



AGENDA

Executive Committee Meeting

Committee Members

Lisa A. Bartlett, Chairwoman
Tim Shaw, Vice Chairman
Andrew Do
Michael Hennessey
Mark A. Murphy
Al Murray
Shawn Nelson

Orange County Transportation Authority
Headquarters
550 South Main Street
Board Room – Conf. Room 07
Orange, California
Monday, May 7, 2018 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 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 Committee 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.

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.

Call to Order

Pledge of Allegiance

Director M. Murphy

1. Public Comments

Special Calendar

There are no Special Calendar matters.



Consent Calendar (Item 2)

All items on the Consent Calendar are to be approved in one motion unless a Committee Member or a member of the public requests separate action or discussion on a specific item.

2. Approval of Minutes

Approve the minutes of the Executive Committee meeting of April 2, 2018.

Regular Calendar

3. Amendments to the Orange County Transportation Authority Drug and Alcohol Policy Manual

Matthew DesRosier/Maggie McJilton

Overview

In accordance with the Drug and Alcohol Policy (# HROD-HR-420.17DRUG), revisions to the Drug and Alcohol Policy Manual, are subject to management review and Board of Directors' approval.

Recommendations

- A. Authorize the Chief Executive Officer, or designee, to increase the Orange County Transportation Authority's random alcohol testing rate from 20 percent to 50 percent annually for all safety-sensitive employees in order to emulate the current testing rates for drugs (Manual Section 5.5G Policy Section VIIA).
- B. Authorize the Chief Executive Officer, or designee, to replace the obsolete table of drug testing thresholds (Manual Section 5.4), with "drugs or classes of drugs to be tested and the applicable threshold levels for positive findings shall be determined by current Department of Transportation and Federal Transit Administration regulations."
- C. Authorize the Chief Executive Officer, or designee, to make all necessary edits to ensure Attachment B (Disclosure of Prescription and Over-the-Counter Drugs form), prescription drug use physician review requirements (Manual Section 4.2A), are mandatory under Orange County Transportation Authority policy.



3. (Continued)

- D. Authorize the Chief Executive Officer, or designee, to change the requirement for drug and alcohol testing at the time of an employee's Department of Motor Vehicles medical recertification and/or physical examinations to implementing a biennial testing requirement and continuing with more proactive and stringent Department of Transportation random testing and prescription drug safeguard measures (Manual Section 5.5B, 5.5G, 6.2C, Attachment B, and Policy Section VIIA).
- E. Authorize the Chief Executive Officer, or designee, to remove the Facilities Maintenance Department from the list of regulated safety-sensitive positions (Manual Section 9), in compliance with the federal definition.

**4. Capital Programs Division - Third Quarter Fiscal Year 2017-18
Capital Action Plan Performance Metrics**

James G. Beil

Overview

The Orange County Transportation Authority's Strategic Plan key strategies and objectives to achieve the goals for Mobility and Stewardship include delivery of all Capital Action Plan projects on time and within budget. The Capital Action Plan is used to create a performance metric to assess capital project delivery progress on highway, grade separation, rail, and facility projects. This report provides an update on the Capital Action Plan delivery and performance metrics.

Recommendation

Receive and file as an information item.



Discussion Items

- 5. Chief Executive Officer's Report**
- 6. Committee Members' Reports**
- 7. Closed Session**

There are no Closed Session items scheduled.

- 8. Adjournment**

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Monday, June 4, 2018**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07, Orange, California.



MINUTES

Executive Committee Meeting

Committee Members Present

Lisa A. Bartlett, Chairwoman
Tim Shaw, Vice Chairman
Andrew Do
Mark A. Murphy
Al Murray
Shawn Nelson

Staff Present

Darrell E. Johnson, Chief Executive Officer
Ken Phipps, Deputy Chief Executive Officer
Laurena Weinert, Clerk of the Board
Olga Prado, Assistant Clerk of the Board
James Donich, General Counsel
OCTA Staff and Members of the General Public

Committee Members Absent

Michael Hennessey

Call to Order

The April 2, 2018 regular meeting of the Executive Committee was called to order by Chairwoman Bartlett at 9:03 a.m.

Pledge of Allegiance

Director Do led in the Pledge of Allegiance.

1. Public Comments

There were no public comments.

Special Calendar

There were no Special Calendar matters.

Consent Calendar (Item 2 through 4)

2. Approval of Minutes

A motion was made by Director Murray, seconded by Director M. Murphy, and declared passed by those present, to approve the amended minutes of the Executive Committee meeting of February 5, 2018.

Director Nelson was not present to vote on this item.



MINUTES

Executive Committee Meeting

3. Amendments to the Orange County Transportation Authority Drug and Alcohol Policy Manual

A motion was made by Director Murray, seconded by Director M. Murphy, and declared passed by those present, to:

- A. Authorize the Chief Executive Officer or designee to remove the requirement for drug and alcohol testing at the time of an employee's Department of Transportation medical recertification and/or physical examinations (Manual Sections 5.5B and 6.2C).
- B. Authorize the Chief Executive Officer or designee to increase the Orange County Transportation Authority's random alcohol testing rate from 20 percent to 50 percent annually for all safety-sensitive employees in order to emulate the current testing rates for drugs (Manual Section 5.5G Policy Section VIIA).
- C. Authorize the Chief Executive Officer or designee to remove the obsolete table of drug testing thresholds (Manual Section 5.4) and insert "drugs or classes of drugs to be tested and the applicable threshold levels for positive findings shall be determined by current Department of Transportation and Federal Transit Administration regulations."
- D. Authorize the Chief Executive Officer or designee to remove the Facilities Maintenance Department from the list of regulated safety-sensitive positions (Manual Section 9).

Director Nelson was not present to vote on this item.

4. Orange County Transportation Authority Code of Conduct

A motion was made by Director Murray, seconded by Director M. Murphy, and declared passed by those present, to receive and file as an information item.

Director Nelson was not present to vote on this item.



Regular Calendar

5. Measure M2 Quarterly Progress Report for the Period of October 2017 Through December 2017

Tami Warren, Manager, Measure M Program Office, provided a reported for this item as follows:

- Background, and referenced Attachments A and B of the Staff Report.
- Highlighted the past quarter's key activities.
- In November 2017, the Board of Directors (Board) approved the updated Next 10 Plan Delivery, which incorporates the current sales tax revenue of \$13.5 billion.
- The Board directed staff to continue working with the consultant to monitor and track key early warning forecast indicators.
- In late summer of 2018, the Measure M2 (M2) progress and sales tax revenue reports will come forward.
- A procurement is underway to select a consultant to conduct the M2 triennial performance assessment for the period of July 1, 2015 to June 30, 2018.
- The final sales tax receipts for the first half of fiscal year 2017-18, reflected a growth and sales tax revenue consistent with the Board-adopted sales tax growth rate.

A discussion ensued regarding:

- Even though the overall M2 sales tax revenue projections are down, staff feels that OCTA will be a success on the M2 projects.
- M2 projects completed and moving forward where highlighted.
- In 2007, the Board approved the early action plan and front-loaded many of the M2 projects.
- Next 10 Plan Delivery and 91 Express Lanes net excess toll revenues helped to accelerate many M2 project deliveries.
- Andrew Oftelie, Executive Director of Finance and Administration, reported that the recent M2 sales tax revenues received are currently at 3.29 percent and MuniServices forecasted 3.30 percent.
- Chairwoman Bartlett asked how OCTA is planning for the future in regards to the M2 administrative salaries and benefits cap of 1 percent.
- Mr. Oftelie highlighted the Board's approvals for the early action plan and to borrow from the Orange County Unified Transportation Trust fund for the M2 administrative salaries and benefits, which will be paid back in six years.
- The M2 administrative salaries and benefits are carefully tracked.

No action was taken on this receive and file information item.



Discussion Items

6. Chief Executive Officer's Report

Darrell E. Johnson, CEO, reported that:

- Last week, OCTA hosted an event to commemorate the completion of the Interstate 5 (I-5) South County Improvements Project. Chairwoman Bartlett and Vice Chairman Shaw were thanked for participating at the event.
- Angels Express:
 - Tonight, the Angels Express will be in service for the Angels home game opener against the Cleveland Indians.
 - The service will be available on Tuesday, April 3rd and Friday, April 5th.
 - On Friday, April 5th, at 4:00 p.m., OCTA will host the annual pre-game kickoff event for the Angels Express at the Laguna Niguel/Mission Viejo Metrolink Station.
 - The kickoff event will feature former Angels' pitcher, Clyde Wright, and the Angels Strick Force team. The Metrolink train will depart at 4:07 p.m. and 5:55 p.m. from the Laguna Niguel/Mission Viejo Metrolink Station.
 - Vice Chairman Shaw will be attending the kickoff event.

7. Committee Members' Reports

Vice Chairman Shaw congratulated all that coordinated that I-5 South County Improvements Project event in San Clemente.

Chairwoman Bartlett reported that Director Donchak also attended the I-5 South County Improvements Project event.

Director Murray thanked Chairwoman Bartlett for her remarks at the recent California Association for Coordinated Transportation conference and expo.

Chairwoman Bartlett reported that the I-5 South County Improvements Project event was well-attended. She stated that with the progressive segment openings of the I-5 South County Improvements Project, there have been great traffic benefits, and thanked OCTA for a great job on the project.



MINUTES

Executive Committee Meeting

8. Closed Session

There were no Closed Session items scheduled.

9. Adjournment

The Executive Committee meeting adjourned at 9:23 a.m.

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Monday, May 7, 2018**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room – Conference Room 07, Orange, California.

ATTEST


Laurena Weinert
Clerk of the Board

Lisa A. Bartlett
Chairwoman



May 7, 2018

To: Executive Committee

From: Darrell E. Johnson, Chief Executive Officer 

Subject: Amendments to the Orange County Transportation Authority Drug and Alcohol Policy Manual

Overview

In accordance with the Drug and Alcohol Policy (# HROD-HR-420.17DRUG), revisions to the Drug and Alcohol Policy Manual, are subject to management review and Board of Directors' approval.

Recommendations

- A. Authorize the Chief Executive Officer, or designee, to increase the Orange County Transportation Authority's random alcohol testing rate from 20 percent to 50 percent annually for all safety-sensitive employees in order to emulate the current testing rates for drugs (Manual Section 5.5G Policy Section VIIA).
- B. Authorize the Chief Executive Officer, or designee, to replace the obsolete table of drug testing thresholds (Manual Section 5.4), with "drugs or classes of drugs to be tested and the applicable threshold levels for positive findings shall be determined by current Department of Transportation and Federal Transit Administration regulations."
- C. Authorize the Chief Executive Officer, or designee, to make all necessary edits to ensure Attachment B (Disclosure of Prescription and Over-the-Counter Drugs form), prescription drug use physician review requirements (Manual Section 4.2A), are mandatory under Orange County Transportation Authority policy.
- D. Authorize the Chief Executive Officer, or designee, to change the requirement for drug and alcohol testing at the time of an employee's Department of Motor Vehicles medical recertification and/or physical examinations to implementing a biennial testing requirement and continuing with more proactive and stringent Department of

Transportation random testing and prescription drug safeguard measures (Manual Section 5.5B, 5.5G, 6.2C, Attachment B, and Policy Section VIIA).

- E. Authorize the Chief Executive Officer, or designee, to remove the Facilities Maintenance Department from the list of regulated safety-sensitive positions (Manual Section 9), in compliance with the federal definition.

Discussion

The Health, Safety, and Environmental Compliance Department oversees the Drug and Alcohol compliance program, and has assessed program compliance and program management efficiencies in accordance with the Department of Transportation (DOT) and the Federal Transit Administration (FTA) requirements (Attachment A, Attachment B).

The Orange County Transportation Authority's (OCTA) compliance with current DOT-required monthly random, post-accident, pre-employment, reasonable suspicion, and follow-up drug and alcohol testing provides a preemptive and reasonable approach to combating substance abuse within OCTA's safety-sensitive workforce. The federal DOT/FTA - required population testing rates are currently 25 percent for drug and 10 percent for alcohol. Knowing that random testing is best for detecting and deterring substance abuse, OCTA currently tests 50 percent of its safety sensitive population, double the regulatory required rate for drugs, and 20 percent for alcohol. For consistency purposes, and to proactively combat one of the highest abused substances, OCTA's staff requests to increase the number of random alcohol tests from 20 percent to 50 percent. This allows random alcohol testing of more than two times the current number of safety-sensitive employees and serves as an additional measure to combat the industry's three-year increase in random alcohol positive rates as reported by the DOT.

Effective January 1, 2018, the DOT expanded its list of drugs and drug classifications to include additional Schedule II Controlled Substances in order to align with the U.S. Department of Health and Human Services (DHHS). In doing so, the DOT provided OCTA a greater ability to screen for semi-synthetic opioid drugs that were not singularly identified in the prior drug testing panel. With this DOT adoption, the existing list within the OCTA Drug and Alcohol Policy Manual is outdated. In order to ensure OCTA always applies current drug classifications and testing thresholds, it will serve OCTA to not include the DOT and FTA table, but instead make reference to its adherence by adding the statement "drugs or classes of drugs to be tested and the applicable threshold levels for positive findings shall be determined by current DOT and FTA regulations."

Further efforts adopted by OCTA to mitigate the risk of legal drug use include Attachment B (Disclosure of Prescription and Over-the-Counter Drugs form) of the Drug and Alcohol Manual. This non-regulatory program, designed to provide additional safety measures, should require safety-sensitive employees to formally disclose the use of any legal prescription drug, not limited to, but including, controlled substances. This current process should also require a licensed physician to determine if an employee under prescribed medication is able to perform the essential functions of their job duties in a competent and safe manner (Attachment B, Prescription drugs – Physician review form).

Even with the passing of recent medical and recreational marijuana use law in California, OCTA continues to uphold the federal rule and abide by the continued marijuana testing parameters set forth by the DOT. This stance is supported by DOT compliance guidance that states “We will not change our regulated drug testing program based upon these guidelines to federal prosecutors” and “The Department of Transportation’s Drug and Alcohol Testing Regulation – 49 CFR Part 40, at 40.151(e) – does not authorize medical marijuana under a state law to be a valid medical explanation for a transportation employee’s positive drug test result.”

The OCTA Drug and Alcohol Policy Manual requires safety-sensitive employees to submit to a predictive drug and alcohol test each time they undergo a Department of Motor Vehicle (DMV) medical certification exam (Manual Section 5.5B and 6.2C). There is one legal and another administrative concern associated with this self-imposed policy. The legal concern with this requirement is that “unhealthy” employees are subject to additional drug and alcohol testing beyond the requirement of “healthy” employees. This could be construed as a disparate impact/treatment liability. On the administrative management side, employees are allowed to perform their DMV medical recertification and the associated drug and alcohol screening on their own time. In addition, the disciplinary action associated with a positive drug or alcohol test under these circumstances does not always lead to termination and subsequently result in a discrepancy among the discipline applied to all other positive test scenarios. Further clarifying, while off duty, if an employee’s test results at the time of DMV recertification or an annual or bi-annual physical examination are positive for alcohol or any illegal drug, the employee will only be suspended without pay for a minimum of thirty days and be required to enter an OCTA-approved substance abuse treatment program (Section 6.2C). Under section 6.1B, all other employees who undergo drug and alcohol screening for all other circumstances are subject to, and have historically led to termination. This policy does not allow OCTA to apply uniform disciplinary action due to the single fact that an employee can choose to conduct the tests on their own personal time. It is staff’s intention that all positive test results lead to termination in order to protect OCTA and the public which we serve.

