



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 25, 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 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 Do

Pledge of Allegiance

Director Richard Murphy



BOARD AGENDA**Special Calendar****Orange County Transportation Authority Special Calendar Matters****1. Presentation of Resolutions of Appreciation for Employees of the Month for November 2019**

Present Orange County Transportation Authority Resolutions of Appreciation Nos. 2019-087, 2019-088, and 2019-089 to George Beyer, Coach Operator; Gabriel Sanchez, Maintenance; and Steven King, Administration, as Employees of the Month for November 2019.

2. Public Hearing for the 2019 Orange County Congestion Management Program

Sam Sharvini/Kia Mortazavi

Overview

The Orange County Transportation Authority is responsible for biennial monitoring and reporting on the Orange County Congestion Management Program. In accordance with state law, the Orange County Congestion Management Program Report has been updated for 2019, and all requirements have been fulfilled. A public hearing is required prior to the Board of Directors' adoption of the Congestion Management Program.

Recommendations

- A. Consider public hearing comments received on the 2019 Orange County Congestion Management Program.
- B. Adopt the 2019 Orange County Congestion Management Program.
- C. Direct staff to forward the 2019 Orange County Congestion Management Program to the Southern California Association of Governments for a finding of regional consistency.



BOARD AGENDA**Consent Calendar (Items 3 through 27)**

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 November 11, 2019.

4. Conflict of Interest Code and 2019 Annual Statement of Economic Interests Filing

Laurena Weinert/Kenneth Phipps

Overview

Pursuant to the Orange County Transportation Authority's Conflict of Interest Code, Members of the Board of Directors and designated positions are required to file a Statement of Economic Interests - Form 700.

Recommendation

Direct the Clerk of the Board to distribute and monitor the 2019 annual Statement of Economic Interests - Form 700 to Members of the Board of Directors and designated positions, to be filed by April 1, 2020.

5. Fiscal Year 2019 Triennial Review

Janet Sutter

Overview

The Federal Transit Administration has completed the Fiscal Year 2019 Triennial Review of the Orange County Transportation Authority. The purpose of the review is to evaluate compliance with grant requirements and management practices as they relate to the use of federal funds. No deficiencies were found in any of the 21 areas reviewed.



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

Receive and file the Fiscal Year 2019 Triennial Review as an information item.

6. Oversight Controls and Contract Compliance Related to the Orange Transportation Center Parking Structure Project
Serena Ng/Janet Sutter**Overview**

The Internal Audit Department has completed an audit of oversight controls and contract compliance related to the Orange Transportation Center Parking Structure Project. Based on the audit, procurements were handled in accordance with policies and procedures, status monitoring and reporting controls are operating, and consultants are providing services in accordance with their contracts. However, the Internal Audit Department recommends improvements to contract language addressing force account payments, preparation of independent cost estimates, and construction management consultant oversight of change orders. The Internal Audit Department is also making recommendations related to adequate labor timekeeping systems for consultants, as well as procedures to ensure compliance with requirements for federally-funded assets.

Recommendation

Direct staff to implement three recommendations provided in Oversight Controls and Contract Compliance Related to the Orange Transportation Center Parking Structure Project, Internal Audit Report No. 19-508.



BOARD AGENDA

7. Investments: Compliance, Controls, and Reporting, January 1 through June 30, 2019

Gabriel Tang/Janet Sutter

Overview

The Internal Audit Department has completed an audit of investments for the period January 1 through June 30, 2019. Based on the audit, the Orange County Transportation Authority complied with its investment policies; however, the Internal Audit Department identified an error in the Second Quarter 2019 Investment and Debt Report and observed that the investment compliance schedule does not reflect all investments and bond indenture requirements.

Recommendation

Direct staff to implement two recommendations provided in Investments: Compliance, Controls, and Reporting, January 1 through June 30, 2019, Internal Audit Report No. 20-502.

