



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, September 14, 2020 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 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.

Guidance for Public Access to the Board of Directors/Committee Meeting

On March 12, 2020 and March 18, 2020, Governor Gavin Newsom enacted Executive Orders N-25-20 and N-29-20 authorizing a local legislative body to hold public meetings via teleconferencing and make public meetings accessible telephonically or electronically to all members of the public to promote social distancing due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID 19).

In accordance with Executive Order N-29-20, and in order to ensure the safety of the Orange County Transportation Authority (OCTA) Board of Directors (Board) and staff and for the purposes of limiting the risk of COVID 19, in person public participation at public meetings of the OCTA will not be allowed during the time period covered by the above referenced Executive Orders.



BOARD AGENDA

Guidance for Public Access to the Board of Directors/Committee Meeting (Continued)

Instead, members of the public can listen to AUDIO live streaming of the Board and Committee meetings by clicking the below link:

<http://www.octa.net/About-OCTA/Who-We-Are/Board-of-Directors/Live-and-Archived-Audio/>

Public comments may be submitted for the upcoming Board and Committee meetings by emailing them to boardofdirectors@octa.net.

If you wish to comment on a specific agenda Item, please identify the Item number in your email. All public comments that are timely received will be part of the public record and distributed to the Board. Public comments will be made available to the public upon request.

In order to ensure that staff has the ability to provide comments to the Board Members in a timely manner, please submit your public comments **30 minutes prior to the start time of the Board and Committee meeting date.**



BOARD AGENDA

Call to Order

Roll Call

Invocation

Director Shaw

Pledge of Allegiance

Director Chamberlain

Special Calendar

Orange County Local Transportation Authority Special Calendar Matters

- 1. Adopt Resolutions of Necessity for the State Route 55 Improvement Project Between Interstate 405 and Interstate 5**
Joe Gallardo/James G. Beil

Overview

The Orange County Transportation Authority is implementing the State Route 55 Improvement Project between Interstate 405 and Interstate 5. The project requires acquisition of property rights from public and private parties adjacent to the existing freeway and city streets. On September 11, 2017, 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 in time to make the properties available to meet project delivery and construction schedules.

Recommendation

Adopt Resolutions of Necessity Nos. 2020-063 and 2020-071, 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 State Route 55 Improvement Project between Interstate 405 and Interstate 5.



BOARD AGENDA**Consent Calendar (Items 2 through 16)**

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 August 24, 2020.

3. Communications by Independent Financial Statement Auditor

Janet Sutter

Overview

Crowe, LLP, the independent financial statement auditor of the Orange County Transportation Authority, is in the process of conducting the fiscal year 2019-20 audit. In connection with the audit, Crowe, LLP, is communicating the planned scope and timing of the audit, as well as soliciting input on any matters of which the Board of Directors or the Finance and Administration Committee has knowledge that may have a material bearing on the Orange County Transportation Authority's financial statements for the year ended June 30, 2020.

Recommendation

Receive and file as an information item.



BOARD AGENDA

4. Coronavirus Update
Darrell E. Johnson

Overview

The Orange County Transportation Authority continues to take proactive measures in response to the impacts of the coronavirus pandemic in relation to transportation services, programs, and projects. The response efforts are centered around agency core values, helping to ensure the health and safety of the public and employees while continuing to provide essential transportation services and deliver critical infrastructure improvements. An overview and update on these efforts is presented.

Recommendation

Receive and file as an information item.

5. Fiscal Year 2020-21 Proposed Budget Amendment
Victor Velasquez/Andrew Oftelie

Overview

Staff proposes a budget amendment to update the Orange County Transportation Authority's Fiscal Year 2020-21 Approved Budget. This amendment better aligns the budget with anticipated revenue and expenditures through the balance of the fiscal year by funding commuter rail operations for the remainder of the year, reducing bus program revenues and expenditures based on reduced service levels, and adds positions for Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency, which will be fully reimbursed by the State.

Recommendations

- A. Amend the Orange County Transportation Authority's Fiscal Year 2020-21 Budget by reducing the revenue and expense budgets, in the amount of approximately \$28 million, to accommodate updated budget assumptions for revenue and expense items.



BOARD AGENDA**5. (Continued)**

- B. Approval of the full Fiscal Year 2020-21 Orange County Transportation Authority member agency contribution to the Southern California Regional Rail Authority, in an amount up to \$28,773,477, including authorization of Federal Transit Administration funds, in an amount up to \$8,500,000, to be drawn down directly by the Southern California Regional Rail Authority. Also included in Southern California Regional Rail Authority's operating subsidy proposal is the direct draw down of The Coronavirus Aid, Relief, and Economic Security Act funding in the amount of \$17,159,239.
- C. Authorize Federal Transit Administration funds, in an amount up to \$12,969,650, to be drawn down directly by the Southern California Regional Rail Authority for capital and rehabilitation expenditure budget contingent upon all member agencies' approval of their respective capital and rehabilitation budgets.
- D. Authorize the addition of four new positions to the Orange County Transportation Authority. The four positions are requested to accommodate the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency's FY 2020-2021 Approved Budget. The four positions include a Project Manager, Senior, Transportation Funding Analyst, Senior, Accounting Analyst, Associate, and a Deputy Managing Director.

