



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 23, 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.



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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 ClerkOffice@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 Richard Murphy

Special Calendar

Orange County Local Transportation Authority Special Calendar Matters

- 1. Adopt Resolution 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. To date, staff has been unable to reach an agreement to purchase required property rights from the subject property owner. It is now necessary for the Board of Directors to exercise its power of eminent domain by adopting a resolution of necessity in order to acquire these necessary property rights in time to make the property available to meet the project delivery and construction schedules.

Recommendation

Adopt Resolution of Necessity No. 2020-285, 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 project.



BOARD AGENDA

Orange County Transportation Authority Special Calendar Matters

2. Salute to Outgoing Orange County Transportation Authority Board of Directors

Present Orange County Transportation Authority Resolutions of Appreciation Nos. 2020-287 and 2020-288 to outgoing Board Members Laurie Davies and Miguel Pulido.

Consent Calendar (Items 3 through 23)

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 9, 2020.

4. Audit of Banking Services and Agreement with Bank of the West, Internal Audit Report No. 20-507

Ricco Bonelli/Janet Sutter

Overview

The Internal Audit Department of the Orange County Transportation Authority has completed an audit of banking services and Agreement No. C-7-2159, with Bank of the West. Based on the audit, controls, policies, and procedures over banking activities are generally adequate and operating, and Bank of the West is in compliance with the agreement. The Internal Audit Department offered two recommendations to further enhance controls related to bank-authorized signers and bank statement analyses.

Recommendation

Direct staff to implement two recommendations provided in the Audit of Banking Services and Agreement with Bank of the West, Internal Audit Report No. 20-507.



BOARD AGENDA

5. Conflict of Interest Code and 2020 Annual Statement of Economic Interests Filing

Laurena Weinert/Jennifer L. Bergener

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 2020 annual Statement of Economic Interests - Form 700 to Members of the Board of Directors and designated positions, to be filed by April 1, 2021.

6. 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 in information item.



BOARD AGENDA

7. **91 Express Lanes Update for the Period Ending - September 30, 2020**
Kirk Avila

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, additional capacity added to the State Route 91 corridor, and the recent coronavirus pandemic. Over the last quarter, there were approximately 3.4 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, 2020.

Recommendation

Receive and file as an information item.

8. **Agreement for Website Maintenance Support Services**
Ryan Armstrong/Maggie McJilton

Overview

On August 25, 2020, the Orange County Transportation Authority released a request for proposals for website maintenance support services. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for website maintenance support services.

Recommendations

- A. Approve the selection of Web Advanced as the firm to provide website maintenance support services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2524 between the Orange County Transportation Authority and Web Advanced in the amount of \$900,000, for a four-year initial term with one, three-year option term, to provide website maintenance support services.



BOARD AGENDA

9. Fiscal Year 2019-20 Fourth Quarter Budget Status Report
Anthony Baruch/Andrew Oftelie

Overview

Orange County Transportation Authority staff has implemented the fiscal year 2019-20 budget. This report summarizes the material variances between the budget and actual revenues and expenses through the fourth quarter of fiscal year 2019-20.

Recommendation

Receive and file as an information item.

10. Orange County Employees Retirement System Early Payment for Fiscal Year 2021-22
Robert Davis/Andrew Oftelie

Overview

The Orange County Employees Retirement System has offered an early payment discount to member agencies of 5.8 percent if they elect to prepay their contributions for fiscal year 2021-22. Advance payments must be received before January 15, 2021. The estimated savings for the Orange County Transportation Authority over the next year and a half under this payment option will total approximately \$1.3 million. Board of Directors' authorization is requested for the early payment option.

Recommendation

Authorize the early payment of approximately \$30.2 million by January 15, 2021, to the Orange County Employees Retirement System, for member contributions for fiscal year 2021-22.



BOARD AGENDA

- 11. Fiscal Year 2020-21 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 first quarter of fiscal year 2020-21, covering July through September 2020.

Recommendation

Receive and file as an information item.

- 12. Status Report of State Legislation Enacted in 2020**
Alexis Leicht/Lance M. Larson

Overview

At the conclusion of the 2020 legislative session, 372 bills were signed into law by Governor Newsom and chaptered by the Secretary of State, while 56 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.

- 13. Final 2021-22 State and Federal Legislative Platforms**
Dustin J. Sifford/Lance M. Larson

Overview

The final drafts of the revised 2021-22 State and Federal Legislative Platforms are submitted for consideration and adoption by the Orange County Transportation Authority Board of Directors.

Recommendations

- A. Adopt the revised 2021-22 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.



