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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 27, 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 (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: OCTA Headquarters, 600 South Main Street, Orange, California.

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

On March 12, 2020, March 18, 2020, and September 20, 2021, Governor Gavin Newsom enacted Executive Orders N-25-20, N-29-20, and N-15-21, 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).

Members of the public can either attend in person (subject to the Authority's COVID-19 safety protocols) or 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/>



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Members of the public may address the Board of Directors regarding any item two ways:

### **In-Person Comment**

Members of the public may attend in-person (subject to OCTA's COVID-19 safety protocols) and 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.

### **Written Comment**

Written public comments may also be submitted by emailing them to [ClerkOffice@octa.net](mailto:ClerkOffice@octa.net), and must be sent **90 minutes prior to the start time** of the meeting. 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.

### **Call to Order**

### **Roll Call**

### **Invocation**

Director Hennessey

### **Pledge of Allegiance**

Director Harper

### **Special Calendar**

There are no Special Calendar matters.



## **BOARD AGENDA**

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### **Consent Calendar (Items 1 through 14)**

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. Ralph M. Brown Act Board Resolution for Teleconference Meetings**  
Andrea West/Jennifer L. Bergener

#### **Overview**

The Orange County Transportation Authority Board of Directors holds regular meetings to effect business and act on measures related to its programs, projects, and services. In order to comply with new provisions related to the Ralph M. Brown Act (Brown Act), a resolution must be adopted.

#### **Recommendation**

Adopt Board of Directors Resolution 2021-083.

- 2. Approval of Minutes**

Approval of the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of September 13, 2021.

- 3. Agreement for Public Outreach Consultant Services during the Environmental Phase of the Interstate 5 Improvement Project from San Diego County Line to Avenida Pico**  
Fernando Chavarria/Maggie McJilton

#### **Overview**

On June 1, 2021, the Orange County Transportation Authority released a request for proposals for public outreach consulting services during the Environmental Phase of the Interstate 5 Improvement Project from the San Diego County Line to Avenida Pico. 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 these services.



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## **BOARD AGENDA**

### **3. (Continued)**

#### **Recommendations**

- A. Approve the selection of McCormick-Busse, Inc., doing business as MBI Media, as the firm to provide public outreach consulting services during the Environmental Phase of the Interstate 5 Improvement Project from the San Diego County Line to Avenida Pico.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-1-3353 between the Orange County Transportation Authority and McCormick-Busse, Inc., doing business as MBI Media, in the amount of \$298,450, for a three-year initial term, effective through October 31, 2024, with an option term of up to 24 months, to provide public outreach consulting services during the Environmental Phase of the Interstate 5 Improvement Project from the San Diego County Line to Avenida Pico.

### **4. State Legislative Status Report**

Alexis Leicht/Lance M. Larson

#### **Overview**

The Orange County Transportation Authority provides regular updates to the Legislative and Communications Committee on policy issues directly impacting its overall programs, projects, and operations. An update is given on the actions related to the end of session for the State Legislature. This includes status updates and summaries on state budget negotiations related to transportation and on bills the Orange County Transportation Authority has taken positions on, has a particular interest in, and bills related to public meetings.

#### **Recommendation**

Receive and file as an information item.



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**5. Federal Legislative Status Report**  
Dustin J. Sifford/Lance M. Larson

**Overview**

The Orange County Transportation Authority regularly updates the Legislative and Communications Committee on policy issues directly impacting the agency's programs, projects, and operations. An overview is provided of the infrastructure legislation the Senate passed that also reauthorizes federal surface transportation programs for the next five years. The staff report outlines the next steps for this bill and the other issues affecting the federal transportation funding landscape.

**Recommendation**

Receive and file as an information item.

**6. Cooperative Agreement with the Southern California Regional Rail Authority for Railroad Track Stabilization in the City of San Clemente**  
Dinah Minteer/Jennifer L. Bergener

**Overview**

The Orange County Transportation Authority owns over 40 miles of active rail line in Orange County that extends from the City of Fullerton to the San Diego County Line in the City of San Clemente. Metrolink is responsible for regional rail operations and maintenance along the corridor. Tidal surges along with a failing slope have severely degraded the railroad track structure in the City of San Clemente for the past several weeks. Staff is requesting approval to enter into a cooperative agreement with the Southern California Regional Rail Authority for costs associated with stabilizing the railroad track structure, in an area owned by the Orange County Transportation Authority.

**Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-1-3749 with the Southern California Regional Rail Authority in the amount up to \$3,000,000, to stabilize railroad track structure in the City of San Clemente.



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**7. Long-Range Transportation Plan Challenges and Goals**  
Gregory Nord/Kia Mortazavi

**Overview**

The Long-Range Transportation Plan provides Orange County's program of projects for the Regional Transportation Plan, prepared by the Southern California Association of Governments. The plan also serves as the policy framework for future transportation investments in Orange County. Over the planning period for the Long-Range Transportation Plan (2019-2045), many challenges have been identified that may influence how transportation facilities, services, and needs evolve. To provide context and guidance for the development of the Long-Range Transportation Plan, these challenges and the proposed goals are presented for review.

**Recommendation**

Receive and file as an information item.

**8. Draft 2021 Orange County Congestion Management Program Report Release for Public Review**  
Sam Sharvini/Kia Mortazavi

**Overview**

The Orange County Transportation Authority is responsible for monitoring and reporting on the Orange County Congestion Management Program every two years. In accordance with state requirements, a draft 2021 Orange County Congestion Management Program Report has been prepared for public review and will be circulated to local agencies upon direction by the Board of Directors.

**Recommendation**

Direct staff to release the draft 2021 Orange County Congestion Management Program Report for public review and set November 22, 2021, as a public hearing date for adoption of the final 2021 Orange County Congestion Management Program.



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## **Orange County Transit District Consent Calendar Matters**

### **9. 2021 Title VI Plan Triennial Report**

Christina Perez/Maggie McJilton

#### **Overview**

The Orange County Transportation Authority is required to submit a Title VI Plan Report reviewed and approved by the Board of Directors to the Federal Transit Administration's Regional Office of Civil Rights once every three years. Title VI of the Civil Rights Act of 1964 provides that "no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." To fulfill this basic civil rights mandate, each federal agency that provides financial assistance for any program is authorized and directed by the United States Department of Justice to apply provisions of Title VI to each program by issuing generally applicable rules, regulations, or requirements.

#### **Recommendations**

- A. Review, approve, and direct staff to submit the 2021 Title VI Plan Triennial Report to the Federal Transit Administration's Regional Office of Civil Rights on or before October 1, 2021.
- B. Review and approve the results of the Service Standards and Policies monitoring in Section 4 of the 2021 Title VI Plan Triennial Report.



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

**10. Cooperative Agreement with the California Department of Transportation for the State Route 55 Improvement Project Between Interstate 5 and State Route 91**

Jeannie Lee/James G. Beil

#### **Overview**

The Orange County Transportation Authority proposes to enter into a cooperative agreement with the California Department of Transportation to define roles, responsibilities, and funding obligations for the preparation of plans, specifications, and estimates, and advertisement and award of the construction contract for the State Route 55 Improvement Project between Interstate 5 and State Route 91.

#### **Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-1-3642 between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$500,000, to provide oversight of the plans, specifications, and estimates, and to advertise and award the construction contract for the State Route 55 Improvement Project between Interstate 5 and State Route 91.

**11. Amendment to Cooperative Agreement with the City of Westminster for the Interstate 405 Improvement Project**

Jeff Mills/James G. Beil

#### **Overview**

On March 14, 2016, the Orange County Transportation Authority Board of Directors approved Cooperative Agreement No. C-5-3615 with the City of Westminster for city services required during the design-build implementation of the Interstate 405 Improvement Project. The cooperative agreement needs to be amended for additional city support services during construction of the project.



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

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Cooperative Agreement No. C-5-3615 between the Orange County Transportation Authority and the City of Westminster, in the amount of \$998,652, for additional city services for the Interstate 405 Improvement Project. This will increase the maximum obligation of the cooperative agreement to a total value of \$3,661,331.

**12. Approval to Release Request for Proposals for the OC Streetcar Ticket Vending Machines**

Sam Kaur/Andrew Oftelie

**Overview**

Staff is requesting Board of Directors' approval to release a request for proposals for the development, construction, implementation, and operations and maintenance of the OC Streetcar ticket vending machines system. A draft request for proposals has been developed, including proposed evaluation criteria and weightings, to support the procurement process.