To substitute the screening efforts of the DMV testing, staff proposes to implement a new testing policy that would require all safety-sensitive employees to conduct a biennial drug and alcohol test. Every two years, OCTA will screen its entire safety-sensitive employee population through administratively managing non-random monthly tests. This will serve the same purpose as the existing DMV medical certification tests, without the associated liability and/or disciplinary action concern.

The recommendation to remove the Facilities Maintenance titles from the list of safety-sensitive positions has direct regulatory implication. By FTA's definition, these three job classifications are not safety-sensitive. Removing these titles will bring us into compliance with the federal definition. The FTA defines safety-sensitive functions in Part 655, Section 655.4, as employees performing any of the following:

- Operating a revenue service vehicle, in or out of revenue service
- Operating a non-revenue vehicle requiring a commercial driver's license
- Controlling movement or dispatch of a revenue service vehicle
- Maintaining (including repairs, overhaul, and rebuilding) a revenue service vehicle or equipment used in revenue service
- Carrying a firearm for security purposes

OCTA Facilities Maintenance employees are not required to have a commercial driver's license and do not perform safety-sensitive tasks.

Summary

Staff is recommending the Board of Directors authorize the Chief Executive Officer to make necessary modifications to the Drug and Alcohol Policy Manual in compliance with OCTA's Drug and Alcohol Policy. These proposed changes will replace the DMV medical certification testing protocols with a new biennial testing requirement, increase OCTA's ability to perform random drug and alcohol testing, remove an outdated DOT reference table, and properly classify the Facilities Maintenance employees as non-safety-sensitive.

Attachments

- A. Human Resources & Organizational Development Division – Drug and Alcohol Policy - Redlined
- B. Orange County Transportation Authority (OCTA) - Drug and Alcohol Policy Manual – 2018 Revision - Redlined

Prepared by:



Matthew DesRosier
Department Manager, Health, Safety,
and Environmental Compliance
714-560-5854

Approved by:



Maggie McJilton
Executive Director, Human Resources
and Organizational Development
714-560-5824

**Human Resources & Organizational Development Division**_____
Interim Executive Director_____
CEO**DRUG AND ALCOHOL POLICY**Policy#: HROD-HR-420.17DRUGOrigination 05/17/2004Revised Date: 10/27/2014**I. PURPOSE**

The purpose of this policy is to establish guidelines for revisions to the Orange County Transportation Authority's (OCTA) Drug and Alcohol Policy Manual. Please refer to the policy manual for the complete overview of regulations and compliance requirements.

II. ORGANIZATIONAL UNITS AFFECTED

This policy applies to the Drug and Alcohol Policy Manual and all OCTA employees.

III. POLICY

- A. The Drug and Alcohol Policy Manual is reviewed to ensure that it complies with the Federal Transit Administration (FTA) and U.S. Department of Transportation (DOT) regulations, 49 CFR Part 40 and Part 655, as amended.
- B. The Drug and Alcohol Policy Manual incorporates federal requirements in addition to OCTA requirements. To distinguish DOT and/or FTA requirements from OCTA specific requirements, portions of the policy text in the manual have been bolded when references are made to the inclusion of non safety-sensitive position employees or other OCTA specific policy.

IV. DEFINITIONS

Not applicable.

V. PROCEDURE

- A. Each OCTA employee is provided either a hard or electronic copy of the Drug and Alcohol Policy Manual. It is the responsibility of all OCTA employees to read, understand, and comply with the Drug and Alcohol Policy Manual.
- B. Revisions to the Drug and Alcohol Policy Manual are subject to management review and the Board of Directors' approval.

VI. EXCEPTIONS

OCTA reserves and maintains the right to eliminate, modify or otherwise change, at any time, for any reason, any provision(s) of the Drug and Alcohol Policy Manual. However, OCTA will insure it is in compliance with Federal law. It is not intended to supplement, alter, or serve as an official interpretation of 49 CFR Part 40 or DOT agency regulations.

**Human Resources & Organizational Development Division
DRUG AND ALCOHOL POLICY**

Policy#: HROD-HR-420.17DRUG Origination Date: 05/17/2004 Revised Date: 10/27/2014

OCTA reserves the right to change this policy at any time without prior notice. OCTA has the authority to make exceptions to this policy as required by business needs. Any exceptions must be authorized by the Chief Executive Officer. In the event that any changes are made, the revised policy will be posted on OCTA Today.

VII. PROVISIONS AND CONDITIONS

A. Random Testing Rates

1. OCTA Random Drug testing will equal 50% of the annual average safety sensitive population.
2. OCTA Random Alcohol Testing will equal ~~20~~50% of the annual average safety sensitive population.

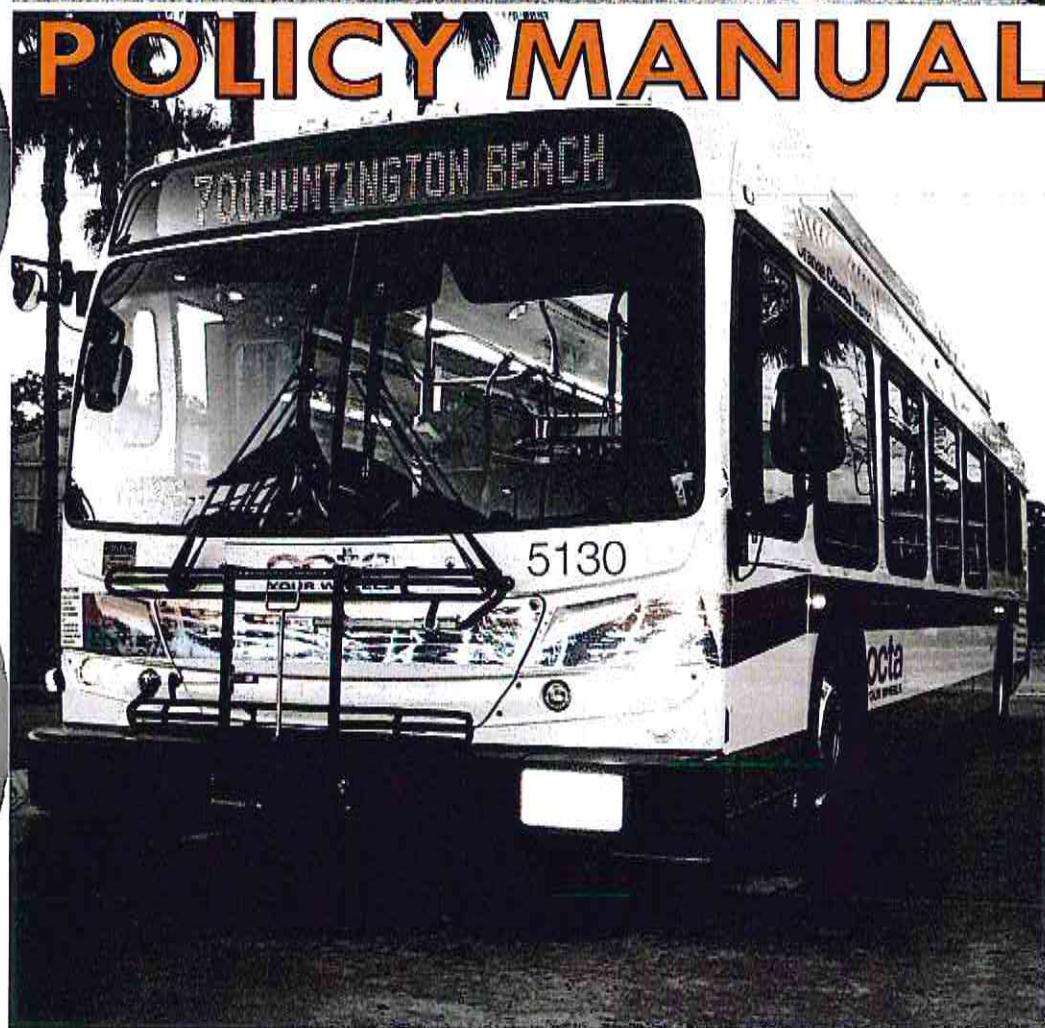
VIII. RELATED DOCUMENTS

- A.** OCTA Drug and Alcohol Policy Manual
- B.** Federal Transit Administration (FTA) and U.S. Department of Transportation (DOT) regulations, 49 CFR Part 40 and Part 655, as amended.

END OF POLICY



DRUG AND ALCOHOL POLICY MANUAL



DRUG AND ALCOHOL POLICY MANUAL

DRUG AND ALCOHOL POLICY MANUAL

~~2015-2018~~ REVISION

The Orange County Transportation Authority (OCTA or Authority) Drug and Alcohol Policy Manual complies with the Federal Transit Administration (FTA) and U.S. Department of Transportation (DOT) regulations, 49 CFR Part 40 and Part 655, as amended, which regulates standards for the collection and mandated testing of breath and urine specimens. The purpose of this manual is to outline the most common processes in relationship to the DOT/ FTA regulations. Nothing in this publication is intended to supplement, alter or serve as an official interpretation of 49 CFR Part 40 and Part 655 or DOT agency regulations.

Additionally, the DOT enacted The Drug-Free Workplace Act of 1988 (DFWA) which required the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA. The Authority's Drug-Free Workplace Act Certification is included in this Policy as Attachment D and additional information about the Drug-Free Awareness Program is provided in Section 7.

This Drug and Alcohol Policy Manual incorporates federal requirements in addition to OCTA requirements. To distinguish DOT and/or FTA requirements from OCTA-specific requirements, portions of the Policy text have been **bolded when references are made to the inclusion of non-safety-sensitive position employees or other OCTA-specific policy**. The organization takes pride in achieving and maintaining high results with regulatory compliance and employee compliance with OCTA mandated policies. OCTA mandated policies are in addition to the required processes and are chosen to enhance the overall performance results of the Authority.

The Authority acknowledges a strong commitment to the health and well-being of employees. Any OCTA employee or employee's family members who may be experiencing the pressures and/or problems of substance abuse, and/or related problems, is urged to seek help through Resources For Living, the Authority's Employee Assistance Program (EAP). The EAP provides strictly confidential services and counseling. To contact the EAP directly, call (866) 370-4838. You may also visit the Resources For Living Website at www.mylifevalues.com. Services are available 24 hours a day, 7 days a week.

Each OCTA employee is provided a copy of this Policy and acknowledges receipt of the Policy by signing an Acknowledgement of Receipt of OCTA Drug and Alcohol Policy Manual Attachment G. It is the responsibility of all OCTA employees to read, understand, and comply with the Drug and Alcohol Policy Manual.

DRUG AND ALCOHOL POLICY MANUAL

DRUG AND ALCOHOL POLICY MANUAL

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DRUG AND ALCOHOL POLICY MANUAL

GENERAL OVERVIEW—SECTION 1

General Overview Section 1

DRUG AND ALCOHOL POLICY MANUAL

GENERAL OVERVIEW—SECTION 1

DRUG AND ALCOHOL POLICY MANUAL

GENERAL OVERVIEW—SECTION 1

1.1 POLICY STATEMENT

Orange County Transportation Authority (OCTA) has a vital interest in providing its employees with safe and healthful working conditions and providing its riders and the public with high quality public transportation that is effective, safe, and efficient. The Authority will not tolerate any drug or alcohol use which may affect job performance or pose a hazard to the safety and welfare of the employee, the public, other employees, or the Authority.

In addition, OCTA encourages employees to become knowledgeable on potential impairment when using over-the-counter (OTC) or prescription (Rx) medication. The intention is to reduce potential safety risks by removing impairment in the workplace, regardless of the source.

The Authority is committed to establishing and maintaining a safe and healthy work environment free from the influence of drugs and alcohol. With this objective in mind, the Authority has established the following Policy with regard to the use, possession, sale, manufacture, distribution, or dispensation of drugs and alcohol.

This Policy complies with the Federal Transit Administration (FTA) regulations, U.S. Department of Transportation (DOT) standards and The Drug-Free Workplace Act of 1988 (DFWA). The OCTA Drug and Alcohol Policy Manual has in some areas broadened the FTA and DOT requirements by including non-safety sensitive positions, as well as safety-sensitive positions, in some areas of testing.

1.2 APPLICABILITY

The Drug and Alcohol Policy Manual applies to all introductory, regular full-time and part-time safety-sensitive positions and some portions also apply to non-safety sensitive positions, including temporary, extra help, interns, or as-needed employees, volunteers, and contractors when they are on OCTA property or when performing any OCTA business. OCTA's Policy standards for employees in safety-sensitive positions include the requirements of the DOT, as discussed in Policy Statement Section 1.1.

Visitors, vendors, and contractors are governed by this Policy while on OCTA premises and will not be permitted to conduct business or remain on OCTA grounds if found to be in violation of this Policy.

DRUG AND ALCOHOL POLICY MANUAL

GENERAL OVERVIEW—SECTION 1

1.3 RESERVATION OF RIGHTS

The Authority reserves the right to interpret, change or rescind the provisions of this policy that are not required by federal law, in whole or in part and without notice.

1.4 CONDITION OF EMPLOYMENT

Compliance with the Authority's Drug and Alcohol Policy Manual is a condition of employment for all employees. Failure or refusal of an employee to cooperate fully, submit to an inspection or test, or follow any prescribed course of substance abuse treatment is grounds for employment termination.

1.5 INSPECTIONS

When there is reason to believe that an employee or group of employees may be in possession of alcohol or illegal drugs on Authority property, the employee(s) is (are) required, as a condition of employment, to submit to reasonable inspections, including but not limited to: clothing, personal containers, lockers, company vehicles, purses, lunch boxes, briefcases or other containers, desks, or personal vehicles (while on Authority property). An inspection must be authorized by the Department Manager or higher-level management personnel. Whenever possible, the searches also should be approved by the Department Management of Labor and Employee Relations Department. If the Department Manager of Labor and Employee Relations cannot be reached, the Department Manager of Human Resources may approve a search.

1.6 CONVICTION OF A DRUG RELATED OFFENSE

Please see Conviction of a Drug Related Offense Policy.

Responsibilities Section 2

DRUG AND ALCOHOL POLICY MANUAL

RESPONSIBILITIES—SECTION 2

DRUG AND ALCOHOL POLICY MANUAL

RESPONSIBILITIES—SECTION 2

2.1 EMPLOYEES

Employees at all levels are responsible for reading, understanding, and adhering to this Policy. Each employee shall receive and sign an Acknowledgment of Receipt of OCTA- Drug and Alcohol Policy Attachment G. Any employee who violates this policy is subject to disciplinary action up to and including employment termination.

2.2 MANAGERS AND SUPERVISORS

Managers and Supervisors will be held strictly accountable for the consistent application, enforcement, and adherence of the Policy. Any Manager/Supervisor who knowingly disregards the requirements of this Policy, or who is found to deliberately misuse the Policy in regard to any employee, or personally fails to adhere to the Policy, shall be subject to discipline up to and including employment termination.

2.3 RESPONSIBLE DEPARTMENT

The ~~Human Resources~~Health, Safety, and Environmental Compliance Department is responsible for the administration of this Policy, including the retention of Acknowledgement of Receipt forms Attachment G. The ~~Designated Employer Representative~~ maintains all Attachment B forms and is the liaison between the Authority and the Medical Review Officer (MRO). Employees who have questions regarding this Policy may direct their questions to Health, Safety, and Environmental Compliance ~~Human Resources~~ staff Attachment F.