BOARD AGENDA

14. 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.

15. 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

16. 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, 2020, and a renewal is necessary to maintain coverage.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. A46200 in the amount of \$629,269, to Marsh Risk and Insurance Services, Inc., to purchase property insurance on behalf of the Orange County Transportation Authority with Zurich Insurance Company for the policy period of December 1, 2020 to December 1, 2021.

17. Excess Liability Insurance Renewal
Al Gorski/Maggie McJilton

Overview

The Orange County Transportation Authority currently has excess liability insurance policies with Gemini Insurance Company and Princeton Excess and Surplus Lines Insurance Company. These policies will expire on December 1, 2020.

Recommendations

- A. Authorize the Chief Executive Officer to fully self-insure for liability claims by allowing the excess liability insurance policies with Gemini Insurance Company and Princeton Excess and Surplus Lines Insurance Company to expire until such time the insurance market pricing is more favorable.
- B. Direct staff to maintain a self-insured retention fund of no less than \$14 million.
- C. Direct staff to continue to monitor the liability insurance market and return to the Board of Directors when the average pricing trends show a reduction of at least 40 percent or in 11 months, whichever occurs first.



BOARD AGENDA**Orange County Transit District Consent Calendar Matters****18. Amendment to Agreement with moovel North America, LLC, for Mobile Ticketing Services**

Sam Kaur/Andrew Oftelie

Overview

On July 13, 2015, the Board of Directors approved an agreement with moovel North America, LLC, to develop a mobile ticketing application that provides the ability to purchase and display fare products for OC Bus from certain smartphone devices. The initial contract term will expire on December 31, 2020, and an amendment is needed to exercise the option-term for service continuity.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 11 to Agreement No. C-5-3244 between the Orange County Transportation Authority and moovel North America, LLC, in the amount of \$290,372, to exercise the option-term of the agreement for up to 12 months from the initial term, for licensing, maintenance, and commission fees. The amendment will increase the maximum obligation of the agreement to a total contract value of \$1,240,462.

19. Sole Source Agreement for Motorola 800 Megahertz Encrypted Mobile Radio Equipment for Transit Police Services Vehicles

Timothy W. Beseau/Jennifer L. Bergener

Overview

The Orange County Transportation Authority participates in the Countywide Coordinated Communications System. Participation in this system requires the Orange County Transportation Authority to maintain compatible mobile radios and base stations. Radios are used by operations, maintenance, administrative, and Transit Police Services personnel. Board of Director's authorization is requested to award a sole source purchase order for three sets of mobile radios and necessary accessories for vehicles assigned to Transit Police Services.



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

Authorize the Chief Executive Officer to negotiate and execute sole source Purchase Order No. A45898 between the Orange County Transportation Authority and Motorola Solutions, Inc., in the amount of \$37,362, to purchase three sets of APX 6500 Enhanced 700/800 Hot Red encrypted mobile radios and necessary accessories.

20. Amendment to Agreement with MV Transportation, Inc., for the Provision of the OC ACCESS Service

Jack Garate/Jennifer L. Bergener

Overview

On March 25, 2013, the Orange County Transportation Authority Board of Directors approved an agreement with MV Transportation, Inc., for the management and operation of OC ACCESS service. This agreement was subsequently extended through December 31, 2021, and compensation is based on a fixed rate and a variable rate driven by the number of revenue vehicle hours provided. The coronavirus pandemic and the Governor Newsom's stay-at-home orders have resulted in a significant reduction in OC ACCESS ridership of more than 80 percent. Consistent with the terms of the agreement, MV Transportation, Inc., has requested an adjustment to the variable hourly rate to relieve uncompensated expenses incurred as a result of the coronavirus pandemic. The Coronavirus Aid, Relief, and Economic Security Act of 2020 specifically provides funding for this relief with guidance from the Federal Transit Administration. Board of Directors' approval is requested to amend the agreement with MV Transportation, Inc., to adjust the variable hourly rate in order to relieve uncompensated expenses resulting from the coronavirus pandemic.

Recommendations

- A. Authorize the Chief Executive Officer to execute Amendment No. 10 to Agreement No. C-2-1865 between the Orange County Transportation Authority and MV Transportation, Inc., to revise the variable hourly rate for the period of April 2020 through December 2021, in the amount not to exceed \$10,548,201. This amount can be accommodated within the agreement's current cumulative maximum obligation of \$375,620,065.



BOARD AGENDA**20. (Continued)**

- B. Amend the Orange County Transportation Authority Fiscal Year 2020-21 operating revenue and expense budget, in the amount of \$5,050,615, to accommodate expenses related to the current coronavirus pandemic based on revised variable hourly rates.

