



BOARD AGENDA

Orange County Transportation Authority Board Meeting
Orange County Transportation Authority Headquarters
Board Room - Conference Room 07-08
550 South Main Street
Orange, California
FRIDAY, May 22, 2020 at 9:00 a.m.

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA Clerk of the Board, telephone (714) 560-5676, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Agenda Descriptions

The agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Board of Directors may take any action which it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

Public Availability of Agenda Materials

All documents relative to the items referenced in this agenda are available for public inspection at www.octa.net or through the Clerk of the Board's office at the OCTA Headquarters, 600 South Main Street, Orange, California.

Guidance for Public Access to the Board of Directors Meeting

On March 12, 2020 and March 18, 2020, Governor Gavin Newsom enacted Executive Orders N-25-20 and N-29-20 authorizing a local legislative body to hold public meetings via teleconferencing and make public meetings accessible telephonically or electronically to all members of the public to promote social distancing due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID-19).

In accordance with Executive Order N-29-20, and in order to ensure the safety of the Orange County Transportation Authority (OCTA) Board of Directors (Board) and staff and for the purposes of limiting the risk of COVID-19, in person public participation at public meetings of the OCTA will not be allowed during the time period covered by the above referenced Executive Orders.



BOARD AGENDA

Guidance for Public Access to the Board of Directors Meeting (Continued)

Instead, members of the public can listen to AUDIO live streaming of the Board and Committee meetings by clicking the below link:

<http://www.octa.net/About-OCTA/Who-We-Are/Board-of-Directors/Live-and-Archived-Audio/>

Public comments may be submitted for the upcoming Board and Committee meetings by emailing them to boardofdirectors@octa.net

If you wish to comment on a specific agenda Item, please identify the Item number in your email. All public comments that are timely received will be part of the public record and distributed to the Board. Public comments will be made available to the public upon request.

In order to ensure that staff has the ability to provide comments to the Board Members in a timely manner, please submit your public comments **30 minutes prior to the start time of the Board and Committee meeting date.**



BOARD AGENDA**Call to Order****Roll Call****Invocation**

Director Chaffee

Pledge of Allegiance

Chairman Jones

Special Calendar**Orange County Transportation Authority Special Calendar Matters****1. Coronavirus (COVID-19) Update**

Darrell E. Johnson

The Orange County Transportation Authority has been preparing for and is responding to the public health emergency caused by the coronavirus pandemic and closely monitoring the related transportation implications. Following the directions issued by Governor Gavin Newsom and County public implemented its Emergency Operations Plan and taken steps to ensure the health and safety of the public and Orange County Transportation Authority employees. An overview and update on these efforts are presented.



BOARD AGENDA**Consent Calendar (Items 2 through 21)**

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

Orange County Transportation Authority Consent Calendar Matters**2. Approval of Minutes**

Approval of the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of May 11, 2020.

3. Amendment to the 91 Express Lanes Riverside County Transportation Commission/Orange County Transportation Authority Facility Agreement

Kirk Avila/Darrell E. Johnson

Overview

The 91 Express Lanes Riverside County Transportation Commission/Orange County Transportation Authority Facility Agreement prescribes the funding transfers between the two agencies for costs incurred for the rent and any shared operational expenses in relation to the 91 Express Lanes. An amendment is needed to account for the reimbursement of shared operating costs incurred by the Riverside County Transportation Commission for the period July 1, 2020 through June 30, 2021.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Agreement No. C-5-3828 between the Orange County Transportation Authority and Riverside County Transportation Commission, in the amount of \$1,130,500, for the reimbursement of shared operational expenses through June 30, 2021.



BOARD AGENDA

4. Agreement for Average Vehicle Ridership Services Kristopher Hewkin/Maggie McJilton

Overview

As part of its responsibilities in the Regional Rideshare Partnership, the Orange County Transportation Authority provides services that help employers comply with the South Coast Air Quality Management District's Rule 2202 - On-Road Motor Vehicle Mitigation Options, including tracking average vehicle ridership. A procurement was conducted in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services for a consultant to provide average vehicle ridership services. Board of Directors' approval is requested to execute the agreement.

Recommendations

- A. Approve the selection of Innovative TDM Solutions as the firm to provide consulting services for the Orange County Transportation Authority's Average Vehicle Ridership (AVR) Program.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No.C-0-2167 between the Orange County Transportation Authority and Innovative TDM Solutions, in the amount of \$380,000, for the initial two-year term, with two, one-year option terms.

5. Fiscal Year 2019-20 Third Quarter Grant Reimbursement Status Report Sam Kaur/Andrew Oftelie

Overview

The Quarterly Grant Reimbursement Status Report summarizes grant activities for the Orange County Transportation Authority Board of Directors. This report focuses on activity for the third quarter of fiscal year 2019-20, covering January through March 2020.

Recommendation

Receive and file as an information item.



BOARD AGENDA

6. State Legislative Status Report

Alexis Leicht/Lance M. Larson

Overview

An update is provided on California's response to the novel coronavirus pandemic. Information is provided on the Governor's Task Force on Business and Jobs Recovery. An update is given on the Orange County Transportation's Authority's advocacy efforts. A verbal update will be provided on the Governor's May Revision.

Recommendation

Receive and file as an information item.

7. Federal Legislative Status Report

Dustin J. Sifford/Lance M. Larson

Overview

An update is provided on the federal response to the novel coronavirus pandemic, and efforts to improve the Transportation Infrastructure Finance and Infrastructure Act loan program as well as efforts to improve the federal discretionary grant process.

Recommendation

Receive and file as an information item.

8. Sole Source Agreement for Health Insurance Brokerage Services

Bea Maselli/Maggie McJilton

Overview

In order to continue participation in the California State Association of Counties Excess Insurance Authority's purchasing insurance pool for employee health and welfare insurance benefits, pool members are required to have Alliant Insurance Services, Inc. as their primary broker of record. A proposal was solicited and received from Alliant Insurance Services, Inc. as a sole source procurement for health insurance brokerage services. Board of Directors' approval is required for the firm to provide the services.



BOARD AGENDA**8. (Continued)****Recommendation**

Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2078 between the Orange County Transportation Authority and Alliant Insurance Services, Inc., in the amount of \$342,000, for a three-year initial term, effective June 1, 2020 through May 31, 2023, with one, two-year option term, to provide health insurance brokerage services.

Orange County Transit District Consent Calendar Matters**9. Agreement for Bus Hoist Replacement at the Garden Grove and Irvine Construction Circle Bus Bases**

George Olivo/James G. Beil

Overview

As part of the Orange County Transportation Authority Fiscal Year 2019-20 Budget, the Board of Directors approved replacement of the bus hoists at the Garden Grove and Irvine Construction Circle bus bases. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. Approval from the Board of Directors is requested to execute the agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1814 between the Orange County Transportation Authority and Southwest Lift & Equipment, Inc., the lowest responsive, responsible bidder, in the amount of \$314,810, for bus hoist replacement at the Garden Grove and Irvine Construction Circle bus bases.



BOARD AGENDA

10. Agreement for Power Generator Replacement at the Anaheim and Irvine Construction Circle Bus Bases

George Olivo/James G. Beil

Overview

On February 24, 2020, the Orange County Transportation Authority Board of Directors approved release of Invitation for Bids 0-2074 for power generator replacement at the Anaheim and Irvine Construction Circle bus bases. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. Approval from the Board of Directors is requested to execute the agreement.

Recommendations

- A. Find RT Contractor Corp., the apparent low bidder, as non-responsive for failure to sign and submit the Disclosure of Lobbying Activities form as required by the bid instructions, and for failure to submit Iran Contracting Act exemption documentation.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2074 between the Orange County Transportation Authority and Global Power Group, Inc., the lowest responsive, responsible bidder, in the amount of \$1,374,200, for power generator replacement at the Anaheim and Irvine Construction Circle bus bases.
- C. Authorize the use of \$574,200, in additional Senate Bill 1, Chapter 5, Statutes of 2017, State of Good Repair funds for a total of \$1,374,200, to support the above recommendations.
- D. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above actions.



BOARD AGENDA**11. Agreement for Electric Vehicle Charging Stations at the Garden Grove and Santa Ana Bus Bases**

George Olivo/James G. Beil

Overview

On February 24, 2020, the Orange County Transportation Authority Board of Directors approved release of Invitation for Bids 0-2071 for electric vehicle charging stations at the Garden Grove and Santa Ana bus bases. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. Approval from the Board of Directors is requested to execute the agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2071 between the Orange County Transportation Authority and Caliba, Inc., the lowest responsive, responsible bidder, in the amount of \$1,348,000, for electric vehicle charging stations at the Garden Grove and Santa Ana bus bases.

12. Agreement for Replacement of Heating and Ventilation Units at the Anaheim Bus Base Maintenance Building

George Olivo/James G. Beil

Overview

As part of the Orange County Transportation Authority Fiscal Year 2019-20 Budget, the Board of Directors approved replacement of heating and ventilation units at the Anaheim Bus Base maintenance building. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. Approval from the Board of Directors is requested to execute the agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2083 between the Orange County Transportation Authority and F.M. Thomas Air Conditioning, Inc., the lowest responsive, responsible bidder, in the amount of \$482,033, for replacement of heating and ventilation units at the Anaheim Bus Base maintenance building.



BOARD AGENDA

13. Amendment to Cooperative Agreement with the City of Laguna Beach for Public Transit Services

Sam Kaur/Andrew Oftelie

Overview

On June 11, 2018, the Orange County Transportation Authority Board of Directors approved a cooperative agreement with the City of Laguna Beach for the continued operation of public transit services. Board of Directors' approval is requested to amend the cooperative agreement to provide the City of Laguna Beach with additional funds from the Coronavirus Aid, Relief, and Economic Security Act.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1679 between the Orange County Transportation Authority and the City of Laguna Beach, in the amount of \$599,381, for the pass through of Coronavirus Aid, Relief, and Economic Security Act funding. This will increase the maximum obligation of the cooperative agreement to a total contract value of \$3,199,381.

14. Agreement for Technical Consulting Services for a Next Generation Fare Collection System and OC Streetcar Ticket Vending Machines

Sam Kaur/Andrew Oftelie

Overview

The Orange County Transportation Authority is seeking a consultant to provide technical consulting services to support the development and implementation of a next generation fare collection system and ticket vending machines for the OC Streetcar. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for these services.

Recommendations

- A. Approve the selection of Jacobs Engineering Group, Inc., as the firm to provide technical consulting services for the next generation fare collection system.



BOARD AGENDA**14. (Continued)**

- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2047 between the Orange County Transportation Authority and Jacobs Engineering Group, Inc., in the amount of \$870,000, for a three-year initial term with two, one-year option terms, to provide technical consulting services for the next generation fare collection system.

15. Approval to Release Request for Proposals for Armored Vehicle Transportation and Fare Collection Counting Services

Sam Kaur/Andrew Oftelie

Overview

The Orange County Transportation Authority uses contracted armored vehicle transportation services and fare collection. The current contract expires November 2020. Staff has developed a draft request for proposals which will be used to initiate the competitive process to select a contractor to provide these services.

Recommendations

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2256 for selection of a contractor to provide armored vehicle transportation and fare collection counting services.
- B. Approve the release of Request for Proposals 0-2256 to select a contractor to provide armored vehicle transportation and fare collection counting services for a term of seven years.

16. Amendment to Agreement for Mobility Management Services

Gracie A. Davis/Jennifer L. Bergener

Overview

On July 22, 2019, the Board of Directors approved an agreement with Mobility Management Partners, Inc., to provide travel training services for the mobility management program. An amendment is necessary to exercise the option term of the agreement. The initial term of the agreement expires July 31, 2020. In order to continue services, an amendment to exercise the two-year option term is necessary.



BOARD AGENDA

16. (Continued)

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-9-1244 between the Orange County Transportation Authority and Mobility Management Partners, Inc., in the amount of \$735,084, to exercise the option term of the agreement and include additional travel training services, from August 1, 2020 to July 31, 2022. This will increase the maximum obligation of the agreement to a total contract value of \$983,995.

17. Sole Source Agreements for the Purchase of Trapeze Software Group, Inc., Software Modules

Jack Garate/Jennifer L. Bergener

Overview

The Orange County Transportation Authority utilizes software from Trapeze Software Group, Inc., to schedule trip requests for the OC ACCESS paratransit service. Staff is recommending the purchase of three additional software modules from Trapeze Software Group, Inc., to enhance customer service, system monitoring, and operational efficiency.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2125 between the Orange County Transportation Authority and Trapeze Software Group, Inc., in the amount of \$104,356, for the sole source purchase and installation of the Trapeze DriverMate software module.
- B. Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2126 between the Orange County Transportation Authority and Trapeze Software Group, Inc., in the amount of \$93,388, for the sole source purchase and installation of the Trapeze Eligibility Management and the Trapeze Service Infractions software modules.



BOARD AGENDA

18. Amendment to Cooperative Agreement with the Regional Center of Orange County

Jack Garate/Jennifer L. Bergener

Overview

On June 25, 2018, the Board of Directors approved a cooperative agreement with the Regional Center of Orange County to share in the cost of providing paratransit service to Regional Center of Orange County consumers for a two-year initial term with two, two-year option terms. The initial term of the current agreement expires June 30, 2020, and an amendment is required to exercise the first option term and extend the term of the agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1735 between the Orange County Transportation Authority and the Regional Center of Orange County to exercise the first option term to share in the cost of paratransit services provided to Regional Center of Orange County consumers through June 30, 2022.

19. Sole Source Agreement for the Purchase of HASTUS Operations Scheduling Software Upgrade Version 2020

Sergio Hernandez/Jennifer L. Bergener

Overview

As part of the Orange County Transportation Authority Fiscal Year 2019-20 Budget, the Board of Directors approved funds to upgrade the HASTUS operations scheduling software from version 2013 to version 2020. A proposal was solicited and received from GIRO, Inc., as a sole source procurement for this upgrade. Board of Directors' approval is requested to award an agreement for the Hastus software upgrade.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2001 between the Orange County Transportation Authority and GIRO, Inc., in the amount of \$1,360,799, for the upgrade of the HASTUS operations scheduling software from version 2013 to version 2020.



BOARD AGENDA**20. Amendment to Cooperative Agreements with Special Agencies for the Provision of Special Transportation Services**

Joanne Jacobsen/Jennifer L. Bergener

Overview

The Orange County Transportation Authority contracts with special agencies to assist in providing and managing the demand for OC ACCESS service. The special agencies provide services to OC ACCESS eligible seniors, people with dementia, and people with intellectual and physical disabilities. On October 22, 2018, the Board of Directors approved five-year cooperative agreements with six agencies to provide this service. These cooperative agreements are to be amended each year to adjust the per trip rate and the maximum obligations.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1917 between the Orange County Transportation Authority and Acacia Adult Day Services, for continued services in the amount of \$626,620, and to adjust the per trip rate to \$16.49, effective July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$1,302,621.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No.1 to Cooperative Agreement No. C-8-1918 between the Orange County Transportation Authority and Alzheimer's Family Service Center, for continued services in the amount of \$610,130, and to adjust the per trip rate to \$16.49, effective from July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$ 1,343,599.
- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1919 between the Orange County Transportation Authority and Alzheimer's Orange County, for continued services in the amount of \$206,125, and to adjust the per trip rate to \$16.49 effective from July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$ 566,323.



BOARD AGENDA

20. (Continued)

- D. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1920 between the Orange County Transportation Authority and Community SeniorServ, for continued services in the amount of \$593,640, and to adjust the per trip rate to \$16.49 effective from July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$1,362,793.
- E. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1921 between the Orange County Transportation Authority and My Day Counts, for continued services in the amount of \$1,406,007, and to adjust the per trip rate to \$16.07, and the Regional Center of Orange County pass-through per trip rate to \$6.14 effective from July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$3,111,668.

21. **Amendment to Cooperative Agreements with Non-Profit Agencies to Provide Senior Mobility Program Services**

Joanne Jacobsen/Jennifer L. Bergener

Overview

The Senior Mobility Program is designed to offer transportation alternatives to seniors in addition to local fixed-route and paratransit service. There are currently three non-profit agencies that participate in the Senior Mobility Program and receive funding from local sources other than Measure M2 to support the services. The current funding agreements with these three agencies require amendments to include fiscal year 2020-21 funding in order to continue the service.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Cooperative Agreement No. C-1-2490 between the Orange County Transportation Authority and Abrazar, Inc., in the amount of \$91,989, to provide funding through June 30, 2021.



BOARD AGENDA

21. (Continued)

- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 8 to Cooperative Agreement No. C-1-2491 between the Orange County Transportation Authority and Korean American Senior Association, in the amount of \$113,092, to provide funding through June 30, 2021.
- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Cooperative Agreement No. C-1-2492 between the Orange County Transportation Authority and Southland Integrated Services, Inc., in the amount of \$99,441, to provide funding through June 30, 2021.

Regular Calendar

Orange County Transportation Authority Regular Calendar Matters

22. Agreement for Operations and Maintenance Services for the OC Streetcar Project

Cleve Cleveland/Jennifer L. Bergener

Overview

The Orange County Transportation Authority is underway with construction of the OC Streetcar, and services are required to operate and maintain the system. A competitive procurement has been conducted, and offers were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for operations and maintenance services for the OC Streetcar.

Recommendations

- A. Approve the selection of Herzog Transit Services, Inc. as the firm to provide operations and maintenance services for the OC Streetcar Project.



BOARD AGENDA**22. (Continued)**

- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-8-2039 between the Orange County Transportation Authority and Herzog Transit Services, Inc., in the amount of \$45,065,590, for operations and maintenance services for the OC Streetcar Project for an initial start-up and pre-revenue period, and a five-year revenue term, with two, two-year option terms.

Orange County Transit District Regular Calendar Matters**23. June 2020 Bus Service Change**

Gary Hewitt/Kia Mortazavi

Overview

The June 2020 bus service change consists of adjustments to bus service levels that account for the novel coronavirus pandemic effects. The changes include increases in frequency on higher ridership routes and restoration of service on some routes that were suspended in March 2020. The June service change strikes a balance between anticipated increased customer demand, social distancing, and coach operator availability. The primary strategy is to transition the current service to Saturday service levels.

Recommendation

Receive and file as an information item.



BOARD AGENDA

Orange County Local Transportation Authority Regular Calendar Matters

24. Measure M2 Senior Mobility Program Temporary Guideline Requirement Suspension

Joanne Jacobsen/Jennifer L. Bergener

Overview

The Measure M2 Senior Mobility Program provides funding to eligible local jurisdictions interested in providing transit services that best meet the needs of seniors living within their community. Due to the impacts of the novel coronavirus, a primary service provider for several jurisdictions has terminated its operations with limited notice. The affected agencies need temporary relief from the third-party contracting requirements to allow for continuity of service. A recommended temporary suspension to the program guidelines is presented for Board of Directors' consideration.

Recommendation

Approve a temporary suspension effective June 1, 2020 to May 31, 2021 of the Senior Mobility Program guideline requirement related to procuring third-party contracted transportation service using a competitive bidding process. OCTA expects that best efforts are applied to ensure that contracts entered into are the most cost effective available.

25. Interstate 405 Improvement Project Update

Jeff Mills/James G. Beil

Overview

The Orange County Transportation Authority is currently underway with the implementation of the Interstate 405 Improvement Project. This report provides a project update.

Recommendation

Receive and file as an information item.



BOARD AGENDA

Discussion Items

- 26. 2020 Board of Directors and Chief Executive Officer Initiatives and Action Plan - First Quarter Progress Report and Revised Action Plan**
Darrell E. Johnson

On January 27, 2020, the Orange County Transportation Authority's Board of Directors and the Chief Executive Officer identified a set of priority goals and a supporting Action Plan. Quarterly progress reports are prepared sharing activities and accomplishments. In light of the unprecedented novel coronavirus pandemic, a review of the Action Plan was completed. This report summarizes the first quarter activities of calendar year, January through March 2020, and includes the revised Action Plan.

- 27. Public Comments**
- 28. Chief Executive Officer's Report**
- 29. Directors' Reports**
- 30. Closed Session**

There are no Closed Session items scheduled.

- 31. Adjournment**

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, June 8, 2020**, at the Orange County Transportation Authority Headquarters, Board Room - Conference Room 07-08, 550 South Main Street, Orange, California.

Minutes of the
Orange County Transportation Authority
Orange County Transit District
Orange County Local Transportation Authority
Orange County Service Authority for Freeway Emergencies
Board of Directors Meeting

Call to Order

The May 11, 2020 regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Jones at 9:02 a.m. at the OCTA Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

Roll Call

The Clerk of the Board conducted an attendance Roll Call and announced there was quorum of the Board of Directors (Board) as follows:

Directors Present: Steve Jones, Chairman

Via teleconference:

Andrew Do, Vice Chairman

Lisa A. Bartlett

Doug Chaffee

Laurie Davies

Barbara Delgleize

Michael Hennessey

Gene Hernandez

Joseph Muller

Mark A. Murphy

Richard Murphy

Miguel Pulido

Tim Shaw

Harry S. Sidhu

Michelle Steel

Donald P. Wagner

Gregory T. Winterbottom

Ryan Chamberlain, District Director

California Department of Transportation District 12

Director Absent: None

Also Present: Darrell E. Johnson, Chief Executive Officer (CEO)
Jennifer L. Bergener, Deputy CEO/Chief Operation Officer
Laurena Weinert, Clerk of the Board (COB)
Martha Ochoa, Assistant COB
James Donich, General Counsel (teleconference)

Invocation

Director Hernandez gave the invocation.

Pledge of Allegiance

Chairman Jones led in the Pledge of Allegiance.

Special Calendar

Orange County Transportation Authority Special Calendar Matters

1. Metrolink Update: Performance Overview, COVID-19 Response, Budget Development

Stephanie Wiggins, CEO of Southern California Regional Rail Authority (Metrolink), provided a PowerPoint presentation as follows:

- Service Performance – February 2020;
- Ridership Update – February 2020
 - Ridership Change from Prior Year;
- A More Environmentally Friendly Metrolink;
- Ridership Update – February 2020 Highlights;
- Coronavirus (COVID-19): Impact & Response;
- Orange County Line Ridership
 - March 2 – April 9 Weekday Boardings;
- Inland Empire – Orange County Ridership
 - March 2 – April 9 Weekday Boardings;
- 91-Perris Valley Ridership
 - March 2 – April 9 Weekday Boardings;
- COVID-19: Key Actions;
- Recovery Plan Framework;
- Fiscal Year 20 Cost Containment Strategies - Underway;
- Operating Surplus;
- Continuing Appropriations Request; and
- Next Steps.

Director Muller asked how often the electrostatic disinfectant is sprayed. Ms. Wiggins stated that the spray cleaning is performed once in the evening. A discussion ensued that there are challenges with spraying when passengers are on the train. Director Muller suggested reviewing ways to disinfect more often on the train.

No action was taken on this information item.

2. Coronavirus (COVID-19) Update

Darrell E. Johnson, CEO, provided an update on OCTA's efforts to proactively respond to the COVID-19 pandemic, and referenced the memo emailed to the Board in advance of today's Board meeting.

A discussion ensued regarding the following:

- Directors Delgleize and Steel thanked staff for the fast response regarding Director Steel's request to provide hand sanitizer stations on the buses for the passengers.
- Director Steel stated coach operators mentioned that restrooms previously available have been closed.
- OCTA's field supervision team reviewed and worked with opened businesses to ensure coach operators can safely use the restroom at their layover.
- Director Pulido inquired about masks for bus passengers.
- OCTA suggested that bus passengers wear masks and not a requirement per the guidance from the state transportation agency and Federal Transit Administration.
- If passengers are required to wear a mask, OCTA would model the requirement after the Los Angeles County Metropolitan Transportation Authority. Additionally, OCTA would not provide masks to the passengers and ask the coach operators to use judgement.
- Director Wagner inquired about the impacts to recent Governor's Executive Order (EO) regarding workers' compensation benefits for workers that contract COVID-19 while working outside their home during the stay-at-home order.
- OCTA is concerned with the recent workers' compensation EO and joining the California Transit Association to express concerns and opposition. Also, OCTA is reviewing the fiscal impacts to the workers' compensation EO.

No action was taken on this information item.

Consent Calendar (Items 3 through 11)

Orange County Transportation Authority Consent Calendar Matters

3. Approval of Minutes

A motion was made by Director Davies, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of April 27, 2020.

4. Adoption of the Orange County Transportation Authority's Public Transportation Agency Safety Plan

A motion was made by Director Davies, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to adopt the Public Transportation Agency Safety Plan as required under 49 CFR Part 673.

5. Regional Planning Update

A motion was made by Director Davies, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to receive and file as an information item.

6. 2020 State Transportation Improvement Program Update

A motion was made by Director Davies, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to:

- A. Authorize the use of up to \$3 million in Measure M2 funds for the Interstate 605 Katella Interchange Project.
- B. Authorize the use of up to \$5.5 million in federal Surface Transportation Block Grant funds for the Interstate 5 Managed Lanes Project from Avenida Pico to the Orange County/San Diego County line area.
- C. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above actions.

Orange County Local Transportation Authority Consent Calendar Matters

7. Third Quarter Fiscal Year 2019-20 Capital Action Plan and Performance Metrics Report

A motion was made by Director Davies, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to receive and file as an information item.

8. Contract Change Order for the Interstate 405 Improvement Project from State Route 73 to Interstate 605 - Utility Work at Almond Avenue

A motion was made by Director Davies, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 72 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$1,843,329, to provide additional utility work to support Southern California Edison and Frontier Communications relocation efforts on Almond Avenue.

9. Cooperative Agreements with the California Department of Transportation for the 91 Express Lanes Toll Entrance Gantries Infrastructure Project

A motion was made by Director Davies, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to:

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-0-2275 between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$115,000, to provide reimbursement for final plans, specifications, and estimate, construction bid documents, and advertisement and award of the construction contract for the 91 Express Lanes toll entrance gantries infrastructure project.
- B. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-0-2276 between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$1,950,000, to provide reimbursement for construction capital funding and construction management services for the 91 Express Lanes toll entrance gantries infrastructure project.

10. Cooperative Agreement with the California Department of Transportation for the Interstate 605/Katella Avenue Interchange Improvement Project

A motion was made by Director Davies, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-0-2199 between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$300,000, to provide oversight of the plans, specifications, and estimates, and to advertise and award the construction contract for the Interstate 605/Katella Avenue Interchange improvement project.

11. Comprehensive Transportation Funding Programs - 2020 Call for Projects Programming Recommendations

A motion was made by Director Davies seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to:

- A. Approve the award of \$23.4 million in 2020 Measure M2 Regional Capacity Program (Project O) funds to eight local agency projects.
- B. Approve the award of \$12.1 million in 2020 Measure M2 Regional Traffic Signal Synchronization Program (Project P) funds to six local agency projects.

Regular Calendar

Orange County Transit District Regular Calendar Matters

12. Agreement for the Development and Implementation of a New Mobile Ticketing Application

Sam Kaur, Department Manager for Revenue and Grants Administration, reported on the background, procurement approach, and highlighted the recommendations.

A motion was made by Director Hernandez, seconded by Vice Chairman Do, and following a roll call vote, declared passed 17-0, to:

- A. Approve the selection of Bytemark, Inc., as the firm to develop, host, license, and maintain a mobile ticketing application.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2067 between the Orange County Transportation Authority and Bytemark, Inc., in the amount of \$1,117,423, for a five-year initial term, with two, two-year option terms for the development, hosting, license, and maintenance of a mobile ticketing application.
- C. Amend the Orange County Transportation Authority's Fiscal Year 2019-20 Budget, in the amount of \$1,117,423, to accommodate Agreement No. C-0-2067 for the development, hosting, license, and maintenance of a mobile ticketing application.

Orange County Local Transportation Authority Regular Calendar Matters

13. Proposed Amendment to the Orange County Local Transportation Authority Measure M2 Ordinance No. 3

Darrell E. Johnson, CEO, provided opening comments, and Kia Mortazavi, Executive Director of Planning reported on the background and reason for the proposed temporary amendment. Additionally, James Donich, OCTA's General Counsel, highlighted the Measure M2 Ordinance process for an amendment.

A motion was made by Vice Chairman Do, seconded by Director Steel, and following a roll call vote, declared passed 17-0, to:

- A. Direct staff to initiate the process to amend the Orange County Local Transportation Authority Measure M2 Ordinance No. 3 to address the anticipated near-term negative growth in general fund revenues as it relates to the maintenance of effort requirement.
- B. Direct staff to set a date of June 22, 2020, for a public hearing and Board of Directors action to consider adoption of the amendment to the Orange County Local Transportation Authority Measure M2 Ordinance No. 3 as it relates to the maintenance of effort requirement.
- C. Approve updates to the Fiscal Year 2020-21 Measure M2 Eligibility Guidelines, including revised maintenance of effort forms addressing the changes needed to implement the proposed amendment.

14. Update on State Route 55 Improvement Project from Interstate 405 to Interstate 5

Ross Lew, Program Manager, Capital Programs, and Calina North, Community Relations Specialist, External Affairs, co-presented a PowerPoint as follows:

- Project Limits;
- Background;
- Project Improvements;
- Project Update;
- Project Schedule;
- Next Steps; and
- Public Outreach.

14. (Continued)

A discussion ensued regarding the following:

- Director Shaw inquired about the travel time savings for the highway and high-occupancy vehicle (HOV) lanes, and staff stated the savings time is about one to four minutes for both the highway and HOV lanes.
- Director Wagner inquired about the reason for spending so much for so little benefit, and staff highlighted the benefits for this project's four-mile segment.
- Director Muller inquired about the traffic analysis data, and staff responded that a traffic analysis was performed and completed as part of the environmental approval process.
- Vice Chairman Do inquired if there is an urgency for the project and provided concerns/comments about the traffic patterns changing especially post COVID-19. Staff responded that the traffic demand changes are unknown, suggested not to delay, and there is a funding package for the project.
- Director Delgleize commented that over the next few years there will be housing built in the area, provided other related comments, and recommended not to delay the project.
- Director Pulido commented that the general plan amendment in the area of the project will have a lot of ongoing traffic demands and highlighted benefits the project will bring to the area.
- Director Hennessey stated that when this project was being considered it was thoroughly discussed, and he supports the project as it will provide benefits to the area.

A motion was made by Director Pulido, seconded by Director Delgleize, and following a roll call vote, declared passed 16-1, to direct staff to continue the implementation of the State Route 55 improvement project from Interstate 405 to Interstate 5 through construction as included in the Next 10 Delivery Plan.

Vice Chairman Do voted in opposition.

15. Public Comments

There were no public comments received.

16. Chief Executive Officer's Report

There was no CEO's report.

17. Directors' Reports

There were no Director's reports.

18. Closed Session

There were no Closed Session items scheduled.

19. Orange County Transportation Authority Fiscal Year 2020-21 Budget Workshop

Darrell E. Johnson, CEO, provided opening comments for the fiscal year 2019-20 budget workshop, and introduced Andrew Oftelie, Chief Financial Officer, who provided a PowerPoint presentation as follows:

- Budget Themes;
- COVID-19 Impacts;
- Budget Overview – COVID-19 – Impact: Moderate
- Planned Use of Prior Year Designations – Impact: Low;
- Budget Sources & Uses – Impact: Moderate;
- Revenues – Impact: High;
- Sales Tax Revenue – Impact: High;
- Expenditures – Impact: Moderate;
- Key Expenditures by Fund – Impact: Moderate;
- Staffing Levels – Impact: Moderate;
- Summary; and
- Next Steps.

A discussion ensued, and staff will note the budget workshop questions and answers to be provided to the Board Members as a handout at each upcoming committee meeting during the months of May and June prior to the fiscal year 2020-21 budget public hearing scheduled for the June 8, 2020 Board meeting.

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

20. Adjournment

The meeting adjourned at 10:49 a.m.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Friday, May 22, 2020**, at the OCTA Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

ATTEST:

Laurena Weinert
Clerk of the Board

Steve Jones
Chairman



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors

From: Laurena Weinert, ^{LM} Clerk of the Board

Subject: Amendment to the 91 Express Lanes Riverside County Transportation Commission / Orange County Transportation Authority Facility Agreement

Finance and Administration Committee Meeting of May 13, 2020

Present: Directors Do, Hennessey, Hernandez, Jones, Muller, R. Murphy, and Steel

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 7-0 by the Members present.

Committee Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Agreement No. C-5-3828 between the Orange County Transportation Authority and Riverside County Transportation Commission, in the amount of \$1,130,500, for the reimbursement of shared operational expenses through June 30, 2021.