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ALCOHOL GUIDELINES—SECTION 3

3.1 ALCOHOL CONSUMPTION

The possession, consumption, or sale of any amount of alcoholic beverage while at work, on Authority property, doing business on behalf of the Authority, in an Authority vehicle, or in an Authority uniform (including breaks, lunch, and non-work hours) is prohibited for all employees. Additionally, alcohol use by an employee in a safety-sensitive position is prohibited at any time while he/she is on duty or subject to be on duty. Employees must refrain from alcohol consumption within a minimum of at least eight (8) hours of reporting to work or during the hours that he/she is subject to duty and must be clear of the effects of alcohol.

Alcohol use by an employee in a non-safety-sensitive position while performing Authority business, while on Authority property, in an Authority vehicle, or in Authority uniform (including breaks, lunch, and non-work hours) is prohibited to the extent that such alcohol may have a material, adverse effect on the safety of that employee, co-workers, riders, or members of the general public, the employee's job performance, or the safe, efficient operation of the Authority's facilities or the Authority's image.

Alcohol use by any employee (whether or not in a safety-sensitive position) is prohibited at any time he/she is driving an Authority vehicle (including revenue service and non-revenue service vehicles).

3.1A OFF-THE-JOB ALCOHOL CONSUMPTION

Off-the-job alcohol use and/or activity, which could reasonably have an adverse effect on an employee's job performance or which could jeopardize the safety of the employee, other employees, riders, the general public, or Authority equipment, or which could reflect unfavorably on the Authority's relationship with the public, is proper cause for disciplinary action up to and including termination of employment. Of course, off-the-job use of drugs or alcohol which results in an employee being under the influence of drugs or alcohol while on duty is considered "on-the-job" use of drugs or alcohol and will be treated accordingly.

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Drug Guidelines Section 4

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DRUG GUIDELINES—SECTION 4

4.1 ILLEGAL DRUG USE

The consumption, sale, purchase, offer to sell or purchase, transfer, possession, manufacture, distribution, or dispensation of an illegal drug by an employee while in an Authority facility, in an Authority vehicle, on Authority property, while in Authority uniform (including breaks, lunch, and non-work hours), or while performing Authority business is strictly prohibited. The presence of any amount of an illegal drug or its metabolites in any employee while performing Authority business, in an Authority facility, in an Authority vehicle, in Authority uniform, or on Authority property is prohibited.

No employee shall bring drug paraphernalia, which is used in the storage, concealment, injection, ingestion, or consumption of illegal drugs, onto Authority premises or property or into Authority vehicles.

Illegal drug means any drug (a) which is not legally obtainable or (b) which is legally obtainable but has not been legally obtained. The term includes, but is not limited to, marijuana, cocaine, opiates, amphetamines, methamphetamines, and phencyclidine (see Section 5.4 for identified threshold levels for each prohibited drug).

4.2 LEGAL DRUG USE

The use or being under the influence of a legal drug by any employee, while performing Authority business or while on Authority property, is prohibited to the extent that such use or influence may have a material, adverse effect on the safety of the employee, co-workers, riders, or members of the public, the employee's job performance, the safe and efficient operation of the Authority's facilities, or the Authority's image.

Employees in safety-sensitive positions are required to report the use of any legal prescription drug or over-the-counter drug as defined in sections 4.2A-4.2C.

4.2A ATTACHMENT B FOR PRESCRIPTION DRUG USE

An employee in a safety-sensitive position must properly complete an Attachment B form for any legal drug taken which may cause drowsiness or which may otherwise impair, to any extent, the employee's ability to safely and efficiently perform his/her job; and for any controlled substance taken which is identified in Schedule 1 (21 CFR 1308.11), an amphetamine, a narcotic, or any other habit forming drug,

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unless the legal drug(s) is prescribed by a licensed medical practitioner familiar with the employee's medical history and assigned duties and who completes the physician's portion of the Attachment B indicating that the drug will not adversely affect the employee's ability to safely operate a commercial motor vehicle. Attached to the Attachment B is a copy of the job description summaries for safety-sensitive positions.

It is each employee's responsibility to know and to not engage in any safety-sensitive duties without express written consent from a physician if any legal drug prescribed by his/her doctor:

- May cause drowsiness or otherwise impair your ability to safely and efficiently perform your job duties;
- Is a drug listed on Schedule I, attached for your reference to the Attachment B form;
- Is an amphetamine;
- Is a narcotic; or
- Is a habit forming drug.

It is **required recommended** that you bring a copy of the Attachment B form, with its Exhibits, to your doctor and ask your doctor if the drug(s) you are being prescribed falls into one or more of the above categories.

To properly complete the Attachment B form, an employee in a safety-sensitive position is required to (1) have his/her doctor complete and sign side 1 of the Attachment B form and attach a copy of the prescription or bottle label with the employee's name on it; (2) sign at the bottom of side 1 of the form in the Employee section; and (3) submit the completed form to the Human Resources Department in a confidential envelope within one working day of taking the prescription drug.

4.2B ATTACHMENT B FOR OVER-THE-COUNTER DRUGS

An employee in a safety-sensitive position must properly complete an Attachment B form for any legal over-the-counter (OTC) drug taken that contains a warning label on the packaging which indicates that the drug may cause drowsiness or otherwise impair the employee's ability to safely perform job duties. An employee in a safety-sensitive position may not engage in any safety-sensitive functions while taking any legal OTC drug that contains a warning label on the packaging which indicates that

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the drug may cause drowsiness or otherwise impair the employee's ability to safely perform job duties.

To adhere to the Drug and Alcohol Policy for legal OTC drugs, an employee in a safety-sensitive position is required to (1) complete and sign side 2 of the Attachment B form, (2) sign at the bottom of side 2 of the form in the Employee section; and (3) submit the completed form to the Human Resources Department in a confidential envelope within one working day of taking the OTC drugs.

4.2C AFTER COMPLETING THE ATTACHMENT B FORM

After completion of an employee's Attachment B form and review of the form by the Human Resources Department, the Human Resources Department will review the form for completeness and file. Questions about a legal Rx/OTC drug may be discussed with OCTA's Medical Review Officer (MRO). The Authority retains the right to place an employee on a medical hold while the MRO is reviewing the employee's Attachment B. The Authority, in its discretion, may request the MRO to issue an independent decision as to whether an employee in a safety-sensitive position may work while taking a legal Rx/OTC drug. The Authority may request at any time such an independent decision, which will be binding on the employee, for any employee in a safety-sensitive position who is working or intends to work while taking a legal Rx/OTC drug.

If the MRO determines that an employee in a safety-sensitive position should not work while taking the legal Rx/OTC drug, the employee may be required to take a leave of absence or comply with other appropriate action/direction. An employee may obtain an independent opinion from his/her physician regarding the use of a legal Rx/OTC drug. In order to continue working in this situation, an employee must have his/her doctor complete side 1 of the Attachment B form and submit a completed Attachment B form to the Human Resources Department, in a confidential envelope, for authorization prior to returning to work.

If an employee fails to adhere to the Drug and Alcohol Policy regarding the taking of a legal Rx/OTC drug in accordance with these provisions or fails to complete an Attachment B form for each legal Rx/OTC drug taken by the employee or obtain the physician's signature for prescription drugs, the employee will be subject to discipline, including termination.

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TESTING—SECTION 5

5.1 DRUG AND ALCOHOL TESTING

Under this Policy, drug and alcohol testing shall be conducted when circumstances warrant or may be required by applicable law or regulations or as required by OCTA policy. The Authority's drug and alcohol testing will be performed in compliance with DOT regulations 49 CFR 40 and Part 655, as amended. Accordingly, a positive drug or alcohol test administered under this Policy is a violation of this Policy and will result in disciplinary action, up to and including termination.

The Authority has selected testing sites that conducts testing following CFR Part 40 processes and procedures and that have a high degree of accuracy and reliability and use techniques, equipment, and laboratory facilities which have been approved by the US Department of Health and Human Services.

Any employee who refuses to comply with a request for testing, who refuses to sign any OCTA required testing form, who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution will be considered to have a positive test and shall be subject to discharge proceedings.

The purpose of this section is to outline the most common processes in relationship to 49 CFR Part 40 or DOT agency regulations. It does not serve as a document to outline or define all the requirements with 49 CFR Part 40 or DOT agency regulations.

5.2 PRIVACY STATEMENT

The privacy of the employee will be protected. The integrity and validity of the test process will be maintained and the drug testing laboratories are required to maintain employee test records in confidence. The drug testing laboratories shall disclose information to the MRO, and the MRO in turn notifies the Designated Employer Representative (DER). OCTA will adhere to all standards of confidentiality regarding employee testing. Test records and results may be released by the DER to those authorized to receive such information by the FTA rules and/or federal, state, or local agency requirements. Testing records and results may be released by the Authority to: the employee, if requested by the employee in writing; the National Transportation Safety Board when investigating an accident; the decision maker in a lawsuit, grievance, or other proceeding initiated on behalf of the employee; representatives of OCTA in a lawsuit, grievance, or other proceedings; subsequent employers of a safety-sensitive position employee.

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5.3 ALCOHOL TESTING

Tests for alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA) approved Evidential Breath Testing (EBT) device operated by a qualified Breath Alcohol Technician (BAT). Under DOT regulations, an employee in a safety-sensitive position with an alcohol concentration of 0.02 or greater but less than 0.04, shall not be permitted to perform or continue to perform safety-sensitive functions, until (1) the employee's alcohol concentration measures less than 0.02; or (2) the start of the employee's next regularly scheduled duty period, but not less than eight (8) hours following administration of the test. Under OCTA Policy, if the initial test indicates an alcohol concentration of 0.001 to .02, a second non-DOT alcohol test will be performed to confirm the results of the initial test. A confirmed alcohol concentration greater than 0.000 will be considered a positive test and a violation of this Policy.

Any employee who is unable to provide the required volume of breath without a valid, verified medical reason will be considered to have refused the test and will be in violation of this Policy.

5.4 DRUG TESTING

Drug testing consists of a two-stage process utilizing a urine sample collected under the split specimen method. First, a screening test using an immunoassay technique is performed. If the screening test is positive for one or more drugs, a confirmation test is performed for each identified drug using state-of-the-art gas chromatography/mass spectrometry (GC/MS) analysis. The appropriate Custody and Control forms (CCF) will be used throughout the process according to the type of test identified in Attachment E.

Pursuant to the DOT and FTA regulations and OCTA standards, the drugs or classes of drugs to be tested and the applicable threshold levels for positive findings ~~are as follows:~~ shall be determined by current DOT and FTA regulations.

	Initial-Test-Cut-Off-Level	Confirmatory-Test-Cut-Off-Level
Marijuana-Metabolites	50-ng/ml	15-ng/ml
Cocaine-Metabolites-(Benzoyllecgonine)	150-ng/ml	100-ng/ml
Opiates-(morphine,codeine)- Opiates-(heroin-metabolite)	2000-ng/ml 10-ng/mL	2000-ng/ml 10-ng/mL
Amphetamines-(MDMA,-MDA,- MDEA)-Methamphetamines	500-ng/ml	250-ng/ml
Phencyclidine-(PCP)	25-ng/ml	25-ng/ml

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5.5 TYPES OF TESTING

5.5A DOT PRE-EMPLOYMENT (POST-OFFER) OR TRANSFER TO SAFETY-SENSITIVE POSITION

The Authority will conduct pre-employment (post-offer) **physical examinations** and testing designed to prevent hiring persons for safety-sensitive positions who use illegal drugs and/ or persons whose use of **alcohol** or legal drugs indicates a potential for impaired or unsafe job performance. An individual will not be hired for a safety-sensitive position unless the individual passes a drug and alcohol test administered in accordance with this Policy.

An employee who will be transferred or promoted to a safety-sensitive position must first pass a drug and alcohol test administered in accordance with this Policy. Employees who are interested in such transfer or promotion will be required to provide a written consent to participate in the Transfer to a Safety-Sensitive Position Testing. Employees who do not provide this written consent will not be allowed to perform safety-sensitive functions.

An employee who has not performed a safety-sensitive duty for 90 consecutive days or more and has not been in the Authority's random selection pool shall take a Pre-Employment drug and alcohol test with a verified negative result before returning to safety-sensitive duties.

~~5.5B NON-DOT DMV RE-CERTIFICATION OR ANNUAL OR BI-ANNUAL PHYSICAL EXAMINATION~~

~~The Authority requires a drug and alcohol test be taken at an authorized clinic as part of a safety-sensitive employee's DMV re-certification examination, or for any safety-sensitive employee who is not required to be DMV-certified, at his/her annual or bi-annual physical examination.~~

5.95.5 **BC** DOT REASONABLE SUSPICION/NON-DOT PROBABLE CAUSE

The Authority will require a drug and/or an alcohol test of any employee who is reasonably suspected of violating this Policy, including but not limited to, any employee suspected of possessing, using, or being under the influence of alcohol or an illegal drug, a legal drug if such use would violate this Policy, while on duty or in Authority vehicles or on Authority property or in Authority uniform.

The request to undergo a reasonable suspicion test will be based on specific

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contemporaneous, articulable observations by at least one Supervisor trained on the physical, behavioral, speech, and performance indicators of probable drug and alcohol misuse. **It is recommended that two (2) trained Supervisors make the reasonable suspicion referral whenever possible.** Reasonable suspicion/probable cause alcohol testing is only permissible just before an employee performs duties, during that performance, and just after an employee has performed safety-sensitive duties. Employees will be required to proceed immediately with a supervisor to a collection site following a reasonable suspicion/probable cause determination. If an alcohol test is delayed beyond two (2) hours, reason(s) for the delay must be documented. After eight (8) hours, cease all attempts and document reason(s) for inability to test.

Examples of reasonable suspicion/probable cause include, but are not limited to the following:

- Physical signs and symptoms consistent with prohibited substance use (illegally-used controlled substance or drugs under the Drug-Free Workplace Act), or misuse of alcohol (e.g., odor of alcohol, slurred speech, or lack of coordination).
- Evidence of the manufacture, distribution, dispensing, possession, or use of controlled substances, drugs, alcohol, or other prohibited substances.
- Occurrence of a serious or potentially serious industrial accident that may have been caused by the employee's use of drugs or alcohol.
- Fights (to mean physical contact), assaults, and flagrant disregard or violations of established safety, security, or other operating procedures.

5.5CD DOT POST ACCIDENT/NON-DOT POST ACCIDENT

As soon as practicable after an accident, an employee will be required to take a drug and alcohol test per the following thresholds under FTA Post Accident testing:

- **Fatality** – In the event of an accident involving the loss of human life, each surviving employee operating the mass transit vehicle at the time of the accident shall be required to submit to a drug and alcohol test. Any other employee whose performance could have contributed to the accident will also be required to submit to a drug and alcohol test.

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- **Non-Fatal Accident** – Following an accident which resulted in an injury requiring immediate medical treatment away from the scene or any vehicle being towed away from the scene with disabling damage, each employee operating the mass transit vehicle at the time of the accident shall be required to submit to a drug and alcohol test, unless the employee's performance can be completely discounted as a contributing factor to the accident. Any other employee whose performance could have contributed to the accident will also be required to submit to a drug and alcohol test.

A decision as to whether to administer a drug and alcohol test after an accident will be made by a Supervisor who was not involved in the accident and based on the best information available at the time. Accident testing is delayed while the employee assists in the resolution of the accident or receives medical attention following the accident. Following an accident, the employee(s) involved shall be tested immediately, but not to exceed eight (8) hours for alcohol testing and thirty-two (32) hours for drug testing. The responding Supervisor at the scene shall document why an alcohol test was not performed within two (2) hours of the accident, an alcohol test was not performed within eight (8) hours of the accident, or a drug test was not performed within thirty-two (32) hours of the accident. Alcohol use is prohibited by any employee required to take a post-accident alcohol test for eight hours following the accident or until he or she undergoes a post-accident alcohol test, whichever occurs first. Any employee subject to post-accident testing who fails to remain readily available for such testing, or who leaves the scene of the accident without prior authorization will be considered to have refused to submit to the test and will be subject to disciplinary action up to and including employment termination.