**Recommendations**

- A. Approve the release of Request for Proposals 1-3279 to select a firm to provide the development, construction, and implementation, as well as the operations and maintenance of the OC Streetcar ticket vending machines for a five-year initial term with one, five-year option term.
- B. Approve the proposed evaluation criteria and weightings for Request for Proposals 1-3279 for the development, construction, and implementation, as well as the operations and maintenance of the OC Streetcar ticket vending machines.



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### **13. 2021 Measure M2 Sales Tax Forecast**

Sam Kaur/Andrew Oftelie

#### **Overview**

The Orange County Transportation Authority contracts with MuniServices, LLC and three universities to forecast Measure M2 taxable sales. MuniServices, LLC and the three universities have each provided updated forecasts and staff has incorporated the new information into the annual update for the long-range forecast of Measure M2 taxable sales.

#### **Recommendation**

Receive and file as an information item.

### **14. Amendments to On-Call Traffic Engineering and Intelligent Transportation Systems Services Agreements**

Alicia Yang/Kia Mortazavi

#### **Overview**

On January 13, 2020, the Orange County Transportation Authority Board of Directors approved agreements with four traffic engineering firms to provide consultant services for on-call traffic engineering and intelligent transportation systems services for the Measure M2 Regional Traffic Signal Synchronization Program for five years with two, one-year option terms. Amendments to the existing agreements are necessary for additional on-call services to implement recommendations approved as part of the 2021 Comprehensive Transportation Funding Program competitive call for projects.

#### **Recommendation**

Authorize the Chief Executive Officer to negotiate and execute amendments between the Orange County Transportation Authority and the following consultants for on-call traffic engineering and intelligent transportation systems services agreements: Agreement No. C-9-1513 with DKS Associates, Inc.; Agreement No. C-9-1810 with AGA Engineers, Inc.; Agreement No. C-9-1811 with KOA Corporation; and Agreement No. C-9-1812 with Iteris, Inc., in a shared amount of \$10,547,425. This will increase the maximum obligation for all the on-call firms for a total combined aggregate contract value of \$15,875,425.



## **BOARD AGENDA**

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### **Regular Calendar**

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

##### **15. 2022 State Transportation Improvement Program**

Ben Ku/Kia Mortazavi

##### **Overview**

Every two years, the Orange County Transportation Authority develops a program of projects for funding through the State Transportation Improvement Program. Project recommendations are presented for Board of Directors' consideration and approval. These recommendations are consistent with the Board of Directors' programming policies.

##### **Recommendations**

- A. Approve the 2022 State Transportation Improvement Program submittal to program \$164.647 million to seven projects, from fiscal year 2022-23 through fiscal year 2026-27.
- B. Authorize the use of \$11.396 million in Measure M2 funds for the Interstate 5 Improvement Project from Interstate 405 to Yale Avenue (Segment 1).
- C. Consistent with construction phase estimates for the Transit Security and Operations Center, authorize the use of \$27.234 million from the following fund sources:
  - \$19.650 million in Local Partnership Program Formula funds,
  - \$3.924 million in additional State of Good Repair, and
  - \$3.660 million Coronavirus Response and Relief Supplemental Appropriations Act, 2021.
- D. Authorize staff to make all necessary amendments to the State Transportation Improvement Program and the Federal Transportation Improvement Program and execute any necessary agreements to facilitate the recommendations above.



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## **BOARD AGENDA**

- 16. Appeal to the Board of Directors to Protest Proposed Award of Contract: Request for Proposals 0-2690 Contractor Selection for the Back-Office System and Customer Service Center Operations for the 405 Express Lanes in Orange County**  
Pia Veasapen/Andrew Oftelie

### **Overview**

The Orange County Transportation Authority has established a protest process as part of the Board of Directors-adopted Procurement Policy, which allows a proposer to appeal a contract award decision. A protest of the award of the contract for Request for Proposals 0-2690 Contractor Selection for the Back-Office System and Customer Service Center Operations for the 405 Express Lanes in Orange County has been escalated pursuant to the Procurement Policy to the Board of Directors for its consideration and decision.

### **Recommendation**

Rule on the protest from WSP USA Services, Inc., and provide whatever remedies that deems appropriate in its sole and absolute discretion.

## **Discussion Items**

- 17. Public Comments**
- 18. Chief Executive Officer's Report**
- 19. Directors' Reports**
- 20. Closed Session**

There are no Closed Sessions scheduled.

- 21. Adjournment**

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, October 11, 2021**, at the Orange County Transportation Authority Headquarters, Board Room – Conference Room 07-08, 550 South Main Street, Orange, California.