May 13, 2020

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Amendment to the 91 Express Lanes Riverside County Transportation Commission / Orange County Transportation Authority Facility Agreement

Overview

The 91 Express Lanes Riverside County Transportation Commission/ Orange County Transportation Authority Facility Agreement prescribes the funding transfers between the two agencies for costs incurred for the rent and any shared operational expenses in relation to the 91 Express Lanes. An amendment is needed to account for the reimbursement of shared operating costs incurred by the Riverside County Transportation Commission for the period July 1, 2020 through June 30, 2021.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Agreement No. C-5-3828 between the Orange County Transportation Authority and Riverside County Transportation Commission, in the amount of \$1,130,500, for the reimbursement of shared operational expenses through June 30, 2021.

Discussion

In order to facilitate the exchange of funds between the two agencies, the 91 Express Lanes Riverside County Transportation Commission (RCTC) / Orange County Transportation Authority (OCTA) Facility Agreement (ROFA) was executed in November 2015. This agreement prescribes the funding transfers between the two agencies for costs incurred for the rent and any shared operational expenses in relation to the 91 Express Lanes. Under the terms of ROFA, both agencies are to establish an annual fiscal year amount for the funding and payment of joint operating costs each year. Staff has identified the shared operational expenses and has assigned responsibility for the administration and payment of these expenses. An amendment to the ROFA is required, in the amount of \$1,130,500, to reimburse RCTC for joint operating costs incurred

**Amendment to the 91 Express Lanes Riverside County Page 2
Transportation Commission / Orange County Transportation
Authority Facility Agreement**

through June 30, 2021, by RCTC. Due to the novel coronavirus pandemic, operating costs have been reduced as the result of the decrease in trips and customer transactions. Some of the operating costs that were reduced include credit card processing fees, transponder purchases, and collection services.

Funding for Amendment No. 5 to Agreement No. C-5-3828 is included in OCTA's proposed Fiscal Year 2020-21 Budget, 91 Express Lanes Account.

Summary

Staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Agreement No. C-5-3828 between OCTA and RCTC, in the amount of \$1,130,500, for the reimbursement of shared operational expenses through June 30, 2021.

Attachment

- A. Riverside County Transportation Commission – Orange County Transportation Authority Facility Agreement No. C-5-3828 Fact Sheet

Prepared by:



Kirk Avila
General Manager
Express Lanes Programs
(714) 560-5674



Virginia Abadessa
Director, Contracts Administration and
Materials Management
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**Riverside County Transportation Commission –
Orange County Transportation Authority Facility
Agreement No. C-5-3828 Fact Sheet**

1. September 28, 2015, \$515,793, approved by Board of Directors (Board).
 - Authorized payment to the Riverside County Transportation Commission (RCTC) for reimbursement of tenant improvements for the 91 Express Lanes Anaheim Office.
 - Authorized facility agreement with RCTC pertaining to funding exchanges for rent, leasehold improvements, and any shared improvements implemented by the Orange County Transportation Authority and RCTC.
2. October 26, 2016, Amendment No. 1 to Agreement No. C-5-3828, \$0.00, approved by Contracts Administration and Materials Management.
 - Amendment set forth terms pertaining to the construction of tenant improvements to, and the payment of rent for, the Customer Service Center in conjunction with operation of the RCTC 91 Express Lanes.
3. March 27, 2017, Amendment No. 2 to Agreement No. C-5-3828, \$431,308, approved by the Board.
 - Amendment for the reimbursement of shared operational expenses for the 91 Express Lanes through June 30, 2018.
4. June 25, 2018, Amendment No. 3 to Agreement No. C-5-3828, \$2,078,750, approved by the Board.
 - Amendment for the reimbursement of shared operational expenses for the 91 Express Lanes through June 30, 2019.
5. May 24, 2019, Amendment No. 4 to Agreement No. C-5-3828, \$917,000, approved by the Board.
 - Amendment for the reimbursement of shared operational expenses for the 91 Express Lanes through June 30, 2020.
6. May 22, 2020, Amendment No. 5 to Agreement No. C-5-3828, \$1,130,500, pending Board approval.
 - Amendment for the reimbursement of shared operational expenses for the 91 Express Lanes through June 30, 2021.

Total committed to Agreement No. C-5-3828: \$5,073,351.



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors
From: Laurena Weinert, Clerk of the Board
Subject: Agreement for Average Vehicle Ridership Services

Legislative and Communications Committee Meeting of May 21, 2020

Present: Directors Bartlett, Davies, Delgleize, Hennessey, Hernandez, Wagner, and Winterbottom
Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 7-0 by the Members present.

Committee Recommendations

- A. Approve the selection of Innovative TDM Solutions as the firm to provide consulting services for the Orange County Transportation Authority's Average Vehicle Ridership (AVR) Program.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No.C-0-2167 between the Orange County Transportation Authority and Innovative TDM Solutions, in the amount of \$380,000, for the initial two-year term, with two, one-year option terms.



May 21, 2020

To: Legislative and Communications Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Agreement for Average Vehicle Ridership Services Provider

Overview

As part of its responsibilities in the Regional Rideshare Partnership, the Orange County Transportation Authority provides services that help employers comply with the South Coast Air Quality Management District's Rule 2202 - On-Road Motor Vehicle Mitigation Options, including tracking average vehicle ridership. A procurement was conducted in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services for a consultant to provide average vehicle ridership services. Board of Directors' approval is requested to execute the agreement.

Recommendations

- A. Approve the selection of Innovative TDM Solutions as the firm to provide consulting services for the Orange County Transportation Authority's Average Vehicle Ridership (AVR) Program.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No.C-0-2167 between the Orange County Transportation Authority and Innovative TDM Solutions, in the amount of \$380,000, for the initial two-year term, with two, one-year option terms.

Discussion

The Orange County Transportation Authority (OCTA) serves as the county transportation commission (CTC) for Orange County. OCTA and the following CTCs form the Regional Rideshare Partnership:

- 1. Los Angeles County Metropolitan Transportation Authority
- 2. Riverside County Transportation Commission
- 3. San Bernardino County Transportation Authority

4. Ventura County Transportation Commission

The CTCs have been jointly providing regional rideshare services to employers since the Southern California Association of Governments (SCAG) ceased to provide these services in 2003. In this context, “rideshare” refers to all modes of transportation other than driving alone to work, including commuting to work by bus, train, carpool, vanpool, walking, and biking - all which reduce congestion and improve air quality.

Like other CTCs in the South Coast Air Basin, OCTA provides services that help employers comply with the South Coast Air Quality Management District’s (South Coast AQMD) Rule 2202 - On-Road Motor Vehicle Mitigation Options, which provides employers of 250 or more employees with a number of options to reduce mobile-source emissions generated from employee commutes, to comply with federal and state Clean Air Act requirements.

Employers seeking to reduce the number of vehicles traveling to their worksite(s) must survey their employees annually to calculate Average Vehicle Ridership (AVR), which, in broad terms, is calculated by the number of employees arriving to a worksite divided by the number of vehicles. The South Coast AQMD established an AVR target of 1.50 for Orange County employers, which represents an average ratio of 1.50 employees per vehicle arriving to the worksite.

Working with a consultant, OCTA facilitates the annual employer transportation survey and AVR calculation services, as well as provides individualized RideGuides to employees, to help achieve Rule 2202 compliance. OCTA’s current contract for AVR services will expire on June 30, 2020, and staff is requesting a new agreement with a consultant to continue to provide AVR services to employers.

Since 2006, OCTA has worked with a consultant to survey:

- 806 employers
- 1,786 worksites
- 791,187 commuters

Data from these surveys is stored in the regional rideshare database, jointly developed, maintained, and owned by the Regional Rideshare Partnership. OCTA and the other CTCs use the data to promote ridesharing alternatives and demonstrate the impact of ridesharing (and telecommuting) on congestion and air quality.

Based on aggregate survey results for fiscal year 2018-19 with 357 employer worksites and 73,312 employees surveyed, the following key metrics were reported to highlight the benefits of ridesharing as an alternative to driving in single-occupancy vehicles:

- vehicle miles traveled were reduced by 3,543,002 miles,
- commuters saved \$2,090,371 in vehicle operation costs, and
- total pollutants were reduced by 4,058,176 pounds.

Regional Rideshare Database and RideMatch.info Website

The AVR survey data contained in the regional rideshare database also provides the backbone for the regional ridematching website, RideMatch.info, which provides tools for public transit trip planning, carpool matching, and vanpool formation and retention. The database also provides viable leads to grow the OC Vanpool program, OCTA's Perk Pass Program for bus commuters, and Metrolink's Corporate Partner Pass Program. The CTC's regional rideshare database contains approximately 500,000 commuters, which is the largest ridematching database in the country.

Individualized RideGuides for Commuters

When completing an AVR survey, employees can opt-in to receive RideGuides with individualized ridesharing recommendations based on their home and work location, work hours, bus and train schedules, vanpool availability, and park-and-ride lot locations. Since 2006, OCTA has worked with an AVR services consultant to distribute 157,108 paper and electronic RideGuides, helping employees to rideshare and employers to reduce the number of vehicles traveling to worksites, helping to reduce congestion and improve air quality.

Procurement Approach

This procurement was handled in accordance with OCTA Board of Directors (Board)-approved procedures for professional and technical services. In addition to cost, many other factors are considered in an award for professional and technical services. Award is recommended to the comprehensive overall proposal considering such factors as project organization and staffing, prior experience with similar projects, work plan, and a fair and reasonable price structure.

On March 11, 2020, Request for Proposals (RFP) 0-2617 was issued electronically on CAMM NET. The project was advertised on March 11 and 18, 2020, in a newspaper of general circulation. Three Addenda

were issued to make available the pre-proposal presentation and to respond to written questions. On March 31, 2020, one proposal was received from Innovative TDM Solutions.

- | | |
|-------------------------------------|-----|
| • Qualifications of the Firm | 30% |
| • Staffing and Project Organization | 25% |
| • Work Plan | 25% |
| • Cost and Price | 20% |

Several factors were considered in developing the evaluation criteria weights. Qualifications of the firm was weighted the highest at 30 percent to emphasize the importance of the proposing firms having qualifications for the highly specific and niche nature of the work required. Staffing and project organization and work plan were weighted at 25 percent each to ensure firms demonstrated a thorough understanding of the work required and the methods needed to deliver with satisfactory results. Cost was also important with a 20 percent weight to ensure value is received for the services provided.

On April 8, 2020, the evaluation committee reviewed the one proposal received based on the evaluation criteria. An interview with this firm was held on April 15, 2020.

In accordance with OCTA procurement policies and procedures, a single proposal received for a procurement over \$50,000 requires OCTA Internal Audit Department (Internal Audit) to conduct a review to determine if there was adequate competition. In addition, the Contracts Administration Materials Management (Camm) Department contacted several vendors from the bid list to inquire why they did not submit proposals. One firm stated that upon further review, it was determined their services did not completely align with those requested in the RFP. Another firm determined the project did not fit its current capabilities at this time. A third firm did not submit a response to the RFP given its limited capacity. A fourth firm determined that it did not have the qualifications to be competitive, and a fifth firm did not submit a proposal because they determined that they could not deliver all the tasks included in the scope of work.

Innovative TDM Solutions, the incumbent firm, has been supporting this project for over 15 years and is providing OCTA with fair and reasonable pricing, based on historical, as well as current contract rates for these services.

Qualifications of the Firm

Innovative TDM Solutions has demonstrated direct relevant experience and capabilities in all aspects of the services requested. The firm has demonstrated experience providing similar services to other transit agencies in addition to OCTA. Innovative TDM Solutions has been the consultant providing these services to OCTA since 2005.

Staffing and Project Organization

Innovative TDM Solutions has proposed adequate staff resources to support the program. The project manager and key personnel proposed by the firm are all qualified and demonstrate extensive knowledge of the program requirements. The proposed project staff demonstrated familiarity with all aspects of the AVR survey process. During the interview, Innovative TDM Solutions was able to demonstrate protocols being implemented to anticipate disruptions associated with novel coronavirus (COVID-19) and ways to enhance the program for efficiency.

Work Plan

The work plan proposed by the firm conformed to the scope of work identified in the RFP. The firm, through their proposal, also demonstrated their ability to provide the software and mechanism to see the process from beginning to end.

Cost and Price

Innovative TDM Solutions proposed rates are similar to the current contract task fees, which OCTA pays under the current contract for AVR services.

Procurement Summary

Based on the evaluation of the written proposal, the firm's qualifications, and the information obtained from the interview, the evaluation committee recommends the selection of Innovative TDM Solutions as the consultant for ridership program consulting services. The Innovative TDM Solutions demonstrated strong relevant experience and submitted a thorough and comprehensive proposal that was responsive to all requirements of the RFP. The agreement will be for a two-year term with a not-to-exceed amount of \$380,000 with two, one-year option terms.

Fiscal Impact

The program is funded with Federal Transit Authority (FTA) grant funds in Account No. 1841-7519-A2237-L75.

Summary

Based on the information provided, staff recommends the Board authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2167 with Innovative TDM Solutions in the amount of \$380,000, to provide Average Vehicle Ridership services for an initial term of two years.

Attachment

None.

Prepared by:



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Marketing Department
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Approved by:



Maggie McJilton
Interim Executive Director,
External Affairs
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Virginia Abadessa
Director, Contracts Administration
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COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Fiscal Year 2019-20 Third Quarter Grant Reimbursement Status Report

Finance and Administration Committee Meeting of May 13, 2020

Present: Directors Do, Hennessey, Hernandez, Jones, Muller, R. Murphy, and Steel

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 7-0 by the Members present.

Committee Recommendation

Receive and file as an information item.



May 13, 2020

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Fiscal Year 2019-20 Third Quarter Grant Reimbursement Status Report

Overview

The Quarterly Grant Reimbursement Status Report summarizes grant activities for the Orange County Transportation Authority Board of Directors. This report focuses on activity for the third quarter of fiscal year 2019-20, covering January through March 2020.

Recommendation

Receive and file as an information item.

Discussion

The Orange County Transportation Authority (OCTA) has secured grant funding from federal and state grant agencies to deliver programs, projects, and services to improve mobility in Orange County. The use of these funds is consistent with capital programming policies approved by OCTA's Board of Directors. The Quarterly Grant Reimbursement Status Report summarizes awarded/executed, current, pending close-out, and closed grant agreements.

Awarded/Executed Grant Agreements:

OCTA executed one formula and two discretionary grants during the third quarter, which are summarized below.

Federal fiscal year (FFY) 2019 Federal Transit Administration (FTA) Section 5310 Enhanced Mobility for Seniors and Disabled:

OCTA executed an FTA grant agreement to secure \$2 million in FTA Section 5310 funds allocated to OCTA for FFY 2019. The funds will be used to support the capital costs of contracting for ACCESS services.

Fiscal Year (FY) 2020 Federal Emergency Management Agency (FEMA) – Hazard Mitigation Grant Program:

On behalf of FEMA, the California Governor's Office of Emergency Services (Cal OES) makes grants available to local and state public agencies for programs to help plan for and mitigate impacts that can pose risks, threats, and vulnerabilities to California's people, property, economy, and environment. Cal OES awarded OCTA \$93,750, in competitive Hazard Mitigation Grant Program funding. The grant award will support the development of OCTA's first Local Hazard Mitigation Plan within the OC Bus service area and the Los Angeles - San Diego -San Luis Obispo Rail Corridor within Orange County.

Transit Security Administration (TSA) - National Explosives Detection Canine Team Program:

OCTA will receive approximately \$75,750, between January to June 2020 to support the three TSA-certified explosives detection canine teams assigned to the OCTA Transit Police Service.

Current Grant Agreements:

OCTA's FTA formula grant agreements total ten and FTA discretionary grant agreements total four (Attachment A).

The ten FTA formula grant agreements have a total federal amount of \$284.2 million. A total of \$266.7 million has been reimbursed, leaving a balance of approximately \$17.5 million. The balance of these ten FTA formula grant agreements will primarily fund the OC Streetcar, fixed-route bus procurements, rideshare and vanpool programs, Laguna Niguel/San Juan Capistrano passing siding project, and rail rehabilitation projects.

The four FTA discretionary grant agreements have a total federal amount of \$166.8 million. This includes the full funding grant agreement award of \$148.9 million. A total of \$44.2 million has been reimbursed, leaving a balance of \$122.6 million. The balance of these four FTA discretionary grant agreements will primarily fund the OC Streetcar and slope stabilization improvements on the railroad right-of-way from the City of Laguna Niguel to the City of Lake Forest. The balance will also fund security camera surveillance systems for commuter rail stations and transit facilities located in the cities of Anaheim, Garden Grove, Laguna Niguel/Mission Viejo, Orange, and Santa Ana.

The total FTA formula and discretionary grant agreements amount to \$451 million. The total amount reimbursed through the third quarter under these grant agreements is \$310.8 million, leaving a balance of \$140.2 million.

OCTA also has 34 active state and Federal Highway Administration (FHWA) formula grant agreements (Attachment B) and 18 active state discretionary grant agreements (Attachment C).

The 34 state and FHWA formula grant agreements total \$202.5 million. The total amount reimbursed through the third quarter under these other grant agreements is \$155 million, leaving a balance of \$47.5 million.

The 18 state discretionary grant agreements total approximately \$22.9 million. A total of \$9.1 million of these discretionary grant agreements has been reimbursed, leaving a balance of \$13.8 million. These state discretionary grant agreements have a defined grant expiration date. Project expenses must be fully paid and reimbursed prior to the grant agreement expiration date.

This report activity is as of March 31, 2020, and any grants with a deadline between the quarter end and the date this report is published will be fully reimbursed and closed out. This activity will be reflected in next quarter's report. Additionally, for these grants, staff anticipates each of the remaining balances to be fully reimbursed prior to the grant agreement expiration date.

Grant Agreements Pending Close-Out:

There are three grant agreements totaling \$28 million which are pending close-out in the third quarter of FY 2019-20. All invoices for these grant agreements have been submitted to the external funding agency for reimbursement, and OCTA is pending final payment and/or approval of close-out documentation. These grant agreements are summarized in Attachment D.

Closed Grant Agreements:

There are five grant agreements totaling \$10.8 million that were closed out in the third quarter of FY 2019-20. These grant agreements are summarized in Attachment E.

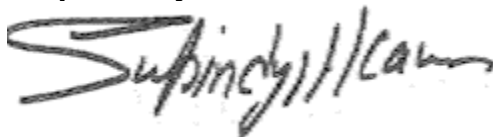
Summary

This report provides an update of the grant agreement funded activities for the third quarter of FY 2019-20, January through March 2020. Staff recommends this report be received and filed as an information item.

Attachments

- A. Third Quarter Grant Reimbursement Status Report, January through March 2020, Federal Transit Administration Formula and Discretionary Grant Agreements
- B. Third Quarter Grant Reimbursement Status Report, January through March 2020, State and Federal Highway Administration Formula Grant Agreements
- C. Third Quarter Grant Reimbursement Status Report, January through March 2020, State Discretionary Grant Agreements
- D. Third Quarter Grant Reimbursement Status Report, January through March 2020, Grant Agreements Pending Close-Out
- E. Third Quarter Grant Reimbursement Status Report, January through March 2020, Closed Grant Agreements

Prepared by:



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Approved by:



Andrew Oftelie
Chief Financial Officer,
Finance and Administration
714-560-5649

Third Quarter Grant Reimbursement Status Report
January through March 2020

Federal Transit Administration Formula and Discretionary Grant Agreements						
	FEDERAL FISCAL YEAR (FFY)	GRANT NUMBER	FEDERAL AMOUNT	FEDERAL AMOUNT REIMBURSED	REMAINING BALANCE	ANTICIPATED CLOSE-OUT
FTA Section 5307 - Urbanized Area Formula Grant Program						
	1	CA-90-Y942	\$ 57,746,966	\$ 57,623,333	\$ 123,633	August 2020
	2	CA-90-2027	53,878,508	53,532,927	345,581	June 2021
	3	CA-90-Z174	55,129,189	55,095,991	33,198	December 2020
	4	CA-2016-032	55,400,721	54,919,692	481,029	September 2021
	FTA Section 5307 Grant Subtotal		\$ 222,155,384	\$ 221,171,943	\$ 983,441	
FTA Section 5307 - Federal Funds flexed from the Federal Highway Administration (FHWA):						
	5	CA-95-X131	\$ 2,102,650	\$ 1,814,098	\$ 288,552	June 2020
	6	CA-95-X254	5,657,000	5,146,832	510,168	September 2020
	7	CA-95-X286	6,621,000	5,167,556	1,453,444	October 2021
	8	CA-2017-072	31,567,405	21,222,629	10,344,776	October 2021
	FTA Section 5307 Flexed Grant Subtotal		\$ 45,948,055	\$ 33,351,115	\$ 12,596,940	
FTA Section 5310 - Enhanced Mobility of Seniors & Individuals with Disabilities Grant Program						
	9	CA-2020-037	\$ 2,178,051	\$ 0	\$ 2,178,051	May 2020
	FTA Section 5310 Grant Subtotal		\$ 2,178,051	\$ 0	\$ 2,178,051	
FTA Section 5316 - Jobs Access and Reverse Commute (JARC) Grant Program						
	10	CA-37-X113	\$ 13,962,491	\$ 12,178,363	\$ 1,784,128	December 2022
	FTA Section 5316 Grant Subtotal		\$ 13,962,491	\$ 12,178,363	\$ 1,784,128	
	Federal Transit Administration Formula Grants Total		\$ 284,243,981	\$ 266,701,421	\$ 17,542,560	
	FEDERAL FISCAL YEAR (FFY)	GRANT NUMBER	FEDERAL AMOUNT	FEDERAL AMOUNT REIMBURSED	REMAINING BALANCE	ANTICIPATED CLOSE-OUT
FTA Section 5309 - Discretionary Capital Grant Program						
	11	CA-04-0078	\$ 7,021,300	\$ 6,302,251	\$ 719,049	September 2020
	12	CA-04-0122	4,845,999	1,381,614	3,464,385	December 2020
	13	CA-05-0269	6,000,000	5,952,588	47,412	July 2020
	FTA Section 5309 Grant Subtotal		\$ 17,867,299	\$ 13,636,453	\$ 4,230,846	
FTA Section 5309 - Discretionary Capital Grant Program (FFGA)						
	14	CA-2019-018	\$ 148,955,409	\$ 30,549,840	\$ 118,405,569	June 2023
	FTA Section 5309 FFGA Grant Subtotal		\$ 148,955,409	\$ 30,549,840	\$ 118,405,569	

Third Quarter Grant Reimbursement Status Report
January through March 2020

Federal Transit Administration Formula and Discretionary Grant Agreements					
Federal Transit Administration Discretionary Grants Total		\$	166,822,708	\$	44,186,293
				\$	122,636,415
Total Federal Transit Administration Formula and Discretionary Grant Agreements		\$	451,066,689	\$	310,887,714
				\$	140,178,975

Funding Source Notes:

- FTA Section 5307 - Urbanized Area Formula Grant Program: Funds are used to fund preventive maintenance, capital cost of contracting, and to purchase revenue vehicles, facility modifications, and bus-related equipment.
- FTA Section 5310 - Enhanced Mobility of Seniors & Individuals with Disabilities Grant Program: Formula funding to states for the purpose of assisting nonprofit groups in meeting the transportation needs of the elderly and persons with disabilities.
- FTA Section 5316 - Jobs Access and Reverse Commute (JARC) Grant Program: Grants provide funds to support new transit services and to establish mobility management programs to assist low-income individuals.
- FTA Section 5309 - Discretionary Capital Grant Program: Grants provide for projects that improve efficiency and coordination of transportation systems.
- FTA Section 5309 - Discretionary Capital Grant Program (FFGA): Grants provide for projects that improve efficiency and coordination of transportation systems.

Third Quarter Grant Reimbursement Status Report

January through March 2020

ATTACHMENT B

State and Federal Highway Administration Formula Grant Agreements						
	FISCAL YEAR (FY)	PROJECT	GRANT AMOUNT	AMOUNT REIMBURSED	REMAINING BALANCE	ANTICIPATED CLOSE-OUT
Prop 1B Intercity Rail Improvement (IRI)						
1	2018	Laguna Niguel to San Juan Capistrano Passing Siding (Construction)	\$ 2,000,000	\$ 0	\$ 2,000,000	February 2022
PROP 1B IRI Subtotal			\$ 2,000,000	\$ 0	\$ 2,000,000	
Federal Highway Administration Grant Program - Congestion Mitigation & Air Quality (CMAQ)						
2	2012	I-5 HOV ¹ Segment 1, Ave Pico to Vista Hermosa (PS&E ²)	\$ 4,246,000	\$ 3,362,977	\$ 883,023	June 2020
3	2013	I-5 HOV Segment 1, Ave Pico to Vista Hermosa (ROW ³)	8,000,000	4,009,067	3,990,933	June 2020
4	2015	I-5 from the Orange/San Diego County Line to Avenida Pico (PA/ED ⁴)	450,000	431,447	18,553	June 2022
5	2015	I-5, SR-55 to SR-57 (PS&E)	2,800,000	2,352,003	447,997	June 2022
CMAQ Subtotal			\$ 15,496,000	\$ 10,155,494	\$ 5,340,506	
Federal Highway Administration Grant Program - Regional Surface Transportation Program (RSTP)						
6	2013	I-5, I-405 to SR-55 (PA/ED)	\$ 8,000,000	\$ 6,479,204	\$ 1,520,796	June 2020
7	2014	I-5 Segment 2, Oso Pkwy to Alicia Pkwy (PS&E)	10,000,000	9,763,215	236,785	June 2021
8	2015	I-5 Segment 1, SR-73 to Oso Pkwy (PS&E)	9,101,000	8,773,058	327,942	June 2022
9	2015	I-5 Segment 3, Alicia Pkwy to El Toro Rd (PS&E)	8,044,000	7,611,504	432,496	June 2022
10	2015	SR-91, SR-57 to SR-55 (PA/ED)	7,000,000	4,160,146	2,839,854	June 2022
11	2016	SR-57, Orangewood to Katella Ave (PA/ED)	2,500,000	1,717,037	782,963	June 2021
12	2017	SR-55, I-5 to SR-91 (PA/ED)	5,000,000	3,775,829	1,224,171	June 2022
RSTP Subtotal			\$ 49,645,000	\$ 42,279,992	\$ 7,365,008	
Federal Highway Administration Grant Program - State Transportation Block Grant (STBG)						
13	2016	I-405, SR-73 to I-605 (Construction)	\$ 1,000	\$ 0	\$ 1,000	June 2021
14	2018	I-5, SR-55 to SR-57 (Construction)	1,340,000	3,473	1,336,527	June 2022
15	2018	SR-55, I-405 to I-5 (PS&E)	13,800,000	10,438,189	3,361,811	June 2023
STBG Subtotal			\$ 15,141,000	\$ 10,441,662	\$ 4,699,338	
Low Carbon Transit Operations Program (LCTOP) - California Department of Transportation (CALTRANS)						
16	2017	Bus Bicycle Racks	\$ 766,345	\$ 151,580	\$ 614,765	May 2020
17	2018	Bravo! Route 529 Start-Up & Operations	4,787,534	3,122,242	1,665,292	July 2020
18	2019	Battery Electric Buses, Bus Depot Upgrades & Charging Infrastructure	2,523,000	0	2,523,000	June 2023
19	2019	Bravo! Main Street Operations	2,912,976	0	2,912,976	November 2024
20	2019	College Fare Program for Fullerton	381,523	0	381,523	August 2022
21	2019	College Fare Program for Golden West	215,279	36,305	178,974	August 2022
22	2019	College Fare Program for Santa Ana College	393,198	0	393,198	August 2020
23	2019	Travel Training	685,000	69,428	615,572	July 2022
CAP & TRADE LCTOP Subtotal			\$ 12,664,855	\$ 3,379,555	\$ 9,285,300	

1. HOV - High-Occupancy Vehicle
2. PS&E - Plans, Specifications, and Estimates
3. ROW - Right of Way
4. PAVED - Project Approval/Environmental Document

Third Quarter Grant Reimbursement Status Report

January through March 2020

State and Federal Highway Administration Formula Grant Agreements						
	FISCAL YEAR (FY)	PROJECT	GRANT AMOUNT	AMOUNT REIMBURSED	REMAINING BALANCE	ANTICIPATED CLOSE-OUT
Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU): Projects of National and Regional Significance (PNRS)						
	24	2013	Lakeview Ave Grade Separation (Construction)	\$ 9,709,030	\$ 9,519,323	\$ 189,707
SAFETEA-LU-PNRS Subtotal				\$ 9,709,030	\$ 9,519,323	\$ 189,707
State Proposition 1B: Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA)						
	25	2015	Raymond Ave Grade Separation Project (Construction)	\$ 44,234,008	\$ 43,664,137	\$ 569,871
PROP 1B PTMISEA Subtotal				\$ 44,234,008	\$ 43,664,137	\$ 569,871
State Proposition 1B: Trade Corridor Improvement Fund (TCIF)						
	26	2013	Lakeview Ave Grade Separation (Construction)	\$ 26,704,499	\$ 25,198,162	\$ 1,506,337
PROP 1B TCIF Subtotal				\$ 26,704,499	\$ 25,198,162	\$ 1,506,337
State Transportation Improvement Plan (STIP) Programming, Planning & Monitoring (PPM)						
	27	2019	PPM Program	\$ 1,481,000	\$ 0	\$ 1,481,000
STIP PPM Subtotal				\$ 1,481,000	\$ 0	\$ 1,481,000
State Transportation Improvement Program (PTA)						
	28	2016	Orange Transportation Center Parking Structure (Construction)	\$ 13,762,000	\$ 10,264,970	\$ 3,497,030
STIP PTA Subtotal				\$ 13,762,000	\$ 10,264,970	\$ 3,497,030
Senate Bill 1: State of Good Repair						
	29	2018	Heating-Ventilation Unit Replacements at Anaheim Base Maintenance	\$ 92,023	\$ 89,152	\$ 2,871
	30	2019	iShuttle Replacement Buses	5,580,604	0	5,580,604
	31	2020	El Dorado Cutaway Bus Replacement	1,891,651	0	1,891,651
	32	2020	iShuttle Replacement Buses	3,062,751	0	3,062,751
	33	2020	Replacement of Emergency Standby Generators	800,000	0	800,000
SB1 SGR Subtotal				\$ 11,427,029	\$ 89,152	\$ 11,337,877
FTA Section 5304 - Sustainable Communities						
	34	2020	Freeway Bus Rapid Transit Concept Study	\$ 210,602	\$ 0	\$ 210,602
FTA Section 5304 Subtotal				\$ 210,602	\$ 0	\$ 210,602
Total State and Federal Highway Administration Formula Grant Agreements				\$ 202,475,023	\$ 154,992,446	\$ 47,482,576

Third Quarter Grant Reimbursement Status Report
January through March 2020

State Discretionary Grant Agreements						
	FISCAL YEAR (FY)	PROJECT	GRANT AMOUNT	AMOUNT REIMBURSED	REMAINING BALANCE	ANTICIPATED CLOSE-OUT
Active Transportation Program (ATP)						
1	2020	Safe Travels Education Program (STEP) Campaign	\$ 500,000	\$ 0	\$ 500,000	July 2022
ATP Subtotal			\$ 500,000	\$ 0	\$ 500,000	
California Air Resources Board (CARB)						
2	2018	Facility Upgrades	\$ 157,147	\$ 0	\$ 157,147	June 2020
3	2018	Hydrogen Station	5,486,895	3,330,517	2,156,379	June 2020
4	2018	Ten Zero-Emission Hydrogen Fuel Cell Buses	6,338,000	4,887,950	1,450,050	June 2020
CARB Subtotal			\$ 11,982,042	\$ 8,218,467	\$ 3,763,575	
Air Quality Management District (AQMD) Grant Program and Mobile Source Air Pollution Reduction Review Committee (MSRC)						
5	2018	Hydrogen Detection	\$ 642,000	\$ 0	\$ 642,000	July 2020
6	2019	La Habra Union Pacific Rail Bikeway	91,760	0	91,760	November 2023
7	2019	OC Flex	1,146,000	0	1,146,000	May 2020
MSRC Subtotal			\$ 1,879,760	\$ 0	\$ 1,879,760	
Highway Safety Plan (HSP) - California Office of Traffic Safety (OTS)						
8	2020	Bicycle & Pedestrian Facilities Program	\$ 100,000	\$ 0	\$ 100,000	October 2020
OTS Subtotal			\$ 100,000	\$ 0	\$ 100,000	
Systemic Safety Analysis Reporting Program (SSARP)						
9	2016	Systemic Safety Analysis Report	\$ 315,000	\$ 295,855	\$ 19,145	May 2020
SSARP Subtotal			\$ 315,000	\$ 295,855	\$ 19,145	
Transit Security Grant Program (TSGP) - State Office of Homeland Security						
10	2017	Be The One Campaign	\$ 75,000	\$ 63,764	\$ 11,236	August 2020
TSGP Subtotal			\$ 75,000	\$ 63,764	\$ 11,236	
Transit Security Administration (TSA) - National Explosives Detection Canine Team Program (NEDCTP) - Department of Homeland Security						
11	2019	Transportation Security Administration Canine	\$ 151,500	\$ 141,498	\$ 10,002	May 2020
12	2020	Transportation Security Administration Canine	75,750	0	75,750	June 2020
TSA K9 Subtotal			\$ 227,250	\$ 151,494	\$ 85,752	
Senate Bill 1: Local Partnership Program (LPP)						
13	2018	Garden Grove Blvd Signal Synchronization (Construction)	\$ 1,353,000	\$ 0	\$ 1,353,000	December 2023
14	2018	Katella Ave Signal Synchronization (Construction)	2,449,000	0	2,449,000	December 2023
15	2018	Los Olisos Blvd Signal Synchronization (Construction)	1,117,000	0	1,117,000	December 2023
16	2018	Main Street Signal Synchronization (Construction)	1,926,000	0	1,926,000	December 2023
SB1 LPP Subtotal			\$ 6,845,000	\$ 0	\$ 6,845,000	