OCTA reserves the right to perform a non-DOT Post Accident test on an employee involved in an accident involving a mass transit or an Authority vehicle, whether or not on Authority business, which does not meet the FTA Post Accident requirements.

5.5 DOT/NON-DOT RETURN-TO-DUTY FOLLOW-UP

Generally, an employee will be terminated for violations of this Policy. However, in the event an employee is suspended or placed on a leave of absence for a violation of this Policy, he/she may not return to duty until the Substance Abuse Professional (SAP) has evaluated the employee to determine whether the employee has followed the recommendation of the SAP, including active participation and completion of a rehabilitation program and he/she passes a directly observed Return-To-Duty drug and alcohol test. The SAP will recommend follow-up testing in accordance with DOT regulations. Frequency- and

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duration is dependent on SAP assessment of which will be a minimum of six (6) tests during twelve (12) months after return to duty of duration of up to sixty (60) months.

Additionally, in accordance with OCTA's Policy, an employee who has been placed on a leave of absence or suspension for a positive result of a non-DOT test and who has successfully complied with the above paragraph must also execute a Behavioral Contract Attachment C before he/she may return to duty. This Contract allows Management to administer unannounced drug and/or alcohol tests to the employee for up to (5) years after the employee returns to duty. Follow-up testing under the Behavioral Contract applies only to non-DOT types of testing and is in addition to the DOT required random testing of safety-sensitive employees and/or SAP recommended follow-up testing.

5.5EF NON-DOT FIT FOR DUTY

A fit for duty medical examination including an alcohol/drug test may be required to ensure a recovered ill or injured employee is fit to return to his/her normal job duties or to continue in his/her normal job duties.

5.5FG DOT RANDOM

Only those employees who perform, or whose job description includes the performance of, safety-sensitive functions will be subject to random, unannounced testing in accordance with FTA regulations. Safety-sensitive employee selections are made using a computer-based random number selection method. Random testing ~~may shall~~ include ~~a drug screen or~~ both a drug screen and an alcohol test. Each such employee shall have an equal chance at selection and shall remain in the pool even after being tested. Random testing will be administered at random times during OCTA's operating hours to avoid predictability. Random alcohol testing is only permissible just before an employee performs safety-sensitive duties, during that performance, and just after an employee has performed safety-sensitive duties. Each covered employee who is notified of selection for random drug or random alcohol testing must proceed to the test site immediately.

5.6 Non-DOT BIENNIAL

Employees who perform, or whose job description includes the performance of, safety-sensitive functions will be subject to biennial drug and alcohol testing.

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6.65.7 EMPLOYEE REQUESTED TESTING

After notification by the MRO of a confirmed or verified positive drug test result, **an employee** may request that an additional test be conducted at a different Department of

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Health and Human Services (DHHS)-certified laboratory specified by OCTA. The test shall be conducted on the split sample that was provided at the same time as the original or primary sample. The employee's request must be made to the MRO within seventy-two (72) hours of notice of the primary test results.

If the result of the second test is positive, the employee shall be required to reimburse OCTA for the cost of the test.

5-75.8 DILUTE TESTS

If the MRO informs the Authority of a positive dilute test, the test will be considered a verified positive test.

If the MRO informs the Authority of a negative dilute test, with the creatinine between 2-5 mg/dl, then the employee must retest. The second collection must be directly observed. The test must be done immediately after notification from the MRO, with no advance notice provided. The second test result is final.

If the MRO informs the Authority of a negative dilute test with the creatinine above 5 mg/dl, then the employee will be directed to take a second test which is NOT directly observed. The result of the second test is the test of record.

Employee's refusal to retest shall be treated as a Test Refusal.

All employees will be treated the same for the purpose of processing dilute tests.

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VIOLATIONS OF POLICY—SECTION 6

**Violations of Policy
Section 6**

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VIOLATIONS OF POLICY—SECTION 6

6.1 DISCIPLINARY ACTION FOR VIOLATIONS OF POLICY

Under FTA guidelines, discipline for policy violations shall be determined by the employer. In general, violation of any portion of this Policy will result in disciplinary action up to and including termination of employment, even for the first offense. This section describes the consequences for violations of this Policy.

6.1A ALCOHOL POSITIVE TEST

Any employee in a safety-sensitive position whose test results are positive for alcohol may be terminated. If the initial test indicates an alcohol concentration of 0.001 to .02, a second non-DOT alcohol test will be performed to confirm the results of the initial test. The confirmation test will be conducted after a waiting period of at least 15 minutes, but not more than 30 minutes, after completion of the initial test. A confirmed alcohol concentration greater than 0.000 will be considered a positive test and a violation of this Policy.

Positive alcohol test results for any employee not in a safety-sensitive position will be reviewed on a case-by-case basis to determine the appropriate level of discipline, which may include discharge.

6.1B ILLEGAL DRUG POSITIVE TEST

Any employee whose test results are positive for illegal drugs is subject to employment termination.

6.1C LEGAL DRUG POSITIVE TEST

As a part of OCTA policy, it is mandatory for an employee in a safety-sensitive position to submit a completed Attachment B form for any legal drug taken, which may cause drowsiness or which may otherwise impair, to any extent, the employee's ability to safely and efficiently perform his/her job. If the Attachment B form for the legal drug has not been submitted, an employee will be suspended without pay pending the receipt and review of the Attachment B form. Additionally, the safety-sensitive employee who has failed to submit the Attachment B form will receive a disciplinary Final Warning. In instances when the employee fails to timely submit the Attachment B form, the employee's employment will be subject to termination.

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6.2 FAILURE TO PASS

6.2A PRE-EMPLOYMENT (POST-OFFER) DRUG AND/OR ALCOHOL TEST

An applicant for a safety-sensitive position whose test results are positive for any illegal drug or alcohol will not be hired and will be given a SAP referral by the Human Resources Department. If the applicant does not pass a drug or an alcohol test, he/she must wait twelve (12) months before reapplying and then must present evidence of completion of a drug and/or alcohol Substance Abuse Program, from a SAP acceptable to the Authority, before he/she is eligible for employment consideration.

6.2B PRE-TRANSFER, REASONABLE SUSPICION, PROBABLE CAUSE, POST-ACCIDENT, FOLLOW-UP, FIT FOR DUTY, RETURN-TO-DUTY, OR RANDOM ALCOHOL AND/OR DRUG TEST

An employee who has a positive drug or alcohol test shall be immediately removed from duty. Employees who have violated a DOT drug and alcohol regulation will be referred to a SAP by Labor and Employee Relations for evaluation and recommendations concerning education, treatment, follow-up testing, and aftercare.

An employee who applies for a transfer or promotion into a safety-sensitive position who fails a drug and alcohol test shall not be transferred or promoted into a safety-sensitive position.

6.2C ~~NON-DOT DRUG OR ALCOHOL TEST AT TIME OF DMV RE-CERTIFICATION OR ANNUAL OR BI-ANNUAL PHYSICAL~~

~~While on duty, if an employee's test results at the time of the DMV re-certification or an annual or bi-annual physical examination are positive for alcohol or any illegal drug, the employee shall be immediately removed from duty. If an employee is off duty and the test results are positive for alcohol or any illegal drug AND the MRO determines the use occurred while on duty, it will be treated as such.~~

~~While off duty, if an employee's test results at the time of DMV re-certification or an annual or bi-annual physical examination are positive for alcohol or any illegal drug, the employee will be suspended without pay for a minimum of thirty (30) days. The employee must enter an Authority approved substance abuse treatment program and provide verification of such to the Authority. If the employee refuses to comply with the Authority's requirement to enter an Authority approved Substance Abuse~~

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~~Program his/her employment will be terminated.~~

~~If an employee is participating in an Authority approved treatment program, and that treatment requires hospitalization, the employee may use available sick leave and/or vacation time to the extent available. All such treatment must be conducted by the hospital.~~

~~The employee must take a second non-DOT drug and alcohol test before returning to duty as directed by the Substance Abuse Counselor. If the employee does not take the second test as designated by the Authority, his/her employment will be terminated.~~

~~If the second test is positive for any alcohol or illegal drug, the employee's employment will be terminated. If the second test is negative for alcohol or illegal drugs and the MRO determines that the employee may return to duty, then the employee may return to duty only upon agreeing to the terms of and signing an Alcohol and Drug Behavioral Contract Attachment C. Violation of the Behavioral Contract will result in termination of employment.~~

~~Should the employee who has entered into a Drug and Alcohol Behavioral Contract have a positive drug or alcohol test at any subsequent DMV re-certification or annual or bi-annual physical examination, his/her employment will be immediately terminated.~~

~~Although the DMV Recertification Drug and Alcohol Testing is a non-DOT requirement, OCTA will follow DOT protocol including Direct Observation when applicable.~~

6.3 FAILURE OR REFUSAL TO TEST (PART 40.261)

An employee's refusal to comply with a request or directive for testing under this Policy will be considered a positive test and is grounds for employment termination. The following behaviors constitute a test refusal:

- Failure to appear for any test (except for pre-employment) within a reasonable time. Reasonable time means that employees are required to proceed to the clinic test site immediately upon notice of selection for a drug and/or alcohol test.
- Failure to remain at the testing site until the testing process is complete;
- Failure to provide a urine specimen for any required drug test, or fail to provide an

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adequate amount of breath for any required alcohol test, and the physician has determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;

- Failure to permit the observation or monitoring of the specimen collection when required to do so;
- Failure to provide a sufficient amount of urine when directed, and there is no adequate medical explanation for the failure;
- Failure to take a second test when directed to do so by the employer or collector;
- Failure to undergo a medical examination when directed to do so by the MRO or employer;
- Failure to sign the certification at Step 2 of the Alcohol Testing Form;
- Failure to cooperate with any part of the testing process (e.g. refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, failure to wash hands after being directed to do so by the collector);
- Failure to follow the observer's instructions during an observed collection including instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process;
- Possess or wear a prosthetic or other device that could be used to interfere with the collection process; and
- Admit to the collector or MRO that you adulterated or substituted the specimen.
- The MRO reports that an employee has a verified adulterated or substituted test result.

6.3A SHY BLADDER (PART 40.193, 40.195) SHY LUNG (PART 40.263, 40.265)

Any employee who does not provide a sufficient amount of breath to permit a valid breath test, must make a second attempt to provide a sufficient amount of breath. If the employee refuses to make the attempt, this will be considered a test refusal. If the employee is unable to provide the required volume of breath to permit a valid breath test, OCTA will refer the employee to a physician of our choice for a medical examination within 5 days to determine if there is a valid medical condition which precludes the employee from providing a sufficient amount of breath. If the physician finds that there is not an adequate basis for determining that a medical condition has, or with a high degree of probability, could have, precluded the employee from providing a sufficient amount of breath, the employee will be considered to have refused the test and will be subject to employment termination.

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Any employee who is unable to provide the required urine sample for drug testing within three (3) hours of the first attempt, the collection process will be discontinued and the DER notified. After consulting with the MRO, the employer will direct the employee to obtain a medical evaluation from a licensed physician who is acceptable to the MRO. The medical examination must be obtained within five (5) business days of the initial collection effort. If no evidence of health problems exists, the MRO will determine that the employee refused the test and will be subject to employment termination.

DRUG AND ALCOHOL POLICY MANUAL

PROGRAMS—SECTION 7

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PROGRAMS—SECTION 7

7.1 EMPLOYEE ASSISTANCE PROGRAM

The Authority maintains an Employee Assistance Program (EAP), which offers confidential, professional counseling to employees and family members. The EAP provides trained Substance Abuse Professionals (SAPs) to assist employees in dealing with drug and/or alcohol related problems before such problems impact on-job performance. Employees experiencing personal or work performance problems associated with drug or alcohol use are urged to utilize the EAP.

It is the responsibility of employees to seek assistance from the EAP *before* drug and/or alcohol problems lead to disciplinary action, which can include discharge for a first offense. Enrollment and participation in the EAP will not be used as the basis for disciplinary action and will not be used against the employee in any disciplinary proceeding. However, if an employee violates this Policy, his/her subsequent use of the EAP on a voluntary basis will have no bearing on the determination of disciplinary action, up to and including discharge.

In addition to employees utilizing the EAP on a voluntary basis, the EAP may also be utilized when Management refers an employee for any problems/behaviors that may be impacting job performance.

Provisions for leaves of absence for employees with drug and/or alcohol related problems who have not been found in violation of the Policy and who voluntarily seek assistance through the EAP will be considered on an individual basis.

Any employee who tests positive for the presence of alcohol or drugs at or above the DOT-established cut off levels shall be referred by Labor and Employee Relations to OCTA's EAP for an evaluation by a SAP for DOT-required tests, or an evaluation by a Substance Abuse Counselor for non-DOT required tests. The SAP or Substance Abuse Counselor will recommend education and/or treatment to the employee.

The cost of any treatment or rehabilitation services shall be paid directly by the employee or his/her insurance provider.

7.2 DRUG-FREE AWARENESS PROGRAM

To assist employees to understand and to avoid the perils of drug and alcohol abuse, the Authority has developed and implemented a comprehensive Drug-Free Awareness Program. The Drug-Free Awareness Program includes an ongoing educational and training

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effort to prevent and eliminate drug and alcohol abuse that may affect the workplace.

The Drug-Free Awareness Program also includes the Drug-Free Workplace Act Certification For A Public Or Private Entity Attachment D and the informational material to inform employees and their families about (1) the dangers of drug and alcohol abuse in the workplace; (2) the consequences of drug and/or alcohol use on personal health, safety, and the work environment; (3) the manifestation and behavioral cues that may indicate drug and/or alcohol use and abuse; (4) educate the employees about their responsibility regarding use of prescription and OTC medication (5) the Authority's Drug and Alcohol Policy Manual; (6) the availability of treatment and counseling for employees who voluntarily seek assistance for alcohol misuse and/or drug abuse, including information about the EAP and community service hotline telephone numbers; and (7) the sanctions the Authority will impose for violations of its Drug and Alcohol Policy Manual.

As required by FTA regulations, OCTA will provide a minimum of 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety, and the work environment, and on the signs and symptoms that may indicate prohibited drug use.

Supervisors and/or other company officers authorized by OCTA to make reasonable suspicion determinations shall receive at least 60 minutes of training on the physical, behavioral, and performance indicators of probable drug use and at least 60 minutes of training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse. Periodic retraining will also be required of supervisory personnel.

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GLOSSARY OF TERMS—SECTION 8

Glossary of Terms Section 8

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GLOSSARY OF TERMS—SECTION 8

ADULTERATED SPECIMEN:

A specimen is considered adulterated if it contains a substance that is not a normal constituent or contains a substance that is normally present in the body at a concentration that is not a normal physiological concentration.

ALCOHOL MISUSE:

Occurs when an employee arrives at the work site with alcohol in his/her system or the odor of alcohol on his/her breath; consumes a beverage containing alcohol while on duty or subject to duty; or during coffee or lunch breaks; or is late to work or absent from work due to the consumption of alcohol.

ATTACHMENT B FORM:

The Disclosure of Prescription and Over-the-Counter Medications form; a sample of this form is provided in Attachment B of this Policy and can be obtained from a Manager, a Supervisor, the Human Resources Department, or the OCTA Intranet. Employees in safety-sensitive positions are required, under OCTA Policy, to file a completed Attachment B form.

BREATH ALCOHOL TECHNICIAN (BAT):

The Breath Alcohol Technician instructs and assists employees in the alcohol testing process; operates an evidential breath testing device.