8. Board Member Compensation, Mileage Reimbursements, and Training, Internal Audit Report No. 19-513

Gabriel Tang/Janet Sutter

Overview

The Internal Audit Department has completed an audit of compliance with regulations, policies, and procedures governing compensation and mileage reimbursements to members of the Board of Directors. Based on the audit, controls to ensure compliance with regulations, policies, and procedures are adequate; however, one recommendation was made to enhance policy and procedures to address all payments and payees, and to be consistent with regulations.

Recommendation

Direct staff to implement one recommendation provided in Board Member Compensation, Mileage Reimbursements, and Training, Internal Audit Report No. 19-513.



BOARD AGENDA

9. 91 Express Lanes Update for the Period Ending September 30, 2019
Kirk Avila/Kenneth Phipps

Overview

The Orange County Transportation Authority has owned and managed the operations of the 91 Express Lanes since January 2003. Since that time, traffic volumes and toll revenues have fluctuated with the changes in the economy and the additional capacity added to the State Route 91 corridor. Over the last quarter, there have been approximately 4.6 million trips taken on the 91 Express Lanes in Orange County. This report focuses on the operational and financial activities for the period ending September 30, 2019.

Recommendation

Receive and file as an information item.

10. Status Report of State Legislation Enacted in 2019
Alexis Leicht/Lance M. Larson

Overview

At the conclusion of the 2019 legislative session, 870 bills were signed and chaptered by the Governor, while 172 bills were vetoed. A report containing an analysis of legislation relevant to the Orange County Transportation Authority is provided.

Recommendation

Receive and file as an information item.

11. Orange County Transportation Authority 2019-20 State and Federal Legislative Platforms
Dustin J. Sifford/Lance M. Larson

Overview

The final drafts of the revised 2019-20 Orange County Transportation Authority State and Federal Legislative Platforms are submitted for consideration and adoption by the Orange County Transportation Authority Board of Directors.



BOARD AGENDA

11. (Continued)

Recommendations

- A. Adopt the revised 2019-20 State and Federal Legislative Platforms.
- B. Direct staff to distribute the adopted platforms to elected officials, advisory committees, local governments, affected agencies, the business community, and other interested parties.

12. Performance Evaluation of Federal Legislative Advocate, Potomac Partners, DC

Kristin Jacinto/Lance M. Larson

Overview

The firm Potomac Partners, DC provides federal legislative advocacy services for the Orange County Transportation Authority in Washington, DC. A staff evaluation of the services provided this session is presented to the Board of Directors for consideration and further comment.

Recommendation

Receive and file the staff evaluation as an information item and provide any additional comments.

13. Performance Evaluation of Sacramento Legislative Advocate, Platinum Advisors, LLC

Kristin Jacinto/Lance M. Larson

Overview

The firm Platinum Advisors, LLC provides state legislative advocacy services for the Orange County Transportation Authority in Sacramento. A staff evaluation of the services provided this session is presented to the Board of Directors for consideration and further comment.

Recommendation

Receive and file the staff evaluation as an information item and provide any additional comments.



BOARD AGENDA

14. Fiscal Year 2018-19 Comprehensive Annual Financial Report and 91 Express Lanes Fund Financial Statements

Changsu Lee/Andrew Oftelie

Overview

The Orange County Transportation Authority is required to obtain an independent auditor's opinion on various financial statements and schedules. Crowe LLP, an independent accounting firm, has completed its annual audit of Orange County Transportation Authority's Comprehensive Annual Financial Report and 91 Express Lanes Fund Financial Statements for fiscal year 2018-19.

Recommendation

Receive and file the fiscal year 2018-19 Comprehensive Annual Financial Report and 91 Express Lanes Fund Financial Statements.

15. Fiscal Year 2019-20 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 2019.

Recommendation

Receive and file as an information item.

16. 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.



BOARD AGENDA**16. (Continued)****Recommendation**

Receive and file as an information item.

17. Orange County Employees Retirement System Early Payment for Fiscal Year 2020-21

Robert Davis/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 2021. Advance payments must be received before January 15, 2020. The Orange County Transportation Authority has estimated the savings over the next year and a half under this payment option will total approximately \$570,000.