Third Quarter Grant Reimbursement Status Report
January through March 2020

State Discretionary Grant Agreements						
	FISCAL YEAR (FY)	PROJECT	GRANT AMOUNT	AMOUNT REIMBURSED	REMAINING BALANCE	ANTICIPATED CLOSE-OUT
Senate Bill 1: Adaptation Planning Grants (APG)						
17	2019	Orange County Rail Infrastructure Defense Against Climate Change	\$ 461,771	\$ 63,801	\$ 397,971	February 2021
SB1 APG Subtotal			\$ 461,771	\$ 63,801	\$ 397,971	
Senate Bill 1: Planning Grants (PL)						
18	2019	Safe Routes to School Action Plan	\$ 264,000	\$ 128,543	\$ 135,457	February 2021
SB1 PL Subtotal			\$ 264,000	\$ 128,543	\$ 135,457	
Caltrans State Planning and Research Grant (SPR)						
19	2018	SR-39 Beach Boulevard Corridor Study	\$ 345,000	\$ 176,914	\$ 168,086	May 2020
SPR Subtotal			\$ 345,000	\$ 176,914	\$ 168,086	
Total State Discretionary Grant Agreements			\$ 22,994,823	\$ 9,098,837	\$ 13,895,986	

Third Quarter Grant Reimbursement Status Report
January through March 2020

Grant Agreements Pending Close-Out						
	FISCAL YEAR (FY)	FUNDING SOURCE	PROJECT	GRANT AMOUNT	AMOUNT REIMBURSED	REMAINING BALANCE
1	2011	CMAQ ¹	Lakeview Ave Grade Separation (ROW ²)	\$ 16,407,023	\$ 16,407,023	\$ 0
2	2012	CMAQ	Lakeview Ave Grade Separation (ROW Utility Relocation)	72,070	72,070	0
3	2012	RSTP	Lakeview Ave Grade Separation (ROW)	11,527,563	11,527,563	0
Total Grant Agreements Pending Close-Out				\$ 28,006,656	\$ 28,006,656	\$ 0

1. CMAQ - Congestion Mitigation and Air Quality
2. ROW - Right of Way

Third Quarter Grant Reimbursement Status Report
January through March 2020

Closed Grant Agreements						
	FISCAL YEAR (FY)	FUNDING SOURCE	PROJECT	GRANT AMOUNT	AMOUNT REIMBURSED	REMAINING BALANCE
1	2017	ATP	Orange County Active Transportation Plan (PS&E ¹)	\$ 280,000	\$ 279,999	\$ 1
2	2016	CAP & TRADE LCTOP ²	Bravo! Route 529 Bus Acquisition	3,045,578	3,045,578	0
3	2015	MSRC	Bicycle Corridor Improvement	836,413	567,501	268,912 ³
4	2018	SB1 SGR ⁴	Ten Zero-Emission Hydrogen Fuel Cell Buses	5,640,382	5,640,382	0
5	2018	SCAQMD ⁵	Ten Zero-Emission Hydrogen Fuel Cell Buses	1,000,000	1,000,000	0
Total Closed Grants				\$ 10,802,373	\$ 10,533,460	\$ 268,913

1. PS&E - Plans, Specifications, and Estimates
2. LCTOP - Low Carbon Transit Operations Program
3. Project cost savings of \$268,912 reverted back to Mobile Source Reduction Credit (MSRC)
4. SGR - State of Good Repair
5. SCAQMD - South Coast Air Quality Management District



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors
From: Laurena Weinert, Clerk of the Board
Subject: State Legislative Status Report

Legislative and Communications Committee Meeting of May 21, 2020

Present: Directors Bartlett, Davies, Delgleize, Hennessey, Hernandez, Wagner, and Winterbottom
Absent: None

Committee Vote

Following the discussion, no action was taken on this receive and file information item.

Staff Recommendation

Receive and file as an information item.



May 21, 2020

To: Legislative and Communications Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: State Legislative Status Report

Overview

An update is provided on California's response to the novel coronavirus pandemic. Information is provided on the Governor's Task Force on Business and Jobs Recovery. An update is given on the Orange County Transportation's Authority's advocacy efforts. A verbal update will be provided on the Governor's May Revision.

Recommendation

Receive and file as an information item.

Discussion

State Response Novel Coronavirus (COVID-19) Pandemic

On April 28, 2020, Governor Gavin Newsom unveiled a four-staged approach to reopening various sectors in California. The first stage is categorized as safety and preparedness. The second stage includes reopening of lower risk workplaces such as retail, manufacturing, logistics, and offices that have not been able to otherwise telework. The third stage incorporates higher risk workplaces such as hair salons, places of worship, and movie theaters. The final stage will be the end of the Stay-at-Home Order, which was directed in Executive Order N-33-20. On May 7, 2020, the State released guidance relating to the reopening of some lower risk workplaces outlined in stage two, which would include curbside retail as well as their immediate supply chain partners. Guidance was also released on May 7, 2020, addressing transit operations, office workspaces, and construction best practices. This guidance includes information on safety and risk management plans, employee safety and prevention training, individual employee testing and screening measures, cleaning and disinfection protocols, and physical distancing protocols. Orange County Transportation Authority (OCTA) staff have been and will continue to work to ensure the agency is consistent with these recommendations.

As part of the Administration's response to the COVID-19 pandemic, Governor Newsom signed Executive Order N-62-20 on May 6, 2020, which expands workers' compensation benefits for workers who contract COVID-19 during the Stay-at-Home Order by creating a rebuttable presumption that workers who contract COVID-19 on the job are eligible for such relief. In order to receive this benefit, there must be a positive test or confirmed diagnosis of COVID-19 within 14 days of performing labor at their place of work and will be effective from March 19, 2020, through July 4, 2020. Employers will be granted a 30-day window for rebuttal and investigation. It is expected that the Department of Industrial Relations will have forthcoming guidance related to this order. OCTA staff is coordinating with other transit agencies within the State on the implications of this order and implementation.

For the first time since the State Legislature recessed, the Senate and Assembly each held virtual budget subcommittee hearings to begin informing an unprecedented state budget process amidst the COVID-19 pandemic. The California Department of Finance (DOF) previously announced that it will operate using a baseline budget and has also directed state agencies to immediately reduce spending. Currently, the DOF is working on revenue projections to inform changes in the Governor's May Revise but will lack specifics since the tax deadline has been extended. It is highly anticipated that while the Legislature will move forward with the traditional May Revise and Constitutionally prescribed June budget deadline, there will be budget adjustments in August, or a potential special session later in the year, to account for revised revenue projections. The DOF estimates roughly \$7 billion will be spent for the COVID-19 pandemic response, to which they expect the Federal Emergency Management Agency will reimburse a significant portion. In addition, while the State is better positioned to weather the budget uncertainty, given the approximately \$17.5 billion it has in reserves, it is unlikely that this will be enough to sustain the revenue loss impacts. The Legislative Analyst's Office (LAO) stated that California has entered into a recession and will see significant decreases in revenue across the board that will likely extend for multiple budget cycles.

Legislators in both committees were primarily concerned with the lack of communication between them and the Governor's office on expenditures being made from the \$1 billion appropriation the Legislature made through SB 89 (Chapter 2, Statutes of 2020), including the procurement and distribution process of personal protective equipment. Members also raised questions and sought details regarding the \$1 billion BYD contract the State executed to secure 200 million N95 masks. On May 6, 2020, Governor Newsom stated that he has asked staff to accelerate the process of releasing the contract.

On April 27, 2020, the Assembly Budget Subcommittee Number 6 on Budget Process, Oversight, and Program held an additional informational hearing on

COVID-19 Recovery and Economic Stimulus. Panelists again gave an update on various state actions and their continued efforts to anticipate budgetary impacts. Legislative Analyst, Gabe Petek, stated that California's economy is expected to drop by ten percent in terms of gross domestic product; however, unemployment is expected to decrease much more significantly. Additionally, the LAO has projected that revenues will drop by \$35 billion, which is approximately one-quarter of the State's general fund. Several California transit agencies, including the OCTA, were able to communicate key priorities at this hearing, such as concerns about the expected decline in sales and gas tax revenue, importance of public transit in moving essential workers, and the role transportation can play in a potential state economic stimulus. On May 7, 2020 the DOF released an updated budget memo indicating revenue declines created by the COVID-19 pandemic will result in a \$54.3 billion budget deficit, which is 37 percent of General Fund spending authorized in the 2019 Budget Act and nearly three and a half times the revised balance in the Rainy Day Fund of \$16 billion. Other items of note in this budget memo include a projected decrease of sales and use taxes by 27.2 percent and a projected unemployment rate of 18 percent.

On May 6, 2020, the Senate held a Special Committee on Pandemic Emergency Response specifically focusing on testing and contact tracing during the COVID-19 pandemic. This committee has been charged with reviewing the State's response to the COVID-19 pandemic and will continue to meet throughout the coming months to ensure the State is well-positioned to respond quickly and appropriately by making policy recommendations. Orange County delegation members on this committee include Senator Pat Bates (R-Laguna Hills) and Senator Tom Umberg (D-Santa Ana).

The State Assembly reconvened on May 4, 2020 to begin in-person committee hearings while the State Senate returned on May 11, 2020. On May 6, 2020 the Legislature released various changes to their legislative calendar. A copy of the revised legislative calendar for the State Assembly is included as Attachment A and for the State Senate is included as Attachment B. The Constitutionally defined deadlines including adjournment and the budget remain unchanged. In order to have an expedient policy committee process, several committee chairs are limiting the amount of bills they are hearing.

Governor's Task Force on Business and Jobs Recovery

Given the significant economic uncertainty moving forward, the Governor announced the formation of a Task Force on Business and Jobs Recovery (Task Force), co-chaired by the Governor's Chief of Staff, Ann O'Leary, and environmentalist and businessman, Tom Steyer. The Task Force includes representatives from industries such as business, labor, healthcare, and senior members from the State Legislature as well as former California Governors. The entire membership of this committee is included as Attachment C. The Task

Force has been charged with developing actions the government and business can take for the State to recover from the pandemic impacts and will meet through the remainder of the year. Most recently, they contributed to organizing the four-staged approach on how to reopen California's businesses, schools, and childcare centers.

On April 24, several members of the Legislature sent a letter to Ann O'Leary and Tom Steyer as co-chairs of the Task Force, recommending three core areas the Task Force should focus their efforts. A copy of the letter is included as Attachment D. The first area is to leverage all available sources of funding, which includes suggestions like augmenting climate resilience bond proposals and renewing federal assistance for state and local governments, joint powers authorities, transportation agencies, special districts and businesses through state financing authorities like the Infrastructure Bank. The second area concentrates on job creation and project delivery through reducing barriers to entry. Examples include permitting and procurement challenges for the electric vehicle supply chain and impediments to construction for pre-approved, shovel-ready projects like transit-oriented affordable housing. The third, and final, area advocates for ensuring a just recovery through keeping workers employed with a livable wage and benefits, support for small businesses, expanding the social safety net, and utilizing state benefits to target efforts in disadvantaged communities.

Update on Orange County Transportation Authority Advocacy Efforts

OCTA continues to provide input to stakeholders and state delegation members to ensure transportation is at the table as the State responds to the COVID-19 pandemic. In particular, OCTA has been working closely with the California Transit Association (CTA) to coordinate a detailed assessment of current and projected challenges. These points were organized into a letter that was sent to the Legislature, discussing statutory and regulatory relief measures to support transit agencies. A copy of this letter is included as Attachment E. On April 16, 2020, OCTA sent a letter to each of Orange County's State legislative delegation members to communicate its support of the CTA's priorities, which included re-evaluating the distribution of Local Transportation Fund revenues to transit agencies, authorizing the use of Low Carbon Transit Operations Program, and State of Good Repair funding to support all operating and capital expenses associated with COVID-19 relief, and postponing the implementation of the California Air Resources Board's Innovative Clean Transit regulation. This letter is included as Attachment F.

Governor's May Revise

On May 14, 2020, the Governor is expected to release his proposed May Revise for the Fiscal Year 2020-21 State budget. Staff will provide a verbal update on the proposal at the Legislative and Communications Committee meeting.

Summary

An update is provided on California's response to the novel coronavirus pandemic. An overview is provided on the Governor's Task Force on Business and Jobs Recovery. An update is given on the Orange County Transportation's Authority's advocacy efforts. Updates are also provided on the legislative calendar and budget process.

Attachments

- A. 2020 Tentative Assembly Legislative Calendar
- B. 2020 Tentative Senate Legislative Calendar
- C. Governor's Task Force on Business and Jobs Recovery
- D. Letter to Ann O'Leary, Chief of Staff, and Tom Steyer, Co-Chair, Task Force on Business and Jobs Recovery, dated April 24, 2020
- E. Letter from California Transit Association to the Honorable Gavin Newsom, Governor, State of California, the Honorable Anthony Rendon, Speaker, California State Assembly, and the Honorable Toni Atkins, President Pro Tempore, California State Senate, dated April 7, 2020, re: Statutory and Administrative/Regulatory Relief Measures to Support Transit Agencies
- F. Letter from Steve Jones, Chairman, Orange County Transportation Authority, to the Honorable Pat Bates, California State Assembly, dated April 16, 2020, re: Statutory and Administrative/Regulatory Relief Measures to Support Transit Agencies
- G. Orange County Transportation Authority Legislative Matrix

Prepared by:

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Approved by:

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2020 TENTATIVE ASSEMBLY LEGISLATIVE CALENDAR
COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK
Revised 5-6-20

JANUARY							
	S	M	T	W	TH	F	S
				1	2	3	4
Wk. 1	5	6	7	8	9	10	11
Wk. 2	12	13	14	15	16	17	18
Wk. 3	19	20	21	22	23	24	25
Wk. 4	26	27	28	29	30	31	

FEBRUARY							
	S	M	T	W	TH	F	S
Wk. 4							1
Wk. 1	2	3	4	5	6	7	8
Wk. 2	9	10	11	12	13	14	15
Wk. 3	16	17	18	19	20	21	22
Wk. 4	23	24	25	26	27	28	29

MARCH							
	S	M	T	W	TH	F	S
Wk. 1	1	2	3	4	5	6	7
Wk. 2	8	9	10	11	12	13	14
Wk. 3	15	16	17	18	19	20	21
Wk. 4	22	23	24	25	26	27	28
Wk. 1	29	30	31				

APRIL							
	S	M	T	W	TH	F	S
Wk. 1				1	2	3	4
Spring Recess	5	6	7	8	9	10	11
Wk. 2	12	13	14	15	16	17	18
Wk. 3	19	20	21	22	23	24	25
Wk. 4	26	27	28	29	30		

MAY							
	S	M	T	W	TH	F	S
Wk. 4						1	2
Wk. 1	3	4	5	6	7	8	9
Wk. 2	10	11	12	13	14	15	16
Wk. 3	17	18	19	20	21	22	23
Wk. 4	24	25	26	27	28	29	30
Wk. 1	31						

DEADLINES

- Jan. 1** Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 6** Legislature reconvenes (J.R. 51(a)(4)).
- Jan. 10** Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- Jan. 17** Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house in the odd-numbered year (J.R. 61(b)(1)).
- Jan. 20** Martin Luther King, Jr. Day.
- Jan. 24** Last day for any committee to hear and report to the **floor** bills introduced in that house in the odd-numbered year. (J.R. 61(b)(2)). Last day to submit **bill requests** to the Office of Legislative Counsel.
- Jan. 31** Last day for each house to pass bills introduced in that house in the odd-numbered year (J.R. 61(b)(3)) (Art. IV, Sec. 10(c)).

- Feb. 17** Presidents' Day.
- Feb. 21** Last day for bills to be **introduced** (J.R. 61(b)(4), J.R. 54(a)).
- Mar. 3** Primary Election.
- Mar. 20** Joint Recess begins upon adjournment (A.C.R. 189, Resolution Chapter 15, Statutes of 2020).
- Mar. 27** Cesar Chavez Day observed.

- May 4** Assembly reconvenes from Joint Recess (A.C.R. 189, Resolution Chapter 15, Statutes of 2020).
- May 22** Last day for **policy committees** to hear and report to fiscal committees **fiscal bills** introduced in the Assembly (J.R. 61(b)(5)).
- May 25** Memorial Day.
- May 29** Last day for **policy committees** to hear and report to the floor **nonfiscal** bills introduced in the Assembly (J.R. 61(b)(6)).

*Holiday schedule subject to final approval by Rules Committee.

2020 TENTATIVE ASSEMBLY LEGISLATIVE CALENDAR
COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK
Revised 5-6-20

Table with 8 columns (Wk., S, M, T, W, TH, F, S) and 6 rows for the month of June, including dates and recess periods.

- June 5 Last day for fiscal committees to hear and report to the floor bills introduced in the Assembly (J.R. 61 (b)(8)).
- June 15 Budget Bill must be passed by midnight (Art. IV, Sec. 12(c)).
- June 15-19 Assembly Floor session only. No committee may meet for any purpose except for Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(10)).
- June 19 Last day for the Assembly to pass bills introduced in that house (J.R. 61(b)(11)).
- Summer Recess begins for the Assembly upon adjournment, provided Budget Bill has been passed (J.R. 51(b)(2)).
- June 25 Last day for a legislative measure to qualify for the Nov. 3 General Election ballot (Elections Code Sec. 9040).

Table with 8 columns (S, M, T, W, TH, F, S) and 6 rows for the month of July, including dates and recess periods.

- July 3 Independence Day observed.
- July 13 Legislature reconvenes from Summer Recess (J.R. 51(b)(2)).
- July 31 Last day for policy committees to hear and report fiscal bills to fiscal committees (J.R. 61(b)(13)).

Table with 8 columns (S, M, T, W, TH, F, S) and 6 rows for the month of August, including dates and recess periods.

- Aug. 7 Last day for policy committees to meet and report bills (J.R. 61(b)(14)).
- Aug. 14 Last day for fiscal committees to meet and report bills (J.R. 61(b)(15)).
- Aug. 17 – 31 Floor session only. No committee may meet for any purpose except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(16)).
- Aug. 21 Last day to amend bills on the floor (J.R. 61(b)(17)).
- Aug. 31 Last day for each house to pass bills (Art. IV, Sec 10(c), J.R. 61(b)(18)). Final Recess begins upon adjournment (J.R. 51(b)(3)).

IMPORTANT DATES OCCURRING DURING FINAL RECESS

- 2020
Sept. 30 Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in the Governor's possession on or after Sept. 1 (Art. IV, Sec. 10(b)(2)).
- Oct. 1 Bills enacted on or before this date take effect January 1, 2021. (Art. IV, Sec. 8(c)).
- Nov. 3 General Election.
- Nov. 30 Adjournment sine die at midnight (Art. IV, Sec. 3(a)).
- Dec. 7 2021-22 Regular Session convenes for Organizational Session at 12 noon. (Art. IV, Sec. 3(a)).
- 2021
Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).

*Holiday schedule subject to final approval by Rules Committee.

2020 TENTATIVE LEGISLATIVE CALENDAR
COMPILED BY THE OFFICE OF THE SECRETARY OF THE SENATE
Revised April 23, 2020

JANUARY						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

FEBRUARY						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

MARCH						
S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

APRIL						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

DEADLINES

- Jan. 1** Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 6** Legislature Reconvenes (J.R. 51(a)(4)).
- Jan. 10** Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- Jan. 17** Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house in the **odd-numbered year** (J.R. 61(b)(1)).
- Jan. 20** Martin Luther King, Jr. Day.
- Jan. 24** Last day for any committee to hear and report to the **floor** bills introduced in that house in the odd-numbered year (J.R. 61(b)(2)).
Last day to **submit bill requests** to the Office of Legislative Counsel.
- Jan. 31** Last day for each house to **pass bills introduced** in that house in the odd-numbered year (Art. IV, Sec. 10(c)), (J.R. 61(b)(3)).
- Feb. 17** Presidents’ Day.
- Feb. 21** Last day for bills to be **introduced** (J.R. 61(b)(4)), (J.R. 54(a)).

- Mar. 16.** Legislature in recess, ACR 189, Resolution Chapter 15, Statutes of 2020
- Mar. 27** Cesar Chavez Day observed

- May 11.** Senate Reconvenes
- May 25.** Memorial Day
- May 29.** Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house (J.R. 61(b)(5)).

*Holiday schedule subject to Senate Rules committee approval.

2020 TENTATIVE LEGISLATIVE CALENDAR
COMPILED BY THE OFFICE OF THE SECRETARY OF THE SENATE
Revised April 23, 2020

Table with 7 columns (S, M, T, W, TH, F, S) and 6 rows for the month of JUNE. Dates 5, 12, 19, 26, and 29 are highlighted with thick borders.

June 5. Last day for policy committees to hear and report to the floor non-fiscal bills introduced in their house (J.R. 61(b)(6)). Last day for policy committees to meet prior to June 8 (J.R. 61(b)(7)).

June 15. Budget Bill must be passed by midnight (Art. IV, Sec. 12(c)(3)).

June 19. Last day for fiscal committees to hear and report to the floor bills introduced in their house (J.R. 61(b)(8)). Last day for fiscal committee's to meet prior to June 29 (J.R.61(b)(9)).

June 22-26. Floor Session Only. No committees, other than conference or Rules committees, may meet for any purpose (J.R. 61(b)(10)).

June 25. Last day for a legislative measure to qualify for the November 3 General Election ballot (Election code Sec. 9040).

June 26. Last day for each house to pass bills introduced in that house (J.R. 61(b)(11)).

Table with 7 columns (S, M, T, W, TH, F, S) and 6 rows for the month of JULY. Dates 2, 3, 13, 24, and 31 are highlighted with thick borders.

July 2. Summer Recess begins upon adjournment provided Budget Bill has been passed (J.R. 51(b)(2)).

July 3. Independence Day observed.

July 13. Legislature reconvenes from Summer Recess (J.R. 51(b)(2)).

July 31. Last day for policy committees to hear and report fiscal bills to fiscal committees (J.R. 61(b)(13)).

Table with 7 columns (S, M, T, W, TH, F, S) and 6 rows for the month of AUGUST. Dates 3, 7, 14, 21, 28, and 31 are highlighted with thick borders.

August 7. Last day for policy committees to meet and report bills (J.R. 61(b)(14)).

Aug. 14 Last day for fiscal committees to meet and report bills (J.R. 61(b)(15)).

Aug. 17 – 31 Floor Session only. No committees, other than conference and Rules committees, may meet for any purpose (J.R. 61(b)(16)).

Aug. 21 Last day to amend bills on the Floor (J.R. 61(b)(17)).

Aug. 31 Last day for each house to pass bills, except bills that take effect Immediately or bills in Extraordinary Session (Art. IV, Sec. 10(c)), (J.R. 61(b)(18)). Final recess begins upon adjournment (J.R. 51(b)(3)).

*Holiday schedule subject to Senate Rules committee approval.

IMPORTANT DATES OCCURRING DURING FINAL RECESS

Table with 2 columns: Date and Description. Rows include dates for 2020 (Sept. 30, Nov. 3, Nov. 30, Dec. 7) and 2021 (Jan. 1, Jan. 4) with corresponding legislative events.

Governor's Task Force on Business and Jobs Recovery

Co-Chairs

Ann O'Leary: Chief of Staff, Office of the Governor

Tom Steyer: Chief Advisor to the Governor on Business & Jobs Recovery

Honorary Task Force Members

The Honorable Edmund G. Brown Jr.

The Honorable Arnold Schwarzenegger

The Honorable Gray Davis

The Honorable Pete Wilson

Task Force Members

Eleni Kounalakis: Lieutenant Governor, State of California

Toni G. Atkins: President pro Tempore, California State Senate

Anthony Rendon: Speaker, California State Assembly

Shannon Grove: Minority Leader, California State Senate

Marie Waldron: Minority Leader, California State Assembly

Gregory A. Adams: Chairman & CEO, Kaiser Foundation Health Plan, Inc. & Hospitals

Willie Adams: President, ILWU

Laura Albers: CEO, Williams-Sonoma, Inc.

Jack Allen: CEO, Proterra

Aida Álvarez: Former Administrator, U.S. Small Business Administration

Theodore Balestreri: Chairman, California Restaurant Association

Dan Beckerman: President & CEO, AEG

Marc Benioff: Chair, CEO & Founder, Salesforce Inc.

Angela Glover Blackwell: Founder in Residence, PolicyLink

Catherine Blakemore: Executive Director (retired), Disability Rights California

Jared Blumenfeld: Secretary, California Environmental Protection Agency

Keely Bosler: Director, California Department of Finance

E. Toby Boyd: President, California Teachers Association

Father Gregory Boyle: Founder, Homeboy Industries

Scott Bremerman: President, West Region, United Parcel Service

Stacy Brown-Philpot: CEO, TaskRabbit

Michael S. Burke: CEO, AECOM

Don Cameron: General Manager & Vice President, Terranova Ranch

Rick Caruso: Founder & CEO, Caruso Management

Lourdes Castro Ramirez: Secretary, California Business, Consumer Services and Housing Agency

Amelia Ceja: President, Ceja Vineyards

Priscilla Chan: Co-Founder & Co-CEO, Chan Zuckerberg Initiative

Tim Cook: CEO, Apple

Jack Dangermond: Co-Founder & President, Environmental Systems Research Institute

Oscar De La Torre: Business Manager, Northern California District Council of Laborers

Lloyd Dean: CEO, Dignity Health

Chris Dombrowski: Acting Director, Governor's Office of Business and Economic Development

Dorene C. Dominguez: Chairman & CEO, The Vanir Group of Companies, Inc.

Ron Fong: President & CEO, California Grocers Association

Sarah Friar: CEO, Nextdoor

Dr. Mark Ghaly: Secretary, California Health and Human Services Agency

John Grant: President, UFCW, Local 770

Peter Guber: Chairman & CEO, Mandalay Entertainment

Emile Haddad: Chairman & CEO, FivePoint

Dan Hart: President & CEO, Virgin Orbit

Mary Kay Henry: President, SEIU

Antonia Hernández: President & CEO, California Community Foundation

Ron Herrera: President, Los Angeles County Federation of Labor

Marillyn A. Hewson: Chairman, President & CEO, Lockheed Martin Corporation

Ben Horowitz: Co-Founder & General Partner, Andreessen Horowitz

Robbie Hunter: President, State Building and Construction Trades Council of California

Bob Iger: Executive Chairman, The Walt Disney Company

Paul Jacobs: Chairman & CEO, XCOM

Belinda Johnson: Former COO & Board Member, Airbnb and Board Member, PayPal

Pamela Kan: President, Bishop-Wisecarver

Sarah Krevans: President & CEO, Sutter Health

Derrick Kualapai: International Representative, United Association of Plumbers and Pipefitters

Janet Lamkin: California State President, United Airlines

Dr. Natasha Lee, DDS: Owner, Better Living Through Dentistry

Monica Lozano: President & CEO, College Futures Foundation

James Manyika: Senior Partner, McKinsey & Company

Rose Marcario: CEO & President, Patagonia

George Marcus: Chairman, Marcus & Millichap

Dr. Magda Marquet: Co-Founder & Co-CEO, Alma Life Sciences

Ana Matosantos: Cabinet Secretary, Office of the Governor

Doug McCarron: President, United Brotherhood of Carpenters

Ken McNeely: President, Western Region, AT&T

Mary Meeker: Founder & General Partner, Bond Capital

Hamid Moghadam: Chairman of the Board of Directors & CEO, Prologis

Brian Niccol: CEO, Chipotle

Irma Olguin, Jr.: CEO & Co-Founder, Bitwise Industries

Cynthia A. Parker: President & CEO, BRIDGE Housing
Dr. Manuel Pastor: Director, USC Program for Environmental and Regional Equity (PERE)
Garrett Patricio: COO, Westside Produce
Charles Phan: Owner & Executive Chef, The Slanted Door
Pedro Pizarro: President & CEO, Edison International
Ruth Porat: Senior VP/CFO, Alphabet Inc.
John Pritzker: Founding Partner & Director, Geolo Capital
Art Pulaski: Executive Secretary-Treasurer & Chief Officer, California Labor Federation
Ken Ramirez: Chairman, San Manuel Band of Mission Indians
Jacqueline Reses: Head of Square Capital, Square
Stephen Revetria: President, Giants Enterprises
Jessica Rodriguez: CMO & President of Entertainment, Univision
Teresa Romero: President, United Farm Workers
Dr. Robert Ross: President & CEO, California Endowment
Fred Ruiz: Founder, Ruiz Foods
Maria Salinas: President & CEO, Los Angeles Area Chamber of Commerce
Ted Sarandos: Chief Content Officer, Netflix
Lee Saunders: President, AFSCME
Jeff Shell: CEO, NBCUniversal
Christina Sistrunk: President & CEO, Aera Energy
Dr. Patrick Soon-Shiong: Owner, LA Times
Dr. KR Sridhar: Founder & CEO, Bloom Energy
Julie Su: Secretary, California Labor and Workforce Development Agency
Gene T. Sykes: Managing Director, Goldman Sachs & Co.
Sonia Syngal: CEO, Gap, Inc.
D. Taylor: President, UNITE Here
Elaine Trevino: President, Almond Alliance of California
April Verrett: President, SEIU 2015
Jeff Weiner: CEO, LinkedIn
Janet Yellen: Former Chair, Federal Reserve
Allan Zaremborg: President & CEO, California Chamber of Commerce
Gillian Zucker: President, Business Operations, LA Clippers



April 24, 2020

Ms. Ann O’Leary, Chief of Staff
Mr. Tom Steyer, Co-Chair, Task Force on Business and Jobs Recovery
Office of Governor Gavin Newsom
1303 10th Street, Suite 1174
Sacramento, CA 95814

Dear Ms. O’Leary and Mr. Steyer,

First, thank you. Governor Newsom and his Administration’s leadership through the COVID-19 crisis have saved countless lives. We laud the establishment of his Task Force on Business and Jobs Recovery and offer some initial thoughts, and a willingness to assist, in developing a resilient recovery plan in concert with our leadership.

The massive financial disruption unleashed by COVID-19 necessitates immediate relief across a wide variety of job sectors, especially those hit hardest by social distancing orders, like the retail, entertainment and hospitality industries. Hundreds of thousands of workers have been impacted and are falling into poverty without an inclusive and comprehensive safety net — and this descent will only worsen without direct and sustained intervention.

In architecting our economic recovery in California, we would urge you to consider a recovery plan that in the short-term prioritizes the essentials - food, housing and job security. For the long-term, the investments we make and the additional jobs we create must be high-quality and durable enough to survive a dynamic future of work under increasingly high-risk climate and public health conditions.

These risks are not hypothetical. In recent weeks, superstorms from Texas to North Carolina to Florida have destroyed lives and communities already decimated by COVID-19. Climate

disasters will likely compound the crisis in California in the coming months as we enter mega-drought and wildfire season.ⁱ

We know that rolling back critical environmental protections is not the path forward. By failing to meet our climate goals, we would not only bankrupt our state – we would drive countless species into extinction and erode the foundation that makes California golden. Now more than ever, we must uphold California’s commitment to a livable and prosperous future.

Based on past stimulus efforts, as well as the success of various housing, education, transportation, water, disaster and resource bonds, we know the clean economy – transportation, housing, energy, water, manufacturing, waste, and natural and working lands – is one of the most cost-effective, resilient job creation sectors economy-wide.ⁱⁱ Given our fiscal limitations, we also encourage you to consider policy changes that incentivize clean economy job creation.