21. Sole Source Agreement for the Replacement of Fluid Management System Data Loggers

Marie Latino/Jennifer L. Bergener

Overview

The Orange County Transportation Authority operates a fleet of 777 revenue vehicles and 151 non-revenue vehicles that require managed fluid, such as oil dispensing. A proprietary computerized electronic fluid management system is currently used for authorizing fluid dispensing, as well as tracking odometer readings and fluid consumption of all fleet vehicles. One of the essential components of this system is the data loggers installed on all non-revenue vehicles. These data loggers are obsolete and no longer manufactured. Board of Directors' authorization is requested for the purchase of 150 replacement data loggers through a sole source agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. C02585 between the Orange County Transportation Authority and S&A Systems, Inc., in the amount of \$106,355, for the replacement of 150 data loggers on non-revenue vehicles.



BOARD AGENDA**22. Sole Source Agreement for the Replacement of Fluid Management System Remote Island Head Units**

Marie Latino/Jennifer L. Bergener

Overview

The Orange County Transportation Authority operates a fleet of 777 revenue vehicles and 151 non-revenue vehicles that require managed fluid, such as oil dispensing. A proprietary computerized electronic fluid management system is currently used for authorizing fluid dispensing, as well as tracking odometer readings and fluid consumption of all fleet vehicles. One of the essential components of this system is the remote island head units installed at each base that electronically collect vital vehicle data. This equipment is obsolete and no longer manufactured. Board of Directors' authorization is requested for the purchase of 52 replacement remote island head units through a sole source agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. C02584 between the Orange County Transportation Authority and S&A Systems, Inc., in the amount of \$315,296, for the replacement of 52 remote island head units.

**Orange County Consolidated Transportation Services Agency
Consent Calendar Matters****23. 2020 Coordinated Public Transit - Human Services Transportation Plan for Orange County**

Kevin Khouri/Kia Mortazavi

Overview

The Coordinated Public Transit - Human Services Transportation Plan identifies strategies to address unmet transportation needs among seniors, persons with disabilities, and persons of low income. The plan is a requirement to receive certain federal transit funding. The update process has concluded, and Board of Directors' approval is requested to finalize the 2020 plan update.



BOARD AGENDA**23. (Continued)****Recommendation**

Direct staff to finalize the 2020 Coordinated Public Transit - Human Services Transportation Plan incorporating feedback provided by the Board of Directors.

Regular Calendar**Orange County Transit District Regular Calendar Matters****24. Amendment to Agreement with MV Transportation, Inc., for the Provision of the OC Flex Service Microtransit Pilot Program**

Jack Garate/Jennifer L. Bergener

Overview

The Orange County Transportation Authority is underway with a two-year microtransit pilot program known as OC Flex. The OC Flex pilot program which began in October 2018 as a one-year pilot, was subsequently extended by the Board of Directors for an additional year through October 14, 2020. Operations and maintenance of the OC Flex service is currently provided by MV Transportation, Inc., through an assigned contract that is set to expire on May 31, 2021. MV Transportation, Inc., also provides OC ACCESS service under a separate agreement and operates OC Flex from the same operating base. The term of the OC ACCESS agreement expires December 31, 2021. In order to align the terms of the agreements for both services, Board of Directors' approval is requested to extend the contract term for the OC Flex pilot to December 31, 2021 and to extend the pilot program for an additional 14 months to align with the recommended contract term.

Recommendations

- A. Approve staff recommendation to extend the OC Flex microtransit pilot program for 14 months, from October 2020 to December 31, 2021, and direct staff to incorporate the scope of work for management and operation of the OC Flex into the OC ACCESS scope of work request for proposals.



BOARD AGENDA

24. (Continued)

- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Agreement No. C-7-2052 with MV Transportation, Inc., in the amount of \$330,856, to extend the term of the agreement to operate the OC Flex microtransit pilot program for an additional seven months through December 31, 2021. This will increase the maximum obligation amount of the agreement to a total contract value of \$2,693,699.

Discussion Items

25. Public Comments

26. Chief Executive Officer's Report

27. Directors' Reports

28. Closed Session

A Closed Session will be held as follows:

Pursuant to Government Code Section 54956.9(d)(2) - Conference with General Counsel - Potential Litigation - One Item.

29. Adjournment

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, December 14, 2020**, at the Orange County Transportation Authority Headquarters, Board Room - Conference Room 07-08, 550 South Main Street, Orange, California.