CHAIN OF CUSTODY:

The procedure used to document the handling of the urine specimen from the time the employee gives the specimen to the collector until the specimen is destroyed. This procedure uses the Federal Drug Testing Custody and Control Form (CCF).

COLLECTION SITES:

A place selected by the employer where employees present themselves for the purpose of providing a urine specimen for a drug test.

DRUG & ALCOHOL MANAGER (DAPM):

An employee authorized by OCTA to manage and monitor the Drug and Alcohol testing program.

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DESIGNATED EMPLOYER REPRESENTATIVE (DER):

Designated Employer Representative is an employee authorized by the employer to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes.

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS OR HHS):

The Department of Health and Human Services or any other designee of the Secretary, Department of Health and Human Services.

DHHS CERTIFIED LABS:

Any U.S. laboratory certified by DHHS under the National Laboratory Certification Program as meeting the minimum standards of Subpart C of the DHHS Mandatory Guidelines for Federal Workplace Drug Testing Programs.

DILUTED SPECIMEN:

Diluted specimens have creatinine and specific gravity values that are lower than expected for human urine. A dilute test will be reported as a positive or negative. For a positive dilute test, the Authority treats the result as a positive test and removes the employee from safety-sensitive duty. For a negative dilute test (See Section 5.7), the Authority will require, as a matter of policy, employees to retest. The second test is the test of record, even if the second test is also a negative dilute.

U.S. DEPARTMENT OF TRANSPORTATION (DOT):

The U.S. Department of Transportation is a government entity which oversees several agencies, including the Federal Transit Administration (FTA) or any designee of a DOT agency.

EVIDENTIAL BREATH TESTING (EBT) DEVICE:

A device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential breath testing and placed on NHTSA's "Conforming Products List of Evidential Breath Measurements Devices," and conforming with the model specifications available from NHTSA Traffic Safety Program.

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FEDERAL TRANSIT ADMINISTRATION (FTA):

The Federal Transit Administration, an agency of the U.S. Department of Transportation.

INVALID SPECIMEN:

An invalid specimen is one that contains unidentified adulterant, contains an unidentified interfering substance, has an abnormal physical characteristic, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing testing or obtaining a valid drug test result.

ILLEGAL DRUG:

Any drug which (a) is not legally obtainable or (b) is legally obtainable but had not been legally obtained or is not being used for its prescribed purposes. It includes prescribed drugs not legally obtained and prescribed drugs not being used for prescribed purposes.

LEGAL DRUG:

Any drug prescribed by a physician for the employee or any over-the-counter drug which has been legally obtained which is being used for the purpose for which it has been prescribed or manufactured. A drug, which is legally obtainable but is not being used for its- prescribed purposes, is an illegal drug, not a legal drug, under this Policy.

MEDICAL REVIEW OFFICER ("MRO"):

A person who is a licensed physician, with MRO certification, who is appointed and authorized by the Authority to be responsible for receiving and reviewing laboratory results generated by OCTA's drug testing program and for evaluating medical explanations for certain drug test results. The MRO shall report each verified positive test result to the DER in the Human Resources Department. The MRO will also determine (when the Authority requests such a determination) whether an employee who is taking a legal drug(s) may work while under the influence of such drug(s).

NHTSA:

National Highway Traffic Safety Administration.

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GLOSSARY OF TERMS—SECTION 8

NON-SAFETY SENSITIVE POSITION:

Any position which does not entail any duty related to the safe operation of the Authority's mass transportation service.

POSITIVE ALCOHOL TEST:

Under the Authority's Drug and Alcohol Policy Manual, the presence of alcohol in a body at a concentration greater than 0.000 as measured by an Evidential Breath Testing (EBT) Device.

POSITIVE DRUG TEST:

Any urine that is chemically tested (screened and confirmed) which shows the presence of controlled substances, as defined by DOT standards, and is verified by the MRO.

PRE-EMPLOYMENT TESTING:

Employees that are either applying for or transferring to a safety-sensitive position or if ninety (90) days have elapsed since the employee performed safety-sensitive duties and the individual was not in the random pool.

PROBABLE CAUSE:

The Authority will require a drug and/or an alcohol test on any employee who is reasonably suspected of violating this policy, including but not limited to, any employee suspected of possessing, using or being under the influence of alcohol or an illegal drug, a legal drug if such use would violate this policy, while on duty or in Authority vehicles or on Authority property or in Authority uniform.

REASONABLE SUSPICION:

The Federal Transit Administration (FTA) regulations require a safety-sensitive employee to submit a test when the employer has reasonable suspicion that the employee has used a prohibited drug or has misused alcohol. The request to undergo a reasonable suspicion test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odor of the safety-sensitive employee.

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GLOSSARY OF TERMS—SECTION 8

SAFETY-SENSITIVE POSITION:

Any position which entails any duty related to the safe operation of the Authority's mass transportation service, including: (a) operation of a revenue service vehicle, whether or not such vehicle is in revenue service; (b) operation of a non-revenue service vehicle that requires a CDL (c) controlling dispatch or movement of a revenue service vehicle or equipment used in revenue service; (d) maintaining revenue service of vehicles or equipment used in revenue service; (e) carrying a firearm for security purposes; and (f) supervising an employee who performs a function in (a)-(e) above and performing or called upon to perform a safety sensitive function. Positions currently classified as safety-sensitive positions are listed in Attachment A of this Policy and are subject to revision as needed.

SCREENING TEST TECHNICIAN (STT):

A person who instructs and assists employees in the alcohol testing process and operates an alcohol screening device.

SUBSTANCE ABUSE PROFESSIONAL (SAP):

An OCTA authorized licensed physician or a licensed or certified psychologist, social worker, employee assistance professional, or a certified addiction counselor, with knowledge of and clinical experience in the diagnosis and treatment of drug and related disorders; evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare. Although in most cases, an employee will be terminated for violation of this Policy; in cases in which an employee is suspended or placed on a leave of absence, OCTA will determine when/or if the employee may return to duty.

SUBSTITUED SPECIMEN:

Substituted specimens have creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.

UNDER THE INFLUENCE:

When an employee is affected to any extent by alcohol or a drug, or metabolites of such, or the combination of alcohol and a drug, or has alcohol or a drug, or metabolites, of such, in the employee's body in any detectable amount.

END OF POLICY

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ATTACHMENTS—SECTION 9

Attachments Section 9

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ATTACHMENTS—SECTION 9

ATTACHMENT A

SAFETY-SENSITIVE POSITIONS

Any level of job classification or within the general job classification of the positions listed below are considered safety-sensitive. The listing is subject to revision and may not be all inclusive due to changes in job position titles.

- Coach Operator
- Electronic Technician
- ~~Facilities Maintenance Technicians~~
- Maintenance Field Administrator
- Field Supervisor
- Instructor (Maintenance, Coach Operations)
- Mechanic
- Automotive Mechanic
- Machinist
- Radio Dispatcher
- Service Worker
- Supervisor, Maintenance
- Section Supervisor/Section Manager:
 - Central Communications
 - ~~Facilities Maintenance~~
 - Field Operations
 - Bus Operations
 - Instruction
 - Vehicle Maintenance
- Window Dispatcher
- Or any other employee who operates a revenue service vehicle (whether or not the vehicle is in revenue service), dispatch (anyone who controls revenue service vehicles' movement), maintenance of a revenue service vehicle or equipment used in revenue service, security personnel who carry firearms, and any other employee who through course of employment is required to hold a Commercial Driver's License (CDL).

ATTACHMENTS—SECTION 9



Disclosure of Prescription and Over-the-Counter Drugs

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FOR OCTA USE ONLY	
Date HR Received: _____	Received by: _____
HR: <input type="checkbox"/> Reviewed <input type="checkbox"/> MRO Contacted <input type="checkbox"/> Supervisor Notified: _____	Date/Time: _____

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ATTACHMENT B

Disclosure of Prescription and Over-the-Counter

SCHEDULE I

[Code of Federal Regulations]
[Title 21, Volume 9]
[Revised as of April 1, 2013]
[CITE: 21CFR1308.11]

TITLE 21 – FOOD AND DRUGS

CHAPTER II – DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

PART 1308 -- SCHEDULES OF CONTROLLED SUBSTANCES

Sec. 1308.11 Schedule I.

(a) Schedule I shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

(b) *Opiates.* Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation (for purposes of paragraph (b) (34) only, the term isomer includes the optical and geometric isomers):

(1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N'-phenylacetamide)	9815
(2) Acetylmethadol	9601
(3) Allylprodine	9602
(4) Alphacetylmethadol (except levo-alpha-cetylmethadol also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM)	9603
(5) Alphanprodine	9604
(6) Alphanmethadol	9605
(7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenylethyl)-4-piperidinyl] propionamide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine)	9814
(8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienylethyl)-4-piperidinyl]-N'-phenylpropanamide)	9832
(9) Benzetidine	9606
(10) Betacetylmethadol	9607
(11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N'-phenylpropanamide)	9830
(12) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N'-phenylpropanamide)	9831
(13) Betanprodine	9608
(14) Betamethadol	9609
(15) Betaprodine	9611

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(16) Clonazepam	9612
(17) Dextromoramide	9613
(18) Diampramide	9615
(19) Diethylthiambutene	9616
(20) Difencoin	9168
(21) Difenoxadol	9617
(22) Dimorphenol	9618
(23) Dimethylthiambutene	9619
(24) Dioxaphetyl butyrate	9621
(25) Dipipanone	9622
(26) Ethylmethylthiambutene	9623
(27) Etonitazene	9624
(28) Etoserinide	9625
(29) Furethidine	9626
(30) Hydrocypethidine	9627
(31) Ketobemidone	9628
(32) Levomoramide	9629
(33) Levophenacymorphan	9631
(34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide)	9813
(35) 3-methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidyl]-N-phenylpropanamide)	9833
(36) Morpheridine	9632
(37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine)	9661
(38) Noracymethadol	9633
(39) Norlevorphanol	9634
(40) Normethadone	9635
(41) Norpipanone	9636
(42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidyl] propanamide	9812
(43) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine)	9663
(44) Phenadoxone	9637
(45) Phenampramide	9638
(46) Phenomorphan	9647
(47) Phenoperidine	9641
(48) Piritramide	9642
(49) Proheptazine	9643
(50) Properidine	9644
(51) Propiram	9649
(52) Racemoramide	9645
(53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidyl]-propanamide)	9835
(54) Tilidine	9750
(55) Trimeperidine	9646

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(c) Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Acetorphine	9319
(2) Acetyldihydrocodeine	9051
(3) Benzylmorphine	9052
(4) Codeine methylbromide	9070
(5) Codeine-N-Oxide	9053
(6) Cyrenorphine	9054
(7) Desomorphine	9055
(8) Dihydromorphine	9145
(9) Drotebanol	9335
(10) Etorphine (except hydrochloride salt)	9056
(11) Heroin	9200
(12) Hydromorphenol	9301
(13) Methyldesorphine	9302
(14) Methyldihydromorphine	9304
(15) Morphine methylbromide	9305
(16) Morphine methylsulfonate	9306
(17) Morphine-N-Oxide	9307
(18) Myrophine	9308
(19) Nicocodeine	9309
(20) Nicomorphine	9312
(21) Normorphine	9313
(22) Pholcodine	9314
(23) Thebacon	9315

(d) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following hallucinogenic substances, or which contains any of its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation (for purposes of this paragraph only, the term "isomer" includes the optical, position and geometric isomers):

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ATTACHMENT B

Disclosure of Prescription and Over-the-Counter

(1) Alpha-ethyltryptamine	7249
Some trade or other names: etryptamine; Monase; [alpha]-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; [alpha]-ET; and AET.	
(2) 4-bromo-2,5-dimethoxy-amphetamine	7391
Some trade or other names: 4-bromo-2,5-dimethoxy-[alpha]-methylphenethylamine; 4-bromo-2,5-DMA	
(3) 4-Bromo-2,5-dimethoxyphenethylamine	7392
Some trade or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB; 2C-B, Nexus.	
(4) 2,5-dimethoxyamphetamine	7396
Some trade or other names: 2,5-dimethoxy-[alpha]-methylphenethylamine; 2,5-DMA	
(5) 2,5-dimethoxy-4-ethylamphet-amine	7399
Some trade or other names: DOET	
(6) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (other name: 2C-T-7)	7348
(7) 4-methoxyamphetamine	7411
Some trade or other names: 4-methoxy-[alpha]-methylphenethylamine; paramethoxyamphetamine, PMA	
(8) 5-methoxy-3,4-methylenedioxy-amphetamine	7401
(9) 4-methyl-2,5-dimethoxy-amphetamine	7395
Some trade or other names: 4-methyl-2,5-dimethoxy-[alpha]-methylphenethylamine; "DOM"; and "STP"	
(10) 3,4-methylenedioxy amphetamine	7400
(11) 3,4-methylenedioxyamphetamines (MDMA)	7405
(12) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA	7404
(13) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy MDA	7402
(14) 3,4,5-trimethoxy amphetamine	7390
(15) 5-methoxy-N,N-dimethyltryptamine Some trade or other names: 5-methoxy-3-[2-(dimethylamino)ethyl]indole; 5-MeO-DMT	7431
(16) Alpha-methyltryptamine (other name: AMT)	7432
(17) Bufotenine	7433

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Some trade and other names: 3-[(beta)-Dimethylaminoethyl]-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine	
(18) Diethyltryptamine	7434
Some trade and other names: N,N-Diethyl ET	
(19) Dimethyltryptamine	7435
Some trade or other names: DMT	
(20) 5-methoxy-N,N-diisopropyltryptamine (other name: 5-MeO-DIPT)	7439
(21) Ibogaine	7260
Some trade and other names: 7-Ethyl-6,6[beta],7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-gyrido [1',2':1,2] azepino [5,4-b] indole; Tabernanthe iboga	
(22) Lysergic acid diethylamide	7315
(23) Marijuana	7360
(24) Mescaline	7381
(25) Parahexyl--7374; some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl	
(26) Peyote	7415
Meaning all parts of the plant presently classified botanically as <i>Lophophora williamsii</i> <i>Lemaire</i> , whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or extracts	
(Interprets 21 USC 812(c), Schedule I(c) (12))	
(27) N-ethyl-3-piperidyl benzilate	7482
(28) N-methyl-3-piperidyl benzilate	7484
(29) Psilocybin	7437
(30) Psilocyn	7438
(31) Tetrahydrocannabinols	7370
Meaning tetrahydrocannabinols naturally contained in a plant of the genus <i>Cannabis</i> (cannabis plant), as well as: synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:	
1 cis or trans tetrahydrocannabinol, and their optical isomers	
6 cis or trans tetrahydrocannabinol, and their optical isomers	
3, 4 cis or trans tetrahydrocannabinol, and its optical isomers	
(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)	
(32) Ethylamine analog of phencyclidine	7455
Some trade or other name: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)ethylamine, N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, PCE	
(33) Pyrrolidine analog of phencyclidine	7458
Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP	
(34) Thiophene analog of phencyclidine	7470

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Some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of phencyclidine, TCP, TCP	
(35) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine	7473
Some other names: TCPy	
(36) 4-methylmethcathinone (Mephedrone)	1248
(37) 3,4-methylenedioxypivalone (MDPV)	7535
(38) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E)	7509
(39) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D)	7508
(40) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C)	7519
(41) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I)	7518
(42) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2)	7385
(43) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4)	7532
(44) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H)	7517
(45) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N)	7521
(46) 2-(2,5-Dimethoxy-4-(n-propylphenyl)ethanamine (2C-P)	7524
(47) 3,4-Methylenedioxy-N-methylcathinone (Mephedrone)	7540