We will be submitting a more detailed framework in the coming weeks and look forward to working with you to refine details, but until then, please consider focusing on three core areas to achieve a resilient recovery:

- **Leveraging All Available Sources of Funding** by significantly augmenting climate resilience bond proposals; renewing federal assistance for state and local governments, joint powers authorities, transportation agencies, special districts and businesses through state financing authorities like the Infrastructure Bank; enhancing tax increment financing mechanisms; and unlocking private capital through creative public asset securitization.
- **Accelerating Job Creation through Expedited Project Delivery** by reducing barriers to entry, such as discriminatory fees and interconnection delays, that stifle the creation of high-quality jobs from clean economy projects for long-term energy storage, distributed generation, microgrids and other renewable and zero-emission grid resilience projects; permitting and procurement challenges for the electric vehicle supply chain, from lithium recovery to electric vehicle charging infrastructure; and impediments to construction for pre-approved, shovel-ready projects like transit-oriented affordable housing, water resilience and waste recycling.
- **Ensuring a Just Recovery** by focusing on keeping workers employed, with livable wages and benefits, providing improved support to small businesses, broadening the social safety net and targeting state benefits toward the most disadvantaged communities that already face immense challenges to their environment, health, education and opportunity.

Thank you for your consideration. We look forward to partnering on a just and resilient recovery.

Sincerely,



Henry Stern, Senate District 27



Eduardo Garcia, Assembly District 56



Laura Friedman, Assembly District 43



Bill Monning, Senate District 17



Ben Allen, Senate District 26



Richard Bloom, Assembly District 50



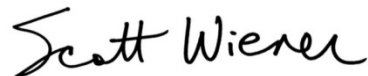
Robert Wieckowski, Senate District 10



Jim Beall, Senate District 15



Bill Dodd, Senate District 3



Scott Wiener, Senate District 11



Connie Leyva, Senate District 20



Robert Rivas, Assembly District 30



Tasha Boerner Horvath, Assembly District 76



Todd Gloria, Assembly District 78



Anthony Portantino, Senate District 25



Maria Elena Durazo, Senate District 24



Ash Kalra, Assembly District 27



Nancy Skinner, Senate District 9



Rebecca Bauer-Kahan, Assembly District 16



Bob Archuleta, Senate District 32

CC: Senator Toni Atkins, President Pro Tempore of the Senate
Assemblymember Anthony Rendon, Speaker of the Assembly

ⁱ While California refines its understanding of the economic implications of future climate disasters in the Fifth Climate Assessment, a snapshot of our state's risk exposure can be found in a 2015 report, *From Boom to Bust? Climate Risk in the Golden State* by the Risky Business Project.

ⁱⁱ One notable effort that successfully reduced climate risk and resulted in resilient job creation is the American Recovery and Reinvestment Act of 2009, which boosted gross domestic product overall by 2 to 3 percent, where the clean energy investment provisions alone supported about 1 million job-years from 2009-15, including an innovative loan program that is now cash-positive, yielding an ongoing revenue source and a return for taxpayers.

Other efforts to consider include the 2006 "Rebuilding California" Propositions 1A-E and Proposition 84, Proposition 39 of 2012, Proposition 1 of 2014, and Proposition 68 of 2016. As a general rule of thumb, FEMA estimates every dollar spent on disaster preparedness saves six dollars over time, and according to a recent University of Massachusetts at Amherst study, for every billion dollars spent on public works, we create about 20,000 jobs.



Connecting us.

April 7, 2020

The Honorable Gavin Newsom, Governor
State of California
State Capitol, Suite 1173
Sacramento, CA 95814

The Honorable Toni Atkins, President Pro Tempore
California State Senate
State Capitol, Room 205
Sacramento, CA 95814

The Honorable Anthony Rendon, Speaker
California State Assembly
State Capitol, Room 209
Sacramento, CA 95814

RE: Statutory and Administrative/Regulatory Relief Measures to Support Transit Agencies

Dear Governor Newsom, President pro Tem Atkins, and Speaker Rendon:

On behalf of the California Transit Association, thank you for your leadership during the public health crisis, your staffs' attention to our industry's needs, and for your steadfast support of California's essential workers still relying on public transit agencies to move about.

As you well know, the COVID-19 pandemic precipitated an existential crisis facing transit agencies statewide, as fare revenue losses and the escalating cost of front-line efforts to maintain public health severely threatened agency fiscal solvency and operational capacity. With your support, California was able to capture significant new emergency funding in the federal Coronavirus Aid, Relief and Economic Security (CARES) Act to help maintain transit service levels in the near-term, ensuring that many essential workers throughout our state have the means to travel as needed. Over the mid- to long-term, our members anticipate that additional funding will be necessary to backfill for revenue lost from the expected decline in sales tax revenue, to prevent from becoming permanent service cuts made in response to state and local directives, and to stave off future cuts that could further set transit service back. We are working with our members to scope the anticipated revenue losses on the horizon, as well as any need for more state and federal supplemental funding. When we have completed that work, we look forward to engaging with you to discuss the various options before the state.

In the meantime, we respectfully commend to you a variety of near-term and low- to no-cost actions the Administration and the Legislature can take today to reduce transit agency costs and ensure transit agencies direct their current funding and staff capacity to advancing public health as they maintain the transit service still needed for Californians that must travel but have no other option.

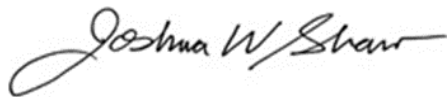
The attachment accompanying this transmittal letter includes a series of statutory and administrative/regulatory relief measures – sourced from our member agencies – that would, among other things:

- Temporarily eliminate counterproductive financial penalties for non-compliance with various transit funding efficiency measures;
- Create more flexibility in the use of existing transit funding; and,
- Temporarily postpone the time-lines for various enforcement actions, regulatory milestones and the use of funding requirements that would otherwise shift agency resources away from the core mission during the crisis.

Again, we thank you for your leadership through these uncertain times and we welcome the opportunity to further discuss our proposed relief measures with you. Our paramount concern is preserving lifeline and essential mobility options during this crisis; and we look forward to working with you to restore public transportation in California to the national model it was before the pandemic.

If you have any questions, please contact me at 916-893-9299.

Sincerely

A handwritten signature in black ink that reads "Joshua W. Shaw". The signature is fluid and cursive, with the first name "Joshua" being larger and more prominent than the last name "Shaw".

Joshua W. Shaw
Executive Director

cc: The Honorable Betty Yee, Controller, State of California
The Honorable Jim Beall, Chair, Senate Transportation Committee
The Honorable Holly Mitchell, Chair, Senate Budget and Fiscal Review Committee
The Honorable Jim Frazier, Chair, Assembly Transportation Committee
The Honorable Phil Ting, Chair, Assembly Budget Committee
David Kim, Secretary, California State Transportation Agency
Toks Omishakin, Director, California Department of Transportation
Richard Corey, Executive Officer, California Air Resources Board
Members, Executive Committee, California Transit Association

COVID-19 Response: Statutory & Administrative/Regulatory Relief Measures for Public Transportation Agencies

Statutory Relief Measures:

1. Institute hold harmless provision for calculation and allocation of State Transit Assistance Program, STA-State of Good Repair and Low Carbon Transit Operations Program allocations (Local Revenue Basis Only).

Justification: For 50% of all funds allocated under these three programs, current law requires the State Controller to calculate funding apportionments for each eligible transit agency based on the ratio that the transit agency's local revenue bears to the total local revenue of all eligible transit agencies within the area of jurisdiction of each agency's transportation planning agency, county transportation commission or regional board.

Due to the COVID-19 pandemic, transit agencies statewide are experiencing significant declines in local revenue (largely passenger fares so far, but this will soon include reduced local-option sales taxes), but these impacts are not being experienced uniformly and to the same degree between transit agencies. This requirement, left unaddressed, will lead to unwarranted and potentially significant redistribution of funding apportionments between agencies in the jurisdiction of the same transportation planning agency, county transportation commission or regional board. This requirement, which chiefly guides apportionments for the State Transit Assistance Program, also guides apportionments for the STA-State of Good Repair Program and the Low Carbon Transit Operations Program.

This proposal provides transit agencies predictability, by directing the State Controller to: "freeze" for the budget year and the year after that the local revenue allocation factors used most recently before the pandemic; and, to allocate to transit agencies funds under these three programs using those exact same allocation factors (i.e. as opposed to updating the factors each year, which would redistribute the funds in unanticipated ways).

Please note: While this proposal pegs the factors to the data to be published by the State Controller this August, 2020, which may seem like data that would naturally be "affected" adversely by the local transit fare revenue impacts of the pandemic, in fact the State Controller will be publishing this August data submitted by transit agencies from the close of their fiscal year 2018-19 (i.e. as of June 30, 2019). This data set is thus the latest data available that will not be adversely affected by the pandemic. Current law would usually then direct the State Controller to update the local revenue ratios each quarter after the first quarter's allocation; this proposal also "freezes" in place that process, which otherwise would start to be adversely affected by the pandemic's impacts on local transit revenue.

Proposed Amendment:

Section 99314.8 of the Public Utilities Code is amended to read:

(a) Notwithstanding any other law, for ~~the third and fourth quarters of the 2015-16 fiscal year, and for all four quarters of the 2016-17~~ **2020-21 and 2021-2022** fiscal years, the Controller shall calculate and publish the allocation of all funds made **available** pursuant to Section 99314 to each transportation planning agency and county transportation commission, the San Diego Metropolitan Transit Development Board, the member agencies of the Altamont Commuter Express Authority, and the member agencies of the Southern California Regional Rail Authority based on the **same individual operator ratios published by the Controller in its State Transit Assistance Allocation transmittal memo dated August 2020.** ~~same list of operators and the same individual operator ratios published by the Controller in its original Fourth Quarter State Transit Assistance Allocation transmittal memo for the 2014-15 fiscal year, unless the Controller has subsequently published revisions or adjustments to its original Fourth Quarter State Transit Assistance Allocation transmittal memo for the 2014-15 fiscal year, in which case the revised or adjusted list of operators and individual operator ratios shall be used.~~

~~(b) Each transportation planning agency and county transportation commission, and the San Diego Metropolitan Transit Development Board may apply the individual operator ratios calculated for the third quarter of the 2015-16 fiscal year pursuant to this section to any undistributed funds remaining from the first and second quarters of the 2015-16 fiscal year.~~

~~(be)~~ Upon allocation of funds pursuant to this section to each transportation planning agency and county transportation commission, the San Diego Metropolitan Transit Development Board, the member agencies of the Altamont Commuter Express Authority, and the member agencies of the Southern California Rail Authority, the Controller shall publish the amount of funding applicable to each operator.

(c) This section applies to Section 75230 of the Public Resources Code and Section 99312.1 of the Public Utilities Code.

2. Temporarily suspend the financial penalties associated with the Transportation Development Act's requirements that transit agencies obtain specified fixed percentages of their operating budgets from passenger fares.

Justification: Current law requires transit agencies to obtain specified fixed percentages of their operating budgets from passenger fares (often called "farebox recovery ratio requirements") in order to receive their full share of the Transportation Development Act's Local Transportation Fund (LTF) revenues. Transit agencies that fail to meet this requirement face financial penalties, which reduce the LTF funding available to them for capital and operations.

Given the COVID-19 pandemic, this requirement, which was originally established to ensure transit agencies deliver cost-effective transit service, will instead penalize transit agencies that are experiencing – *through no fault of their own* – unprecedented declines in transit ridership and fare revenue or that are eliminating fares entirely to facilitate social distancing between transit operators and riders.

Proposed Amendment:

Section 99268.9 of the Public Utilities Code is amended to read:

99268.9. (a) Except as otherwise provided in subdivision (b), if an operator was allocated funds under this article during a fiscal year in which it did not maintain the required ratio of fare revenues to operating cost, the operator's eligibility to receive moneys from the local transportation fund and allocations pursuant to Sections 99313.3 and 99314.3 shall be reduced during a subsequent penalty year by the amount of the difference between the required fare revenues and the actual fare revenues for the fiscal year that the required ratio was not maintained. The penalty year shall be the fiscal year that begins one year after the end of the fiscal year during which the required ratio was not maintained.

...

(c) Notwithstanding this section, no transportation planning agency or county transportation commission, nor the San Diego Metropolitan Transit Development Board, shall impose the financial penalties described in subdivision (a) in or due to fare ratios calculated and maintained in an operator's fiscal year 2019-20 or 2020-21.

(d) Subdivision (c) of this section shall become inoperative commencing January 1, 2022.

- 3. Temporarily suspend the financial penalties associated with the State Transit Assistance Program's requirement that transit agencies' operating cost per revenue vehicle hour may not exceed operating cost per revenue vehicle hour adjusted by regional CPI, year over year.**

Justification: Current law requires transit agencies to hold operating cost per revenue vehicle hour constant year-over-year, as adjusted for inflation, in order to apply their share of State Transit Assistance Program funds fully toward operations. Transit agencies that fail to meet this requirement face financial penalties, which limit the funding from their total share that could be applied to operations (i.e. these dollars may only be used for capital expenditures).

Given the COVID-19 pandemic, this requirement, which was originally established to ensure transit agencies deliver cost-effective transit service, will instead penalize transit agencies that are experiencing – *through no fault of their own* – sudden increases in maintenance and sanitation costs for transit vehicles to protect public health.

Proposed Amendment:

Section 99314.6 of the Public Utilities Code is amended to read:

- (a) Except as provided in [Section 99314.7](#), the following eligibility standards apply:
- (1) Except as provided in paragraph (3), funds shall be allocated for operating or capital purposes pursuant to [Sections 99313](#) and [99314](#) to an operator if the operator meets either of the following efficiency standards:
 - (A) The operator shall receive its entire allocation, and any or all of this allocation may be used for operating purposes, if the operator's total operating cost per revenue vehicle

hour in the latest year for which audited data are available does not exceed the sum of the preceding year's total operating cost per revenue vehicle hour and an amount equal to the product of the percentage change in the Consumer Price Index for the same period multiplied by the preceding year's total operating cost per revenue vehicle hour.

(B) The operator shall receive its entire allocation, and any or all of this allocation may be used for operating purposes, if the operator's average total operating cost per revenue vehicle hour in the latest three years for which audited data are available does not exceed the sum of the average of the total operating cost per revenue vehicle hour in the three years preceding the latest year for which audited data are available and an amount equal to the product of the average percentage change in the Consumer Price Index for the same period multiplied by the average total operating cost per revenue vehicle hour in the same three years.

...

(e) Notwithstanding this section, an operator shall be exempt from meeting either efficiency standard under subdivision (a)(1) for the 2020-21 and 2021-2022 fiscal years and may expend funds for operating or capital purposes pursuant to Sections 99313 and 93314 during that period.

4. Authorize use of Low Carbon Transit Operations Program dollars to support all operating and capital expenses associated with COVID-19 relief.

Justification: Current law requires transit agencies to use Low Carbon Transit Operations Program dollars only to enhance or expand their transit service, increase transit mode share, or for the purchase of zero-emission buses and the installation of necessary equipment and infrastructure. These limits on the use of LCTOP funds were established by the State Legislature to ensure that these dollars, sourced from the Greenhouse Gas Reduction Fund, deliver year-over-year climate benefits.

The COVID-19 pandemic's impact on fare revenue and expected impact on sales tax revenue has resulted in transit agencies dramatically curtailing service hours and cutting deeply service lines. Transit agencies require flexibility in the dollars already allocated to them to maintain existing service and stave off additional service cuts during this crisis, which could lead to GHG increases.

Proposed Amendment:

Section 75230 of the Public Resources Code is amended to read:

(a) The Low Carbon Transit Operations Program is hereby created to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities.

...

(v) A recipient transit agency shall be exempt from the requirements of this section for 2020-21 and 2020-22 and may expend program moneys allocated for the 2019-20, 2020-21 and 2021-22 fiscal years and any unspent program moneys allocated in a previous fiscal year on operating or capital expenses to maintain service and backfill lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.

5. Authorize State Transit Assistance Program-State of Good Repair dollars to support all operating and capital expenses associated with COVID-19 relief.

Justification: Current law requires transit agencies to use State Transit Assistance – State of Good Repair dollars only to maintain or repair their existing transit vehicle fleet or existing transit facilities, including rehabilitation or modernization of existing vehicles or facilities; design, acquisition, and construction of new vehicles or facilities that improve existing transit services; or, to complement local efforts for repair and improvement of local transportation infrastructure.

The COVID-19 pandemic's impact on fare revenue and expected impact on sales tax revenue has resulted in transit agencies dramatically curtailing service hours and deeply cutting service lines. Transit agencies require flexibility in the dollars already allocated to them to maintain existing service and to stave off additional service cuts during this crisis.

Proposed Amendment:

Section 99312.1 of the Public Utilities Code is amended to read:

(a) Revenues transferred to the Public Transportation Account pursuant to Sections 6051.8 and 6201.8 of the Revenue and Taxation Code for the State Transit Assistance Program are hereby continuously appropriated to the Controller for allocation as follows:

- (1) Fifty percent for allocation to transportation planning agencies, county transportation commissions, and the San Diego Metropolitan Transit Development Board pursuant to Section 99314.
- (2) Fifty percent for allocation to transportation agencies, county transportation commissions, and the San Diego Metropolitan Transit Development Board for purposes of Section 99313.

...

(g) A recipient transit agency shall be exempt from the requirements of this section for 2020-21 and 2021-22 and may expend program moneys allocated for the 2019-20, 2020-21 and 2021-22 fiscal years and any unspent program moneys allocated in a previous fiscal year on operating or capital expenses to maintain service and backfill lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.

6. Postpone Transportation Development Act and Senate Bill 1 audit requirements.

Justification: Current law requires transit agencies to regularly submit audits to their regional planning agency, transit development board or county transportation commission and the state, detailing how funds from the Transportation Development Act were expended and reporting on the efficiency, effectiveness, and economy of their operations. These audits are time- and resource-intensive, requiring coordination between multiple divisions within a transit agency.

Due to the COVID-19 pandemic, transit professionals are focused primarily on maintaining the fiscal solvency and operational capacity of their transit systems and protecting public health. These requirements would shift limited financial and staff resources from these critical functions when transit agencies can least afford it.

Proposed Amendments:

Section 99245 of the Public Utilities Code is amended to read:

(a) Each transportation planning agency, transit development board created pursuant to Division 11 (commencing with Section 120000), and county transportation commission shall be responsible to ensure that all claimants to whom it directs the allocation of funds pursuant to this chapter shall submit to it an annual certified fiscal audit conducted by an entity other than the claimant.

A report on the audit shall be submitted to the transportation planning agency, transit development board, county transportation commission, and to the Controller within 180 days after the end of the fiscal year. However, the responsible entity may grant an extension of up to 90 days as it deems necessary. The report shall include a certification that the funds allocated to the claimant pursuant to this chapter were expended in conformance with applicable laws and rules and regulations. Except for the first report, the report shall also include the audited amounts for the fiscal year prior to the fiscal year audited.

(b) Notwithstanding this section, no transportation planning agency, transportation development board, or county transportation commission shall require a claimant to whom it directs allocation of funds pursuant to this chapter to submit to it an annual certified fiscal audit described in subdivision (a) for the 2019-20 fiscal year before June 30, 2021.

Section 99246 of the Public Utilities Code is amended to read:

(a) The transportation planning agency shall designate entities other than itself, a county transportation commission, a transit development board, or an operator to make a performance audit of its activities and the activities of each operator to whom it allocates funds. The transportation planning agency shall consult with the entity to be audited prior to designating the entity to make the performance audit.

...

(f) Notwithstanding this section, no performance audit otherwise required to be prepared pursuant to this section and otherwise required to be submitted to the director as described in subdivision (c) and made available to the public as described in subdivision (e) in calendar year 2020 shall be required to be submitted to the director and made available to the public any earlier than June 30, 2021.

Administrative/Regulatory Relief Measures:

1. Expedite Caltrans's release of Federal Transit Administration 5310 and 5311 funds for rural operators.

Justification: Under federal law, Caltrans is the designated recipient of federal transit funding for non-urban areas. Caltrans is charged with allocating this funding to non-urban transit agencies, known as subrecipients, by entering into standard agreements with them or through a process of reimbursement. Typically, it takes between 12 and 18 months for transit agencies to receive their share of federal funds after submitting a claim to Caltrans.

Caltrans still has some federal funds on hand, allocated through the most recent federal process, which have not been allocated to transit agencies. And, the federal government recently passed the CARES Act, authorizing another \$3.74 billion in emergency relief funding for California transit agencies, a great deal of which will be processed by Caltrans.

The COVID-19 pandemic requires urgent action by the state to process these claims, streamline coordination between responsible state agencies, authorize safer claims handling, and to frontload investment to transit agencies wherever possible. These urgent actions will help transit agencies maintain existing transit service levels during the crisis.

Proposed Administrative Changes:

- a. Dedicate additional Caltrans staff to completing or amending standard agreements and reviewing future reimbursement requests for FTA 5310 and FTA 5311 funds. Expedite coordination between program manager, Caltrans Accounting department, and the State Controller's Office.

Relevant agency-department: CalSTA; Caltrans; State Controller's Office

- b. Authorize e-signatures in place of wet signatures for standard agreements for FTA 5311 funds.

Relevant agency-department: State Controller's Office; CalSTA; Caltrans

- c. Authorize upfront payment of an appropriate percentage (25% to 50% is recommended) of FTA 5311 funds directly to eligible recipients and postpone semi-annual reporting requirements. The balance of money should be apportioned by Caltrans after the department receives billing and documentation verifying funding has been used for COVID 19 expenses.

Relevant agency-department: Federal Transit Administration; Caltrans

2. Provide temporary flexibility in LCTOP and STA-SOGR funding.

Justification: See 'Justification' under Statutory Relief Measures 4 and 5.

Proposed Administrative Changes:

- a. Authorize a recipient transit agency under the Low Carbon Transit Operations Program to expend program moneys on operating or capital expenses to maintain service and backfill lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.

Relevant agency-department: CalSTA; ARB

- b. Authorize a recipient transit agency under the State Transit Assistance-State of Good Repair Program to expend program moneys on operating or capital expenses to maintain service and backfill lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.

Relevant agency-department: CalSTA; Caltrans

3. Temporarily suspend requirements that Transportation Development Act claims go to transit governing boards before submitting to Regional Transportation Planning Agency.

Justification: The California Code of Regulations authorizes RTPAs to impose requirements on transit agencies for the processing of TDA funding claims. Pursuant to this authorization, RTPAs statewide require transit agencies to submit their TDA claims to transit agency governing boards before submitting them to the RTPA.

Due to the COVID-19 pandemic, transit governing boards are meeting less frequently and generally to address only the most pressing concerns of their systems. This requirement, left unaddressed, may slow the receipt of critical funding at transit agencies. Transit agency staff should be allowed to process and submit these claims to RTPAs during the crisis, to speed the flow of needed funds.

Proposed Administrative Change:

- a. Direct Caltrans to update guidance to RTPAs statewide to temporarily suspend the imposition of any requirement for TDA claims to be approved by a transit agency's governing board before submitting to RTPA.

Relevant agency-department: CalSTA; Caltrans

4. Temporarily suspend enforcement of expired Class B licenses.

Justification: The California Highway Patrol, based on direction from the Department of Motor Vehicles, has issued guidance to California law enforcement personnel encouraging them to exercise flexibility and discretion when reviewing DL/ID and VR records. This directive is in effect through May 15, 2020 and will be re-evaluated closer to that date.

While DMV offices are closed for most functions, transit agencies with operators holding expired Class B licenses require certainty from the state so they can plan, and adjust as necessary, the provision of transit service during the crisis.

Proposed Administrative Change:

- a. Direct DMV-CHP to exercise discretion for an additional 60 days (for a total of 120 days) in their enforcement of expired commercial driver's licenses

Relevant agency-department: CalSTA; DMV; CHP

5. Temporarily suspend California Highway Patrol audits of vehicles, and drug and alcohol testing & operations.

Justification: The California Highway Patrol conducts audits of transit agency vehicle fleets and operations on an annual basis, comprised of three components: a mechanical audit of vehicles, audit of drug and alcohol testing, and an audit of operators (i.e. drivers).

A transit agency designated for an audit during the COVID-19 pandemic may face challenges in complying while maintaining transit service, as these audits generally take several days to complete and can require significant staff time and paperwork. This concern is compounded by the fact that many transit agencies are anticipating significant staff shortages.

Proposed Administrative Change:

- a. Direct CHP to suspend audits of vehicles, drug and alcohol testing & operations for 120 days

Relevant agency-department: CalSTA; CHP [possibly in concert with the Federal Motor Carrier Safety Administration]

6. Postpone implementation of the California Air Resources Board's Innovative Clean Transit regulation, beginning with the June 30 deadline for large agency rollout plans.

Justification: The California Air Resources Board's Innovative Clean Transit regulation requires large transit agencies (100 > vehicles in maximum annual service) to soon submit rollout plans detailing their proposed transition to zero-emission transit bus technology. These plans must be approved the transit agency's governing board before they are submitted to ARB.

Due to the COVID-19 pandemic, the transit professionals who would normally conduct the in-person site visits with consulting teams, utility companies and bus manufacturers for critical project scoping and plan refinement are currently unable to do so. Moreover,

executive staff and the governing boards who would usually approve such plans are also meeting less frequently for non-emergency items.

Proposed Regulatory Change:

- a. Within the Innovative Clean Transit regulation, postpone the deadline for the submittal of rollout plans by large agencies from June 30, 2020 to December 31, 2020.

Relevant agency-department: ARB

7. Postpone development and implementation of the California Air Resources Board's Commercial Harbor Craft regulation.

Justification: The California Air Resources Board is beginning the development of a new regulation affecting commercial harbor craft. These vehicles are operated by several transit agencies in the state for passenger service, including the Golden Gate Bridge, Highway and Transportation District, Long Beach Transit and the San Francisco Water Emergency Transit Authority. Comments on the regulatory concept are due to ARB by April 30.

Due to the COVID-19 pandemic, transit professionals are focused primarily on maintaining the fiscal solvency and operational capacity of their transit systems and protecting public health. This artificial deadline would shift limited financial and staff resources from these critical functions when transit agencies can least afford it.

Proposed Regulatory Change:

- a. Postpone the development of the commercial harbor craft regulation until *at least* January 1, 2021.

Relevant agency-department: ARB

8. Extend the expenditure deadline for Low Carbon Transit Operations Program awards.

Justification: The COVID-19 pandemic has slowed the delivery of transit projects and transit vehicles funded by the Low Carbon Transit Operations Program. If expenditure deadlines are not extended, transit agencies will be forced to forfeit awards from the Low Carbon Transit Operations Program, just when agencies are focused primarily on maintaining the fiscal solvency and operational capacity of their transit systems and protecting public health.

Proposed Regulatory Change:

- a. Extend the expenditure deadline for Low Carbon Transit Operations Program awards.

Relevant agency-department: CalSTA; Caltrans



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Chief Executive Officer

April 16, 2020

The Honorable Pat Bates
California State Assembly
State Capitol, Room 3048
Sacramento, California 95814

RE: Statutory and Administrative/Regulatory Relief Measures to Support Transit Agencies

Dear Senator Bates:

On behalf of the Orange County Transportation Authority (OCTA), thank you for your steadfast support of the vital services we provide and the essential workers throughout Orange County (OC) who still rely on transit to move them to and from their jobs, while keeping health and safety our top priority during the current coronavirus (COVID-19) pandemic.

As is the case with the entire transportation sector, OCTA is incurring unforeseen costs, financial hardship, and facing significant operational burdens in responding to this unprecedented national crisis, losing approximately \$3 million each month in lost fare revenues. Since the beginning of the COVID-19 pandemic, OC Bus ridership dropped by a little over 70 percent, and paratransit services have dropped over 90 percent. Starting March 23, OCTA made the difficult decision to implement a Sunday service schedule, which is about 40 percent of normal service levels, for every day of the week. At the beginning of April, OCTA also implemented rear-door boarding on its fixed-route service, furthering social distance protections on our buses.

Fortunately, California was able to capture significant new emergency funding in the federal Coronavirus Aid, Relief and Economic Security (CARES) Act to help maintain transit service levels in the near-term, ensuring that many essential workers throughout our state have the means to travel, as needed. This funding also enables OCTA to protect our frontline employees and OC Bus riders through distributing facial coverings to employees and procuring additional cleaning supplies to increase sanitation and social distancing efforts as directed by our local, state, and federal public health officials.

While the funding provided under the CARES Act is critical to meet near-term operations issues, OCTA anticipates several challenges moving forward, including projected decreases in sales tax revenue that may mirror decreases that took place during the Great Recession, directly impacting transit operations

moving forward. In addition, statutory and regulatory mandates put in place before the COVID-19 pandemic present additional barriers as OCTA begins to work toward planning for the reintroduction of service post-pandemic. With this in mind, OCTA supports the various statutory and administrative/regulatory relief measures the California Transit Association have proposed, attached to this letter. These near-term and low- to no-cost actions will ensure OCTA can direct our current funding and staff capacity to advancing public health as we maintain the transit service still needed for Californians. In particular, OCTA supports the following relief measures:

- **Re-evaluate the distribution of Local Transportation Fund (LTF) revenues to transit agencies, accounting for sharp increase in online sales.** Current LTF distribution is based on the place of distribution, rather than where the sale occurs. As the population increasingly turns online to procure essentials, this will significantly decrease available transit funding from the LTF to Orange County due to the low number of distribution centers within the county. Currently LTF funds about 50 percent of OCTA's operations.
- **Postpone implementation of the California Air Resources Board's Innovative Clean Transit regulation.** In responding to the COVID-19 crisis, our transit operations' focus has been on mitigating those impacts. Technology procurements mandates should be delayed so that transit agencies can focus their efforts on operational needs and response after the outbreak is contained. Costly mandates will simply take away from getting service back on the ground.
- **Authorize use of Low Carbon Transit Operations Program (LCTOP) and State of Good Repair (SGOR) funding to support all operating and capital expenses associated with COVID-19 relief.** Granting more flexibility under these funding sources will relieve near-term stresses on our current operation. Allocation directly to transit agencies, with expanded eligibility and streamlined approval processes, will allow agencies to immediately use funding for their systems.
- **Institute hold harmless provision for calculation and allocation of State Transit Assistance Program, SOGR Repair and LCTOP allocations (Local Revenue Basis Only).** Freezing the allocation factors used most recently before the pandemic, for this budget year and the next, will provide transit agencies much needed predictability in these funding streams.

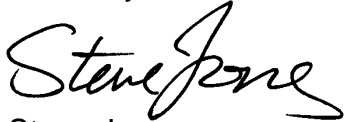
The Honorable Pat Bates
April 16, 2020
Page 3

- **Temporarily suspend the financial penalties associated with the Transportation Development Act's requirements that transit agencies obtain specified fixed percentages of their operating budgets from passenger fares.** Similar to the flexibility provided to the education system, OCTA recommends removing financial penalties for non-compliance with farebox recovery requirements as our ridership continues to decrease.

Again, we thank you for your leadership through these uncertain times and welcome the opportunity to further discuss the proposed relief measures with you. If you have any questions about this request, please do not hesitate to contact Lance Larson, Executive Director of Government Relations, at (714) 560-5908, or Kristin Jacinto, Manager of State and Federal Relations, at (714) 560-5754.

Thank you for your consideration.

Sincerely,



Steve Jones
Chairman

SJ:al
Attachment

c: Orange County State Legislative Delegation
David S. Kim, Secretary, California State Transportation Agency
Chad Edison, Chief Deputy Secretary for Rail and Transit, California State Transportation Agency
Betty T. Yee, Controller, California State Controller's Office
Keely Bosler, Finance Director, State of California Department of Finance
Joshua Shaw, Executive Director, California Transit Association
Darrell E. Johnson, Chief Executive Officer, OCTA
Platinum Advisors, LLC
Topp Strategies, LLC

April 7, 2020

The Honorable Gavin Newsom, Governor
State of California
State Capitol, Suite 1173
Sacramento, CA 95814

The Honorable Toni Atkins, President Pro Tempore
California State Senate
State Capitol, Room 205
Sacramento, CA 95814

The Honorable Anthony Rendon, Speaker
California State Assembly
State Capitol, Room 209
Sacramento, CA 95814

RE: Statutory and Administrative/Regulatory Relief Measures to Support Transit Agencies

Dear Governor Newsom, President pro Tem Atkins, and Speaker Rendon:

On behalf of the California Transit Association, thank you for your leadership during the public health crisis, your staffs' attention to our industry's needs, and for your steadfast support of California's essential workers still relying on public transit agencies to move about.