6. Orange County Transportation Authority Investment and Debt Programs Report - July 2020

Robert Davis/Andrew Oftelie

Overview

The Orange County Transportation Authority has a comprehensive investment and debt program to fund its immediate and long-term cash flow demands. Each month, the Treasurer submits a report detailing investment allocation, performance, compliance, outstanding debt balances, and credit ratings for the Orange County Transportation Authority's debt program. This report is for the month ending July 31, 2020. The report has been reviewed and is consistent with the investment practices contained in the Investment Policy.

Recommendation

Receive and file as an information item.



BOARD AGENDA

7. Award of Agreement for Claims Administration of the Self-Insured Workers' Compensation Program

Al Gorski/Maggie McJilton

Overview

On April 27, 2020, the Board of Directors approved the release of a request for proposals for claims administration of the Self-Insured Workers' Compensation Program. Proposals were received in accordance with Orange County Transportation Authority procurement procedures for professional and technical services. Approval is requested to execute an agreement for this service.

Recommendations

- A. Approve the selection of Intercare Holdings Insurance Services, Inc., to provide claims administration for the Orange County Transportation Authority's Self-Insured Workers' Compensation Program.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2202 between the Orange County Transportation Authority and Intercare Holdings Insurance Services, Inc., in the amount of \$2,445,559, to provide claims administration for the Orange County Transportation Authority's Self-Insured Workers' Compensation Program, for a five-year term.

8. Excess Workers' Compensation Insurance Policy

Al Gorski/Maggie McJilton

Overview

The Orange County Transportation Authority currently has an excess workers' compensation insurance policy with Arch Insurance Company. This policy will expire on October 1, 2020, and a renewal is necessary to maintain coverage.



BOARD AGENDA**8. (Continued)****Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. A45740, in the amount of \$550,000, to Marsh Risk and Insurance Services, Inc., to purchase excess workers' compensation insurance from Arch Insurance Company on behalf of the Orange County Transportation Authority for the policy period of October 1, 2020 to October 1, 2021.

9. Active Transportation Program Regional Project Selection Process - Orange County Project Prioritization Methodology

Denise Arriaga Ibarra/Kia Mortazavi

Overview

On March 25, 2020, the California Transportation Commission adopted the statewide 2021 Active Transportation Program Guidelines and issued a two-tiered call for bicycle and pedestrian projects. The State of California and the Southern California Association of Governments will administer the call for projects and project selection process. A proposal for the methodology that the Orange County Transportation Authority will use to prioritize projects in Orange County for the Southern California Association of Governments Active Transportation Program regional project selection process is presented for Board of Directors' approval.

Recommendation

Approve the Orange County project prioritization methodology for the 2021 Active Transportation Program regional project selection process and future Active Transportation Program cycles.



BOARD AGENDA

Orange County Transit District Consent Calendar Matters

10. Amendment to Agreement for Janitorial Services

Dayle Withers/Jennifer L. Bergener

Overview

On September 25, 2017, the Board of Directors approved an agreement with Gamboa Services, Inc., doing business as Corporate Image Maintenance, to provide janitorial services for a three-year initial term with one, two-year option term. The initial term expires October 31, 2020. Staff is requesting Board of Directors' approval to exercise the two-year option term.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Agreement No. C-7-1723, between the Orange County Transportation Authority and Gamboa Services, Inc., doing business as Corporate Image Maintenance, in the amount of \$2,485,575, to exercise the option term of the agreement from November 1, 2020 through October 31, 2022, for continued janitorial services. This will increase the maximum obligation of the agreement to a total contract value of \$5,787,111.

11. October 2020 Bus Service Change

Gary Hewitt/Kia Mortazavi

Overview

The October 2020 bus service change will continue to provide the same level of bus service as was implemented in June 2020. This recommendation is based on stable ridership demand during the coronavirus pandemic. Staff will develop a contingency plan in case additional service is needed between October 2020 and the regularly planned February 2021 schedule change.

Recommendation

Receive and file as an information item.



