. C-3-2189 between the Orange County Transportation Authority and WKE, Inc., in the amount of \$527,608, for additional design services for the 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 \$10,605,710.

**20. Consultant Selection for Construction Management Services for the Anaheim Canyon Metrolink Station Improvement Project**

Lora Cross/James G. Beil

**Overview**

On July 23, 2018, the Orange County Transportation Authority Board of Directors approved the release of a request for proposals to provide construction management services related to the construction of improvements at the Anaheim Canyon Metrolink Station. Board of Directors' approval is requested for the selection of a firm to perform the required work.



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**BOARD AGENDA****20. (Continued)****Recommendations**

- A. Approve the selection of Berg & Associates, Inc., as the firm to provide construction management services for the Anaheim Canyon Metrolink Station Improvement project.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-8-1760 between the Orange County Transportation Authority and Berg & Associates, Inc., as the firm to provide construction management services for the Anaheim Canyon Metrolink Station Improvement project.

**21. Construction of the Laguna Niguel to San Juan Capistrano Passing Siding Project**

Jason Lee/James G. Beil

**Overview**

On August 27, 2018, the Orange County Transportation Authority Board of Directors authorized the issuance of an invitation for bids for construction of the Laguna Niguel to San Juan Capistrano Passing Siding project. 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.

**Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-7-2018 between the Orange County Transportation Authority and Reyes Construction, Inc., the lowest responsive, responsible bidder, in the amount of \$16,952,426, for construction of the Laguna Niguel to San Juan Capistrano Passing Siding project.



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**BOARD AGENDA****21. (Continued)**

- B. Authorize the use of \$6,230,000 in state and federal funds made available from project savings at closeout for the Laguna Niguel to San Juan Capistrano Passing Siding project as follows:
  - a. \$2,806,000 in Proposition 116 savings from the Sand Canyon Avenue Railroad Grade Separation and the fiber optics projects;
  - b. \$2,000,000 in Proposition 1B Intercity Rail Improvement funds to replace Transit and Intercity Rail Capital Program funds previously programmed to the project;
  - c. Formula Federal Transit Administration Section 5309 savings from the Control Point 4th Street Project, currently estimated to be \$1,015,000; and
  - d. Congestion Mitigation and Air Quality Improvement Program funds for any remaining funding needs, currently estimated to be \$409,000.
  
- C. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute any necessary amendments and/or agreements to facilitate associated programming actions.

**Regular Calendar****Orange County Local Transportation Authority Regular Calendar Matters****22. Interstate 405 Improvement Project Update**

Jeff Mills/James G. Beil

**Overview**

The Orange County Transportation Authority is currently underway with the implementation of the Interstate 405 Improvement Project. This report provides a project update.

**Recommendation**

Receive and file as an information item.



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## **BOARD AGENDA**

### **Discussion Items**

- 23. 2018 Chief Executive Officer's Initiatives and Action Plan - End-of-Year Report**  
Darrell E. Johnson

#### **Overview**

This report summarizes the activities and accomplishments from the 2018 Chief Executive Officer's Initiatives and Action Plan for the fourth quarter of calendar year 2018, and also summarizes the accomplishments for the calendar year. The Chief Executive Officer's Initiatives and Action Plan directly support the values, vision, mission, and goals of the Orange County Transportation Authority Strategic Plan and the 2018 Board Strategic Initiatives.

- 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, January 28, 2019**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07-08, Orange, California.