As you well know, the COVID-19 pandemic precipitated an existential crisis facing transit agencies statewide, as fare revenue losses and the escalating cost of front-line efforts to maintain public health severely threatened agency fiscal solvency and operational capacity. With your support, California was able to capture significant new emergency funding in the federal Coronavirus Aid, Relief and Economic Security (CARES) Act to help maintain transit service levels in the near-term, ensuring that many essential workers throughout our state have the means to travel as needed. Over the mid- to long-term, our members anticipate that additional funding will be necessary to backfill for revenue lost from the expected decline in sales tax revenue, to prevent from becoming permanent service cuts made in response to state and local directives, and to stave off future cuts that could further set transit service back. We are working with our members to scope the anticipated revenue losses on the horizon, as well as any need for more state and federal supplemental funding. When we have completed that work, we look forward to engaging with you to discuss the various options before the state.

In the meantime, we respectfully commend to you a variety of near-term and low- to no-cost actions the Administration and the Legislature can take today to reduce transit agency costs and ensure transit agencies direct their current funding and staff capacity to advancing public health as they maintain the transit service still needed for Californians that must travel but have no other option.


The attachment accompanying this transmittal letter includes a series of statutory and administrative/regulatory relief measures – sourced from our member agencies – that would, among other things:

- Temporarily eliminate counterproductive financial penalties for non-compliance with various transit funding efficiency measures;
- Create more flexibility in the use of existing transit funding; and,
- Temporarily postpone the time-lines for various enforcement actions, regulatory milestones and the use of funding requirements that would otherwise shift agency resources away from the core mission during the crisis.

Again, we thank you for your leadership through these uncertain times and we welcome the opportunity to further discuss our proposed relief measures with you. Our paramount concern is preserving lifeline and essential mobility options during this crisis; and we look forward to working with you to restore public transportation in California to the national model it was before the pandemic.

If you have any questions, please contact me at 916-893-9299.

Sincerely

A handwritten signature in black ink that reads "Joshua W. Shaw". The signature is fluid and cursive, with the first name "Joshua" being more prominent and the last name "Shaw" following in a similar style.

Joshua W. Shaw
Executive Director

cc: The Honorable Betty Yee, Controller, State of California
The Honorable Jim Beall, Chair, Senate Transportation Committee
The Honorable Holly Mitchell, Chair, Senate Budget and Fiscal Review Committee
The Honorable Jim Frazier, Chair, Assembly Transportation Committee
The Honorable Phil Ting, Chair, Assembly Budget Committee
David Kim, Secretary, California State Transportation Agency
Toks Omishakin, Director, California Department of Transportation
Richard Corey, Executive Officer, California Air Resources Board
Members, Executive Committee, California Transit Association

COVID-19 Response: Statutory & Administrative/Regulatory Relief Measures for Public Transportation Agencies

Statutory Relief Measures:

1. Institute hold harmless provision for calculation and allocation of State Transit Assistance Program, STA-State of Good Repair and Low Carbon Transit Operations Program allocations (Local Revenue Basis Only).

Justification: For 50% of all funds allocated under these three programs, current law requires the State Controller to calculate funding apportionments for each eligible transit agency based on the ratio that the transit agency's local revenue bears to the total local revenue of all eligible transit agencies within the area of jurisdiction of each agency's transportation planning agency, county transportation commission or regional board.

Due to the COVID-19 pandemic, transit agencies statewide are experiencing significant declines in local revenue (largely passenger fares so far, but this will soon include reduced local-option sales taxes), but these impacts are not being experienced uniformly and to the same degree between transit agencies. This requirement, left unaddressed, will lead to unwarranted and potentially significant redistribution of funding apportionments between agencies in the jurisdiction of the same transportation planning agency, county transportation commission or regional board. This requirement, which chiefly guides apportionments for the State Transit Assistance Program, also guides apportionments for the STA-State of Good Repair Program and the Low Carbon Transit Operations Program.

This proposal provides transit agencies predictability, by directing the State Controller to: "freeze" for the budget year and the year after that the local revenue allocation factors used most recently before the pandemic; and, to allocate to transit agencies funds under these three programs using those exact same allocation factors (i.e. as opposed to updating the factors each year, which would redistribute the funds in unanticipated ways).

Please note: While this proposal pegs the factors to the data to be published by the State Controller this August, 2020, which may seem like data that would naturally be "affected" adversely by the local transit fare revenue impacts of the pandemic, in fact the State Controller will be publishing this August data submitted by transit agencies from the close of their fiscal year 2018-19 (i.e. as of June 30, 2019). This data set is thus the latest data available that will not be adversely affected by the pandemic. Current law would usually then direct the State Controller to update the local revenue ratios each quarter after the first quarter's allocation; this proposal also "freezes" in place that process, which otherwise would start to be adversely affected by the pandemic's impacts on local transit revenue.

Proposed Amendment:

Section 99314.8 of the Public Utilities Code is amended to read:

(a) Notwithstanding any other law, for ~~the third and fourth quarters of the 2015-16 fiscal year, and for all four quarters of the 2016-17~~ **2020-21 and 2021-2022** fiscal years, the Controller shall calculate and publish the allocation of all funds made **available** pursuant to Section 99314 to each transportation planning agency and county transportation commission, the San Diego Metropolitan Transit Development Board, the member agencies of the Altamont Commuter Express Authority, and the member agencies of the Southern California Regional Rail Authority based on the **same individual operator ratios published by the Controller in its State Transit Assistance Allocation transmittal memo dated August 2020.** ~~same list of operators and the same individual operator ratios published by the Controller in its original Fourth Quarter State Transit Assistance Allocation transmittal memo for the 2014-15 fiscal year, unless the Controller has subsequently published revisions or adjustments to its original Fourth Quarter State Transit Assistance Allocation transmittal memo for the 2014-15 fiscal year, in which case the revised or adjusted list of operators and individual operator ratios shall be used.~~

~~(b) Each transportation planning agency and county transportation commission, and the San Diego Metropolitan Transit Development Board may apply the individual operator ratios calculated for the third quarter of the 2015-16 fiscal year pursuant to this section to any undistributed funds remaining from the first and second quarters of the 2015-16 fiscal year.~~

~~(be)~~ Upon allocation of funds pursuant to this section to each transportation planning agency and county transportation commission, the San Diego Metropolitan Transit Development Board, the member agencies of the Altamont Commuter Express Authority, and the member agencies of the Southern California Rail Authority, the Controller shall publish the amount of funding applicable to each operator.

(c) This section applies to Section 75230 of the Public Resources Code and Section 99312.1 of the Public Utilities Code.

2. Temporarily suspend the financial penalties associated with the Transportation Development Act's requirements that transit agencies obtain specified fixed percentages of their operating budgets from passenger fares.

Justification: Current law requires transit agencies to obtain specified fixed percentages of their operating budgets from passenger fares (often called "farebox recovery ratio requirements") in order to receive their full share of the Transportation Development Act's Local Transportation Fund (LTF) revenues. Transit agencies that fail to meet this requirement face financial penalties, which reduce the LTF funding available to them for capital and operations.

Given the COVID-19 pandemic, this requirement, which was originally established to ensure transit agencies deliver cost-effective transit service, will instead penalize transit agencies that are experiencing – *through no fault of their own* – unprecedented declines in transit ridership and fare revenue or that are eliminating fares entirely to facilitate social distancing between transit operators and riders.

Proposed Amendment:

Section 99268.9 of the Public Utilities Code is amended to read:

99268.9. (a) Except as otherwise provided in subdivision (b), if an operator was allocated funds under this article during a fiscal year in which it did not maintain the required ratio of fare revenues to operating cost, the operator's eligibility to receive moneys from the local transportation fund and allocations pursuant to Sections 99313.3 and 99314.3 shall be reduced during a subsequent penalty year by the amount of the difference between the required fare revenues and the actual fare revenues for the fiscal year that the required ratio was not maintained. The penalty year shall be the fiscal year that begins one year after the end of the fiscal year during which the required ratio was not maintained.

...

(c) Notwithstanding this section, no transportation planning agency or county transportation commission, nor the San Diego Metropolitan Transit Development Board, shall impose the financial penalties described in subdivision (a) in or due to fare ratios calculated and maintained in an operator's fiscal year 2019-20 or 2020-21.

(d) Subdivision (c) of this section shall become inoperative commencing January 1, 2022.

- 3. Temporarily suspend the financial penalties associated with the State Transit Assistance Program's requirement that transit agencies' operating cost per revenue vehicle hour may not exceed operating cost per revenue vehicle hour adjusted by regional CPI, year over year.**

Justification: Current law requires transit agencies to hold operating cost per revenue vehicle hour constant year-over-year, as adjusted for inflation, in order to apply their share of State Transit Assistance Program funds fully toward operations. Transit agencies that fail to meet this requirement face financial penalties, which limit the funding from their total share that could be applied to operations (i.e. these dollars may only be used for capital expenditures).

Given the COVID-19 pandemic, this requirement, which was originally established to ensure transit agencies deliver cost-effective transit service, will instead penalize transit agencies that are experiencing – *through no fault of their own* – sudden increases in maintenance and sanitation costs for transit vehicles to protect public health.

Proposed Amendment:

Section 99314.6 of the Public Utilities Code is amended to read:

- (a) Except as provided in [Section 99314.7](#), the following eligibility standards apply:
- (1) Except as provided in paragraph (3), funds shall be allocated for operating or capital purposes pursuant to [Sections 99313](#) and [99314](#) to an operator if the operator meets either of the following efficiency standards:
 - (A) The operator shall receive its entire allocation, and any or all of this allocation may be used for operating purposes, if the operator's total operating cost per revenue vehicle

hour in the latest year for which audited data are available does not exceed the sum of the preceding year's total operating cost per revenue vehicle hour and an amount equal to the product of the percentage change in the Consumer Price Index for the same period multiplied by the preceding year's total operating cost per revenue vehicle hour.

(B) The operator shall receive its entire allocation, and any or all of this allocation may be used for operating purposes, if the operator's average total operating cost per revenue vehicle hour in the latest three years for which audited data are available does not exceed the sum of the average of the total operating cost per revenue vehicle hour in the three years preceding the latest year for which audited data are available and an amount equal to the product of the average percentage change in the Consumer Price Index for the same period multiplied by the average total operating cost per revenue vehicle hour in the same three years.

...

(e) Notwithstanding this section, an operator shall be exempt from meeting either efficiency standard under subdivision (a)(1) for the 2020-21 and 2021-2022 fiscal years and may expend funds for operating or capital purposes pursuant to Sections 99313 and 93314 during that period.

4. Authorize use of Low Carbon Transit Operations Program dollars to support all operating and capital expenses associated with COVID-19 relief.

Justification: Current law requires transit agencies to use Low Carbon Transit Operations Program dollars only to enhance or expand their transit service, increase transit mode share, or for the purchase of zero-emission buses and the installation of necessary equipment and infrastructure. These limits on the use of LCTOP funds were established by the State Legislature to ensure that these dollars, sourced from the Greenhouse Gas Reduction Fund, deliver year-over-year climate benefits.

The COVID-19 pandemic's impact on fare revenue and expected impact on sales tax revenue has resulted in transit agencies dramatically curtailing service hours and cutting deeply service lines. Transit agencies require flexibility in the dollars already allocated to them to maintain existing service and stave off additional service cuts during this crisis, which could lead to GHG increases.

Proposed Amendment:

Section 75230 of the Public Resources Code is amended to read:

(a) The Low Carbon Transit Operations Program is hereby created to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities.

...

(v) A recipient transit agency shall be exempt from the requirements of this section for 2020-21 and 2020-22 and may expend program moneys allocated for the 2019-20, 2020-21 and 2021-22 fiscal years and any unspent program moneys allocated in a previous fiscal year on operating or capital expenses to maintain service and backfill lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.

5. Authorize State Transit Assistance Program-State of Good Repair dollars to support all operating and capital expenses associated with COVID-19 relief.

Justification: Current law requires transit agencies to use State Transit Assistance – State of Good Repair dollars only to maintain or repair their existing transit vehicle fleet or existing transit facilities, including rehabilitation or modernization of existing vehicles or facilities; design, acquisition, and construction of new vehicles or facilities that improve existing transit services; or, to complement local efforts for repair and improvement of local transportation infrastructure.

The COVID-19 pandemic's impact on fare revenue and expected impact on sales tax revenue has resulted in transit agencies dramatically curtailing service hours and deeply cutting service lines. Transit agencies require flexibility in the dollars already allocated to them to maintain existing service and to stave off additional service cuts during this crisis.

Proposed Amendment:

Section 99312.1 of the Public Utilities Code is amended to read:

(a) Revenues transferred to the Public Transportation Account pursuant to Sections 6051.8 and 6201.8 of the Revenue and Taxation Code for the State Transit Assistance Program are hereby continuously appropriated to the Controller for allocation as follows:

- (1) Fifty percent for allocation to transportation planning agencies, county transportation commissions, and the San Diego Metropolitan Transit Development Board pursuant to Section 99314.
- (2) Fifty percent for allocation to transportation agencies, county transportation commissions, and the San Diego Metropolitan Transit Development Board for purposes of Section 99313.

...

(g) A recipient transit agency shall be exempt from the requirements of this section for 2020-21 and 2021-22 and may expend program moneys allocated for the 2019-20, 2020-21 and 2021-22 fiscal years and any unspent program moneys allocated in a previous fiscal year on operating or capital expenses to maintain service and backfill lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.

6. Postpone Transportation Development Act and Senate Bill 1 audit requirements.

Justification: Current law requires transit agencies to regularly submit audits to their regional planning agency, transit development board or county transportation commission and the state, detailing how funds from the Transportation Development Act were expended and reporting on the efficiency, effectiveness, and economy of their operations. These audits are time- and resource-intensive, requiring coordination between multiple divisions within a transit agency.

Due to the COVID-19 pandemic, transit professionals are focused primarily on maintaining the fiscal solvency and operational capacity of their transit systems and protecting public health. These requirements would shift limited financial and staff resources from these critical functions when transit agencies can least afford it.

Proposed Amendments:

Section 99245 of the Public Utilities Code is amended to read:

(a) Each transportation planning agency, transit development board created pursuant to Division 11 (commencing with Section 120000), and county transportation commission shall be responsible to ensure that all claimants to whom it directs the allocation of funds pursuant to this chapter shall submit to it an annual certified fiscal audit conducted by an entity other than the claimant.

A report on the audit shall be submitted to the transportation planning agency, transit development board, county transportation commission, and to the Controller within 180 days after the end of the fiscal year. However, the responsible entity may grant an extension of up to 90 days as it deems necessary. The report shall include a certification that the funds allocated to the claimant pursuant to this chapter were expended in conformance with applicable laws and rules and regulations. Except for the first report, the report shall also include the audited amounts for the fiscal year prior to the fiscal year audited.

(b) Notwithstanding this section, no transportation planning agency, transportation development board, or county transportation commission shall require a claimant to whom it directs allocation of funds pursuant to this chapter to submit to it an annual certified fiscal audit described in subdivision (a) for the 2019-20 fiscal year before June 30, 2021.

Section 99246 of the Public Utilities Code is amended to read:

(a) The transportation planning agency shall designate entities other than itself, a county transportation commission, a transit development board, or an operator to make a performance audit of its activities and the activities of each operator to whom it allocates funds. The transportation planning agency shall consult with the entity to be audited prior to designating the entity to make the performance audit.

...

(f) Notwithstanding this section, no performance audit otherwise required to be prepared pursuant to this section and otherwise required to be submitted to the director as described in subdivision (c) and made available to the public as described in subdivision (e) in calendar year 2020 shall be required to be submitted to the director and made available to the public any earlier than June 30, 2021.

Administrative/Regulatory Relief Measures:

1. Expedite Caltrans's release of Federal Transit Administration 5310 and 5311 funds for rural operators.

Justification: Under federal law, Caltrans is the designated recipient of federal transit funding for non-urban areas. Caltrans is charged with allocating this funding to non-urban transit agencies, known as subrecipients, by entering into standard agreements with them or through a process of reimbursement. Typically, it takes between 12 and 18 months for transit agencies to receive their share of federal funds after submitting a claim to Caltrans.

Caltrans still has some federal funds on hand, allocated through the most recent federal process, which have not been allocated to transit agencies. And, the federal government recently passed the CARES Act, authorizing another \$3.74 billion in emergency relief funding for California transit agencies, a great deal of which will be processed by Caltrans.

The COVID-19 pandemic requires urgent action by the state to process these claims, streamline coordination between responsible state agencies, authorize safer claims handling, and to frontload investment to transit agencies wherever possible. These urgent actions will help transit agencies maintain existing transit service levels during the crisis.

Proposed Administrative Changes:

- a. Dedicate additional Caltrans staff to completing or amending standard agreements and reviewing future reimbursement requests for FTA 5310 and FTA 5311 funds. Expedite coordination between program manager, Caltrans Accounting department, and the State Controller's Office.

Relevant agency-department: CalSTA; Caltrans; State Controller's Office

- b. Authorize e-signatures in place of wet signatures for standard agreements for FTA 5311 funds.

Relevant agency-department: State Controller's Office; CalSTA; Caltrans

- c. Authorize upfront payment of an appropriate percentage (25% to 50% is recommended) of FTA 5311 funds directly to eligible recipients and postpone semi-annual reporting requirements. The balance of money should be apportioned by Caltrans after the department receives billing and documentation verifying funding has been used for COVID 19 expenses.

Relevant agency-department: Federal Transit Administration; Caltrans

2. Provide temporary flexibility in LCTOP and STA-SOGR funding.

Justification: See 'Justification' under Statutory Relief Measures 4 and 5.

Proposed Administrative Changes:

- a. Authorize a recipient transit agency under the Low Carbon Transit Operations Program to expend program moneys on operating or capital expenses to maintain service and backfill lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.

Relevant agency-department: CalSTA; ARB

- b. Authorize a recipient transit agency under the State Transit Assistance-State of Good Repair Program to expend program moneys on operating or capital expenses to maintain service and backfill lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.

Relevant agency-department: CalSTA; Caltrans

3. Temporarily suspend requirements that Transportation Development Act claims go to transit governing boards before submitting to Regional Transportation Planning Agency.

Justification: The California Code of Regulations authorizes RTPAs to impose requirements on transit agencies for the processing of TDA funding claims. Pursuant to this authorization, RTPAs statewide require transit agencies to submit their TDA claims to transit agency governing boards before submitting them to the RTPA.

Due to the COVID-19 pandemic, transit governing boards are meeting less frequently and generally to address only the most pressing concerns of their systems. This requirement, left unaddressed, may slow the receipt of critical funding at transit agencies. Transit agency staff should be allowed to process and submit these claims to RTPAs during the crisis, to speed the flow of needed funds.

Proposed Administrative Change:

- a. Direct Caltrans to update guidance to RTPAs statewide to temporarily suspend the imposition of any requirement for TDA claims to be approved by a transit agency's governing board before submitting to RTPA.

Relevant agency-department: CalSTA; Caltrans

4. Temporarily suspend enforcement of expired Class B licenses.

Justification: The California Highway Patrol, based on direction from the Department of Motor Vehicles, has issued guidance to California law enforcement personnel encouraging them to exercise flexibility and discretion when reviewing DL/ID and VR records. This directive is in effect through May 15, 2020 and will be re-evaluated closer to that date.

While DMV offices are closed for most functions, transit agencies with operators holding expired Class B licenses require certainty from the state so they can plan, and adjust as necessary, the provision of transit service during the crisis.

Proposed Administrative Change:

- a. Direct DMV-CHP to exercise discretion for an additional 60 days (for a total of 120 days) in their enforcement of expired commercial driver's licenses

Relevant agency-department: CalSTA; DMV; CHP

5. Temporarily suspend California Highway Patrol audits of vehicles, and drug and alcohol testing & operations.

Justification: The California Highway Patrol conducts audits of transit agency vehicle fleets and operations on an annual basis, comprised of three components: a mechanical audit of vehicles, audit of drug and alcohol testing, and an audit of operators (i.e. drivers).

A transit agency designated for an audit during the COVID-19 pandemic may face challenges in complying while maintaining transit service, as these audits generally take several days to complete and can require significant staff time and paperwork. This concern is compounded by the fact that many transit agencies are anticipating significant staff shortages.

Proposed Administrative Change:

- a. Direct CHP to suspend audits of vehicles, drug and alcohol testing & operations for 120 days

Relevant agency-department: CalSTA; CHP [possibly in concert with the Federal Motor Carrier Safety Administration]

6. Postpone implementation of the California Air Resources Board's Innovative Clean Transit regulation, beginning with the June 30 deadline for large agency rollout plans.

Justification: The California Air Resources Board's Innovative Clean Transit regulation requires large transit agencies (100 > vehicles in maximum annual service) to soon submit rollout plans detailing their proposed transition to zero-emission transit bus technology. These plans must be approved the transit agency's governing board before they are submitted to ARB.

Due to the COVID-19 pandemic, the transit professionals who would normally conduct the in-person site visits with consulting teams, utility companies and bus manufacturers for critical project scoping and plan refinement are currently unable to do so. Moreover,

executive staff and the governing boards who would usually approve such plans are also meeting less frequently for non-emergency items.

Proposed Regulatory Change:

- a. Within the Innovative Clean Transit regulation, postpone the deadline for the submittal of rollout plans by large agencies from June 30, 2020 to December 31, 2020.

Relevant agency-department: ARB

7. Postpone development and implementation of the California Air Resources Board's Commercial Harbor Craft regulation.

Justification: The California Air Resources Board is beginning the development of a new regulation affecting commercial harbor craft. These vehicles are operated by several transit agencies in the state for passenger service, including the Golden Gate Bridge, Highway and Transportation District, Long Beach Transit and the San Francisco Water Emergency Transit Authority. Comments on the regulatory concept are due to ARB by April 30.

Due to the COVID-19 pandemic, transit professionals are focused primarily on maintaining the fiscal solvency and operational capacity of their transit systems and protecting public health. This artificial deadline would shift limited financial and staff resources from these critical functions when transit agencies can least afford it.

Proposed Regulatory Change:

- a. Postpone the development of the commercial harbor craft regulation until *at least* January 1, 2021.

Relevant agency-department: ARB

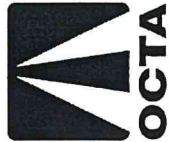
8. Extend the expenditure deadline for Low Carbon Transit Operations Program awards.

Justification: The COVID-19 pandemic has slowed the delivery of transit projects and transit vehicles funded by the Low Carbon Transit Operations Program. If expenditure deadlines are not extended, transit agencies will be forced to forfeit awards from the Low Carbon Transit Operations Program, just when agencies are focused primarily on maintaining the fiscal solvency and operational capacity of their transit systems and protecting public health.

Proposed Regulatory Change:

- a. Extend the expenditure deadline for Low Carbon Transit Operations Program awards.

Relevant agency-department: CalSTA; Caltrans



Orange County Transportation Authority Legislative Matrix

2020 State Legislation Session
May 21, 2020

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
BILLS WITH POSITIONS			
AB 1402 (Petrie-Norris - D) Active Transportation Program	Requires the California Department of Transportation to award Active Transportation Program (ATP) funds to projects and small urban and rural region distribution categories and to adopt a program of projects for those distribution categories. Provides guidelines for use of funds.	INTRODUCED: 02/22/2019 LAST AMEND: 03/26/2019 LOCATION: Assembly Transportation Committee STATUS: 02/03/2020 Died pursuant to Art. IV, Sec. 10(c) of the Constitution 02/03/2020 From Committee: Filed with the Chief Clerk pursuant to Joint Rule 56.	SPONSOR Support: Orange County Business Council (OCBC) (Co-Sponsor)

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
AB 1568 (McCarty – D) Housing Law Compliance: State Grants	Requires the California Department of Housing and Community Development to review any action or failure to act by a city or county that it determines is inconsistent with an adopted housing element or a specified provision of the Housing Element Law. Prohibits a city or county found to be in violation of state law from applying for a state grant, unless the eligibility of the city or county to apply is constitutionally required or the state grant funds, if awarded to the city or county, would assist in compliance.	INTRODUCED: 02/22/2019 LAST AMEND: 04/11/2019 LOCATION: Assembly Appropriations Committee STATUS: 02/03/2020 Died pursuant to Art. IV, Sec. 10(c) of the Constitution 02/03/2020 From Committee: Filed with the Chief Clerk pursuant to Joint Rule 56.	OPPOSE Support: California Apartment Association (Co-Sponsor), California Association of Realtors (Co-Sponsor) Opposed: Bizfed, California State Association of Counties, Marin County Council of Mayors and Councilmembers
AB 2011 (Holden – D) West San Bernardino County Rail Construction Authority	Creates the West San Bernardino County Rail Construction Authority for purposes of awarding and overseeing all design and construction contracts for completion of an extension of the Metro Gold Line light rail project from the City of Montclair to the Ontario International Airport. Prescribes the powers and duties of the Authority.	INTRODUCED: 01/28/2020 LOCATION: Assembly Transportation Committee STATUS: 02/14/2020 To ASSEMBLY Committee on TRANSPORTATION.	OPPOSE Oppose: San Bernardino County Transportation Authority (SBCTA), Metrolink, Mobility 21, Riverside County Transportation Commission (RCTC)

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
ACA 13 (Obernoite – R) Local Sales Taxes: Online Sales	Provides that, for the purpose of distributing the revenues derived under a sales tax imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law, the retail sale of tangible personal property by a qualified retailer that is transacted online is instead consummated at the point of the delivery of that tangible personal property to the purchaser's address or to any other delivery address designated by the purchaser.	INTRODUCED: 03/26/2019 LOCATION: Assembly STATUS: 03/26/2019 INTRODUCED.	SUPPORT
SB 152 (Beall – D) Active Transportation Program	Requires that a percentage of available ATP funds be awarded to projects selected by metropolitan planning organizations (MPO) in urban areas with populations greater than a specified amount with the available funds distributed to each MPO based on its relative share of the population, a percentage to fund projects in small urban and rural regions, and a percentage to projects competitively awarded by the commission on a statewide basis.	INTRODUCED: 01/22/2019 LAST AMEND: 04/25/2019 LOCATION: Assembly STATUS: 02/03/2020 In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56.	SUPPORT Support: Metropolitan Transportation Commission (sponsor), RCTC Oppose (Partial List): California Bicycle Coalition, Walk Long Beach, PolicyLink

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 526 (Allen – D) Regional Transportation Plans: Greenhouse Gas Emissions	Requires the California Air Resources Board (ARB) to adopt a regulation that requires an MPO to provide any data that the ARB determines is necessary to fulfill the requirements of a specified report and to determine if the MPO is on track to meet its greenhouse gas emission reduction target deadline. Establishes an interagency working group to develop and implement a State Mobility Action Plan for Healthy Communities.	INTRODUCED: 2/21/2019 LAST AMEND: 04/30/2019 LOCATION: Senate STATUS: 02/03/2020 In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56.	OPPOSE Support (Partial List): American Lung Association, ActiveSGV, California Bicycle Coalition, Coalition for Clean Air, Asthma Coalition of LA County Oppose: California Association of Councils of Governments (CALCOG)

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 664 (Allen – D) Electronic Toll and Transit Fare Collection systems	<p>Provides that a transportation agency is not prohibited from using or providing personally identifiable information for purposes of operating and managing an electronic toll collection or electronic transit fare collection system, auditing, or performing billing, collection, account maintenance, account settlement, and enforcement activities. Requires a transportation agency to limit the personally identifiable information it provides to information relevant to assist in carrying out an intended function.</p>	<p>INTRODUCED: 02/22/2019 LAST AMEND: 9/10/2019 LOCATION: Assembly Privacy and Consumer Protection Committee STATUS: 09/10/2019 In ASSEMBLY. Suspend Assembly Rule 96. 09/10/2019 Re-referred to ASSEMBLY Committees on PRIVACY AND CONSUMER PROTECTION and JUDICIARY. 09/10/2019 From ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION with author's amendments. 09/10/2019 In ASSEMBLY. Read second time and amended. Re-referred to ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION.</p>	<p>SUPPORT Support (Partial List): California Transit Association, Transportation Corridor Agencies, Los Angeles County Metropolitan Transportation Authority, OCBC, RCTC, Bay Area Transportation Authority, Self-Help Counties Coalition Oppose (Partial List): American Civil Liberties Union of California, Consumer Attorneys of California (unless amended), Consumer Federation of California</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 732 (Allen – D) South Coast Air Quality Management District	Authorizes the South Coast Air Quality Management District Board of Directors to impose a transactions and use tax within the boundaries of the agency.	INTRODUCED: 2/22/2019 LAST AMEND: 01/14/2020 LOCATION: Senate STATUS: 02/03/2020 In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56.	OPPOSE Support (Partial List): Coalition for Clean Air, Environmental Defense Fund, MoveLA Oppose (Partial List): San Bernardino County Transportation Authority, Orange County Taxpayers Association, California Business Roundtable
SB 1363 (Allen – D) Comprehensive Strategy	Requires that MPOs meet Vehicle Miles Traveled (VMT) reduction targets in conjunction with SB 375's (Chapter 728, Statutes of 2008) greenhouse gas (GHG) emission reduction targets. The bill requires that MPOs meet GHG and VMT reduction targets in 2035, 2045, and 2050.	INTRODUCED: 2/21/2020 LOCATION: Senate Environmental Quality Committee STATUS: 03/12/2020 To SENATE Committees on ENVIRONMENTAL QUALITY and TRANSPORTATION and HOUSING.	OPPOSE UNLESS AMENDED Oppose: CALCOG

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 1390 (Portantino – D) Montclair to Ontario Airport Construction Authority	Creates the Montclair to Ontario Airport Construction Authority for purposes of awarding and overseeing all design and construction contracts for completion of an extension of the Metro Gold light rail project from the city of Montclair to the Ontario International Airport. Prescribes the powers and duties of the construction authority. Requires the construction authority to be governed by a board consisting of 7 voting members and one nonvoting member.	INTRODUCED: 2/21/2020 LOCATION: Senate Transportation Committee STATUS: 03/12/2020 To SENATE Committee on TRANSPORTATION.	OPPOSE Oppose: SBCTA, Metrolink, Mobility 21, RCTC, CALCOG

BILLS BEING MONITORED

CA AB 145	<p>AUTHOR: Frazier [D] TITLE: High-Speed Rail Authority: Senate Confirmation INTRODUCED: 12/13/2018 LOCATION: Senate SUMMARY: Provides that the members of the High-Speed Rail Authority appointed by the Governor are subject to appointment with the advice and consent of the Senate. STATUS: 01/17/2020 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (72-0) CATEGORY: Rail and Transit</p>
► CA AB 196	<p>AUTHOR: Gonzalez [D] TITLE: Workers' Compensation: Coronavirus INTRODUCED: 01/10/2019 LAST AMEND: 05/05/2020 LOCATION: Senate Labor, Public Employment and Retirement Committee SUMMARY: <i>Defines injury for certain employees who are employed in an occupation or industry deemed essential except as specified, or who are subsequently deemed essential, to include coronavirus disease that develops or manifests itself during a period of employment of those persons in the essential occupation or industry. Creates a conclusive presumption that the injury arose out of and in the course of the employment.</i> STATUS: 05/05/2020 From SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT with author's amendments. 05/05/2020 In SENATE. Read second time and amended. Re-referred to Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT. CATEGORY: Labor and Employment</p>
CA AB 313	<p>AUTHOR: Frazier [D] TITLE: Road Maintenance and Rehabilitation Account: Reports INTRODUCED: 01/30/2019 LAST AMEND: 03/05/2019 LOCATION: Senate Rules Committee SUMMARY: Requires the University of California and the California State University, on or before a specified date of each year, to each submit a report to the Transportation Agency and specified legislative committees detailing its expenditures of those moneys for that fiscal year, including, but not limited to, research activities and administration. STATUS: 05/29/2019 To SENATE Committee on RULES. CATEGORY: Funding</p>

