



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, October 25, 2021 at 9:00 a.m.

Teleconference Site:

Tsugawa, Lau and Muzzi Law Offices
1132 Bishop, Suite 2400
Honolulu, HI 96813

Any person with a disability who requires a modification or accommodation 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 business days prior to this meeting, to allow time to make reasonable arrangements to assure accessibility to the 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 (Board) 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 ww.octa.net or through the Clerk of the Board's office at the OCTA Headquarters, 600 South Main Street, Orange, California.

Public Comments on Agenda Items

Members of the public can either attend in-person (subject to OCTA's Coronavirus (COVID-19) safety protocols) or listen to audio live streaming of the Board and Committee meetings by clicking the below link:

<https://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 regarding any item. Members of the public will be strongly encouraged to wear a face covering regardless of vaccine status. Limited (physically-distanced) seating will be available in the Board room. If capacity is reached, members of the public will be asked to wait outside until it is time for them to speak.

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 minutes.

Written Comment

Written public comments may also be submitted by emailing them to ClerkOffice@octa.net, and must be sent by 5:00 p.m. the day prior to 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 Shaw

Pledge of Allegiance

Director Nguyen

Special Calendar

There are no Special Calendar matters.



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Consent Calendar (Items 1 through 13)

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 October 11, 2021.

2. Ralph M. Brown Act Board of Directors 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, a resolution must be adopted.

Recommendation

Adopt Board of Directors Resolution 2021-089.

3. Investments: Compliance, Controls, and Reporting, January 1 through June 30, 2021, Internal Audit Report No. 22-501

Gabriel Tang/Janet Sutter

Overview

The Internal Audit Department has completed an audit of investments for the period January 1 through June 30, 2021. Based on the audit, the Orange County Transportation Authority complied with its debt, investment, and reporting policies and procedures; however, the Internal Audit Department did make one recommendation related to compliance monitoring.



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Recommendation

Direct staff to implement a recommendation provided in Investments: Compliance, Controls, and Reporting, January 1 through June 30, 2021, Internal Audit Report No. 22-501.

4. Update on Diversity Outreach and Inclusion Efforts

Ted P. Nguyen/Maggie McJilton

Overview

The Orange County Transportation Authority is continuing its effort to conduct comprehensive and meaningful outreach to Orange County's growing diverse communities. This report provides an update on the progress of the diversity and inclusion efforts as well as plans to meet the future needs of community members who are increasingly diverse.

Recommendation

Receive and file as an information item.

5. Microsoft Enterprise Agreement Renewal

Barry Reynolds/Andrew Oftelie

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2021-22 Budget, a renewal of its existing Microsoft Enterprise Agreement is planned. Quotes were received from three Microsoft Large Account Resellers that are approved to sell the Microsoft Enterprise Agreement via the County of Riverside's Master Agreement.

Recommendations

- A. Approve the selection of Dell, Inc., to provide the Microsoft Enterprise renewal license for all of the Orange County Transportation Authority's Microsoft software.
- B. Authorize the Chief Executive Officer to negotiate and execute Purchase Order No. C13676 between the Orange County Transportation Authority and Dell, Inc., in the amount of \$2,575,000, for the renewal of the Microsoft Enterprise Agreement for a three-year term.



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6. SB 1 (Chapter 5, Statutes of 2017) State of Good Repair Claims for Fiscal Year 2021-22

Sam Kaur/Andrew Oftelie

Overview

The Orange County Transportation Authority is eligible to receive funding from the SB 1 State of Good Repair Program that is funded by the Transportation Improvement Fee on vehicle registrations. Funding recommendations for fiscal year 2021-22 were approved by the Board of Directors on August 23, 2021. Upon approval of the statewide list of fiscal year 2021-22 projects by the California Department of Transportation, the Orange County Transportation Authority must file claims on a quarterly basis to receive the funding.

Recommendation

Authorize the filing of SB 1 State of Good Repair claims, in the amount of \$6,393,649, or up to the actual allocation published by the State Controller's Office, to help sustain and upgrade the Orange County Transportation Authority's bus system.

7. Transportation Infrastructure Finance and Innovation Act Debt Service Savings

Robert Davis/Andrew Oftelie

Overview

To support the construction of the Interstate 405 Improvement Project, staff has used a combination of Transportation Infrastructure Finance and Innovation Act loans and interim short-term financing to substantially reduce debt service costs. This staff report provides an overview of the financing strategies utilized and their contribution to the total debt service savings of \$482 million.

Recommendation

Receive and file as an information item.



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8. Draft Revisions to the Orange County Transportation Authority's 2021-22 State and Federal Legislative Platforms

Alexis Leicht/Lance M. Larson

Overview

Halfway through each legislative session, staff conducts a refresh to the Orange County Transportation Authority's Legislative Platforms to ensure updates are provided on relevant issues that are anticipated to be of discussion for the upcoming year. Initial draft revisions to the Orange County Transportation Authority's 2021-22 State and Federal Legislative Platforms have been prepared for consideration by the Orange County Transportation Authority Board of Directors. Before a final draft is considered for adoption, these drafts will be revised as a result of feedback from the Orange County Transportation Authority Board of Directors, as well as further internal staff input.