Recommendation

Authorize the early payment of approximately \$28.9 million by January 15, 2020, to the Orange County Employees Retirement System, for member contributions for fiscal year 2020-21.

18. Agreement for Cloud Disaster Recovery Solution

Michael Beerer/Andrew Oftelie

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2019-20 Budget, the Orange County Transportation Authority's Board of Directors approved expenditures for a cloud disaster recovery solution. Bids were received in accordance with the Orange County Transportation Authority's procurement procedures for materials and equipment. Board of Directors' approval is requested to execute the agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1543 between the Orange County Transportation Authority and Thomas Gallaway Corporation, doing business as Technologent, in the amount of \$985,638, for a cloud disaster recovery solution for a five-year term.



BOARD AGENDA**19. Innovation Update**

Kurt Brotcke/Kia Mortazavi

Overview

The Orange County Transportation Authority continues to explore innovative transportation services and projects for Orange County residents, workers, and visitors. Given past successes, staff is exploring avenues to foster innovation opportunities through team efforts. A status report is provided for review.

Recommendation

Receive and file as an information item.

Orange County Transit District Consent Calendar Matters**20. Consultant Selection for On-Call Materials Testing and Inspection Services for Facilities Projects**

George Olivo/James G. Beil

Overview

On July 25, 2019, the Orange County Transportation Authority issued a request for proposals for on-call materials testing and inspection services for facilities projects. Proposals were solicited in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested for the selection of the firm to perform the required work.

Recommendations

- A. Approve the selection of Ninyo & Moore Geotechnical & Environmental Science Consultants as the firm to provide on-call materials testing and inspection services for facilities projects.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1356 between the Orange County Transportation Authority and Ninyo & Moore Geotechnical & Environmental Science Consultants, in the amount of \$461,465, for a three year initial term, with one, two-year option term, to provide on-call materials testing and inspection services for facilities projects.



BOARD AGENDA**21. Consultant Selection for Preparation of Plans, Specifications, and Estimates for Transit Security and Operations Center**

George Olivo/James G. Beil

Overview

On May 24, 2019, the Orange County Transportation Authority Board of Directors approved the release of a request for proposals for preparation of plans, specifications, and estimates for the Transit Security and Operations Center. Board of Directors' approval is requested for the selection of a firm to perform the required work.

Recommendations

- A. Approve the selection of Stantec, Inc., as the firm to prepare plans, specifications, and estimates for the Transit Security and Operations Center.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-0965 between the Orange County Transportation Authority and Stantec, Inc., for preparation of plans, specifications, and estimates for the Transit Security and Operations Center.

22. Agreement for the Purchase of Bus Operations Support Vehicles

Cliff Thorne/Jennifer L. Bergener

Overview

The Orange County Transportation Authority uses a variety of vehicles to support bus operations and field supervision. Nine vehicles used in this capacity have reached their useful life and are recommended for replacement in accordance with the Orange County Transportation Authority's non-revenue vehicle fleet policy.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. C-9-1646 between the Orange County Transportation Authority and FFBH Motors, LLC, doing business as Frontier Ford, in the amount of \$373,703, for the purchase of nine model year 2020 Ford Explorer Hybrid vehicles.



BOARD AGENDA**23. Approval to Release Request for Proposals for Vanpool Service Providers**

Sandy Boyle/Jennifer L. Bergener

Overview

The Orange County Transportation Authority vanpool program was launched in 2007, and since that time has grown to 486 vanpools serving 90 Orange County employers with more than 1.2 million annual passenger trips. The Orange County Transportation Authority contracts with private firms to provide vanpool services and the current contract expires June 30, 2020. Staff is requesting Board of Directors' approval to release a request for proposals for vanpool service providers.

