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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, September 13, 2021 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 Orange County Transportation Authority (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](http://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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## **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 [ClerkOffice@octa.net](mailto: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 **90 minutes prior to the start time of the Board and Committee meeting date.**

### **Call to Order**

### **Roll Call**

### **Invocation**

Director Goodell

### **Pledge of Allegiance**

Director Foley

### **Special Calendar**

There are no Special Calendar matters.



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**BOARD AGENDA****Consent Calendar (Items 1 through 20)**

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****1. Approval of Minutes**

Approval of the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of August 23, 2021.

**2. 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.

**3. Orange County Transportation Authority Investment and Debt Programs Report - July 2021**

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, 2021.



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**BOARD AGENDA****3. (Continued)****Recommendation**

Receive and file as an information item.

**4. Authorization for the Orange County Transportation Authority to Deposit and Invest Excess Funds with the Treasurer-Tax Collector of the County of Orange**

Robert Davis/Andrew Oftelie

**Overview**

Staff is requesting authorization to deposit and invest excess funds with the Treasurer-Tax Collector of the County of Orange.

**Recommendation**

Approve Resolution No. 2021-062 authorizing the Orange County Transportation Authority to deposit and invest excess funds with the Treasurer-Tax Collector of the County of Orange.

**5. Bond Anticipation Notes (Interstate 405 Improvement Project), Series 2021 Financing Documents**

Robert Davis/Andrew Oftelie

**Overview**

The Orange County Transportation Authority Board of Directors approved the issuance of Bond Anticipation Notes as a short-term interim financing to support the construction of the Interstate 405 Improvement Project, and the selection of an underwriting team. Final approval for the issuance of the Bond Anticipation Notes and the financing documents for the proposed transaction are presented for review and approval.



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

Adopt Resolution No. 2021-076, authorizing the issuance and sale of Bond Anticipation Notes (I-405 Improvement Project), Series 2021 in an aggregate principal amount not to exceed \$675 million, and the execution and delivery of related financing documents. The related financing documents include forms of the Master Indenture, First Supplemental Indenture, Standby Bond Purchase Agreement, Purchase Contract, Preliminary Official Statement, and the form of the Continuing Disclosure Certificate, and taking all other actions necessary in connection with the proposed transaction.

**6. 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, 2021, and a renewal is necessary to maintain coverage.

**Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. A48430, in the amount of \$500,000, to Marsh Risk and Insurance Services, Inc., to purchase excess workers' compensation insurance on behalf of the Orange County Transportation Authority for the policy period of October 1, 2021 to October 1, 2022.

**7. Metrolink Fiscal Year 2020-21 Performance Report**

Alexis Murillo Felix/Jennifer L. Bergener

**Overview**

The Southern California Regional Rail Authority is a five-member joint powers authority that operates the 400-mile commuter rail service known as Metrolink. A report on Metrolink ridership, revenue, and on-time performance for service in Orange County covering fiscal year 2020-21 is provided for consideration by the Board of Directors.



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**BOARD AGENDA****7. (Continued)****Recommendation**

Receive and file as an information item.

**8. Approval to Release Request for Proposals for Maintenance Services for Operating Railroad Right-of-Way**

Gerald Ray Smith, Jr. /Jennifer L. Bergener

**Overview**

Staff has developed a request for proposals to initiate a competitive procurement process to retain contractor services to provide preventative and corrective maintenance for the Orange County Transportation Authority's operating railroad right-of-way.

**Recommendations**

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 1-3684 for selection of a contractor to provide maintenance services for the operating railroad right-of-way.
- B. Approve the release of Request for Proposals 1-3684 for maintenance services for the operating railroad right-of-way.

**9. South Orange County Multimodal Transportation Study Update**

Warren Whiteaker/Kia Mortazavi

**Overview**

The Orange County Transportation Authority is conducting a long-range multimodal transportation study for the south Orange County area. Objectives of the study are to document transportation issues and opportunities, engage with key stakeholders, partner agencies, and the public to identify potential long-term multimodal solutions. A status report on the study is provided for Board of Directors' consideration.

**Recommendation**

Receive and file as an information item.



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**BOARD AGENDA****10. Grant Awards for the Garden Grove-Santa Ana Rails-to-Trails Gap Closure and Bus Stop Safety and Accessibility Study**

Roslyn Lau/Kia Mortazavi

**Overview**

The Orange County Transportation Authority was awarded \$3,000,000 for the Garden Grove-Santa Ana Rails-to-Trails Gap Closure through the statewide Active Transportation Program, and \$300,000 for the Bus Stop Safety and Accessibility Study through the regional Sustainable Communities Program. To utilize these grants, Board of Directors' approval is requested to accept the awards and enter into agreements with the granting agencies.

**Recommendations**

- A. Adopt Orange County Transportation Authority Resolution No. 2021-071 and authorize the Chief Executive Officer, or designee, to accept the Active Transportation Program \$3,000,000 grant award and execute required grant-related agreements with the California Department of Transportation and California Transportation Commission.
- B. Adopt Orange County Transportation Authority Resolution No. 2021-072 and authorize the Chief Executive Officer, or designee, to accept the Sustainable Communities Program \$300,000 grant award and execute grant-related agreements with the Southern California Association of Governments.
- C. Authorize the Chief Executive Officer, or designee, to amend the Federal Transportation Improvement Program and process all necessary amendments to facilitate the recommendations above.