(e) **Depressants.** Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) gamma-hydroxybutyric acid (some other names include GHB; gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate)	2010
(2) Mecloqualone	2572
(3) Methaqualone	2565

(f) **Stimulants.** Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(1) Ammonex (Some other names: aminocaphen; 2-amino-5-phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazoline)	1585
(2) N-Benzylpiperazine (some other names: BZP, 1-benzylpiperazine)	7493
(3) Cathinone	1235
Some trade or other names: 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone, and norephedrine	
(4) Fenethylamine	1503
(5) Methcathinone (Some other names: 2-(methylamino)-propionophenone; alpha-(methylamino)propionophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiophenone; monomethylpropion; ephedrone; N-methylcathinone; methycathinone; AL-464; AL-422; AL-463 and UR1432), its salts, optical isomers and salts of optical isomers	1237
(6) (+/-)-cis-4-methylammonex ((+/-)-cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazoline)	1590

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DRUG AND ALCOHOL POLICY MANUAL

ATTACHMENTS—SECTION 9

(7) N-ethylamphetamine	1475
(8) N,N-dimethylamphetamine (also known as N,N-alpha-trimethyl-benzamethanamine; N,N-alpha-trimethylphenethylamine)	1480

(g) Cannabinimetic agents. Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, or which contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP-47,497)	7297
(2) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (cannabicyclohexanol or CP-47,497 C8-homolog)	7298
(3) 1-pentyl-3-(1-naphthoyl)indole (JWH-018 and AM678)	7118
(4) 1-butyl-3-(1-naphthoyl)indole (JWH-073)	7173
(5) 1-hexyl-3-(1-naphthoyl)indole (JWH-019)	7019
(6) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200)	7200
(7) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250)	6250
(8) 1-pentyl-3-[1-(4-methoxyphenylthio)]indole (JWH-081)	7081
(9) 1-pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122)	7122
(10) 1-pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398)	7398
(11) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM2201)	7201
(12) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM694)	7694
(13) 1-pentyl-3-[(4-methoxy)-benzoyl]indole (SR-19 and RCS-4)	7104
(14) 1-cyclohexylethyl-3-(2-methoxyphenylacetyl)indole 7008 (SR-18 and RCS-5)	7008
(15) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203)	7203

(h) Temporary listing of substances subject to emergency scheduling. Any material, compound, mixture or preparation which contains any quantity of the following substances:

- (1) 3,4-methylenedicy-N-methylcathinone (Other names: methylene)---7840
- (2) 5-(1,1-Dimethylethyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, its optical, positional, and geometric isomers, salts and salts of isomers---7258 (Other names: cannabicyclohexanol and CP-47,497 C8 homologue)
- (3) 1-Butyl-3-(1-naphthoyl)indole, its optical, positional, and geometric isomers, salts and salts of isomers---7173 (Other names: JWH-073)
- (4) 1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole, its optical, positional, and geometric isomers, salts and salts of isomers---7200 (Other names: JWH-200)
- (5) 1-Pentyl-3-(1-naphthoyl)indole, its optical, positional, and geometric isomers, salts and salts of isomers---7118 (Other names: JWH-018 and AM678)
- (6) 4-methyl-N-methylcathinone---1248 (Other names: mephedrone)
- (7) 3,4-methylenedicy-N-methylcathinone---7840 (Other names: methylene)

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DRUG AND ALCOHOL POLICY MANUAL

ATTACHMENTS—SECTION 9

(8) 3,4-methylenedioxypyrovalerone--7535 (Other names: MDPV)

(9) (1-pentyl-1*H*-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone, its optical, positional, and geometric isomers, salts and salts of isomers--7144 (Other names: UR-144, 1-pentyl-3-(2,2,3,3-tetramethylcyclopropyl)indole)

(10) [1-(5-fluoro-pentyl)-1*H*-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone, its optical, positional, and geometric isomers, salts and salts of isomers--7011 (Other names: 5-fluoro-UR-144, 5-F-UR-144, XLR11, 1-(5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole)

(11) *N*-(1-adamantyl)-1-pentyl-1*H*-indazole-3-carbonyl, its optical, positional, and geometric isomers, salts and salts of isomers--7046 (Other names: APHACA, AKB48)

[35 FR 22141, June 20, 1974]

Editorial Note:

For Federal Register citations affecting 1905.11, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and www.fdsys.gov.

DRUG AND ALCOHOL POLICY MANUAL

ATTACHMENTS—SECTION 9

ATTACHMENT B

Disclosure of Prescription and Over-the-Counter Drugs

SUMMARY OF SAFETY SENSITIVE JOB DUTIES

Central Communications-

Under general supervision, provides management by monitoring and coordinating the delivery of a 24/7 fixed route bus service through two-way radio communications with bus drivers, ensures safe, reliable, courteous service. Provides customer service to both internal and external customers.

Coach Operator-

Responsible for safely operating all types of agency motor coaches/ buses and on-board equipment to transport passengers over specified routes. Position requires a commercial driver's license with passenger endorsement.

Field Supervisor-

Under general supervision and with the support of Central Communications, physically manages the 24/7 bus system to ensure safe, reliable, courteous service. Provides customer service to both internal and external customers. Position requires a commercial driver's license with passenger endorsement.

Line Supervisor -

Under general direction, supervises maintenance employees in the repair, maintenance, cleaning, servicing, and/or revenue transferring for the agency's fleet of buses and other vehicles.

Mechanic-

Under supervision, diagnoses and makes mechanical repairs to buses and other automotive equipment. Position requires a commercial driver's license with passenger endorsement.

Service Worker-

Under direct supervision, performs vehicle movement, servicing, fueling, refilling consumables, repairs and cleaning. Position requires a commercial driver's license with passenger endorsement.

Window Dispatcher-

Under general supervision, provides management by monitoring and coordinating the delivery of a 24/7 fixed route bus service from the base, ensuring safe, reliable, courteous service. Provides customer service to both internal and external customers.

Facilities Technician-

Under the general supervision is responsible for mechanical and preventive maintenance of agency buildings, facilities, and compressed gas facilities.

Instructor (Bus Operations & Maintenance)

Bus Operations

Under minimal supervision, conducts classroom and on-the-job training for Coach Operators with a focus on customer service, safety, courtesy, and reliability. Designs, develops, and implements training programs that meet regulatory and agency guidelines. Evaluates student performance and administers discipline.

Maintenance

Under general supervision, researches, designs, coordinates, and presents training classes, which include maintenance of vehicles, use of tools and equipment, and Maintenance Certification Training. Provides consultation on technical vehicle issues.

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DRUG AND ALCOHOL POLICY MANUAL

ATTACHMENTS—SECTION 9

ATTACHMENT B

Disclosure of Prescription and Over-the-Counter Drugs

SUMMARY OF SAFETY SENSITIVE JOB DUTIES

Other-

Any employee who operates a revenue service vehicle (whether or not the vehicle is in revenue service), dispatch (anyone who controls revenue service vehicles' movement), maintenance of a revenue service vehicle or equipment used in revenue serve, security personnel who carry firearms, and any other employee who through course of employment is required to hold a Commercial Driver's License (COL).

DRUG AND ALCOHOL POLICY MANUAL

ATTACHMENTS—SECTION 9

DRUG AND ALCOHOL POLICY MANUAL

ATTACHMENTS—SECTION 9

ATTACHMENT C

DRUG AND ALCOHOL BEHAVIORAL CONTRACT

I understand that I will be allowed to continue my employment with Orange County Transportation Authority if I will participate in and submit continuing documentation on a monthly basis of my participation in an Authority approved substance abuse treatment program. Additionally, upon successful completion of said program, I will provide the necessary documentation of such.

I agree not to use illegal drugs, including marijuana and alcohol, in accordance with the Authority's Alcohol/Drug Policy.

I understand that in order to return to my employment, I must submit to additional alcohol/drug test(s) and that such test(s) demonstrate there is no trace of alcohol or a drug or metabolite of any drug in my system.

I also understand that during the sixty (60) months following my return to work I may be tested without prior notice and if there is any trace of drug or metabolites and/or alcohol in my system, my employment with Orange County Transportation Authority will be terminated. Additionally, I understand that refusal to submit to such a test will result in the termination of my employment.

I understand and agree to all the above conditions. I also understand and agree that failure to meet all terms and conditions of this commitment will result in the termination of my employment, with no Hearing Before Discharge and no right of appeal through the grievance procedure.

Employee Signature

Date

Union Representative Signature

Date

Base Manager Signature

Date

Labor and Employee Relations Representative
Signature

Date

DRUG AND ALCOHOL POLICY MANUAL

ATTACHMENTS—SECTION 9

ATTACHMENT D

DRUG –FREE WORKPLACE ACT CERTIFICATION FOR A PUBLIC OR PRIVATE ENTITY

Orange County Transportation Authority (OCTA or Authority) has a vital interest in providing its employees with safe and healthful working conditions and providing its riders and the public with high quality public transportation that is effective, safe and efficient. Therefore, OCTA is committed to establishing and maintaining a work environment free from the influence of drug and alcohol.

The Orange County Transportation Authority certifies that it will strive to provide a drug-free workplace through the following steps:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in OCTA's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
2. Establishing an on-going drug-free awareness program to inform employees about:
 - (a) The dangers of drug abuse in the workplace;
 - (b) OCTA's policy of maintaining a drug-free workplace;
 - (c) Potential dangers associated with the use of prescription (Rx) and over-the-counter (OTC) medications;
 - (d) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (e) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. Requiring that each employee, including those engaged in the performance of a grant or cooperative agreement, be given a copy of the statement required by paragraph one (1) above.
4. Notifying employees, in the statement required by paragraph one (1), that as a condition of employment under any grant or cooperative agreement the employees will:
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his/her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction.

DRUG AND ALCOHOL POLICY MANUAL

ATTACHMENTS—SECTION 9

ATTACHMENT D

DRUG-FREE WORKPLACE ACT CERTIFICATION FOR A PUBLIC OR PRIVATE ENTITY

6. Notifying the Federal agency in writing within ten (10) calendar days after receiving notice from an employee under subparagraph four (4) (b) above or receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every project officer or other designee on whose project activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant or cooperative agreement.
6. Taking one of the following actions within thirty (30) calendar days of receiving notice under subparagraph four (4) (b) above, with respect to any employee who is so convicted:
 - (a) Take appropriate personnel action against such an employee, up to and including employment termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Require such employee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement or other appropriate agency.
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs one (1) through six (6) above.

OCTA's headquarters is located at the following address. Addresses of other OCTA workplace sites maintained by OCTA are either attached or available upon request.

Orange County Transportation Authority
550 South Main Street
PO BOX 14184
Orange, CA 92863-1584



Darrell Johnson
Chief Executive Officer
Orange County Transportation Authority

2-18-15
Date

DRUG AND ALCOHOL POLICY MANUAL

ATTACHMENTS—SECTION 9

ATTACHMENT E

DRUG AND ALCOHOL POLICY MANUAL TEST REASONS AND REQUIREMENTS TABLE

Test Reason	Drug Test Requirement	Alcohol Test Requirement
BI-Annual Physical	OCTA	OCTA
Behavioral Contract	OCTA	OCTA
DMV Certification/Re-Certification	OCTA	OCTA
Fit for Duty	OCTA	OCTA
Follow-Up Test	DOT	DOT
Post Accident resulting in a fatality	DOT	DOT
Post Accident resulting in injury treatment away from scene	DOT	DOT
Post Accident resulting in any vehicle towed	DOT	DOT
Post Accident (none of the above or non-revenue service vehicle)	OCTA	OCTA
Pre-Employment/Post Offer (Safety-Sensitive)	DOT	OCTA
Probable Cause (Non-Safety Sensitive)	OCTA	OCTA
Random	DOT	DOT
Reasonable Suspicion (Safety-Sensitive)	DOT	DOT
Return to Duty	DOT	DOT
All of the above tests and reasons for testing are described in Section 5 of the Drug and Alcohol Policy Manual.		

DRUG AND ALCOHOL POLICY MANUAL

ATTACHMENTS—SECTION 9

ATTACHMENT F

CONTACT PERSONS

For more information or questions about the OCTA Drug and Alcohol Policy Manual or testing program, please contact a staff member in the ~~Human Resources~~Health, Safety, and Environmental Compliance Department at the telephone numbers listed below. Each of these Contact Persons are located at the OCTA Administrative Offices: 600 South Main Street; PO Box 14184; Orange, CA 92863-1584.

- Drug and Alcohol Program Manager/
Designated Employer Representative (714) 560-~~5809~~5607
- ~~Designated Employer Representative~~ (714)-560-5827

DRUG AND ALCOHOL POLICY MANUAL

ATTACHMENTS—SECTION 9

ATTACHMENT G

ACKNOWLEDGEMENT OF RECEIPT OF OCTA DRUG AND ALCOHOL POLICY MANUAL

I, the undersigned, have received a copy of the Orange County Transportation Authority (OCTA or Authority) Drug and Alcohol Policy Manual, which complies with the Federal Transit Administration (FTA) and U.S. Department of Transportation (DOT) regulations, 49 CFR Part 40 and Part 655 as amended. I understand that nothing in this publication is intended to supplement, alter or serve as an official interpretation of 49 CFR Part 40 or DOT agency regulations.

I understand and acknowledge that compliance with this Policy is a condition of my employment and that if I violate any provision of this Policy I will be subject to disciplinary action, which may include termination of employment. Further, I understand that it is my responsibility to read, understand and comply with the Drug and Alcohol Policy Manual.

Employee Name (Print)

Employee Badge #

Employee Signature

Date

DRUG AND ALCOHOL POLICY MANUAL

ATTACHMENTS—SECTION 9

ATTACHMENT H

APPROVAL OF POLICY BY BOARD OF DIRECTORS



AFFILIATED AGENCIES

Orange County
Transit District
Local Transportation
Authority
Service Authority for
Freeway Emergency
Development Transportation
Service Agency
Compliance Management
Agency
Service Authority for
Regional Vehicle

APPROVAL OF POLICY BY BOARD OF DIRECTORS

MINUTE EXCERPT

The following is an excerpt from the Minutes of the Orange County Transportation Authority Board of Directors meeting held on February 9, 2015.

6. Drug and Alcohol Policy Manual

A motion was made by Director Murray, seconded by Director Spitzer, and declared passed by those present, to:

- A. Approve the Orange County Transportation Authority's Drug and Alcohol Policy Manual.
- B. Authorize the Chief Executive Officer to certify the Orange County Transportation Authority's Drug-Free Workplace Act Statement.

Director Nelson was not present to vote on this item.

The foregoing excerpt will be presented to the Board of Directors on February 23, 2015, as part of the completed minutes of the February 9, 2015, OCTA Board of Directors' meeting.


Laurena Weinert
Clerk of the Board

Dated: February 11, 2015



2015 Revision



May 7, 2018

To: Executive Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Capital Programs Division - Third Quarter Fiscal Year 2017-18
Capital Action Plan Performance Metrics

Overview

The Orange County Transportation Authority's Strategic Plan key strategies and objectives to achieve the goals for Mobility and Stewardship include delivery of all Capital Action Plan projects on time and within budget. The Capital Action Plan is used to create a performance metric to assess capital project delivery progress on highway, grade separation, rail, and facility projects. This report provides an update on the Capital Action Plan delivery and performance metrics.

Recommendation

Receive and file as an information item.