Recommendation

Direct staff to incorporate the recommended revisions to the 2021-22 Orange County Transportation Authority State and Federal Legislative Platforms and seek further feedback from the Orange County Transportation Authority Board of Directors, with subsequent drafts being brought forward for final consideration and adoption later this year.

9. 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 on the federal transportation funding picture is provided, specifically the short-term funding extensions necessitated by the protracted negotiations on the Senate-passed infrastructure legislation that also reauthorizes federal surface transportation programs for the next five years. The staff report outlines the next steps in the development of a long-term transportation bill and the impact of the statutory debt limit on the increasingly complicated federal transportation funding landscape.



BOARD AGENDA**Recommendation**

Receive and file as an information item.

Orange County Transit District Consent Calendar Matters**10. State Transit Assistance Fund Claims for Fiscal Year 2021-22**

Sam Kaur/Andrew Oftelie

Overview

The Orange County Transit District is eligible to receive funding from the State Transit Assistance Fund for providing public transportation services throughout Orange County. To receive these funds, the Orange County Transit District, as the public transit and community transit services operator, must file claims with the Orange County Transportation Authority, the transportation planning agency for Orange County.

Recommendation

Adopt Resolution No. 2021-078 to authorize the filing of State Transit Assistance Fund claims, in the amount of \$36,415,760, or up to the actual allocation published by the State Controller's Office, to support public transportation.

11. Bus Operations Performance Measurements Report for the Fourth Quarter of Fiscal Year 2020-21

Johnny Dunning, Jr./Jennifer L. Bergener

Overview

The Orange County Transportation Authority operates fixed-route bus and demand-response paratransit service throughout Orange County and into neighboring counties. The established measures of performance for these services assess the safety, courtesy, reliability, and overall quality of the services. This report summarizes the year-to-date performance of these services through the fourth quarter of fiscal year 2020-21.

Recommendation

Receive and file as an information item.



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Jeffrey N. Tatro/Jennifer L. Bergener

Overview

On May 24, 2021, the Board of Directors authorized the release of a request for proposals for bus stop maintenance services. A single proposal was received and evaluated in accordance with Orange County Transportation Authority procurement procedures for professional and technical services. Board of Directors' approval is requested to execute a new agreement for these services.

Recommendations

- A. Approve the selection of ShelterClean Services, Inc., as the firm to perform bus stop maintenance services at fixed-route service bus stop locations.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-1-3408 between the Orange County Transportation Authority and ShelterClean Services, Inc., in the amount of \$1,647,044, to perform bus stop maintenance services at fixed-route service bus stop locations, for a three-year initial term commencing on December 1, 2021, with two, two-year option terms.

Orange County Local Transportation Authority Consent Calendar Matters**13. Anaheim Canyon Metrolink Station Improvement Project Update**

Lora Cross/James G. Beil

Overview

The Orange County Transportation Authority, in coordination with the City of Anaheim and Southern California Regional Rail Authority, has begun the construction phase of the Anaheim Canyon Metrolink Station Improvement Project. This report provides an update on the status of the project.

Recommendation

Receive and file as an information item.



BOARD AGENDA**Regular Calendar****Orange County Transportation Authority Regular Calendar Matters**

14. **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 Veesapen/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 are deemed appropriate in its sole and absolute discretion.

Orange County Local Transportation Authority Regular Calendar Matters

15. **OC Streetcar Project Quarterly Update**
Ross Lew/James G. Beil

Overview

The Orange County Transportation Authority is implementing the OC Streetcar project, and updates are provided to the Board of Directors on a quarterly basis. This report provides an update on OC Streetcar project activities from July 2021 through September 2021.

Recommendation

Receive and file as an information item.



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16. Contract Change Orders for Construction of the OC Streetcar Project
Ross Lew/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. Contract change orders are required for work to address utility conflicts, traction power substation site plan revisions, Southern California Edison metering switchgears, optical backbone network system redundancy, traffic signal interconnects, maintenance storage facility permit drawings and revisions, and utility conflicts.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 4.4 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$3,500,000, to address utility conflicts.
- B. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 54 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$1,200,000, for traction power substation site plan revisions.
- C. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 64.2 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$1,200,000, for Southern California Edison metering switchgears.
- D. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 69 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$600,000, for optical backbone network system redundancy.
- E. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 79 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$3,000,000, for maintenance and storage facility permit drawings and revisions.



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Discussion Items

17. 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 minutes per speaker, unless different time limits are set by the Chairman subject to the approval of the Board of Directors.

18. Chief Executive Officer's Report

19. Directors' Reports

20. Closed Session

A Closed Session will be held as follows:

- A. Pursuant to Government Code Section 54956.9(d)(1) - Conference with General Counsel - Existing Litigation - Orange County Transportation Authority v. 18349 Euclid Street, LLC, etc., et al., OCSC Case No. 30-2019-01163637.
- B. Pursuant to Government Code Section 54966.8 - Conference with Real Property Negotiators to Discuss Price and Terms of Payment - 1535 Scenic Avenue, Costa Mesa, CA 92626 - Agency Negotiator is Kirk Avila, General Manager Express Lanes Programs.

21. Adjournment

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, November 8, 2021**, at the Orange County Transportation Authority Headquarters, Board Room - Conference Room 07-08, 550 South Main Street, Orange, California.