**11. Grant Award Acceptance for the 2022 Orange County Fair Express Bus Service**

Jennifer Haith Farinas/Kia Mortazavi

**Overview**

The Mobile Source Air Pollution Reduction Review Committee awarded the Orange County Transportation Authority \$289,054 in competitive Major Event Center Transportation Program funding. The grant award will support the 2022 Orange County Fair Express Bus Service.



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

Authorize the Chief Executive Officer, or designee, to accept the Mobile Source Air Pollution Reduction Review Committee Major Event Center Transportation Program award for \$289,054, and to negotiate and execute grant-related agreements and documents with the Mobile Source Air Pollution Reduction Review Committee.

**Orange County Transit District Consent Calendar Matters****12. Agreement for Compressed Natural Gas Fueling Facility Operation and Maintenance**

Dayle Withers/Jennifer L. Bergener

**Overview**

On May 10, 2021, the Board of Directors approved the release of a request for proposals for the operation and maintenance of compressed natural gas fueling facilities located at the Anaheim, Garden Grove, and Santa Ana bases. Proposals were received in accordance with the Orange County Transportation Authority procurement procedures for professional and technical services. Staff is requesting Board of Directors' approval to award an agreement for these services

**Recommendations**

- A. Approve the selection of Trillium USA Company, LLC, doing business as Trillium, as the firm to provide compressed natural gas fueling facility operation and maintenance.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-1-3317 between the Orange County Transportation Authority and Trillium USA Company, LLC, doing business as Trillium, in the amount of \$1,845,540, to provide compressed natural gas fueling facility operation and maintenance for a three-year initial term beginning December 1, 2021, with two, one-year option terms.





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**BOARD AGENDA**

**13. October 2021 Bus Service Change**  
Jorge Duran/Kia Mortazavi

**Overview**

In anticipation of increased demand due to the return of in-person learning for most schools, colleges, and universities, Orange County Transportation Authority implemented a service change on August 15, 2021. The proposed October 2021 bus service change will provide more service to address expected ridership increases related to the return of in-person learning and work trips for most sectors of the economy, including the resurgence of hospitality industry activities.

**Recommendation**

Receive and file as an information item.

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

**14. Approval to Release Request for Proposals for the Preparation of Plans, Specifications, and Estimates for the State Route 55 Improvement Project Between Interstate 5 and State Route 91**  
Jeannie Lee/James G. Beil

**Overview**

Staff has developed a request for proposals to initiate a competitive procurement process to retain consultant services to prepare plans, specifications, and estimates for the State Route 55 Improvement Project between Interstate 5 and State Route 91.

**Recommendation(s)**

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 1-3643 for consultant services for the preparation of plans, specifications, and estimates for the State Route 55 Improvement Project between Interstate 5 and State Route 91.



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

- B. Approve the release of Request for Proposals 1-3643 for consultant services for the preparation of plans, specifications, and estimates for the State Route 55 Improvement Project between Interstate 5 and State Route 91.

**15. Contract Change Orders for the Interstate 405 Improvement Project from State Route 73 to Interstate 605**

Jeff Mills/James G. Beil

**Overview**

On November 14, 2016, the Orange County Transportation Authority Board of Directors approved Agreement No. C-5-3843 with OC 405 Partners, a joint venture, for the design and construction of the Interstate 405 Improvement Project from State Route 73 to Interstate 605. Contract change orders are needed at this time to compensate OC 405 Partners for additional design and construction efforts related to the removal of an encroaching building overhang adjacent to the Magnolia Street northbound on-ramp, to provide bridge lighting on seven overcrossing bridges, to provide electrical conduit extensions and pull boxes at nine overcrossing bridges for future bridge lighting, and for pavement reconstruction at the Harbor Boulevard northbound on-ramp.

**Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 101 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$230,838, to remove an encroaching building overhang adjacent to the Magnolia Street northbound on-ramp.
- B. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 106 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$925,000, to provide bridge lighting on seven overcrossing bridges.



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

- C. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 107 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$420,000, to provide conduit extensions and pull boxes for future bridge lighting on nine overcrossing bridges.
- D. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 109 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$410,000, to provide full pavement reconstruction to part of the Harbor Boulevard northbound on-ramp.

**16. Amendment to Agreement for Additional Design Services for the State Route 55 Improvement Project Between Interstate 405 and Interstate 5  
Jeannie Lee/James G. Beil****Overview**

On September 11, 2017, the Orange County Transportation Authority Board of Directors authorized an agreement with WKE, Inc., for the preparation of plans, specifications, and estimates for the State Route 55 Improvement Project between Interstate 405 and Interstate 5. 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-7-1719 between the Orange County Transportation Authority and WKE, Inc., in the amount of \$563,183, for additional design services for the State Route 55 Improvement Project between Interstate 405 and Interstate 5. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$19,867,709.