Recommendations

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 9-1698 for selection of vanpool service providers.
- B. Approve the release of Request for Proposals 9-1698 to select firm(s) to provide subsidized commuter vanpool services and Measure M2 Project V Station Van Program service for a five-year initial term, with two, two-year option terms.

24. Approval to Release Request for Proposals for OC ACCESS Eligibility Determination Services

Gracie A. Davis/Jennifer L. Bergener

Overview

The Orange County Transportation Authority contracts for the provision of Americans with Disabilities Act OC ACCESS eligibility determination services. The contract for these services will expire on June 30, 2020. A draft request for proposals has been developed to initiate a competitive procurement process to select a contractor. Staff is requesting Board of Directors' approval to release a request for proposals for OC ACCESS eligibility determination services.



BOARD AGENDA**24. (Continued)****Recommendations**

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 9-1621 to provide OC ACCESS eligibility determination services.
- B. Approve the release of Request for Proposals 9-1621 to select a firm to provide OC ACCESS eligibility determination services for a three-year initial term, with a two-year option term.

Orange County Local Transportation Authority Consent Calendar Matters**25. Amendment to Cooperative Agreement with the Southern California Regional Rail Authority for the Orange County Maintenance Facility**
Lora Cross/James G. Beil**Overview**

On April 22, 2019, the Orange County Transportation Authority Board of Directors approved Cooperative Agreement No. C-9-1127 with the Southern California Regional Rail Authority to define roles and responsibilities for the Orange County Maintenance Facility project. An amendment to the cooperative agreement is requested to allow for the Orange County Transportation Authority to reimburse the Southern California Regional Rail Authority for its effort in performing oversight and plan approval related to the project.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-9-1127 between the Orange County Transportation Authority and the Southern California Regional Rail Authority, in the amount of \$703,000, for its efforts for the preliminary engineering and environmental documentation of the Orange County Maintenance Facility project. This will increase the maximum obligation for the cooperative agreement to a total contract value of \$703,000.



BOARD AGENDA

26. 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 authorized 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 the work to address utility conflicts.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 4.1 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$833,300, for work to address utility conflicts for the construction of the OC Streetcar project.

27. Environmental Mitigation Program Endowment Fund Investment Report for September 30, 2019

Robert Davis/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 freeway 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 its performance. Attached are the quarterly investment reports for the Endowment Pool for the period ending September 30, 2019. The reports have been reviewed and are consistent with the pool objectives.

Recommendation

Receive and file as an information item.



BOARD AGENDA

Regular Calendar

Orange County Transportation Authority Regular Calendar Matters

- 28. Reserve Policy**
Sean Murdock/Andrew Oftelie

Overview

The Orange County Transportation Authority is committed to prudent fiscal management and maintaining the ability to fund its programs and services during times of economic uncertainty. Orange County Transportation Authority has a history of maintaining reserves to mitigate the impacts of financial risks to the programs operated by the Orange County Transportation Authority. The goal of this policy is to formalize the existing reserve policy for those programs and include them in one document for clarity and transparency.

Recommendation

Adopt the Reserve Policy and implement the policy in current and future financial plans.

Orange County Local Transportation Authority Regular Calendar Matters

- 29. OC Streetcar Project Quarterly Update**
Mary Shavalier/James G. Beil

Overview

The Orange County Transportation Authority is currently implementing the OC Streetcar project. Project updates are provided to the Board of Directors on a quarterly basis. This report provides a project update for the first quarter of fiscal year 2019-20 (July-September).

Recommendation

Receive and file as an information item.



BOARD AGENDA

Discussion Items

30. Measure M2 Interstate 5 Corridor Improvements

Kia Mortazavi

Improving the Interstate 5 corridor is one of the corner stones of the Measure M2 Expenditure Plan. Significant improvements to the corridor have been underway since 2011 to address congestion in the corridor. An overview of corridor improvement projects is presented.

31. 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.

32. Chief Executive Officer's Report

33. Directors' Reports

34. Closed Session

There are no Closed Sessions scheduled.

35. Adjournment

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, December 9, 2019**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07-08, Orange, California.