BOARD AGENDA**Orange County Local Transportation Authority Consent Calendar Matters****12. Cooperative Agreement with the City of Mission Viejo for the Chrisanta Drive Community Soundwall**

Niall Barrett/James G. Beil

Overview

The City of Mission Viejo has requested funding assistance from the Orange County Transportation Authority to design a soundwall on private properties in the Chrisanta Drive community along northbound Interstate 5 between Oso Parkway and La Paz Road. Staff is requesting approval of a cooperative agreement with the City of Mission Viejo to fund the City of Mission Viejo's preparation of the plans, specifications, and estimates for the proposed soundwall.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-0-2543 between the Orange County Transportation Authority and the City of Mission Viejo, in the amount of \$215,700, for the City of Mission Viejo to prepare the plans, specifications, and estimates for the Chrisanta Drive community soundwall.

13. Agreement for Metrolink Train Stations Platform Detectable Tiles Replacement and Painted Guideline Restriping Project

Jason Lee/James G. Beil

Overview

The Orange County Transportation Authority is responsible for the ongoing maintenance of the operating railroad right-of-way for the Metrolink stations in Orange County. Aligned with that responsibility, the platform detectable tiles and painted guidelines at six Metrolink stations require replacement. Board of Directors' approval is requested to execute the agreement.



BOARD AGENDA**13. (Continued)****Recommendations**

- A. Find AP Construction, Inc., the apparent low bidder, as non-responsive for failure to complete and submit the List of Subcontractors form with the bid as required by the California Public Contract Code and for failure to sign the Disclosure of Lobbying Activities form as required by the bid instructions and the Federal Transit Administration.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2413 between the Orange County Transportation Authority and Two Brothers Construction Corp., the lowest responsive, responsible bidder, in the amount of \$1,098,000, for the Metrolink train stations platform detectable tiles replacement and painted guidelines restriping project.

14. Environmental Mitigation Program Endowment Fund Investment Report for June 30, 2020

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 programs. The California Community Foundation manages the non-wasting endowment required to fund 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.

Recommendation

Receive and file as information item.



BOARD AGENDA**15. Measure M2 Quarterly Progress Report for the Period of April 2020 Through June 2020**

Francesca Ching/Kia Mortazavi

Overview

Staff has prepared the Measure M2 quarterly progress report for the period of April 2020 through June 2020, for consideration by the Orange County Transportation Authority Board of Directors. This report highlights progress on Measure M2 projects and programs and will be available to the public via the Orange County Transportation Authority website.

Recommendation

Receive and file as an information item.

16. Measure M2 Project W Safe Transit Stops - 2020 Programming Recommendations

Alfonso Hernandez/Kia Mortazavi

Overview

In April 2020, the Board of Directors requested that staff reopen the Measure M2 Project W Safe Transit Stops - 2019 Programming Recommendations to consider additional projects. As a result, the Orange County Transportation Authority issued a notification to all eligible applicants to submit project proposals by June 30, 2020. Review of these applications is now complete and additional programming recommendations are presented for Board of Directors' consideration and approval.

Recommendation

Approve the award of \$1.03 million in 2020 Project W Safe Transit Stops Program funds to the City of Santa Ana for 35 bus stop improvements.



BOARD AGENDA**Regular Calendar****Orange County Transportation Authority Regular Calendar Matters****17. Employment and Travel Survey Results**

Alice T. Rogan/Maggie McJilton

Overview

In an effort to gain an understanding of the current impacts of the coronavirus on employment and travel in Orange County, a scientific, statistically valid survey was conducted during the month of July 2020.

Recommendation

Receive and file as an information item.

Orange County Local Transportation Authority Regular Calendar Matters**18. OC Streetcar Project Quarterly Update**

Mary Shavalier/James G. Beil

Overview

The Orange County Transportation Authority is currently implementing the OC Streetcar project. Updates are provided to the Board of Directors on a quarterly basis. This report provides an update on OC Streetcar project activities from June 2020 through August 2020.

Recommendation

Receive and file as an information item.



BOARD AGENDA**19. Contract Change Order for Vapor Barrier Installation 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 to install a vapor barrier under the foundation of the maintenance and storage facility.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 9 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$395,717, for installation of a vapor barrier under the maintenance and storage facility.

20. 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 necessary for additional design support services.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 10 to Agreement No. C-5-3337 between the Orange County Transportation Authority and HNTB Corporation, in the amount of \$2,900,000, for continuation of OC Streetcar project design support services during construction. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$23,583,841.



BOARD AGENDA

Discussion Items

- 21. Public Comments**
- 22. Chief Executive Officer's Report**
- 23. Directors' Reports**
- 24. Closed Session**

There are no Closed Sessions scheduled.

- 25. Adjournment**

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, September 28, 2020**, at the Orange County Transportation Authority Headquarters, Board Room - Conference Room 07-08, 550 South Main Street, Orange, California.