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**BOARD AGENDA****17. Environmental Mitigation Program Endowment Fund Investment Report for June 30, 2021**

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 an information item.

**18. Bond Anticipation Notes (Interstate 405 Improvement Project), Series 2021 Approval of Standby Bond Purchase Agreement**

Robert Davis/Andrew Oftelie

**Overview**

To facilitate the issuance of Bond Anticipation Notes by the Orange County Transportation Authority, authorization is required by the Orange County Local Transportation Authority for the execution and delivery of a Standby Bond Purchase Agreement.

**Recommendations**

- A. Adopt Resolution No. 2021-077 authorizing the execution and delivery of a Standby Bond Purchase Agreement to facilitate the issuance of Bond Anticipation Notes by the Orange County Transportation Authority.
- B. Authorize staff to take all other actions necessary in connection with the execution and delivery of said Standby Bond Purchase Agreement.



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**BOARD AGENDA****19. Capital Programming Update**

Ben Ku/Kia Mortazavi

**Overview**

The Orange County Transportation Authority uses various funding sources to implement planning efforts, capital projects, and transit operations. Project costs can vary from the programmed amount in response to changing circumstances, which may require funding revisions. Board of Directors' authorization is required to provide funding for current or planned freeway, grade separation, and transit capital projects.

**Recommendations**

- A. Consistent with right-of-way phase estimates for the Interstate 5 Improvement Project from Yale Avenue to State Route 55 (Segment 2), authorize the use of \$23.926 million from the following fund sources:
  - Surface Transportation Block Grant (\$17.5 million),
  - Measure M2 freeway funds (\$5.575 million),
  - Repurposed earmarks (up to \$0.851 million), contingent on Federal Highway Administration approval, and
  - Additional Measure M2 freeway funds in lieu of \$0.851 million of repurposed earmarks, in the event the federal funds are not available.
  
- B. Consistent with updated design phase estimates for the State Route 55 Improvement Project from Interstate 5 to State Route 91, authorize the use of the funding below, increasing total funding for the phase from \$8.921 million to \$11 million, and reducing Measure M2 funds by \$3.921 million:
  - Surface Transportation Block Grant (\$3.359 million), and
  - Highway Infrastructure Program (\$2.641 million).
  
- C. Authorize the use of \$1.720 million in Measure M2 for the State Route 55 Improvement Project from Interstate 405 to Interstate 5 to support anticipated increased costs for the design phase, changing the total project estimated cost from \$504 million to \$505.720 million.



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

- D. Consistent with the forecasted cost for the environmental phase for the Interstate 5 Managed Lanes Project from the Orange County/San Diego County line to Avenida Pico, authorize the use of \$0.907 million in additional Surface Transportation Block Grant funds to fund this change in the project cost estimate from \$5.5 million to \$6.407 million.
- E. Authorize the use of up to \$3.207 million in additional Measure M2 Regional Capacity Program funds for the OC Bridges Railroad Grade Separation Program in lieu of federal Congestion Mitigation and Air Quality improvement funding.
- F. Authorize the use of \$12.526 million in Congestion Mitigation and Air Quality Improvement Program funds for 173 bus engine repowers.
- G. 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.

**20. Measure M2 Quarterly Progress Report for the Period of April 2021 Through June 2021**

Francesca Ching/Kia Mortazavi

**Overview**

Staff has prepared the Measure M2 quarterly progress report for the fourth quarter of fiscal year 2020-21 as information for the Orange County Transportation Authority Board of Directors. This report highlights progress on Measure M2 projects and programs and is available to the public via the Orange County Transportation Authority website.

**Recommendation**

Receive and file as an information item.



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**BOARD AGENDA****Regular Calendar****Orange County Transit District Regular Calendar Matters****21. Agreement for OC ACCESS Paratransit and OC Flex Microtransit Services**

Jack Garate/Jennifer L. Bergener

**Overview**

The Orange County Transportation Authority requires the services of a firm to manage, operate, and maintain the OC ACCESS paratransit and the OC Flex microtransit services. A competitive procurement was conducted, and offers 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 the management, operations, and maintenance of the OC ACCESS paratransit and OC Flex microtransit services.

**Recommendations**

- A. Approve the selection of First Transit, Inc., as the firm to provide the management, operations, and maintenance of the OC ACCESS paratransit and OC Flex microtransit services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2150 between the Orange County Transportation Authority and First Transit, Inc., in the amount of \$242,579,221, to provide the management, operations, and maintenance of the OC ACCESS paratransit and OC Flex microtransit services for an initial four-year term commencing on January 1, 2022, with two, two-year option terms.



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## **BOARD AGENDA**

### **Discussion Items**

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

A Closed Session will be held as follows:

Pursuant to Government Code Section 54956.9 - Conference with General Counsel - Potential Litigation - One Matter

- 26. Adjournment**

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, September 27, 2021** at the Orange County Transportation Authority Headquarters, Board Room - Conference Room 07-08, 550 South Main Street, Orange, California.