Background

The Orange County Transportation Authority (OCTA) Capital Programs Division is responsible for project development and delivery of highway, grade separation, rail, and facility projects from the beginning of the environmental approval phase through construction completion. Project delivery commitments reflect defined project scope, costs, and schedules. Project delivery commitments shown in the Capital Action Plan (CAP) are key strategies and objectives to achieve the Strategic Plan goals for Mobility and Stewardship.

This report is a quarterly update on the CAP performance metrics, which are a snapshot of the planned CAP project delivery milestones in the budgeted fiscal year (FY).

Discussion

The Capital Programs Division objective is to deliver projects on schedule and within the approved project budget. Key project cost and schedule commitments

are captured in the CAP, which is regularly updated with new projects and project status (Attachment A). The CAP is categorized into four key project groupings; freeway projects, grade separation projects, rail and station projects, and facility projects. Schedule milestones are used as performance indicators of progress in project delivery. The CAP performance metrics provides a FY snapshot of the milestones targeted for delivery in the budgeted FY, and provides transparency and performance measurement of capital project delivery.

The CAP project costs represent the total cost of the project across all phases of project delivery, including support costs, and right-of-way (ROW) and construction capital costs. Baseline costs, if established, are shown in comparison to either the actual or forecast cost. Baseline costs may be shown as to-be-determined (TBD) if project scoping studies and estimates have not been developed or approved, and may be updated as project delivery progresses and milestones are achieved. Projects identified in the Orange County local transportation sales tax Measure M2 (M2) are identified with the corresponding M2 project letter. The CAP status update is also included in the M2 Quarterly Report.

The CAP summarizes the very complex capital project critical path delivery schedules into eight key milestones.

Begin Environmental	The date work on the environmental clearance, project report, or preliminary engineering phase begins.
Complete Environmental	The date environmental clearance and project approval is achieved.
Begin Design	The date final design work begins, or the date when a design-build contract begins.
Complete Design	The date final design work is 100 percent complete and approved.
Construction Ready	The date contract bid documents are ready for advertisement, including certification of ROW, all agreements executed, and contract constraints cleared.
Advertise for Construction	The date a construction contract is advertised for bids.

Award Contract	The date the construction contract is awarded.
Construction Complete	The date all construction work is completed, and the project is open to public use.

These delivery milestones reflect progression across the project delivery phases shown below.



Project schedules reflect approved milestone dates in comparison to forecast or actual milestone dates. Milestone dates may be shown as TBD if project scoping or approval documents have not been finalized and approved, or if the delivery schedule has not been negotiated with the agency or consultant implementing the specific phase of a project. Planned milestone dates can be revised to reflect new dates from approved baseline schedule changes. On a monthly basis, actual dates are updated when milestones are achieved, and forecast dates are updated to reflect project delivery status.

CAP milestones achieved in the third quarter FY 2017-18 include:

Freeway and Railroad Grade Separation Projects

- The advertise construction milestone for the addition of a second high-occupancy vehicle (HOV) lane on Interstate 5 (I-5) between State Route 55 and State Route 57 (SR-57) was achieved. Construction bids are planned to be opened on May 8, 2018.
- The advertise construction and award contract milestones for the SR-57 northbound landscape replacement planting between Orangethorpe Avenue and Lambert Road were achieved and the project is now under construction.
- The West County HOV Connectors projects landscape replacement planting construction was completed in February 2018.
- The State College Boulevard railroad grade separation construction was completed on January 31, 2018.

- Final design work began on the Anaheim Canyon Metrolink Station project which will add a second passenger rail platform and an additional station track.

The following CAP milestones missed the planned delivery through the third quarter of FY 2017-18.

Freeway Projects

- The complete environmental milestone for the State Route 241 direct connector to the 91 Express Lanes has been delayed to assess shifting traffic patterns and to account for modifications to corridor transportation plans.
- The complete design milestone for the I-5 widening between State Route 73 (SR-73) and Oso Parkway has been delayed. The California Department of Transportation (Caltrans) continues ROW acquisition activities to obtain possession of the needed ROW and make the project construction ready by February 2019. Although OCTA's consultant has completed design, ROW acquisition is the project delivery schedule critical path. Caltrans has requested the final design not be submitted to Caltrans for final construction contract packaging until approximately six months prior to the planned February 2019 construction ready milestone. This will allow any Caltrans requested design updates due to changes to standards and/or specifications to be incorporated into the final design submittal while Caltrans is completing the ROW acquisition.

Rail and Station Projects

- The Laguna Niguel/San Juan Capistrano railroad passing siding complete design, construction ready, and advertise construction milestones are delayed. Design has been delayed because the City of San Juan Capistrano (City) requested that all work within OCTA railroad ROW comply with the City National Pollution Discharge Elimination System permitting requirements. For all projects within OCTA railroad ROW, OCTA typically obtains and complies with the State and Regional Water Quality Control Board construction general permit requirements and associated post-construction operating conditions. After approximately a three-month delay, the City has concurred with OCTA's use of the construction general permit within OCTA railroad ROW and final design reviews, concurrences, and permitting are underway. The complete design and construction ready milestones will be completed in the fourth quarter, and the advertise construction milestone has been moved into the first quarter of FY 2018-19.

- The Placentia Metrolink Station construction ready, advertise construction, and award contract milestones have been missed. As reported last quarter, final approval of the station, City of Placentia acquisition of required BNSF ROW, and finalization of the BNSF railroad construction and maintenance agreement remain to be completed. The project schedule is being re-assessed, and the planned advertisement for construction has been moved into FY 2018-19.

Recap of FY 2017-18 Performance Metrics

The CAP and performance metrics snapshot provided at the beginning of FY 2017-18 includes 28 planned major project delivery milestones to be accomplished through the third quarter. The performance metrics update reflects milestones achieved and missed through the third quarter (Attachments A and B). Six milestones were completed in the third quarter, and 21 milestones have been achieved through three quarters of FY 2017-18 (75 percent of the planned milestones). Six of the seven missed milestones are attributable to the Laguna Niguel/San Juan Capistrano railroad passing siding and Placentia Metrolink Station.

FY 2017-18 Cost and Performance Metric Look Ahead and Risks

The combined cost value for the three segments of I-5 widening between SR-73 and El Toro Road require that a Cost Estimate Review (CER) be prepared by Caltrans and the Federal Highway Administration (FHWA). Caltrans and FHWA have conducted the CER which employed an annual 4.2 percent construction escalation rate to the planned construction schedule midpoint, which results in significant cost estimate increases. Staff is continuing to assess local market unit prices and appropriate use of escalation rates, and is providing comments on the draft CER assumptions and results to Caltrans.

The OC Streetcar construction bid date has been extended to June 19, 2018, and a contract award recommendation is planned to be brought to the Board of Directors in August 2018. Feedback from the construction industry indicated additional time was needed to prepare responsive bids given both the complexity of scope, as well as limited availability of contractor estimating and bidding resources to prepare bids. Extending the contract award date will also provide additional time needed by the Federal Transit Administration to process and approve the OC Streetcar Full Funding Grant Agreement. These changes did not impact the planned October 1, 2018 notice to proceed for construction.

Summary

Significant capital project delivery progress continues to be made and reflected in the CAP. Staff will continue to manage project costs, schedules, and risks across all project phases to meet project delivery commitments and report quarterly.

Attachments

- A. Capital Action Plan, Status Through March 2018
- B. Capital Programs Division, Fiscal Year 2017-18 Performance Metrics Through March 2018

Prepared by:

















A handwritten signature in blue ink, appearing to read "James G. Beil".

James G. Beil, P.E.
Executive Director, Capital Programs
(714) 560-5646

Capital Action Plan

Status Through March 2018















Updated: April 20, 2018

Capital Projects	Cost	Schedule							
	Baseline/Forecast	Plan/Forecast							
	(millions)	Begin Environmental	Complete Environmental	Begin Design	Complete Design	Construction Ready	Advertise Construction	Award Contract	Complete Construction
Freeway Projects:									
 I-5, Pico to Vista Hermosa	\$113.0	Jun-09	Dec-11	Jun-11	Oct-13	Feb-14	Oct-14	Dec-14	Aug-18
Project C	\$85.9	Jun-09	Oct-11	Jun-11	Oct-13	May-14	Sep-14	Dec-14	Apr-18
 I-5, Vista Hermosa to Pacific Coast Highway	\$75.6	Jun-09	Dec-11	Jun-11	Feb-13	Jun-13	Oct-13	Dec-13	Mar-17
Project C	\$71.4	Jun-09	Oct-11	Jun-11	May-13	Aug-13	Feb-14	Jun-14	Jul-17
 I-5, Pacific Coast Highway to San Juan Creek Road	\$70.7	Jun-09	Dec-11	Jun-11	Jan-13	May-13	Aug-13	Oct-13	Sep-16
Project C Cost/Schedule Risk	\$71.2	Jun-09	Oct-11	Jun-11	Jan-13	Apr-13	Aug-13	Dec-13	Apr-18
 I-5, I-5/Ortega Interchange	\$90.9	Sep-05	Jun-09	Jan-09	Nov-11	Mar-12	Jun-12	Aug-12	Sep-15
Project D	\$75.1	Sep-05	Jun-09	Jan-09	Dec-11	Apr-12	Jun-12	Aug-12	Jan-16
 I-5, I-5/Ortega Interchange (Landscape)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Project D	N/A	N/A	N/A	Jan-14	Oct-14	Feb-15	Aug-15	Sep-15	Sep-16
 I-5, SR-73 to Oso Parkway	\$151.9	Sep-11	Jun-14	Mar-15	Jan-18	May-18	Aug-18	Dec-18	Jan-24
Project C & D Cost/Schedule Risk	\$190.5	Oct-11	May-14	Mar-15	Aug-18	Feb-19	Jun-19	Oct-19	Oct-24
 I-5, Oso Parkway to Alicia Parkway	\$196.2	Sep-11	Jun-14	Nov-14	Jun-17	Dec-17	Feb-18	Jun-18	Feb-23
Project C & D Cost/Schedule Risk	\$191.0	Oct-11	May-14	Nov-14	Dec-17	Jun-18	Aug-18	Dec-18	Aug-23
 I-5, Alicia Parkway to El Toro Road	\$133.6	Sep-11	Jun-14	Mar-15	Jun-18	Dec-18	Jan-19	May-19	Jun-23
Project C Cost/Schedule Risk	\$166.5	Oct-11	May-14	Mar-15	Apr-19	Oct-19	Feb-20	Jun-20	Jun-24
 I-5, I-5/El Toro Road Interchange	TBD	Apr-17	Nov-19	TBD	TBD	TBD	TBD	TBD	TBD
Project D	TBD	Apr-17	Nov-19	TBD	TBD	TBD	TBD	TBD	TBD
 I-5, I-405 to SR-55	TBD	May-14	Aug-18	TBD	TBD	TBD	TBD	TBD	TBD
Project B	TBD	May-14	Dec-18	TBD	TBD	TBD	TBD	TBD	TBD
 I-5, SR-55 to SR-57	\$38.1	Jul-11	Jun-13	Jun-15	Mar-17	Jul-17	Sep-17	Dec-17	Feb-20
Project A Cost/Schedule Risk	\$39.9	Jun-11	Apr-15	Jun-15	Jun-17	Dec-17	Mar-18	Jun-18	Aug-20
 SR-55, I-405 to I-5	TBD	Feb-11	Nov-13	Sep-17	Apr-20	Dec-20	Apr-21	Jul-21	Aug-25
Project F Cost/Schedule Risk	\$410.9	May-11	Aug-17	Sep-17	Apr-20	Dec-20	Apr-21	Jul-21	Aug-25
 SR-55, I-5 to SR-91	TBD	Dec-16	Jan-20	TBD	TBD	TBD	TBD	TBD	TBD
Project F	TBD	Dec-16	Jan-20	TBD	TBD	TBD	TBD	TBD	TBD
 SR-57 Northbound (NB), Orangewood Avenue to Katella Avenue	TBD	Apr-16	Dec-18	TBD	TBD	TBD	TBD	TBD	TBD
Project G	TBD	Apr-16	Dec-18	TBD	TBD	TBD	TBD	TBD	TBD
 SR-57 (NB), Katella Avenue to Lincoln Avenue	\$78.7	Apr-08	Jul-09	Jul-08	Nov-10	Mar-11	May-11	Aug-11	Sep-14
Project G	\$38.0	Apr-08	Nov-09	Aug-08	Dec-10	Apr-11	Jul-11	Oct-11	Apr-15
 SR-57 (NB), Katella Avenue to Lincoln Avenue (Landscape)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Project G	N/A	N/A	N/A	May-09	Jul-10	Jun-17	Jul-17	Sep-17	Oct-18

Capital Action Plan

Status Through March 2018

















Updated: April 20, 2018

	Capital Projects	Cost	Schedule							
		Baseline/Forecast	Plan/Forecast							
		(millions)	Begin Environmental	Complete Environmental	Begin Design	Complete Design	Construction Ready	Advertise Construction	Award Contract	Complete Construction
	SR-57 (NB), Orangethorpe Avenue to Yorba Linda Boulevard	\$80.2	Aug-05	Dec-07	Feb-08	Dec-09	Apr-10	Jun-10	Oct-10	May-14
	Project G	\$52.3	Aug-05	Dec-07	Feb-08	Jul-09	Dec-09	May-10	Oct-10	Nov-14
	SR-57 (NB), Yorba Linda Boulevard to Lambert Road	\$79.3	Aug-05	Dec-07	Feb-08	Dec-09	Apr-10	Jun-10	Oct-10	Sep-14
	Project G	\$54.1	Aug-05	Dec-07	Feb-08	Jul-09	Mar-10	May-10	Oct-10	May-14
	SR-57 (NB), Orangethorpe Avenue to Lambert Road (Landscape)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Project G	N/A	N/A	N/A	Oct-14	Aug-17	Dec-17	Jan-18	Feb-18	Apr-19
	SR-57 (NB), Lambert Road to Tonner Canyon	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
		TBD	Jul-20	Jan-23	TBD	TBD	TBD	TBD	TBD	TBD
	SR-91 Westbound (WB), I-5 to SR-57	\$78.1	Jul-07	Apr-10	Oct-09	Feb-12	Jul-12	Aug-12	Nov-12	Apr-16
	Project H	\$59.7	Jul-07	Jun-10	Mar-10	Apr-12	Aug-12	Oct-12	Jan-13	Jun-16
	SR-91 Westbound (WB), I-5 to SR-57 (Landscape)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Project H	N/A	N/A	N/A	Nov-14	Aug-16	Dec-16	Feb-17	Mar-17	Nov-17
	SR-91, SR-57 to SR-55	TBD	Jan-15	Oct-18	TBD	TBD	TBD	TBD	TBD	TBD
	Project I Cost/Schedule Risk	TBD	Jan-15	Aug-19	TBD	TBD	TBD	TBD	TBD	TBD
	SR-91 (WB), Tustin Interchange to SR-55	\$49.9	Jul-08	Jul-11	Jul-11	Mar-13	Jul-13	Aug-13	Oct-13	Jul-16
	Project I	\$42.8	Jul-08	May-11	Jun-11	Feb-13	Apr-13	Jun-13	Oct-13	Jul-16
	SR-91, SR-55 to SR-241	\$128.4	Jul-07	Jul-09	Jun-09	Jan-11	Apr-11	Jun-11	Sep-11	Dec-12
	Project J	\$79.7	Jul-07	Apr-09	Apr-09	Aug-10	Dec-10	Feb-11	May-11	Mar-13
	SR-91, SR-55 to SR-241 (Landscape)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Project J	N/A	N/A	N/A	May-12	Feb-13	Apr-13	Jul-13	Oct-13	Feb-15
	SR-91 Eastbound, SR-241 to SR-71	\$104.5	Mar-05	Dec-07	Jul-07	Dec-08	Mar-09	May-09	Jul-09	Nov-10
	Project J	\$57.8	Mar-05	Dec-07	Jul-07	Dec-08	May-09	Jun-09	Aug-09	Jan-11
	91 Express Lanes to SR-241 Toll Connector	TBD	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
		TBD	Nov-13	TBD	Dec-16	TBD	TBD	TBD	TBD	TBD
	I-405, I-5 to SR-55	TBD	Dec-14	Jul-18	TBD	TBD	TBD	TBD	TBD	TBD
	Project L	TBD	Dec-14	Jul-18	TBD	TBD	TBD	TBD	TBD	TBD
	I-405, SR-55 to I-605 (Design-Build)	\$1,900.0	Mar-09	Mar-13	Mar-14	Nov-15	Feb-16	Mar-16	Nov-16	May-23
	Project K	\$1,900.0	Mar-09	May-15	Mar-14	Nov-15	Feb-16	Mar-16	Nov-16	May-23
	I-405/SR-22 HOV Connector	\$195.9	N/A	N/A	Sep-07	Sep-09	Mar-10	May-10	Aug-10	Aug-14
		\$120.3	N/A	N/A	Sep-07	Jun-09	Sep-09	Feb-10	Jun-10	Mar-15
	I-405/I-605 HOV Connector	\$260.4	N/A	N/A	Sep-07	Sep-09	Mar-10	May-10	Oct-10	Jan-15
		\$172.6	N/A	N/A	Sep-07	Sep-09	Feb-10	May-10	Oct-10	Mar-15
	I-405/SR-22/I-605 HOV Connector (Landscape)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
		N/A	N/A	N/A	Jun-08	May-09	Feb-16	May-16	Jul-16	Feb-18
	I-605, I-605/Katella Interchange	TBD	Aug-16	Nov-18	TBD	TBD	TBD	TBD	TBD	TBD
	Project M	TBD	Aug-16	Nov-18	TBD	TBD	TBD	TBD	TBD	TBD