CA AB 352	<p>AUTHOR: Garcia [D]</p> <p>TITLE: Wildfire Prevention, Safe Drinking Water</p> <p>INTRODUCED: 02/04/2019</p> <p>LAST AMEND: 08/14/2019</p> <p>COMMITTEE: Senate Environmental Quality Committee</p> <p>SUMMARY:</p> <p>Enacts the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$3,920,000,000 pursuant to the State General Obligation Bond Law to finance a wildlife prevention, safe drinking water, drought preparation, and flood protection program.</p> <p>STATUS:</p> <p>08/14/2019 From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.</p> <p>08/14/2019 In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.</p> <p>CATEGORY: Environment</p>
CA AB 422	<p>AUTHOR: Frazier [D]</p> <p>TITLE: High-Speed Rail: Performance Measurement Dashboards</p> <p>INTRODUCED: 02/07/2019</p> <p>COMMITTEE: Senate Transportation Committee</p> <p>SUMMARY:</p> <p>Requires the High-speed Rail Authority, in consultation with the independent peer review group, to develop and update quarterly a set of summary performance measurement dashboards that show ongoing performance of the project and post on its internet website full sets of the summary performance measurement dashboards.</p> <p>STATUS:</p> <p>05/08/2019 To SENATE Committee on TRANSPORTATION.</p> <p>CATEGORY: Audits, Records, Reports, and Litigation</p>
CA AB 839	<p>AUTHOR: Mullin [D]</p> <p>TITLE: Climate Adaption: Strategy</p> <p>INTRODUCED: 02/20/2019</p> <p>LAST AMEND: 06/26/2019</p> <p>LOCATION: Senate Appropriations Committee</p> <p>SUMMARY:</p> <p>Requires the Secretary of the Natural Resources Agency to review the Safeguarding California Plan, the state's climate adaptation strategy, and develop a strategic resiliency framework. Requires updates to the plan to include a review of the progress made implementing past plans and an evaluation of each lead agency's lead adaptation efforts. Creates the Resiliency through Adaption, Economic Vitality, and Equity Account for funding climate adaptation projects.</p> <p>STATUS:</p> <p>08/30/2019 In SENATE Committee on APPROPRIATIONS: Held in committee.</p> <p>CATEGORY: Environment</p>

CA AB 1046	<p>AUTHOR: Ting [D]</p> <p>TITLE: Air Quality Improvement Program: Clean Vehicles</p> <p>INTRODUCED: 02/21/2019</p> <p>LAST AMEND: 08/13/2019</p> <p>LOCATION: Senate Appropriations Committee</p> <p>SUMMARY:</p> <p>Requires the State Air Resources Board to develop a plan to provide for the funding of the Clean Vehicle Rebate Project. Requires the state board to provide to the Director of Finance a rebate structure designed to support the deployment of 5,000,000 zero-emission vehicles in the state by December 2030.</p> <p>STATUS:</p> <p>08/30/2019 In SENATE Committee on APPROPRIATIONS: Held in committee.</p> <p>CATEGORY: Environment</p>
CA AB 1112	<p>AUTHOR: Friedman [D]</p> <p>TITLE: Shared Mobility Devices: Local Regulation</p> <p>INTRODUCED: 02/21/2019</p> <p>LAST AMEND: 06/19/2019</p> <p>LOCATION: Senate Transportation Committee</p> <p>SUMMARY:</p> <p>Defines a shared mobility device as a bicycle, electric bicycle, motorized scooter, electrically motorized board, or other similar personal transportation device, that is made available to the public for shared use and transportation. Requires shared mobility devices to include a single unique alphanumeric ID. Prohibits the sharing of individual trip data, except as provided by the Electronic Communications Privacy Act.</p> <p>STATUS:</p> <p>06/19/2019 From SENATE Committee on TRANSPORTATION with author's amendments.</p> <p>06/19/2019 In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</p> <p>CATEGORY: Active Transportation</p>
CA AB 1142	<p>AUTHOR: Friedman [D]</p> <p>TITLE: Regional Transportation Plans: Transportation Network</p> <p>INTRODUCED: 02/21/2019</p> <p>LAST AMEND: 08/12/2019</p> <p>LOCATION: Senate Appropriations Committee</p> <p>SUMMARY:</p> <p>Authorizes the inclusion of an indicator regarding measures of policies to increase use of existing transit in regional transportation plans. Requires, in a specified commission rulemaking relating to TNCs, any decision that the commission issues regarding data sharing to reflect the needs of governmental entities, including metropolitan planning organizations, state and local transportation agencies, and the State Air Resources Board for analyzing and planning for the impacts of TNCs.</p> <p>STATUS:</p> <p>08/30/2019 In SENATE Committee on APPROPRIATIONS: Held in committee.</p> <p>CATEGORY: Miscellaneous</p>

CA AB 1226	<p>AUTHOR: Holden [D]</p> <p>TITLE: State Highways: Property Leases: Assessment</p> <p>INTRODUCED: 02/21/2019</p> <p>LAST AMEND: 06/12/2019</p> <p>LOCATION: Senate Appropriations Committee</p> <p>SUMMARY:</p> <p>Requires the Department of Transportation to assess the feasibility of constructing facilities above highways built below grade in urban areas that would be made available and leased to a city, county, or other political subdivision or another state agency for affordable housing, transitional housing, emergency shelter, feeding program, or wraparound services purposes, or any combination of thereof.</p> <p>STATUS:</p> <p>08/30/2019 In SENATE Committee on APPROPRIATIONS: Held in committee.</p> <p>CATEGORY: Planning</p>
CA AB 1286	<p>AUTHOR: Muratsuchi [D]</p> <p>TITLE: Shared Mobility Devices: Agreements</p> <p>INTRODUCED: 02/21/2019</p> <p>LAST AMEND: 06/06/2019</p> <p>LOCATION: Senate Judiciary Committee</p> <p>SUMMARY:</p> <p>Requires a shared mobility service provider to enter into an agreement with, or obtain a permit from, the city or county with jurisdiction over the area of use. Requires the provider to maintain a specified amount of commercial general liability insurance. Prohibits the provider from including specified provisions in a user agreement before distributing a shared mobility device within that jurisdiction. Defines shared mobility device.</p> <p>STATUS:</p> <p>06/25/2019 In SENATE Committee on JUDICIARY: Not heard.</p> <p>CATEGORY: Public Works</p>
CA AB 1350	<p>AUTHOR: Gonzalez [D]</p> <p>TITLE: Free Youth Transit Passes: State Funding</p> <p>INTRODUCED: 02/22/2019</p> <p>LAST AMEND: 01/15/2020</p> <p>LOCATION: Senate</p> <p>SUMMARY:</p> <p>Requires transit agencies to offer free youth transit passes to persons under a certain age in order to be eligible for state funding under the Mills Deddeh Transit Development Act, the State Transit Assistance Program, or the Low Carbon Transit Operations Program. Requires a free youth transit pass to count as a full price fare for purposes of calculating the ratio of fare revenues to operating costs.</p> <p>STATUS:</p> <p>01/27/2020 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (75-0)</p> <p>CATEGORY: Rail and Transit</p>

CA AB 1457	<p>AUTHOR: Gomez Reyes [D]</p> <p>TITLE: Omnitrans Transit District</p> <p>INTRODUCED: 02/22/2019</p> <p>LAST AMEND: 05/24/2019</p> <p>LOCATION: Senate Governance and Finance Committee</p> <p>SUMMARY:</p> <p>Creates Omnitrans Transit District in the County of San Bernardino. Provides that the jurisdiction of the district would initially include the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa and specified portions of the unincorporated areas of the County of San Bernardino.</p> <p>STATUS:</p> <p>06/25/2019 From SENATE Committee on TRANSPORTATION: Do pass to Committee on GOVERNANCE AND FINANCE. (11-0)</p> <p>CATEGORY: Rail and Transit</p>
CA AB 1580	<p>AUTHOR: Levine [D]</p> <p>TITLE: Major Infrastructure Construction Projects</p> <p>INTRODUCED: 02/22/2019</p> <p>LAST AMEND: 07/01/2019</p> <p>LOCATION: Senate Appropriations Committee</p> <p>SUMMARY:</p> <p>Requires a state agency undertaking a publicly funded transportation infrastructure construction project that is estimated to cost a specified amount or more to form an oversight committee, as provided, and to develop and use risk management plans throughout the course of the project, and to take specified actions relating to managing risks.</p> <p>STATUS:</p> <p>08/30/2019 In SENATE Committee on APPROPRIATIONS: Held in committee.</p> <p>CATEGORY: Audits, Records, Reports, and Litigation</p>
CA AB 1770	<p>AUTHOR: Frazier [D]</p> <p>TITLE: Tire Recycling Program: Rubberized Pavement</p> <p>INTRODUCED: 02/22/2019</p> <p>LOCATION: Senate Environmental Quality Committee</p> <p>SUMMARY:</p> <p>Extends the operation of the Rubberized Pavement Market Development Act to June 30, 2024.</p> <p>STATUS:</p> <p>06/06/2019 To SENATE Committee on ENVIRONMENTAL QUALITY.</p> <p>CATEGORY: Environment</p>

► CA AB 1839	<p>AUTHOR: Bonta [D]</p> <p>TITLE: Climate Change: California Green New Deal Task Force</p> <p>INTRODUCED: 01/06/2020</p> <p>LAST AMEND: 05/04/2020</p> <p>LOCATION: Assembly Natural Resources Committee</p> <p>SUMMARY: <i>Enacts the California Green New Deal. Makes a series of legislative findings and declarations, including an enumeration of specified rights that all residents of the state have. States that the Legislature establishes specified goals that would improve the quality of many aspects of life for residents of the state. Creates the California Green New Deal Task Force to pursue strategies to fulfill the California Green New Deal.</i></p> <p>STATUS: 05/04/2020 From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments. 05/04/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.</p> <p>CATEGORY: Environment</p>
CA AB 1845	<p>AUTHOR: Rivas, L [D]</p> <p>TITLE: Homelessness: Office to End Homelessness</p> <p>INTRODUCED: 01/06/2020</p> <p>LOCATION: Assembly Appropriations Committee</p> <p>SUMMARY: Creates, within the Governor's office, the Governor's Office to End Homelessness, which would be administered by the Secretary on Housing Insecurity and Homelessness appointed by the Governor; requires that the office serve the Governor as the lead entity for ending homelessness in California and tasks the office with coordinating the various federal, state, and local departments and agencies that provide housing and services to individuals experiencing homelessness.</p> <p>STATUS: 03/11/2020 From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Do pass to Committee on APPROPRIATIONS. (6-1)</p> <p>CATEGORY: Homelessness</p>
CA AB 1848	<p>AUTHOR: Lackey [R]</p> <p>TITLE: High-Speed Rail: Metrolink Commuter Rail System</p> <p>INTRODUCED: 01/06/2020</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY: Appropriates a specified amount of revenues from the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to the Southern California Regional Rail Authority to fund improvements to the Metrolink commuter rail system; requires those improvements to support blended operation with high-speed trainsets upon completion of specified phases of the high-speed rail system.</p> <p>STATUS: 01/17/2020 To ASSEMBLY Committee on TRANSPORTATION.</p> <p>CATEGORY: Rail and Transit</p>

CA AB 1908	<p>AUTHOR: Chen [R]</p> <p>TITLE: Transportation: Homeless Encampment and Litter Program</p> <p>INTRODUCED: 01/08/2020</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY:</p> <p>Requires the Department of Transportation, within its maintenance program, to establish a Homeless Encampment and Litter Program to provide timely abatement and cleanup of homeless encampments on Department property and expedited and coordinated access to housing and supportive services. Requires the Department to coordinate with homeless service provider agencies and to establish homeless adult and family multidisciplinary personnel teams.</p> <p>STATUS:</p> <p>02/27/2020 To ASSEMBLY Committees on TRANSPORTATION and HUMAN SERVICES.</p> <p>CATEGORY: Homelessness</p>
CA AB 1934	<p>AUTHOR: Voepel [R]</p> <p>TITLE: Planning and Zoning: Affordable Housing</p> <p>INTRODUCED: 01/15/2020</p> <p>LOCATION: Assembly Housing and Community Development Committee</p> <p>SUMMARY:</p> <p>Authorizes a development proponent to submit an application for a development to be subject to a streamlined, ministerial approval process provided that development meet specified objective planning standards, including that the development provide housing for persons and families of low or moderate income.</p> <p>STATUS:</p> <p>01/23/2020 To ASSEMBLY Committees on HOUSING AND COMMUNITY DEVELOPMENT and LOCAL GOVERNMENT.</p> <p>CATEGORY: Planning</p>
CA AB 1939	<p>AUTHOR: Gonzalez [D]</p> <p>TITLE: Pedicabs: Electric Bicycles</p> <p>INTRODUCED: 01/16/2020</p> <p>LAST AMEND: 03/12/2020</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY:</p> <p>Expands the definition of a pedicab to include electric bicycles. Expands the definition of a bicycle to include electric bicycles.</p> <p>STATUS:</p> <p>03/12/2020 From ASSEMBLY Committee on TRANSPORTATION with author's amendments.</p> <p>03/12/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</p> <p>CATEGORY: Active Transportation</p>

CA AB 1964	<p>AUTHOR: Frazier [D]</p> <p>TITLE: Autonomous Vehicles</p> <p>INTRODUCED: 01/21/2020</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY:</p> <p>Expands the definition of the term autonomous vehicle to also include a remotely operated vehicle, defined as a specified type of vehicle that is capable of being operated by a driver or operator that is not inside of the vehicle. Specifies that a vehicle is not an autonomous vehicle if it is equipped with a collision avoidance system that is not capable of driving the vehicle without the active control or monitoring of a human operator that is seated in the vehicle.</p> <p>STATUS:</p> <p>01/30/2020 To ASSEMBLY Committees on TRANSPORTATION and COMMUNICATIONS AND CONVEYANCE.</p> <p>CATEGORY: Miscellaneous</p>
CA AB 1991	<p>AUTHOR: Friedman [D]</p> <p>TITLE: Transit and Intercity Rail Capital Program: Tramway</p> <p>INTRODUCED: 01/27/2020</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY:</p> <p>Expands the purpose of the Transit and Intercity Rail Capital Program to authorize funding for passenger tramway transit systems.</p> <p>STATUS:</p> <p>02/06/2020 To ASSEMBLY Committees on TRANSPORTATION and NATURAL RESOURCES.</p> <p>CATEGORY: Rail and Transit</p>
CA AB 1992	<p>AUTHOR: Friedman [D]</p> <p>TITLE: Transportation: Asset Management Plan: Infrastructure</p> <p>INTRODUCED: 01/27/2020</p> <p>LAST AMEND: 03/11/2020</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY:</p> <p>States the intent of the Legislature to enact legislation that would establish a new program to fund climate change adaptation planning for transportation impacts, data collection, modeling, and training. Requires updates to the State Transportation Plan to include a forecast of the impacts of climate change on transportation infrastructure.</p> <p>STATUS:</p> <p>03/11/2020 From ASSEMBLY Committee on TRANSPORTATION with author's amendments.</p> <p>03/11/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</p> <p>CATEGORY: Planning</p>

CA AB 2012	<p>AUTHOR: Chu [D]</p> <p>TITLE: Free Senior Transit Passes: Eligibility for Funding</p> <p>INTRODUCED: 01/28/2020</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY:</p> <p>Requires transit agencies to offer free senior transit passes to persons over a certain age in order to be eligible for state funding under the Mills Deddeh Transit Development Act, the State Transit Assistance Program, and the Low Carbon Transit Operations Program. Requires those free senior transit passes to count as full price fares for purposes of calculating the ratio of fare revenues to operating costs.</p> <p>STATUS:</p> <p>02/14/2020 To ASSEMBLY Committee on TRANSPORTATION.</p> <p>CATEGORY: Rail and Transit</p>
CA AB 2028	<p>AUTHOR: Aguiar-Curry [D]</p> <p>TITLE: State Agencies: Meetings</p> <p>INTRODUCED: 01/30/2020</p> <p>LOCATION: Assembly Governmental Organization Committee</p> <p>SUMMARY:</p> <p>Requires that the notice of meeting of a state body, except for closed sessions, include all writings or materials provided for the noticed meeting to a member of the state body by staff of a state agency, board, or commission, or another member of the state body, that are in connection with a matter subject to discussion or consideration at the meeting. Requires these writings and materials to be made available on the internet at least 10 days in advance of the meeting.</p> <p>STATUS:</p> <p>02/14/2020 To ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION.</p> <p>CATEGORY: Miscellaneous</p>
► CA AB 2057	<p>AUTHOR: Chiu D]</p> <p>TITLE: San Francisco Bay Area: Public Transportation</p> <p>INTRODUCED: 02/03/2020</p> <p>LAST AMEND: 05/04/2020</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY:</p> <p><i>Establishes Bay Area Seamless Transit Task Force to recommend reforms that should be enacted in future legislation to maximize the effectiveness of the public transit system in the San Francisco Bay area. Requires the Metropolitan Transportation Commission to create certain discount programs and to implement an accumulator pass. Requires the development of a standardized regional transit mapping and wayfinding system. Requires the adoption of targets for increasing the travel mode share of public transit.</i></p> <p>STATUS:</p> <p>05/04/2020 From ASSEMBLY Committee on TRANSPORTATION with author's amendments.</p> <p>05/04/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</p> <p>CATEGORY: Rail and Transit</p>

► CA AB 2062	<p>AUTHOR: Boerner Horvath [D]</p> <p>TITLE: San Diego Association of Governments: LOSSAN Rail</p> <p>INTRODUCED: 02/04/2020</p> <p>LAST AMEND: 05/04/2020</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY: Appropriates funds from the General Fund to the San Diego Association of Governments to conduct a study of higher speed and safety alternatives for the LOSSAN Rail Corridor in the County of San Diego. Requires the San Diego Association of Governments to conduct the study, <i>as specified</i>, and requires the San Diego Association of Governments to submit a report to specified committees of the Legislature summarizing the results of the study.</p> <p>STATUS: 05/04/2020 <i>From ASSEMBLY Committee on TRANSPORTATION with author's amendments.</i> 05/04/2020 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</i></p> <p>CATEGORY: Rail and Transit</p>
CA AB 2089	<p>AUTHOR: Rivas [D]</p> <p>TITLE: Environmental and Justice Empowerment Outreach Program</p> <p>INTRODUCED: 02/05/2020</p> <p>LAST AMEND: 03/09/2020</p> <p>LOCATION: Assembly Natural Resources Committee</p> <p>SUMMARY: Establishes the Environmental and Justice Empowerment Outreach Pilot Program, and would have the program be administered by the Strategic Growth Council as a grant pilot program for eligible community-based organizations to provide a comprehensive suite of coordinated incentives and services to disadvantaged communities at the resident household level to provide economic savings, reduce greenhouse gas emissions, and improve resiliency to the impacts of climate change.</p> <p>STATUS: 03/09/2020 <i>To ASSEMBLY Committee on NATURAL RESOURCES.</i> <i>From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.</i> 03/09/2020 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.</i></p> <p>CATEGORY: Environment</p>
► CA AB 2093	<p>AUTHOR: Gloria [D]</p> <p>TITLE: Public Records: Writing Transmitted by Electronic Mail</p> <p>INTRODUCED: 02/05/2020</p> <p>LOCATION: Assembly Appropriations Committee</p> <p>SUMMARY: Requires a public agency, for purposes of the California Public Records Act, to retain and preserve for at least 2 years every public record that is transmitted by electronic mail, unless a longer retention period is required by statute or regulation.</p> <p>STATUS: 03/10/2020 <i>From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS. (10-1)</i></p> <p>CATEGORY: Miscellaneous</p>

CA AB 2121	<p>AUTHOR: Friedman [D] TITLE: Traffic Safety INTRODUCED: 02/06/2020 LOCATION: Assembly Transportation Committee SUMMARY: Requires, beginning of a specified date, and every 6 months thereafter, the Department of Transportation (Caltrans) to convene a committee of external design experts to advise on revisions to the Highway Design Manual. Requires the California Traffic Safety Program to include a traffic safety monitoring program that identifies and addresses locations with pedestrian- and bicyclist-related crashes, upon appropriation of state funds for this purpose. STATUS: 02/20/2020 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: Miscellaneous</p>
CA AB 2148	<p>AUTHOR: Quirk [D] TITLE: Climate Change: Adaptation: Planning Groups and Plans INTRODUCED: 02/10/2020 LAST AMEND: 03/05/2020 LOCATION: Assembly Natural Resources Committee SUMMARY: Requires the Strategic Growth Council to establish guidelines for the formation of regional climate adaptation planning groups and to develop criteria for the development of regional climate adaptation plans. STATUS: 03/05/2020 To ASSEMBLY Committee on NATURAL RESOURCES. 03/05/2020 From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments. 03/05/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES. CATEGORY: Planning</p>
CA AB 2151	<p>AUTHOR: Gallagher [R] TITLE: Political Reform Act: Online Filing Disclosure INTRODUCED: 02/10/2020 LOCATION: Assembly Elections and Redistricting Committee SUMMARY: Requires a local government agency to post on its internet website, within seventy two hours of the applicable filing deadline, a copy of any specified statement, report, or other document filed with that agency in paper format. STATUS: 02/20/2020 To ASSEMBLY Committee on ELECTIONS AND REDISTRICTING. CATEGORY: Miscellaneous</p>

► CA AB 2155	<p>AUTHOR: Obernolte [R] TITLE: Public Officers: Contract: Prohibited Interests INTRODUCED: 02/10/2020 LOCATION: Assembly Judiciary Committee SUMMARY: Amends existing law that prohibits members of the Legislature, and state and city officers or employees, from being financially interested in any contract made by them in their official capacity, and that a contract made in violation of these provisions may be avoided by any party. Defines party, for these purposes, as a state taxpayer. STATUS: 04/27/2020 To ASSEMBLY Committee on JUDICIARY. CATEGORY: Miscellaneous</p>
► CA AB 2172	<p>AUTHOR: Petrie-Norris [D] TITLE: State Highways: Route 133: Relinquishment INTRODUCED: 02/11/2020 LOCATION: Assembly Appropriations Committee SUMMARY: Authorizes the State Transportation Commission to relinquish to the City of Laguna Beach a specified portion of Route 133 if the Department of Transportation and the city enter into an agreement providing for that relinquishment. STATUS: 05/04/2020 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (15-0) CATEGORY: Planning</p>
CA AB 2176	<p>AUTHOR: Holden [D] TITLE: Free Student Transit Passes: State Funding Eligibility INTRODUCED: 02/11/2020 LOCATION: Assembly Transportation Committee SUMMARY: Requires transit agencies to offer free student transit passes to persons attending the California Community Colleges, the California State University, or the University of California in order to be eligible for state funding under the Mills Alquist Deddeh Act, the State Transit Assistance Program, or the Low Carbon Transit Operations Program. STATUS: 02/27/2020 To ASSEMBLY Committees on TRANSPORTATION and HIGHER EDUCATION. CATEGORY: Rail and Transit</p>
CA AB 2186	<p>AUTHOR: Grayson [D] TITLE: Public Contracting: Contractor Retention Withholding INTRODUCED: 02/11/2020 LOCATION: Assembly Local Government Committee SUMMARY: Eliminates specified limitations on a local agency's authority to prescribe payments on public contracts. The bill, however, prohibits the local agency from withholding more than 5% of the contract price for contracts for the creation, construction, alteration, repair, or improvement of any public structure, building, road, or other improvement of any kind that will exceed \$5,000 in total costs. STATUS: 02/20/2020 To ASSEMBLY Committee on LOCAL GOVERNMENT. CATEGORY: Miscellaneous</p>

► CA AB 2194	<p>AUTHOR: Kiley [R]</p> <p>TITLE: <i>United States Senate Vacancy</i></p> <p>INTRODUCED: 02/11/2020</p> <p>LAST AMEND: 05/04/2020</p> <p>LOCATION: <i>Assembly Water, Parks and Wildlife Committee</i></p> <p>SUMMARY: <i>Requires that a vacancy in the office of United States Senator be filled in the same manner as a vacancy in a congressional representative or state legislative office.</i></p> <p>STATUS: 05/04/2020 <i>From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.</i> 05/04/2020 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.</i></p> <p>CATEGORY: Miscellaneous</p>
► CA AB 2231	<p>AUTHOR: Kalra [D]</p> <p>TITLE: Prevailing Wage: Locality</p> <p>INTRODUCED: 02/13/2020</p> <p>LAST AMEND: 05/06/2020</p> <p>LOCATION: Assembly Labor and Employment Committee</p> <p>SUMMARY: Defines the term "locality in which public work is performed," for purposes of the general prevailing rate of per diem wages for public works projects, as meaning the county in which the public work is done, <i>by eliminating the distinction of in cases in which the state awards the contract, and as the limits of the political subdivision on whose behalf the contract is awarded.</i></p> <p>STATUS: 05/06/2020 <i>From ASSEMBLY Committee on LABOR AND EMPLOYMENT with author's amendments.</i> 05/06/2020 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on LABOR AND EMPLOYMENT.</i></p> <p>CATEGORY: Labor and Employment</p>
CA AB 2249	<p>AUTHOR: Mathis [R]</p> <p>TITLE: High-Speed Rail: Legislative Oversight</p> <p>INTRODUCED: 02/13/2020</p> <p>LOCATION: Assembly</p> <p>SUMMARY: Creates the Joint Legislative Committee on High-Speed Rail Oversight consisting of 3 Members of the Senate and 3 Members of the Assembly and requires the committee to ascertain facts, review documents, and take action thereon, and make recommendations to the Legislature concerning the state's programs, policies, and investments related to high-speed rail.</p> <p>STATUS: 02/13/2020 INTRODUCED.</p> <p>CATEGORY: Rail and Transit</p>

► CA AB 2262	<p>AUTHOR: Berman [D] TITLE: Greenhouse Gases: Zero Emission Readiness Plans INTRODUCED: 02/14/2020 LAST AMEND: 05/04/2020 LOCATION: Assembly Transportation Committee SUMMARY: <i>Requires the assessment prepared by the State Energy Resources Conservation and Development Commission to consider the different electric vehicle charging infrastructure needs of metropolitan planning areas. Requires each metropolitan transportation organization to submit to the Commission a zero emission readiness plan.</i> STATUS: 05/04/2020 <i>From ASSEMBLY Committee on TRANSPORTATION with author's amendments.</i> 05/04/2020 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</i> CATEGORY: Environment</p>
► CA AB 2269	<p>AUTHOR: Chau [D] TITLE: Personal Rights: Automated Decision Systems INTRODUCED: 02/14/2020 LOCATION: Assembly Privacy and Consumer Protection Committee SUMMARY: Enacts the Automated Decision Systems Accountability Act of 2020. Requires a business in California that provides a person with a program or device that uses an automated decision system (ADS) to take affirmative steps to ensure that there are processes in place to continually test for biases during the development and usage of the ADS, and conduct an ADS impact assessment on its program or device to determine whether the ADS has a disproportionate adverse impact on a protected class. STATUS: 04/27/2020 <i>To ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION.</i> CATEGORY: Information Systems</p>
► CA AB 2284	<p>AUTHOR: Calderon [D] TITLE: Local Agency Public Construction Act: Change Orders INTRODUCED: 02/14/2020 LAST AMEND: 05/04/2020 LOCATION: Assembly Local Government Committee SUMMARY: Relates to contracting by counties for county highways and county bridges and subways, and contracting by county waterworks districts. Requires that the existing caps on the extra cost of any change order be adjusted annually to reflect the percentage change in the California Consumer Price Index. Modifies the cap applicable to contracts. STATUS: 05/04/2020 <i>From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.</i> 05/04/2020 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.</i> CATEGORY: Labor and Employment</p>

CA AB 2307	<p>AUTHOR: Bonta [D] TITLE: Public Employment: Labor Relations: Release Time INTRODUCED: 02/14/2020 LOCATION: Assembly Public Employment and Retirement Committee SUMMARY: Relates to specified labor laws that require public entities to grant employee representatives of employee organizations reasonable time off without loss of compensation in connection with labor relations. Prescribes requirements relating to release time that would apply to all of the public employers and employees subject to those laws. STATUS: 02/24/2020 To ASSEMBLY Committee on PUBLIC EMPLOYMENT AND RETIREMENT. CATEGORY: Labor and Employment</p>
CA AB 2310	<p>AUTHOR: Daly [D] TITLE: Road Maintenance and Rehabilitation Account INTRODUCED: 02/14/2020 LOCATION: Assembly Transportation Committee SUMMARY: Continuously appropriates interest earnings derived from revenues deposited in the Road Maintenance and Rehabilitation Account to the Department of Transportation for maintenance of the state highway system or for purposes of the State Highway Operation and Protection Program. STATUS: 02/24/2020 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: Miscellaneous</p>
CA AB 2320	<p>AUTHOR: Chau [D] TITLE: Personal Information: Contractors: Cyber Insurance INTRODUCED: 02/14/2020 LOCATION: Assembly Privacy and Consumer Protection Committee SUMMARY: Requires a contract with a contractor doing business with a state agency to require that the contractor maintain cyber insurance if the contractor receives or has access to records containing personal information protected under the Information Practices Act. STATUS: 05/05/2020 <i>In ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION: Failed passage.</i> CATEGORY: Miscellaneous</p>

► CA AB 2323	<p>AUTHOR: Friedman [D] TITLE: California Environmental Quality Act: Exemptions INTRODUCED: 02/14/2020 LAST AMEND: 05/04/2020 LOCATION: Assembly Natural Resources Committee SUMMARY: <i>Allows a project located on a site that is included in lists regarding the presence of hazardous substances compiled by specified state agencies to be exempt from certain requirements of the Environmental Quality Act if the Department of Toxic Substances Control has cleared the site for the proposed land use. Establishes requirements for certain developments to be exempt from certain requirements of the act.</i> STATUS: 05/04/2020 From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments. 05/04/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES. CATEGORY: Environment</p>
CA AB 2337	<p>AUTHOR: Bloom [D] TITLE: Parking Enforcement: Video Images: Los Angeles County INTRODUCED: 02/14/2020 LOCATION: Assembly Transportation Committee SUMMARY: Extends parking enforcement provisions concerning transit only traffic lanes in the Bay Area to the Los Angeles County Metropolitan Transportation Authority. Authorizes the authority to install automated forward facing parking control devices on Authority owned public transit vehicles. Authorizes the Authority to issue parking citations for any parking violation collected by those devices. STATUS: 02/24/2020 To ASSEMBLY Committees on TRANSPORTATION and PRIVACY AND CONSUMER PROTECTION. CATEGORY: Rail and Transit</p>
CA AB 2355	<p>AUTHOR: Bonta [D] TITLE: Employment Discrimination: Medical Cannabis INTRODUCED: 02/18/2020 LOCATION: Assembly Labor and Employment Committee SUMMARY: Makes it an unlawful employment practice for an employer or other entity to refuse to hire or employ a person, to refuse to select a person for a training program leading to employment, to bar or to discharge a person from employment or from a training program leading to employment, or to discriminate against an employee, because of the employee's status as a qualified patient, or as a person with an identification card, for purposes of medical cannabis, subject to certain exceptions. STATUS: 03/02/2020 To ASSEMBLY Committees on LABOR AND EMPLOYMENT and JUDICIARY. CATEGORY: Labor and Employment</p>

► CA AB 2371	<p>AUTHOR: Friedman [D]</p> <p>TITLE: Climate Change: <i>Strategic Growth Council</i></p> <p>INTRODUCED: 02/18/2020</p> <p>LAST AMEND: 05/04/2020</p> <p>LOCATION: Assembly Natural Resources Committee</p> <p>SUMMARY: Requires the Strategic Growth Council to convene a science advisory team of distinguished scientists to advise on climate planning and adaptation efforts in the state and to review and make recommendations <i>to improve climate adaptation and hazard mitigation planning, including the Safeguard California Plan.</i></p> <p>STATUS: 05/04/2020 From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments. 05/04/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.</p> <p>CATEGORY: Planning</p>
► CA AB 2405	<p>AUTHOR: Burke [D]</p> <p>TITLE: Housing: Children and Families</p> <p>INTRODUCED: 02/18/2020</p> <p>LAST AMEND: 05/06/2020</p> <p>LOCATION: Assembly Housing and Community Development Committee</p> <p>SUMMARY: Declares that it is the policy of the state that every child and family has the right to safe, decent, and affordable housing. <i>Requires agencies to consider that state policy when revising, adopting, or establishing policies, regulations, and grant criteria pertinent to advancing the guidelines of the Housing First policy.</i></p> <p>STATUS: 05/04/2020 From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT with author's amendments. 05/04/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.</p> <p>CATEGORY: Miscellaneous</p>
CA AB 2428	<p>AUTHOR: Fong [R]</p> <p>TITLE: Emergency Services: Disaster Preparedness</p> <p>INTRODUCED: 02/19/2020</p> <p>LOCATION: Assembly Governmental Organization Committee</p> <p>SUMMARY: Requires the Office of Emergency Services to work with representatives from the access and functional needs population when updating the State Emergency Plan. Requires the Office to develop and post on its internet website a guidance document regarding best practices for, and the lessons learned regarding, emergency and natural preparedness, for use by local governments.</p> <p>STATUS: 02/24/2020 To ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION.</p> <p>CATEGORY: Planning</p>