Capital Action Plan

Status Through March 2018

Updated: April 20, 2018

Capital Projects	Cost	Schedule							
	Baseline/Forecast	Plan/Forecast							
	(millions)	Begin Environmental	Complete Environmental	Begin Design	Complete Design	Construction Ready	Advertise Construction	Award Contract	Complete Construction
Grade Separation Projects:									
 Sand Canyon Avenue Railroad Grade Separation	\$55.6	N/A	Sep-03	Jan-04	Jul-10	Jul-10	Oct-10	Feb-11	May-14
Project R	\$62.1	N/A	Sep-03	Jan-04	Jul-10	Jul-10	Oct-10	Feb-11	Jan-16
 Raymond Avenue Railroad Grade Separation	\$77.2	Feb-09	Nov-09	Mar-10	Aug-12	Nov-12	Feb-13	May-13	Aug-18
Project O Cost/Schedule Risk	\$127.6	Feb-09	Nov-09	Mar-10	Dec-12	Jul-13	Oct-13	Feb-14	Aug-18
 State College Boulevard Railroad Grade Separation (Fullerton)	\$73.6	Dec-08	Jan-11	Jul-06	Aug-12	Nov-12	Feb-13	May-13	May-18
Project O	\$97.0	Dec-08	Apr-11	Jul-06	Feb-13	May-13	Sep-13	Feb-14	Jan-18
 Placentia Avenue Railroad Grade Separation	\$78.2	Jan-01	May-01	Jan-09	Mar-10	May-10	Mar-11	Jun-11	Nov-14
Project O	\$64.6	Jan-01	May-01	Jan-09	Jun-10	Jan-11	Mar-11	Jul-11	Dec-14
 Kraemer Boulevard Railroad Grade Separation	\$70.4	Jan-01	Sep-09	Jan-09	Jul-10	Jul-10	Apr-11	Aug-11	Oct-14
Project O	\$64.1	Jan-01	Sep-09	Feb-09	Jul-10	Jan-11	Jun-11	Sep-11	Dec-14
 Orangethorpe Avenue Railroad Grade Separation	\$117.4	Jan-01	Sep-09	Feb-09	Dec-11	Dec-11	Feb-12	May-12	Sep-16
Project O	\$108.6	Jan-01	Sep-09	Feb-09	Oct-11	Apr-12	Sep-12	Jan-13	Oct-16
 Tustin Avenue/Rose Drive Railroad Grade Separation	\$103.0	Jan-01	Sep-09	Feb-09	Dec-11	Mar-12	May-12	Aug-12	May-16
Project O	\$98.3	Jan-01	Sep-09	Feb-09	Jul-11	Jun-12	Oct-12	Feb-13	Oct-16
 Lakeview Avenue Railroad Grade Separation	\$70.2	Jan-01	Sep-09	Feb-09	Oct-11	Oct-12	Feb-13	May-13	Mar-17
Project O	\$110.6	Jan-01	Sep-09	Feb-09	Jan-13	Apr-13	Sep-13	Nov-13	Jun-17
 17th Street Railroad Grade Separation	TBD	Oct-14	Jun-16	TBD	TBD	TBD	TBD	TBD	TBD
Project R	TBD	Oct-14	Nov-17	TBD	TBD	TBD	TBD	TBD	TBD
Rail and Station Projects:									
 Rail-Highway Grade Crossing Safety Enhancement	\$94.4	Jan-08	Oct-08	Jan-08	Sep-08	Sep-08	Sep-08	Aug-09	Dec-11
Project R	\$90.4	Jan-08	Oct-08	Jan-08	Sep-08	Sep-08	Sep-08	Aug-09	Dec-11
 San Clemente Beach Trail Safety Enhancements	\$6.0	Sep-10	Jul-11	Feb-12	Apr-12	Apr-12	Jul-12	Oct-12	Jan-14
Project R	\$5.0	Sep-10	Jul-11	Feb-12	Jun-12	Jun-12	Oct-12	May-13	Mar-14
 San Juan Capistrano Passing Siding	\$25.3	Aug-11	Jan-13	Mar-15	May-16	May-16	Aug-16	Dec-16	Jan-19
Cost/Schedule Risk	\$30.8	Aug-11	Mar-14	Mar-15	May-18	May-18	Jul-18	Nov-18	Dec-20
 OC Streetcar	\$310.4	Aug-09	Mar-12	Feb-16	Sep-17	Oct-17	Dec-17	Aug-18	Aug-21
Project S Cost/Schedule Risk	\$310.4	Aug-09	Mar-15	Feb-16	Nov-17	Dec-17	Dec-17	Aug-18	Aug-21
 Placentia Metrolink Station and Parking Structure	\$34.8	Jan-03	May-07	Oct-08	Jan-11	TBD	TBD	TBD	TBD
Project R Cost/Schedule Risk	\$34.8	Jan-03	May-07	Oct-08	Feb-11	Jul-18	Jul-18	Nov-18	Jun-20
Anaheim Canyon Station	\$27.9	Jan-16	Dec-16	Mar-19	TBD	TBD	TBD	TBD	TBD
	\$27.9	Jan-16	Jun-17	Mar-18	May-19	May-19	Jul-19	Nov-19	Feb-21
 Orange Station Parking Expansion	\$33.2	Dec-09	Dec-12	Nov-10	Apr-13	Jul-16	Jul-16	Nov-16	Feb-19
Cost/Schedule Risk	\$32.3	Dec-09	May-16	Nov-10	Apr-16	Jul-16	Jul-16	Jun-17	Feb-19
 Fullerton Transportation Center - Elevator Upgrades	\$3.5	N/A	N/A	Jan-12	Dec-13	Dec-13	Jun-14	Sep-14	Mar-17
Cost/Schedule Risk	\$4.6	N/A	N/A	Jan-12	Dec-13	Dec-13	Aug-14	Apr-15	Sep-18

Capital Action Plan

Status Through March 2018

Updated: April 20, 2018

Capital Projects	Cost	Schedule							
	Baseline/Forecast	Plan/Forecast							
	(millions)	Begin Environmental	Complete Environmental	Begin Design	Complete Design	Construction Ready	Advertise Construction	Award Contract	Complete Construction
Laguna Niguel/Mission Viejo Station ADA Ramps	\$3.5	Jul-13	Jan-14	Jul-13	Aug-14	Aug-14	Sep-14	Jan-15	Apr-17
	\$5.2	Jul-13	Feb-14	Jul-13	Jul-15	Jul-15	Jul-15	Oct-15	Sep-17
Anaheim Regional Transportation Intermodal Center	\$227.4	Apr-09	Feb-11	Jun-09	Feb-12	Feb-12	May-12	Jul-12	Nov-14
Project R & T	\$232.2	Apr-09	Feb-12	Jun-09	May-12	May-12	May-12	Sep-12	Dec-14

Note: Costs associated with landscape projects are included in respective freeway projects.

Grey = Milestone achieved

Green = Forecast milestone meets or exceeds plan

Yellow = Forecast milestone is one to three months later than plan

Red = Forecast milestone is over three months later than plan

Begin Environmental: The date work on the environmental clearance, project report, or preliminary engineering phase begins.

Complete Environmental: The date environmental clearance and project approval is achieved.

Begin Design: The date final design work begins, or the date when a design-build contract begins.

Complete Design: The date final design work is 100 percent complete and approved.

Construction Ready: The date contract bid documents are ready for advertisement, including certification of right-of-way, all agreements executed, contract constraints are cleared.

Advertise for Construction: The date a construction contract is both funded and advertised for bids.

Award Contract: The date the construction contract is awarded.

Construction Complete: The date all construction work is completed and the project is open to public use.

Acronyms

I-5 - Santa Ana Freeway (Interstate 5)

SR-73 - San Joaquin Freeway (State Route 73)

SR-55 - Costa Mesa Freeway (State Route 55)

SR-57 - Orange Freeway (State Route 57)

SR-91 - Riverside Freeway (State Route 91)

SR-22 - Garden Grove Freeway (State Route 22)

I-405 - San Diego Freeway (Interstate 405)

SR-241 - Foothill/Eastern Transportation Corridor (State Route 241)

I-605 - San Gabriel River Freeway (Interstate 605)

ADA - Americans with Disabilities Act

Capital Programs Division

Fiscal Year 2017-18 Performance Metrics Through March 2018

Begin Environmental

Project Description	FY 18 Qtr 1		FY 18 Qtr 2		FY 18 Qtr 3		FY 18 Qtr 4		FY 18 Fcst
	Fcst	Actual	Fcst	Actual	Fcst	Actual	Fcst	Actual	
No "Begin Environmental" milestones scheduled for fiscal year 2017-18									
Total Forecast/Actual	0	0	0	0	0	0	0	0	0

Complete Environmental

Project Description	FY 18 Qtr 1		FY 18 Qtr 2		FY 18 Qtr 3		FY 18 Qtr 4		FY 18 Fcst
	Fcst	Actual	Fcst	Actual	Fcst	Actual	Fcst	Actual	
SR-55, I-405 to I-5	X	✓							
17th Street Railroad Grade Separation			X	✓					
91 Express Lanes to SR-241 Toll Connector					X				
Total Forecast/Actual	1	1	1	1	1	0	0	0	3

Begin Design

Project Description	FY 18 Qtr 1		FY 18 Qtr 2		FY 18 Qtr 3		FY 18 Qtr 4		FY 18 Fcst
	Fcst	Actual	Fcst	Actual	Fcst	Actual	Fcst	Actual	
SR-55, I-405 to I-5	X	✓							
Anaheim Canyon Metrolink Station					X	✓			
Total Forecast/Actual	1	1	0	0	1	1	0	0	2

Complete Design

Project Description	FY 18 Qtr 1		FY 18 Qtr 2		FY 18 Qtr 3		FY 18 Qtr 4		FY 18 Fcst
	Fcst	Actual	Fcst	Actual	Fcst	Actual	Fcst	Actual	
SR-57 (Northbound), Orangethorpe Avenue to Lambert Road Landscape	X	✓							
OC Streetcar	X			✓					
I-5, Oso Parkway to Alicia Parkway			X	✓					
San Juan Capistrano Passing Siding			X						
I-5, SR-73 to Oso Parkway					X				
Total Forecast/Actual	2	1	2	2	1	0	0	0	5

Construction Ready

Project Description	FY 18 Qtr 1		FY 18 Qtr 2		FY 18 Qtr 3		FY 18 Qtr 4		FY 18 Fcst
	Fcst	Actual	Fcst	Actual	Fcst	Actual	Fcst	Actual	
Placentia Metrolink Station and Parking Structure	X								
I-5, SR-55 to SR-57			X	✓					
SR-57 (Northbound), Orangethorpe Avenue to Lambert Road Landscape			X	✓					
San Juan Capistrano Passing Siding			X						
OC Streetcar			X	✓					
I-5, Oso Parkway to Alicia Parkway							X		
Total Forecast/Actual	1	0	4	3	0	0	1	0	6

Advertise Construction

Project Description	FY 18 Qtr 1		FY 18 Qtr 2		FY 18 Qtr 3		FY 18 Qtr 4		FY 18 Fcst
	Fcst	Actual	Fcst	Actual	Fcst	Actual	Fcst	Actual	
SR-57 (Northbound), Katella Avenue to Lincoln Avenue Landscape	X	✓							
OC Streetcar			X	✓					
Placentia Metrolink Station and Parking Structure			X						
I-5, SR-55 to SR-57					X	✓			
SR-57 (Northbound), Orangethorpe Avenue to Lambert Road Landscape					X	✓			
San Juan Capistrano Passing Siding					X				
Total Forecast/Actual	1	1	2	1	3	2	0	0	6

Capital Programs Division

Fiscal Year 2017-18 Performance Metrics Through March 2018

Award Contract

Project Description	FY 18 Qtr 1		FY 18 Qtr 2		FY 18 Qtr 3		FY 18 Qtr 4		FY 18 Fcst
	Fcst	Actual	Fcst	Actual	Fcst	Actual	Fcst	Actual	
SR-57 (Northbound), Katella Avenue to Lincoln Avenue Landscape		✓	X						
SR-57 (Northbound), Orangethorpe Avenue to Lambert Road Landscape					X	✓			
Placentia Metrolink Station and Parking Structure					X				
I-5, SR-55 to SR-57							X		
OC Streetcar							X		
Total Forecast/Actual	0	1	1	0	2	1	2	0	5

Complete Construction

Project Description	FY 18 Qtr 1		FY 18 Qtr 2		FY 18 Qtr 3		FY 18 Qtr 4		FY 18 Fcst
	Fcst	Actual	Fcst	Actual	Fcst	Actual	Fcst	Actual	
I-5, Vista Hermosa to Pacific Coast Highway	X	✓							
Laguna Niguel/Mission Viejo Station ADA Ramps		✓	X						
I-405/SR-22/I-605 HOV Connector Landscape					X	✓			
State College Boulevard Railroad Grade Separation (Fullerton)					X	✓			
I-5, Pico to Vista Hermosa							X		
I-5, Pacific Coast Highway to San Juan Creek Road							X		
SR-91 (Westbound), I-5 to SR-57 Landscape				✓			X		
Total Forecast/Actual	1	2	1	1	2	2	3	0	7

Totals	7	7	11	8	10	6	6	0	34
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Begin Design: The date final design work begins or the date when a design-build contract begins.

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I-605 - San Gabriel River Freeway (Interstate 605)

I-405 - San Diego Freeway (Interstate 405)

SR-241 - Foothill/Eastern Transportation Corridor (State Route 241)

ADA - Americans with Disability Act

HOV - high-occupancy vehicle

X = milestone forecast in quarter

✓ = milestone accomplished in quarter