CA AB 2452	<p>AUTHOR: Garcia [D] TITLE: State Auditor: Audits: High Risk Local Government INTRODUCED: 02/19/2020 LOCATION: Assembly Accountability and Administrative Review Committee SUMMARY: Authorizes the State Auditor to include in the high risk local government agency audit program any local agency or district association that the State Auditor identifies as being at high risk for the potential of waste, fraud, abuse, or mismanagement or that has major challenges associated with its economy, efficiency, or effectiveness. STATUS: 02/27/2020 To ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW. CATEGORY: Audits, Reports, and Records</p>
CA AB 2455	<p>AUTHOR: Medina [D] TITLE: Natural Gas and Electric Battery Vehicles: Weight INTRODUCED: 02/19/2020 LOCATION: Assembly Transportation Committee SUMMARY: Authorizes a natural gas vehicle or electric battery vehicle to exceed the weight limits on the power unit. Allows a certain weight limit for a natural gas vehicle or electric battery vehicle. STATUS: 03/02/2020 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: Miscellaneous</p>
► CA AB 2473	<p>AUTHOR: Cooper [D] TITLE: Public Investment Funds INTRODUCED: 02/19/2020 LOCATION: Assembly Public Employment and Retirement Committee SUMMARY: Exempts from disclosure under California Public Records Act specified records regarding an internally managed private loan made directly by a public investment fund, including quarterly and annual financial statements of the borrower or its constituent owners, unless the information has already been publicly released by the keeper of the information. STATUS: 05/05/2020 From ASSEMBLY Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Do pass to Committee on APPROPRIATIONS. (7-0) CATEGORY: Audits, Reports, and Records</p>
CA AB 2514	<p>AUTHOR: Rivas [D] TITLE: Los Angeles County Metropolitan Transportation INTRODUCED: 02/19/2020 LOCATION: Assembly Local Government Committee SUMMARY: Relates to the Los Angeles County Metropolitan Transportation Authority. Eliminates the requirement to make specified findings by a specified number of votes of the members of the Authority in order to award contracts. STATUS: 02/27/2020 To ASSEMBLY Committees on LOCAL GOVERNMENT and TRANSPORTATION. CATEGORY: Miscellaneous</p>

► CA AB 2542	<p>AUTHOR: Kalra [D] TITLE: Local Transportation Funds: Transit Assistance Programs INTRODUCED: 02/19/2020 LOCATION: Assembly Appropriations Committee SUMMARY: Relates to a report by the State Transit Assistance Program which would no longer require the Controller to submit this annual report to the Legislature and would instead require the Controller to compile, publish, and make publicly available on the Controller's internet website this data and information on or before a certain date of each year. STATUS: 05/04/2020 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (15-0) CATEGORY: Rail and Transit</p>
CA AB 2577	<p>AUTHOR: Chiu [D] TITLE: Environmental Protection: Vulnerable Population INTRODUCED: 02/20/2020 LOCATION: Assembly Natural Resources Committee SUMMARY: Requires the Office of Planning and Research and the Strategic Growth Council to identify vulnerable populations using geographic, socioeconomic, public health, social determinants of health, environmental, and climate exposure criteria. Requires the office and council, in identifying the vulnerable populations, to undertake a robust participatory process that engages members of disadvantaged communities and other populations at significant risk from climate change impacts. STATUS: 03/12/2020 To ASSEMBLY Committee on NATURAL RESOURCES. CATEGORY: Environment</p>
CA AB 2619	<p>AUTHOR: Stone [D] TITLE: Program for Coastal Resilience, Adaptation, and Access INTRODUCED: 02/20/2020 LOCATION: Assembly Natural Resources Committee SUMMARY: Establishes the Program for Coastal Resilience Adaption and Access for the purpose of funding specified activities intended to help the state prepare, plan, and implement actions to address and adapt to sea level rise and coastal climate change. Creates the Coastal Resilience, Adaption, and Access Fund in the State Treasury, and would authorize the California Coastal Commission and specified state agencies to expend moneys in the fund. STATUS: 03/02/2020 To ASSEMBLY Committee on NATURAL RESOURCES. CATEGORY: Environment</p>
CA AB 2674	<p>AUTHOR: Ting [D] TITLE: Toll Bridges: Pedestrians and Bicycles INTRODUCED: 02/20/2020 LOCATION: Assembly Transportation Committee SUMMARY: Extends the prohibition on imposing a pedestrian toll on various toll bridges until January 1, 2031. STATUS: 03/02/2020 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: Active Transportation</p>

► CA AB 2698	AUTHOR:	Gray [D]
	TITLE:	High-Speed Rail Authority: <i>Trains</i>
	INTRODUCED:	02/20/2020
	LAST AMEND:	03/11/2020
	LOCATION:	Assembly Transportation Committee
	SUMMARY:	Prohibits the High-Speed Rail Authority from directly or indirectly using local, state, federal, or any other public or private funding to purchase, lease, operate, or maintain a passenger or freight train powered by a diesel engine or other type of fossil fuel combustion engine, and from enabling such a train to operate on authority owned rail infrastructure designed for speeds in excess of one hundred twenty five miles per hour.
	STATUS:	
	03/11/2020	From ASSEMBLY Committee on TRANSPORTATION with author's amendments.
	03/11/2020	In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.
	CATEGORY:	Rail and Transit

► CA AB 2730	AUTHOR:	Cervantes [D]
	TITLE:	<i>Access and Functional Needs: Emergency Management</i>
	INTRODUCED:	02/20/2020
	LAST AMEND:	05/04/2020
	LOCATION:	Assembly Governmental Organization Committee
	SUMMARY:	<i>Requires a local transportation authority that provides paratransit services to enter into an agreement with adjacent authorities to borrow, for compensation, paratransit vehicles and drivers in the event of an emergency that requires the evacuation and relocation of the access and functional needs population in the jurisdiction or service area.</i>
	STATUS:	
	05/04/2020	From ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION with author's amendments.
	05/04/2020	In ASSEMBLY. Read second time and amended. Re-referred to Committee on GOVERNMENTAL ORGANIZATION.
	CATEGORY:	Rail and Transit

► CA AB 2731	AUTHOR:	Gloria [D]
	TITLE:	California Environmental Quality Act: <i>San Diego</i>
	INTRODUCED:	02/20/2020
	LAST AMEND:	05/06/2020
	LOCATION:	Assembly Natural Resources Committee
	SUMMARY:	<i>Authorizes the San Diego Association of Governments to obtain site control to support the redevelopment of the Old Town Center site, including a transit and transportation facilities project, in the City of San Diego before completing the environmental review for those actions. Exempts transit oriented development projects occurring at the Old Town Center site that meet certain requirements from the requirements of CEQA.</i>
	STATUS:	
	05/06/2020	From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.
	05/06/2020	In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
	CATEGORY:	Rail and Transit

CA AB 2738	<p>AUTHOR: Quirk-Silva [D] TITLE: Highway Users Tax Account: Apportionment to Counties INTRODUCED: 02/20/2020 LOCATION: Assembly Transportation Committee SUMMARY: Expands the purposes for which a county may spend moneys deposited into its road fund to include any street or road within the county. Concerns that if a county expends moneys received from the Highway Users Tax Account for streets and roads within the county. Requires the county to use those funds equitably throughout the county to identify and improve streets and roads that have the highest need. STATUS: 03/02/2020 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: Funding</p>
► CA AB 2748	<p>AUTHOR: Fong [R] TITLE: <i>Consumer Credit Reports: Security Freezes</i> INTRODUCED: 02/20/2020 LAST AMEND: 05/04/2020 LOCATION: Assembly Privacy and Consumer Protection Committee SUMMARY: <i>Includes in the definition of protected consumer, for purposes of provisions relating to security freezes by consumer credit reporting agencies, an individual who is under the jurisdiction of a county probation department, has been placed in a foster care setting, and is under a certain age at the time of the request for placement of a security freeze is made.</i> STATUS: 05/04/2020 <i>From ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION with author's amendments.</i> 05/04/220 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on PRIVACY AND CONSUMER PROTECTION.</i> CATEGORY: Miscellaneous</p>
CA AB 2770	<p>AUTHOR: Gipson [R] TITLE: Vehicle Identification and Registration INTRODUCED: 02/20/2020 LOCATION: Assembly Transportation Committee SUMMARY: Authorizes the use of alternative devices intended to serve in lieu of license plates authorized by the Department of Motor Vehicles pursuant to the pilot program. Requires the department to establish a program authorizing an entity to issue alternatives to stickers, tabs, license plates, and registration cards under specified conditions. STATUS: 03/02/2020 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: Information Systems</p>

CA AB 2777	<p>AUTHOR: Quirk [D]</p> <p>TITLE: Alameda Contra Costa Transit District</p> <p>INTRODUCED: 02/20/2020</p> <p>LOCATION: Assembly Local Government Committee</p> <p>SUMMARY: Repeals the authority to form a transit district under provisions of existing law. Recognizes the Alameda Contra Costa Transit District as the District formed pursuant to this authority. Designates the Alameda Contra Costa Transit District as a rapid transit district, thereby excluding the district from the definition of a local agency for purposes of existing law.</p> <p>STATUS: 03/12/2020 To ASSEMBLY Committee on LOCAL GOVERNMENT. 03/12/2020 To ASSEMBLY Committee on LOCAL GOVERNMENT. CATEGORY: Rail and Transit</p>
CA AB 2800	<p>AUTHOR: Quirk [D]</p> <p>TITLE: Climate Change: Infrastructure Planning</p> <p>INTRODUCED: 02/20/2020</p> <p>LAST AMEND: 03/04/2020</p> <p>LOCATION: Assembly Natural Resources Committee</p> <p>SUMMARY: Extends provisions relating to the Climate Safe Infrastructure Working Group, whose purpose it is to exam how to integrate scientific data concerning projected climate change impacts into state infrastructure engineering, including oversight, investment, design, and construction.</p> <p>STATUS: 03/04/2020 From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments. 03/04/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES. CATEGORY: Environment</p>
► CA AB 2824	<p>AUTHOR: Bonta [D]</p> <p>TITLE: Bay Bridge Fast Forward Program</p> <p>INTRODUCED: 02/20/2020</p> <p>LAST AMEND: 05/04/2020</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY: <i>Requires certain transportation agencies to deliver a comprehensive set of operational, transit, and infrastructure investments for the San Francisco-Oakland Bay Bridge corridor, to be known collectively as the Bay Bridge Fast Forward Program.</i></p> <p>STATUS: 05/04/2020 From ASSEMBLY Committee on TRANSPORTATION with author's amendments. 05/04/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION. CATEGORY: Rail and Transit</p>

CA AB 2828	<p>AUTHOR: Friedman [D] TITLE: Traffic Safety INTRODUCED: 02/20/2020 LOCATION: Assembly Transportation Committee SUMMARY: Requires, beginning June 1, 2022, and every 6 months thereafter, Caltrans to convene a committee of external design experts to advise on revisions to the Highway Design Manual. STATUS: 03/02/2020 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: Miscellaneous</p>
► CA AB 2850	<p>AUTHOR: Low [D] TITLE: Public Transit Employer Employee Relations INTRODUCED: 02/21/2020 LAST AMEND: 05/04/2020 LOCATION: Assembly Appropriations Committee SUMMARY: Requires that the Meyers-Milias-Brown Act govern the San Francisco Bay Area Rapid Transit District's employer-employee relations and that these relations be subject to the exclusive jurisdiction of, and be administered by, the Public Employment Relations Board. STATUS: 05/05/2020 From ASSEMBLY Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Do pass to Committee on APPROPRIATIONS. (5-1) CATEGORY: Labor and Employment</p>
CA AB 2860	<p>AUTHOR: O'Donnell [D] TITLE: Clean Truck, Bus, and Off Road Vehicle Program INTRODUCED: 02/21/2020 LOCATION: Assembly Transportation Committee SUMMARY: Relates to the California Global Warming Solutions Act. Supports early commercial deployment of existing zero and near zero emission heavy duty truck technology. Extends the requirement that twenty percent of that funding be made available for that same purpose. Creates a separate definition for near zero emission. Revises the definition for zero emission. STATUS: 03/05/2020 To ASSEMBLY Committees on TRANSPORTATION and NATURAL RESOURCES. CATEGORY: Environment</p>
CA AB 2873	<p>AUTHOR: Kalra [D] TITLE: Public Transit Operators: Bus Procurement INTRODUCED: 02/21/2020 LOCATION: Assembly Transportation Committee SUMMARY: Requires a public transit operator to also take into consideration recommendations of, and best practices standards developed by, that exclusive representative of the recognized organization representing bus operators for the purpose of changing or introducing new technology that can affect the nature of work for employees of the transit operator or require job training for employees of the transit operator. STATUS: 03/05/2020 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: Rail and Transit</p>

CA AB 2940	<p>AUTHOR: Quirk [D] TITLE: Energy: Hydrogen INTRODUCED: 02/21/2020 LOCATION: Assembly Utilities and Energy Committee SUMMARY: Requires the Public Utilities Commission, in consultation with the Energy Commission and State Air Resources Board, to establish a critical consumption program for hydrogen production and processing, and to establish a framework for directing electricity generated by eligible renewable energy resources to the production and processing of hydrogen at specified times. STATUS: 03/05/2020 To ASSEMBLY Committees on UTILITIES AND ENERGY and NATURAL RESOURCES. CATEGORY: Miscellaneous</p>
CA AB 2943	<p>AUTHOR: Ting [D] TITLE: Surplus Property: Disposal INTRODUCED: 02/21/2020 LOCATION: Assembly Local Government Committee SUMMARY: Provides that the provisions regulating the disposal of surplus land shall not be construed to require a local agency to dispose of land that is determined to be surplus. STATUS: 03/05/2020 To ASSEMBLY Committees on LOCAL GOVERNMENT and HOUSING AND COMMUNITY DEVELOPMENT. CATEGORY: Surplus Land</p>
CA AB 2953	<p>AUTHOR: Gray [D] TITLE: State Highways: Landscaping and Cleaning INTRODUCED: 02/21/2020 LOCATION: Assembly Transportation Committee SUMMARY: Requires the Department of Transportation to eliminate the use of potable groundwater from groundwater basins subject to critical conditions of overdraft for purposes of landscaping and cleaning highways except when a district director determines not doing so would threaten public health or safety. STATUS: 03/05/2020 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: Environment</p>
CA AB 2987	<p>AUTHOR: Flora [R] TITLE: Local Agency Public Contracts: Bidding INTRODUCED: 02/21/2020 LOCATION: Assembly Local Government Committee SUMMARY: Authorizes a public agency, as an alternative to the publication or posting requirement, to meet the notice inviting formal bids requirement by transmitting notice electronically, and publishing the notice electronically in a prescribed manner on the public agency's internet website at least 14 calendar days before the date of opening the bids. STATUS: 03/05/2020 To ASSEMBLY Committee on LOCAL GOVERNMENT. CATEGORY: Labor and Employment</p>

► CA AB 2991	<p>AUTHOR: Santiago [D]</p> <p>TITLE: Jobs and Economic Improvement Leadership Act</p> <p>INTRODUCED: 02/21/2020</p> <p>LAST AMEND: 05/04/2020</p> <p>LOCATION: Assembly Natural Resources Committee</p> <p>SUMMARY: Relates to the Jobs and Economic Improvement Through Environmental Leadership Act of 2011. Extends the authority of the Governor to certify a project to January 1, 2025. Provides that the certification expires and is no longer valid if the lead agency fails to approve a certified project before January 1, 2026. Repeals the act on January 1, 2026.</p> <p>STATUS: 05/04/2020 <i>From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.</i> 05/04/2020 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.</i></p> <p>CATEGORY: Environment</p>
CA AB 3046	<p>AUTHOR: Mathis [R]</p> <p>TITLE: Energy, Environment, and Economy Council</p> <p>INTRODUCED: 02/21/2020</p> <p>LAST AMEND: 03/10/2020</p> <p>LOCATION: Assembly Natural Resources Committee</p> <p>SUMMARY: Establishes the Energy, Environment, and Economy Council. Requires the Council to engage with stakeholders, subject matter experts, and state and local agencies with jurisdiction relevant to environmental protection and economic vitality in order to determine the policies can be implemented to meet the state's environmental goals, while avoiding harm to the state's economy and maintaining specified protections.</p> <p>STATUS: 03/10/2020 <i>From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.</i> 03/10/2020 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.</i></p> <p>CATEGORY: Environment</p>
CA AB 3197	<p>AUTHOR: Diep [R]</p> <p>TITLE: Contractors Registration Exemption</p> <p>INTRODUCED: 02/21/2020</p> <p>LOCATION: Assembly Labor and Employment Committee</p> <p>SUMMARY: Defines "public works" for the purposes of regulating public works contracts, as, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for, in whole or in part, out of public funds. Specifies that the registration requirement discussed above does not apply to services provided by a licensed architect unless those services require the payment of a prevailing wage.</p> <p>STATUS: 03/09/2020 <i>To ASSEMBLY Committee on LABOR AND EMPLOYMENT.</i></p> <p>CATEGORY: Labor and Employment</p>

► CA AB 3205	<p>AUTHOR: Salas [D] TITLE: Regions Rise Grant Program INTRODUCED: 02/21/2020 LAST AMEND: 05/04/2020 LOCATION: Assembly Jobs, Economic Development, and The Economy Committee</p> <p>SUMMARY: Establishes the Regions Rise Grant Program for the purpose of enabling regions to collaborate and create interdisciplinary and cross-sector regional strategies to address key regional <i>barriers to prosperity to all</i>. Requires the Office of Business and Economic Development to develop an application for regions to apply for <i>competitive grants that can be spent over a period of three years</i>.</p> <p>STATUS: 05/04/2020 From ASSEMBLY Committee on JOBS, ECONOMIC DEVELOPMENT AND THE ECONOMY with author's amendments. 05/04/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on JOBS, ECONOMIC DEVELOPMENT AND THE ECONOMY.</p> <p>CATEGORY: Funding</p>
► CA AB 3213	<p>AUTHOR: Rivas [D] TITLE: High-Speed Rail Service: Priorities INTRODUCED: 02/21/2020 LOCATION: Assembly Appropriations Committee</p> <p>SUMMARY: Requires the high-speed rail authority to prioritize projects based on specified criteria.</p> <p>STATUS: 05/04/2020 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (15-0)</p> <p>CATEGORY: Rail and Transit</p>
CA AB 3216	<p>AUTHOR: Kalra [D] TITLE: Employee Leave: Authorization: COVID 19 INTRODUCED: 02/21/2020 LAST AMEND: 03/12/2020 LOCATION: Assembly Labor and Employment Committee</p> <p>SUMMARY: Makes it an unlawful employment practice for an employer to refuse to grant a request by an eligible employee to take family and medical leave due to the coronavirus. Permits employees taking leave due to COVID 19 to continue participation in employee health plans, including life insurance or short or long term disability or accident insurance, pension and retirement plans, and supplemental unemployment benefit plans.</p> <p>STATUS: 03/12/2020 To ASSEMBLY Committee on LABOR AND EMPLOYMENT. 03/12/2020 From ASSEMBLY Committee on LABOR AND EMPLOYMENT with author's amendments. 03/12/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LABOR AND EMPLOYMENT.</p> <p>CATEGORY: Labor and Employment</p>

CA AB 3248	AUTHOR: Waldron [R] TITLE: San Diego Association of Governments INTRODUCED: 02/21/2020 LOCATION: Assembly Local Government Committee SUMMARY: Prohibits the San Diego Association of Governments' board of directors, serving as the commission, from changing the allocation of revenues to any component of the expenditure plan contained in the TransNet Extension Ordinance by more than an unspecified percentage. STATUS: 02/21/2020 INTRODUCED. CATEGORY: Funding
► CA AB 3278	AUTHOR: Patterson [R] TITLE: High Speed Rail Authority INTRODUCED: 02/21/2020 LAST AMEND: 05/04/2020 LOCATION: Assembly Appropriations Committee SUMMARY: <i>Amends the Safe, Reliable High Speed Passenger Train Bond Act for the 21st Century. States that passenger train service is provided by the Authority when high speed train service uses the high speed train system owned by the Authority, regardless of whether the service is provided directly by the Authority.</i> STATUS: 05/04/2020 From ASSEMBLY Committee on TRANSPORTATION with author's amendments. 05/04/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION. 05/04/2020 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (12-1) CATEGORY: Rail and Transit
CA AB 3331	AUTHOR: Brough [R] TITLE: State Highways: State Route 241: Reduction INTRODUCED: 02/21/2020 LOCATION: Assembly Transportation Committee SUMMARY: Deletes from the state highway system the portion of State Route 241 from State Route 5 south of the City of San Clemente to Oso Parkway east of the City of Mission Viejo. STATUS: 03/09/2020 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: Planning

► CA AB 3335	<p>AUTHOR: Friedman [D] TITLE: Environmental Quality Act: Transit Projects INTRODUCED: 02/21/2020 LOCATION: Assembly Natural Resources Committee SUMMARY: Relates to existing law which specifies that a project is considered to be within 1/2 mile of a major transit stop or high-quality transit corridor if, among other things, all parcels within the project have no more than 25% of their area farther than 1/2 mile from the stop or corridor. Increases that percentage to 50% for a transit priority project to meet the requirements for limited CEQA review. STATUS: 04/27/2020 To ASSEMBLY Committee on NATURAL RESOURCES. CATEGORY: Environment</p>
CA ACA 1	<p>AUTHOR: Aguiar-Curry [D] TITLE: Local Government Financing: Affordable Housing INTRODUCED: 12/03/2018 LAST AMEND: 08/19/2019 LOCATION: Assembly Unfinished Business - Reconsideration SUMMARY: Creates an exception to the 1% limit on the ad valorem property tax rate on real property that would authorize a city or county to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, if the proposition proposing that tax is approved by 55% of the voters of the city or county. STATUS: 08/19/2019 In ASSEMBLY. Read third time. Failed to pass ASSEMBLY. (44-20) 08/19/2019 In ASSEMBLY. Motion to reconsider. CATEGORY: Miscellaneous</p>
CA ACA 2	<p>AUTHOR: Nazarian [D] TITLE: State Tax Agency INTRODUCED: 12/03/2018 LOCATION: Assembly Revenue and Taxation Committee SUMMARY: Abolishes the State Board of Equalization and instead requires the Legislature to create a state tax agency by statute for purposes of carrying out those powers, duties and responsibilities previously vested in the State Board of Equalization. Authorizes the Legislature to vest all powers, duties, and responsibilities in a single state tax agency or separately in multiple state tax agencies. STATUS: 05/24/2019 To ASSEMBLY Committee on REVENUE AND TAXATION. CATEGORY: Miscellaneous</p>

CA ACA 21	<p>AUTHOR: Melendez [R] TITLE: Taxation: Voter Approval INTRODUCED: 02/12/2020 LOCATION: Assembly SUMMARY: Requires any change in state statute that increases the tax liability of any taxpayer to be submitted to the electors and, if approved by a majority of votes on the issue, to take effect the day after the election unless the act provides otherwise. STATUS: 02/12/2019 INTRODUCED. CATEGORY: Miscellaneous</p>
CA ACR 169	<p>AUTHOR: Aguiar-Curry [D] TITLE: Women in Construction Week INTRODUCED: 02/20/2020 LOCATION: Senate Third Reading File SUMMARY: Proclaims the week of March 1, 2020, to March 7, 2020, inclusive, as Women in Construction Week. STATUS: 03/16/2020 From SENATE Committee on RULES: Ordered to third reading. 03/16/2020 In SENATE. Ordered to third reading. CATEGORY: Miscellaneous</p>
CA SB 25	<p>AUTHOR: Caballero [D] TITLE: CEQA: Projects Funded by Qualified Opportunity Zones INTRODUCED: 12/03/2018 LAST AMEND: 04/30/2019 LOCATION: Assembly Natural Resources Committee SUMMARY: Requires the Judicial Council to adopt rules of court applicable to an action or proceeding brought to attack, review, set aside, void, or annul the certification or adoption of an environmental review document. STATUS: 07/08/2019 In ASSEMBLY Committee on NATURAL RESOURCES: Heard, remains in Committee. CATEGORY: Environment</p>
CA SB 43	<p>AUTHOR: Allen [D] TITLE: Carbon Intensity and Pricing: Retail Products INTRODUCED: 12/03/2018 LAST AMEND: 07/01/2019 LOCATION: Assembly Revenue and Taxation Committee SUMMARY: Requires the state board, no later than January 1, 2022, to submit a report to the Legislature on the findings from a study, as specified, to determine the feasibility and practicality of assessing the carbon intensity of all retail products subject to the tax imposed pursuant to the Sales and Use Tax Law, so that the total carbon equivalent emissions associated with such retail products can be quantified. STATUS: 07/08/2019 In ASSEMBLY Committee on REVENUE AND TAXATION: Failed passage. 07/08/2019 In ASSEMBLY Committee on REVENUE AND TAXATION: Reconsideration granted. CATEGORY: Funding</p>

CA SB 45	<p>AUTHOR: Allen [D]</p> <p>TITLE: Carbon Intensity and Pricing: Retail Products</p> <p>INTRODUCED: 12/03/2018</p> <p>LAST AMEND: 01/23/2020</p> <p>LOCATION: Assembly</p> <p>SUMMARY: Enacts the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act, which, if approved by the voters, would authorize the issuance of bonds to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.</p> <p>STATUS: 01/29/2020 In SENATE. Read third time, urgency clause adopted. Passed SENATE. *****To ASSEMBLY. (29-6).</p> <p>CATEGORY: Funding</p>
CA SB 59	<p>AUTHOR: Allen [D]</p> <p>TITLE: Automated Vehicle Technology: Statewide Policy</p> <p>INTRODUCED: 12/19/2018</p> <p>LAST AMEND: 07/03/2019</p> <p>LOCATION: Assembly Appropriations Committee</p> <p>SUMMARY: Requires the chair of the commission to establish an advisory committee, the California Council on the Future of Transportation, to provide the Governor and the Legislature with recommendations for changes in state policy to ensure that California continues to be the world leader in autonomous, driverless, and connected vehicle technology.</p> <p>STATUS: 08/30/2019 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.</p> <p>CATEGORY: Miscellaneous</p>
CA SB 146	<p>AUTHOR: Beall [D]</p> <p>TITLE: Peninsula Rail Transit District</p> <p>INTRODUCED: 01/18/2019</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY: Repeals provisions relating to the Peninsula Rail Transit District.</p> <p>STATUS: 05/02/2019 To ASSEMBLY Committee on TRANSPORTATION.</p> <p>CATEGORY: Rail and Transit</p>
CA SB 147	<p>AUTHOR: Beall [D]</p> <p>TITLE: High-Speed Rail Authority</p> <p>INTRODUCED: 01/18/2019</p> <p>LOCATION: Senate Appropriations Committee</p> <p>SUMMARY: Authorizes the High-Speed Rail Authority to keep the public informed through activities, including, but not limited to, community outreach events, public information workshops, and newsletters posted on the authority's internet website.</p> <p>STATUS: 05/02/2019 To ASSEMBLY Committee on TRANSPORTATION.</p> <p>CATEGORY: Audits, Records, Reports, and Litigation</p>

CA SB 162	<p>AUTHOR: Cathleen Galgiani [D]</p> <p>TITLE: State Board Of Equalization: Local Voter Approved Bond</p> <p>INTRODUCED: 01/24/2019</p> <p>LOCATION: Assembly Revenue and Taxation Committee</p> <p>SUMMARY: Requires, by January 1, 2022, and January 1 of each year thereafter, a local agency to transmit specified data related to the issuance of any bonds by that local agency pursuant to the authorization of any local bond act, as defined, to the State Board of Equalization, including the amount of debt authorized by the local bond act.</p> <p>STATUS: 06/19/2019 In ASSEMBLY. Read second time and amended. Re-referred to Committee on REVENUE AND TAXATION. 06/19/2019 From ASSEMBLY Committee on REVENUE AND TAXATION with author's amendments.</p> <p>CATEGORY: Miscellaneous</p>
CA SB 168	<p>AUTHOR: Wieckowski [D]</p> <p>TITLE: Climate Change: Chief Climate Resilience Officer</p> <p>INTRODUCED: 01/28/2019</p> <p>LAST AMEND: 06/27/2019</p> <p>COMMITTEE: Assembly Appropriations Committee</p> <p>SUMMARY: Establishes the Chief Officer of Climate Adaptation and Resilience in the Office of Planning and Research to serve as the statewide lead for planning and coordination of climate adaptation policy and implementation and would specify the duties of the chief officer.</p> <p>STATUS: 08/30/2019 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.</p> <p>CATEGORY: Planning</p>
CA SB 336	<p>AUTHOR: Dodd [D]</p> <p>TITLE: Transportation: Fully-Automated Transit Vehicles</p> <p>INTRODUCED: 02/19/2019</p> <p>LAST AMEND: 04/29/2019</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY: Requires a transit operator, as defined, to ensure each of its fully-automated transit vehicles, as defined, is staffed by at least one of its employees, who has had specified training, while the vehicle is in service. Requires a transit operator that deploys a fully-automated transit vehicle to report the results of that deployment.</p> <p>STATUS: 05/24/2019 To ASSEMBLY Committees on TRANSPORTATION and COMMUNICATIONS AND CONVEYANCE.</p> <p>CATEGORY: Rail and Transit</p>

CA SB 405	<p>AUTHOR: Archuleta [D] TITLE: Reclaimed Asphalt Pavement: County of Los Angeles INTRODUCED: 02/20/2019 LAST AMEND: 07/01/2019 LOCATION: Assembly Inactive File SUMMARY: Authorizes the Department of Public Works of the County of Los Angeles to create a pilot project to demonstrate the viability of paving streets, roads and highways with hot mix asphalts composed as specified. Requires the pilot project to be conducted on streets, roads, and highways in the county and would require specific project sites in the county to be determined by the appropriate and usual process of the county. STATUS: 07/11/2019 In ASSEMBLY. To Inactive File. CATEGORY: Audits, Records, Reports, and Litigation</p>
CA SB 662	<p>AUTHOR: Archuleta [D] TITLE: Green Electrolytic Hydrogen INTRODUCED: 02/22/2019 LAST AMEND: 04/30/2019 LOCATION: Assembly Utilities and Energy Committee SUMMARY: Requires the Public Utilities Commission and Energy Commission to take into account opportunities to increase grid responsive production of green electrolytic hydrogen for use in the transportation sector. Includes use of green electrolytic hydrogen as an alternative transportation fuel as another potential form of energy storage. STATUS: 06/13/2019 To ASSEMBLY Committee on UTILITIES AND ENERGY AND TRANSPORTATION. CATEGORY: Environment</p>
CA SB 757	<p>AUTHOR: Allen [D] TITLE: State Highways: Relinquishment INTRODUCED: 02/22/2019 LAST AMEND: 01/23/2020 LOCATION: Assembly SUMMARY: Deletes the requirement that certain portions to be relinquished be deleted from the state highway system by legislative enactment, except to a specified segment of Route 710. Requires the Department of Transportation to biennially make a specified report to the Transportation Commission on which state highway routes or segments primarily serve regional travel and do not primarily facilitate interregional movement of people and goods. STATUS: 01/29/2020 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (37-0) CATEGORY: Miscellaneous</p>

► CA SB 795	<p>AUTHOR: Beall [D]</p> <p>TITLE: Affordable Housing and Community Development Investment</p> <p>INTRODUCED: 01/06/2020</p> <p>LAST AMEND: 05/06/2020</p> <p>LOCATION: Senate Governance and Finance Committee</p> <p>SUMMARY: Establishes the Affordable Housing and Community Development Investment Program administered by the Affordable Housing and Community Development Investment Committee; authorizes a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority, transit village development district or a combination of entities to apply to participate in the program.</p> <p>STATUS: 05/06/2020 <i>From SENATE Committee on GOVERNANCE AND FINANCE with author's amendments.</i> 05/06/2020 <i>In SENATE. Read second time and amended. Re-referred to Committee on GOVERNANCE AND FINANCE.</i></p> <p>CATEGORY: Rail and Transit</p>
CA SB 895	<p>AUTHOR: Archuleta [D]</p> <p>TITLE: Energy: Zero-Emission Fuel, Infrastructure</p> <p>INTRODUCED: 01/28/2020</p> <p>LOCATION: Senate Energy, Utilities and Communications Committee</p> <p>SUMMARY: Requires the State Energy Resources Conservation and Development Commission, within the limits of available funds, to provide technical assistance and support for the development of zero-emission fuels, zero-emission fueling infrastructure, and zero-emission fuel transportation technologies.</p> <p>STATUS: 02/06/2020 <i>To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.</i></p> <p>CATEGORY: Environment</p>
CA SB 902	<p>AUTHOR: Wiener [D]</p> <p>TITLE: Planning and Zoning: Use by Right: Density</p> <p>INTRODUCED: 01/30/2020</p> <p>LAST AMEND: 03/09/2020</p> <p>LOCATION: Senate Housing Committee</p> <p>SUMMARY: Provides that a neighborhood multifamily project is a use by right in zones where residential uses are permitted if the project is not located in a very high fire severity zone, does not demolish sound rental housing or housing that has been placed on a national or state historic register, follows specified local objective criteria, and meets specified density requirements.</p> <p>STATUS: 03/09/2020 <i>From SENATE Committee on HOUSING with author's amendments.</i> 03/09/2020 <i>In SENATE. Read second time and amended. Re-referred Committee on HOUSING.</i></p> <p>CATEGORY: Miscellaneous</p>

► CA SB 931	<p>AUTHOR: Wieckowski [D] TITLE: Local Government Meetings: Agenda and Documents INTRODUCED: 02/05/2020 LAST AMEND: 04/02/2020 LOCATION: Senate Governance and Finance Committee SUMMARY: <i>Requires, if the local agency has an internet website to deliver by email the agendas and documents for local government meetings. Require, where the local agency determines it is technologically infeasible to send a copy of all documents constituting the agenda packet or a website link containing the documents by electronic mail or by other electronic means.</i> STATUS: 04/20/2020 <i>From SENATE Committee on GOVERNANCE AND FINANCE with author's amendments.</i> 04/20/2020 <i>In SENATE. Read second time and amended. Re-referred to Committee on GOVERNANCE AND FINANCE.</i> CATEGORY: Miscellaneous</p>
CA SB 937	<p>AUTHOR: Hill [D] TITLE: State Agencies: Web Accessibility INTRODUCED: 02/06/2020 LOCATION: Senate Governmental Organization Committee SUMMARY: Authorizes a state agency to temporarily remove public documents from digital access if a justifiable impediment exists and the Director of Technology verifies the impediment prohibits full compliance and the state agency complies with certain requirements, including citing the reason for the document's removal and listing options and instructions for how to access the document offline. STATUS: 02/20/2020 <i>To SENATE Committees on GOVERNMENTAL ORGANIZATION and JUDICIARY.</i> CATEGORY: Miscellaneous</p>
► CA SB 943	<p>AUTHOR: Chang [R] TITLE: Paid Family Leave: School Closures: Coronavirus INTRODUCED: 02/10/2020 LAST AMEND: 04/29/2020 LOCATION: Senate Rules Committee SUMMARY: Authorizes wage replacement benefits to workers who take time off work to care for a minor child whose school has been closed due to the coronavirus outbreak or <i>to care for a special needs child or adult, or both, due to the outbreak.</i> STATUS: 04/29/2020 <i>From SENATE Committee on RULES with author's amendments.</i> 04/29/2020 <i>In SENATE. Read second time and amended. Re-referred to Committee on RULES.</i> CATEGORY: Labor and Employment</p>

CA SB 986	<p>AUTHOR: Allen [D]</p> <p>TITLE: Coastal Resources: New Development: Greenhouse Gases</p> <p>INTRODUCED: 02/12/2020</p> <p>LOCATION: Senate Natural Resources and Water Committee</p> <p>SUMMARY: Requires that new development under the California Coastal Act of 1976 minimize greenhouse gas emissions as specified.</p> <p>STATUS: 02/20/2020 To SENATE Committee on NATURAL RESOURCES AND WATER.</p> <p>CATEGORY: Environment</p>
CA SB 988	<p>AUTHOR: McGuire [D]</p> <p>TITLE: Aviation Fuel</p> <p>INTRODUCED: 02/12/2020</p> <p>LOCATION: Senate Governance and Finance Committee</p> <p>SUMMARY: Requires an aviation fuel retailer to provide a quarterly information return, as specified, and subjects a retailer who fails to file that information return or who files an inaccurate information return a specified penalty. Exempts from those penalties a person who fails to file a return or provides information or files an inaccurate return, if that person's failure is due to reasonable cause and circumstances beyond the person's control, notwithstanding the exercise of ordinary care.</p> <p>STATUS: 02/20/2020 To SENATE Committee on GOVERNANCE AND FINANCE.</p> <p>CATEGORY: Funding</p>
► CA SB 990	<p>AUTHOR: Moorlach [R]</p> <p>TITLE: Worker Status: Independent Contractors</p> <p>INTRODUCED: 02/12/2020</p> <p>LAST AMEND: 04/17/2020</p> <p>LOCATION: Senate Labor, Public Employment and Retirement Committee</p> <p>SUMMARY: <i>Repeals certain existing ABC test provisions that determine if workers are employees or independent contractors for purposes of the Labor Code, the Unemployment Insurance Code, and the wage orders of the Industrial Welfare Commission, and instead makes them operative on a specified date.</i></p> <p>STATUS: 04/17/2020 From SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT with author's amendments. 04/17/2020 In SENATE. Read second time and amended. Re-referred to Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.</p> <p>CATEGORY: Labor and Employment</p>

CA SB 992	<p>AUTHOR: Beall [D]</p> <p>TITLE: Road Repair and Accountability Act of 2017: Website</p> <p>INTRODUCED: 02/12/2020</p> <p>LOCATION: Senate Transportation Committee</p> <p>SUMMARY:</p> <p>Requires the Transportation Agency to oversee the development and implementation of a comprehensive one-stop reporting interface available to the public through an internet website maintained by the agency. Requires the interfact to provide timely fiscal information regarding the development and implementation status of each transportation program or project funded, at least in part, by revenues from the Road Repair and Accountability Act of 2017.</p> <p>STATUS:</p> <p>02/20/2020 To SENATE Committee on TRANSPORTATION.</p> <p>CATEGORY: Audits, Reports, Records, and Litigation</p>
CA SB 995	<p>AUTHOR: Atkins [D]</p> <p>TITLE: Improvement Through Environmental Leadership Act</p> <p>INTRODUCED: 02/12/2020</p> <p>LOCATION: Senate Environmental Quality Committee</p> <p>SUMMARY:</p> <p>Extends the authority of the Governor to certify a project. Provides that the certification expires and is no longer valid if the lead agency fails to approve a certified project before a specified date. Repeals the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 on a specified date.</p> <p>STATUS:</p> <p>02/20/2020 To SENATE Committee on ENVIRONMENTAL QUALITY.</p> <p>CATEGORY: Environment</p>
CA SB 1100	<p>AUTHOR: Atkins [D]</p> <p>TITLE: Coastal Resources: Sea Level Rise</p> <p>INTRODUCED: 02/19/2020</p> <p>LOCATION: Senate Natural Resources and Water Committee</p> <p>SUMMARY:</p> <p>Includes, as part of the procedures the California Coastal Commission is required to adopt, recommendations and guidelines for the identification, assessment, minimization, and mitigation of sea level rise within each local coastal program. Deletes the timeframe by which the Commission is required to adopt these procedures. Requires the Commission to take into account the effects of sea level rise in coastal resource planning and management policies and activities.</p> <p>STATUS:</p> <p>02/27/2020 To SENATE Committees on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY and GOVERNMENTAL ORGANIZATION..</p> <p>CATEGORY: Environment</p>

CA SB 1173	AUTHOR:	Durazo [D]
	TITLE:	Public Employment: Labor Relation: Employee Information
	INTRODUCED:	02/20/2020
	LAST AMEND:	03/26/2020
	LOCATION:	Senate Labor, Public Employment and Retirement Committee
	SUMMARY:	Authorizes an exclusive representative to file a charge of an unfair labor practice with the Public Employment Relations Board alleging a violation of certain requirements. Conditions this authorization on the exclusive representative giving written notice to the public employer of the alleged violation and provides a public employer a limited opportunity to cure certain violations.
	STATUS:	
	03/26/2020	From SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT with author's amendments.
	03/26/2020	In SENATE. Read second time and amended. Re-referred to Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.
	CATEGORY:	Labor and Employment

► CA SB 1183	AUTHOR:	Hertzberg [D]
	TITLE:	Electric Vehicle Charging Master Plan
	INTRODUCED:	02/20/2020
	LAST AMEND:	04/03/2020
	LOCATION:	Senate Energy, Utilities and Communications Committee
	SUMMARY:	Requires the Energy Commission to conduct an assessment of certain factors and how those factors will affect the market for and technological development of electric vehicles and infrastructure. Requires the Energy Commission to convene the EV Infrastructure Council, which the bill would establish, to develop an Electric Vehicle Charging Master Plan. <i>Requires the Energy Commission to update the plan at least once every 2 years.</i>
	STATUS:	
	04/03/2020	From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS with author's amendments.
	04/03/2020	In SENATE. Read second time and amended. Re-referred to Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
	CATEGORY:	Environment

CA SB 1196 which the Highway Users Tax Account was gut-and-amended to pertain to price gouging. Therefore, the bill has been removed from the matrix.

CA SB 1227	<p>AUTHOR: Skinner [D]</p> <p>TITLE: Road Maintenance and Rehabilitation Program</p> <p>INTRODUCED: 02/20/2020</p> <p>LOCATION: Senate Transportation Committee</p> <p>SUMMARY: Deletes the condition in that requirement imposed on the Department of Transportation and those cities and counties to use advanced technologies and material recycling techniques to the extend possible.</p> <p>STATUS: 03/06/2020 To SENATE Committee on TRANSPORTATION.</p> <p>CATEGORY: Miscellaneous</p>
CA SB 1238	<p>AUTHOR: Hueso [D]</p> <p>TITLE: Road Project Contracts: Preference: Recycled Plastics</p> <p>INTRODUCED: 02/20/2020</p> <p>LAST AMEND: 03/25/2020</p> <p>LOCATION: Senate Rules Committee</p> <p>SUMMARY: Requires the Department of Transportation to conduct a study to determine if including recycled plastics in asphalt used for a construction and repair project of a state highway is feasible. Requires the department, when awarding a contract for construction or repair project of a state highway, to award a preference of an unspecified percentage to a bidder who proposes to use asphalt that includes recycled plastics for the construction or repair project.</p> <p>STATUS: 03/25/2020 From SENATE Committee on RULES with author's amendments. 03/25/2020 In SENATE. Read second time and amended. Re-referred to Committee on RULES.</p> <p>CATEGORY: Miscellaneous</p>
CA SB 1258	<p>AUTHOR: Stern [D]</p> <p>TITLE: Climate Technology and Infrastructure Act</p> <p>INTRODUCED: 02/20/2020</p> <p>LOCATION: Senate Business, Professions & Economic Development Committee</p> <p>SUMMARY: Enacts the California Technology and Infrastructure Financing Act to require the bank, in consultation with specified agencies to administer the Climate Catalyst Revolving Fund. Provides financial assistance to eligible climate catalyst projects, as defined.</p> <p>STATUS: 03/05/2020 To SENATE Committees on BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT and ENVIRONMENTAL QUALITY.</p> <p>CATEGORY: Environment</p>

CA SB 1273	AUTHOR: Pan [D] TITLE: Commute Benefit Policies: Sacramento Regional Districts INTRODUCED: 02/21/2020 LAST AMEND: 03/25/2020 LOCATION: Senate Transportation Committee SUMMARY: Authorizes the Sacramento Regional Transit District and the Sacramento Metropolitan Air Quality Management District to jointly adopt and revise as necessary to meet the region's changing transportation needs a commute benefit ordinance that requires covered employers operating within the district's area to offer certain employees commute benefits. STATUS: 03/25/2020 From SENATE Committee on TRANSPORTATION with author's amendments. 03/25/2020 In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION. CATEGORY: Rail and Transit
CA SB 1283	AUTHOR: Beall [D] TITLE: Department Of Transportation: Transit Bus Pilot Program INTRODUCED: 02/21/2020 LAST AMEND: 03/26/2020 LOCATION: Senate Rules Committee SUMMARY: Authorizes the Department of Transportation to establish a pilot program to authorize a transit operator or operators to operate transit buses on the shoulders of state highways, under a project selected under the program. STATUS: 03/26/2020 From SENATE Committee on RULES with author's amendments. 03/26/2020 In SENATE. Read second time and amended. Re-referred to Committee on RULES. CATEGORY: Rail and Transit
► CA SB 1291	AUTHOR: Beall [D] TITLE: Federal Statewide Transportation Improvement Program INTRODUCED: 02/21/2020 LAST AMEND: 04/03/2020 LOCATION: Senate Rules Committee SUMMARY: Provides that a metropolitan planning organization or transportation planning agency is not required to submit a Federal Transportation Improvement Program to the Department Transportation, and the department is not required to submit the Federal Statewide Transportation Improvement Program to the United States Department of Transportation. STATUS: 04/03/2020 From SENATE Committee on RULES with author's amendments. 04/03/2020 In SENATE. Read second time and amended. Re-referred to Committee on RULES. CATEGORY: Planning

CA SB 1297	AUTHOR:	Moorlach [R]
	TITLE:	Public Employees' Retirement
	INTRODUCED:	02/21/2020
	LOCATION:	Senate Labor, Public Employment and Retirement Committee
	SUMMARY:	Relates to the Public Employees' Retirement System, the State Teachers' Retirement System, the Judges' Retirement System, the Judges' Retirement System II, county and district retirement systems created pursuant to the County Employees' Retirement Law of 1937. Revises the provision of pension and other benefits to members of all state or local public retirement systems, among others.
	STATUS:	
	03/05/2020	To SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.
	CATEGORY:	Labor and Employment

► CA SB 1320	AUTHOR:	Stern [D]
	TITLE:	Climate Change: California Climate Change Assessment
	INTRODUCED:	02/21/2020
	LOCATION:	Senate Natural Resources and Water Committee
	SUMMARY:	Requires the Office of Planning and Research to develop the California Climate Change Assessment. Requires the office to conduct the assessment every 2 years and to publish the assessment in October of each odd-numbered year.
	STATUS:	
	03/05/2020	To SENATE Committees on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY.
	CATEGORY:	Miscellaneous

► CA SB 1330	AUTHOR:	Umberg [D]
	TITLE:	Sales and Use Tax Law: Zero Emissions Vehicle Exemption
	INTRODUCED:	02/21/2020
	LAST AMEND:	03/26/2020
	LOCATION:	Senate Natural Resources and Water Committee
	SUMMARY:	Provides an exemption from sales and use taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, an electric or a hybrid electric vehicle for which the final listing price is not greater than a certain amount.
	STATUS:	
	03/26/2020	From SENATE Committee on RULES with author's amendments.
	03/26/2020	In SENATE. Read second time and amended. Re-referred to Committee on RULES.
	CATEGORY:	Funding

CA SB 1351	<p>AUTHOR: Beall [D]</p> <p>TITLE: Transportation Planning</p> <p>INTRODUCED: 02/21/2020</p> <p>LAST AMEND: 03/25/2020</p> <p>LOCATION: Senate Rules Committee</p> <p>SUMMARY:</p> <p>Prohibits the Director of Transportation from approving an allocation of an amount greater than a certain percent of a transportation planning agency' s annual revenues. Requires rules and regulations to be updated regularly to reflect changes to transfer policies, payment methods, and any other relevant policy changes.</p> <p>STATUS:</p> <p>03/25/2020 From SENATE Committee on RULES with author's amendments.</p> <p>03/25/2020 In SENATE. Read second time and amended. Re-referred to Committee on RULES.</p> <p>CATEGORY: Funding</p>
CA SB 1362	<p>AUTHOR: Stern [D]</p> <p>TITLE: Climate Change: California Climate Change Assessment</p> <p>INTRODUCED: 02/21/2020</p> <p>LOCATION: Senate Environmental Quality Committee</p> <p>SUMMARY:</p> <p>Requires the State Air Resources Board no later than July 1, 2021, to adopt a comprehensive strategy to achieve carbon neutrality in the state by no later than December 31, 2045.</p> <p>STATUS:</p> <p>03/12/2020 To SENATE Committees on ENVIRONMENTAL QUALITY and NATURAL RESOURCES AND WATER.</p> <p>CATEGORY: Environment</p>
CA SB 1366	<p>AUTHOR: Archuleta [D]</p> <p>TITLE: Los Angeles County Metropolitan Transport Authority</p> <p>INTRODUCED: 02/21/2020</p> <p>LOCATION: Senate Transportation Committee</p> <p>SUMMARY:</p> <p>Requires the Los Angeles County Metropolitan Transportation Authority to include or construct 11 specified stations as part of an initial operating segment.</p> <p>STATUS:</p> <p>03/12/2020 To SENATE Committee on TRANSPORTATION.</p> <p>CATEGORY: Rail and Transit</p>

► CA SB 1373	<p>AUTHOR: Bates [R]</p> <p>TITLE: San Clemente Road Construction</p> <p>INTRODUCED: 02/21/2020</p> <p>LAST AMEND: 04/17/2020</p> <p>LOCATION: Senate Governance and Finance Committee</p> <p>SUMMARY: Prohibits governmental and private entities from constructing, funding, or operating, or from taking property to construct, fund, or operate, a <i>new</i> major thoroughfare in San Clemente in an area that is subject to a conservation easement <i>or that is designated as open space protected by a local initiative..</i></p> <p>STATUS: 04/17/2020 From SENATE Committee on GOVERNANCE AND FINANCE with author's amendments. 04/17/2020 In SENATE. Read second time and amended. Re-referred to Committee on GOVERNANCE AND FINANCE.</p> <p>CATEGORY: Planning</p>
CA SB 1408	<p>AUTHOR: Dodd [D]</p> <p>TITLE: State Route 37 Toll Bridge Act</p> <p>INTRODUCED: 02/21/2020</p> <p>LOCATION: Senate Transportation Committee</p> <p>SUMMARY: Requires an unspecified authority, on behalf of the state, to operate and maintain tolling infrastructure, including by installing toll facilities, and charge and collect tolls for the use of the Sonoma Creek Bridge, and to be responsible for the design and construction of improvements on the bridge and a segment of State Route 37 between its intersections with Route 121 in the County of Sonoma and Walnut Avenue in the County of Solano.</p> <p>STATUS: 03/12/2020 To SENATE Committees on TRANSPORTATION and GOVERNANCE AND FINANCE.</p> <p>CATEGORY: Miscellaneous</p>
CA SB 1456	<p>AUTHOR: Archuleta [D]</p> <p>TITLE: Department of Transportation</p> <p>INTRODUCED: 02/21/2020</p> <p>LOCATION: Senate Transportation Committee</p> <p>SUMMARY: Authorizes the Department of Transportation upon the request of the Los Angeles County Metropolitan Transportation Authority, to delegate any of its responsibilities assumed under these federal laws to the authority for the purpose of accelerating the project delivery timeline for specified transit projects.</p> <p>STATUS: 03/12/2020 To SENATE Committee on TRANSPORTATION.</p> <p>CATEGORY: Transit and Rail</p>

CA SB 1459	AUTHOR:	Caballero [D]
	TITLE:	Transportation Development Act: Counties
	INTRODUCED:	02/21/2020
	LAST AMEND:	03/26/2020
	LOCATION:	Senate Rules Committee
	SUMMARY:	
		Extends the authorization for the Stanislaus Council of Governments, and authorizes the San Luis Obispo Council of Governments, to reduce applicable ratios of fare revenues to operating cost for specified transit operators but a certain amount.
	STATUS:	
	03/26/2020	From SENATE Committee on RULES with author's amendments.
	03/26/2020	In SENATE. Read second time and amended. Re-referred to Committee on RULES.
	CATEGORY:	Transit and Rail



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors
From: Laurena Weinert, Clerk of the Board
Subject: Federal Legislative Status Report

Legislative and Communications Committee Meeting of May 21, 2020

Present: Directors Bartlett, Davies, Delgleize, Hennessey, Hernandez, Wagner, and Winterbottom
Absent: None

Committee Vote

Following the discussion, no action was taken on this receive and file information item.

Staff Recommendation

Receive and file as an information item.



May 21, 2020

To: Legislative and Communications Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Federal Legislative Status Report

Overview

An update is provided on the federal response to the novel coronavirus pandemic, and efforts to improve the Transportation Infrastructure Finance and Infrastructure Act loan program as well as efforts to improve the federal discretionary grant process.

Recommendation

Receive and file as an information item.

Discussion

Federal Response to Novel Coronavirus (COVID-19) Pandemic

On April 24, 2020, the President signed into law the fourth bill in response to the COVID-19 pandemic. This bill provided supplemental funding for three of the programs from the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Specifically, the bill provides approximately \$484 billion in additional funding for small business loans, hospitals, and testing. While these programs do not directly benefit transportation programs, they are part of the ongoing efforts to stabilize the economy as businesses adhere to guidance from state and local health officials. The \$25 billion in Federal Transit Administration (FTA) funding from the CARES Act has been allocated to transit agencies across the country, and Orange County Transportation Authority (OCTA) staff is closely monitoring everchanging FTA guidance to ensure that the \$225 million in FTA funding from the bill that will benefit Orange County is spent in compliance with the CARES Act.

On May 4, 2020, the Senate returned to Washington, D.C. to reconvene, taking measures to respect social distancing while conducting business. The House of Representatives (House) cancelled plans to hold session that week on the

advice of medical professionals, although the House Appropriations Committee did hold a subcommittee hearing focused on healthcare issues. As of the writing of this staff report, the House was considering changing its voting procedures to implement a proxy voting system that would facilitate legislative business while also trying to implement measures to protect the health of lawmakers and staff. There were also reports of discussions about additional stimulus legislation, although the timetable for such efforts remains uncertain.

As part of the budget process, the Congressional Budget Office (CBO) released updated budget deficit projections, marking the first official attempt to adequately quantify the economic consequences of the COVID-19 pandemic. The CBO projects that the budget deficit will more than triple to \$3.7 trillion, which would drive projections on federal debt held by the public to 101 percent of Gross Domestic Product. This potentially historic budget deficit will make it incredibly difficult for Congress to find a solution for the Highway Trust Fund's long-term structural revenue deficit, especially with gas tax revenues declining as people stay home to limit the spread of COVID-19. With the Fixing America's Surface Transportation Act expiring later this year, Congress will have to find a way to continue to fund federal transportation programs under tremendous budgetary pressures. The difficulties with finding long-term solutions could lead to either one, or maybe a series, of short-term extensions for federal transportation programs.

Improvements to the Transportation Infrastructure Finance and Infrastructure Act (TIFIA) Loan Program

Given the fiscal pressures facing Congress, it is unlikely that increased deficit spending will be approved. In light of this dynamic, OCTA has focused its advocacy efforts on seeking policy solutions to allow for financial benefits for OCTA projects and programs, with minimal added cost pressures for the federal government. Most recently, toll agencies nationwide have started to engage with Congress about financing reforms that could benefit toll operators while also respecting the fiscal pressures facing Congress. In coordination with other toll agencies within the state, including the Riverside County Transportation Commission, OCTA has started to focus on ways to streamline the TIFIA loan program.

Leveraging its experience with the TIFIA loan on the Interstate 405 Improvement Project, OCTA submitted correspondence to the Orange County Congressional Delegation, as well as relevant committees of jurisdiction, outlining potential improvements to the TIFIA program. One of these letters is included in Attachment A. Specifically, OCTA's letter, like those sent by its partners across California, focuses on allowing current loan holders to take advantage of a one-time interest rate reset based on the interest rates for current TIFIA loan issuances. Staff estimates that such a reset would allow the agency to take advantage of the sharp decreases in interest rates since OCTA's TIFIA

agreement was executed to save taxpayers \$200 million. Additionally, this proposal would allow TIFIA loan holders to avoid the cumbersome, time-consuming refinancing process that would not provide the type of expedient financial incentive necessary in these difficult times.

Staff will be following up on the letter to discuss the one-time rate reset and other TIFIA improvements in anticipation of either additional stimulus measures or surface transportation reauthorization legislation. As noted in the letter, another area of focus is allowing a borrower in good standing to amend their TIFIA loan agreement to borrow up to 49 percent of eligible project costs, as currently authorized under statute, removing the 33 percent administrative cap that currently exists. Such a change could free up \$305 million for OCTA. Staff will continue to provide updates to the Board of Directors (Board) as necessary on these efforts and any other infrastructure policy proposals that may benefit the agency.

Update on Discretionary Grant Selection Process

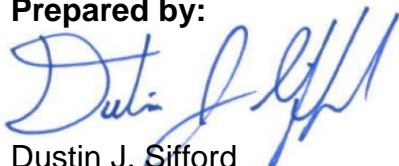
As part of ongoing oversight efforts, the Government Accountability Office (GAO) sent a letter to Secretary of Transportation Elaine L. Chao regarding outstanding GAO recommendations, which is included as Attachment B. The GAO's latest annual report found that, on a government-wide basis, 77 percent of their recommendations had been implemented. The letter to Secretary Chao notes that the Department of Transportation has only implemented eight of GAO's priority 16 recommendations, below the government-wide average. Most importantly to OCTA, the first outstanding priority recommendation mentioned in the letter is the "long-standing" issue with the discretionary grant award selection process. Specifically, the letter recommends a department-wide directive to develop a plan for evaluating project proposals, documenting key decisions, and aligning policy priorities with the evaluation and selection process. The letter also notes that, while there has been some progress made on this issue, modal agencies have not been able to "consistently interpret and implement the recommendation." The GAO asks for the Secretary's continued attention in meeting the remaining recommendations. Staff will continue to keep the Board updated on relevant developments in anticipation of potential surface transportation reauthorization legislation later this year.

Summary

An update is provided on the federal response to the COVID-19 pandemic, and OCTA's efforts to streamline the TIFIA program to help generate economic stimulus. An update is also provided on GAO recommendations to improve the discretionary grant process.

Attachments

- A. Letter from Steve Jones, Chairman, Orange County Transportation Authority Board of Directors, to Representative Harley Rouda, United States House of Representatives, dated May 4, 2020, re: Transportation Infrastructure Finance and Innovation Act (TIFIA) Loan Modification Requests to Assist Economic Relief
- B. Letter from Gene L. Dodaro, Comptroller General of the United States, to Secretary of Transportation Elaine L. Chao, U.S. Department of Transportation, dated April 23, 2020, re: Priority Open Recommendations: U.S. Department of Transportation
- C. Potomac Partners DC, Monthly Legislative Report – April 2020

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CHIEF EXECUTIVE OFFICE

Darrell E. Johnson
Chief Executive Officer

May 4, 2020

The Honorable Harley Rouda
United States House of Representatives
2300 Rayburn House Office Building
Washington, D.C. 20515

RE: Transportation Infrastructure Finance and Innovation Act (TIFIA) Loan Modification Requests to Assist Economic Relief

Dear Representative Rouda:

On behalf of the Orange County Transportation Authority (OCTA) Board of Directors, I write to recommend legislative changes to the TIFIA loan program that will provide temporary flexibilities to achieve significant cost-savings for transportation agencies, helping to stabilize ongoing infrastructure investment. Specifically, OCTA requests that TIFIA loan holders be allowed to request a one-time interest rate reset to take advantage of current rates during these difficult times.

With people traveling significantly less to stop the spread of the coronavirus, transportation agencies across the country are preparing for dramatic decreases in state and federal gas tax revenues, as well as declines in local sales tax revenues that fund transportation improvements. The result is an uncertain financial future for transportation agencies like OCTA. In discussions about the appropriate federal response, OCTA seeks to maintain its commitment to a fiscally-responsible, innovative approach to transportation financing. Orange County taxpayers already benefit from a \$629 million TIFIA loan on the Interstate 405 Improvement Project. OCTA has committed nearly \$1.2 billion of funds from its sales tax to the project, leveraging these local funds with a TIFIA loan that is already expected to save taxpayers more than \$300 million.

OCTA's experience with its TIFIA loan leaves the agency well-positioned to understand exactly how the program can be improved to best respond to these current circumstances. OCTA respectfully requests that the TIFIA program be modified to allow current loan holders to take advantage of a one-time interest rate reset based on the interest rates for current TIFIA loan issuances. OCTA estimates that such a reset could allow the agency to take advantage of current financial conditions, specifically the sharp decreases in interest rates as a result of this crisis, to save taxpayers an additional \$200 million, that could otherwise be directed towards additional infrastructure investment. This request is a narrowly-tailored approach to economic recovery, avoiding the type of sweeping

The Honorable Harley Rouda
May 4, 2020
Page 2

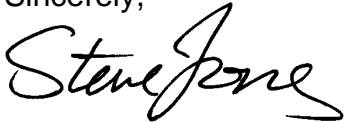
policy changes that might undermine the integrity of the TIFIA loan program. Furthermore, an interest rate reset avoids the lengthy refinancing process and helps maintain the terms of carefully negotiated loan agreements.

Given OCTA's leadership on TIFIA loan issues, I hope that this letter is the beginning of a productive dialogue on additional administrative actions that could take place to refine the TIFIA program temporarily to help further assist in economic recovery efforts. Such actions could include allowing a borrower in good standing to amend their TIFIA loan agreement to borrow up to 49 percent of eligible project costs, as currently authorized under statute, removing the 33 percent administrative cap that currently exists. For OCTA, such action could free up an additional \$305 million.

OCTA looks forward to discussing proposals, including those the agency has previously shared with Congress, in hopes that these ideas can be incorporated into future stimulus or surface transportation legislation.

Thank you for your consideration. Please do not hesitate to contact Kristin Jacinto, Manager of State and Federal Relations, at kjacinto@octa.net or 714-560-5754, to discuss this matter further.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Jones", with a stylized, cursive script.

Steve Jones
Chairman

c: Darrell E. Johnson, Chief Executive Officer, OCTA
Potomac Partners, LLC

SJ:djs



U.S. GOVERNMENT ACCOUNTABILITY OFFICE

441 G St. N.W.
Washington, DC 20548

Comptroller General
of the United States

April 23, 2020

The Honorable Elaine L. Chao
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Priority Open Recommendations: U.S. Department of Transportation

Dear Madam Secretary:

The purpose of this letter is to provide an update on the overall status of the U.S. Department of Transportation's (DOT) implementation of GAO's recommendations and to call your personal attention to areas where open recommendations should be given high priority.¹ In November 2019, we reported that on a government-wide basis, 77 percent of our recommendations made 4 years ago were implemented.² DOT's recommendation implementation rate was 83 percent. As of March 2020, DOT had 197 open recommendations. Fully implementing these open recommendations should significantly improve DOT's operations.

Since our April 2019 letter, DOT has implemented 8 of our 16 open priority recommendations. This work has addressed concerns related to aviation cybersecurity by strengthening security controls, improving the process for testing such security controls for the satellite navigation and automation based air traffic control (ATC) system, and for addressing security weaknesses. Additionally, DOT has taken steps to improve oversight of federal awards; such oversight will help in addressing the high-risk area of improving funding for surface transportation.

We ask your continued attention to the 8 remaining priority recommendations identified in our 2019 letter. We are adding 8 additional priority recommendations this year related to airport terminal area safety, oversight of new unmanned aircraft system technologies, DOT oversight of the air ambulance industry, Federal Highway Administration's (FHWA) accountability over project decisions, and improvements to DOT's cybersecurity infrastructure. This brings the total number of priority recommendations to 16. (See the enclosure for the list of these recommendations.) The following 16 priority recommendations fall into 7 areas.

Funding surface transportation. As we discuss below, funding surface transportation is among the highest risks facing the government. We have identified two priority

¹ Priority recommendations are those that GAO believes warrant priority attention from heads of key departments or agencies. They are highlighted because, upon implementation, they may significantly improve government operation, for example, by realizing large dollar savings; eliminating mismanagement, fraud, and abuse; or making progress toward addressing a High Risk or duplication issue.

² GAO, *Performance and Accountability Report Fiscal Year 2019*. [GAO-20-1SP](#) (Washington, D.C.: Nov 19, 2019)

recommendations central to maximizing resources and improving performance that have carried over from the 2019 DOT priority recommendation letter.

First, we recommended in December 2016 that DOT issue a directive governing department-wide and modal administration of discretionary grant programs. That directive includes requirements to, among other things, document key decisions and align the grant programs' policy priorities with the evaluation process. Since 2011, we have found challenges with implementation of discretionary grant programs by DOT and its modal administrations, including problems documenting key evaluation and project selection decisions, most recently in June 2019.

In March 2019, DOT issued a memo directing secretarial offices and operating administrations involved in awarding discretionary grants to implement our recommendations and to include them in their policies and procedures. As we reported in June 2019, it is unclear, due to a number of issues, how this action will address our recommendation. For example, we found that while the memo repeated our recommendation, DOT did not take steps to ensure that the various affected offices consistently interpret and implement the recommendation.

DOT officials told us that they wanted to provide the affected offices flexibility to implement the recommendation, but that the Department would assess the need for additional guidance based on revisions to its *Financial Assistance Guidance Manual*. DOT completed these revisions effective January 2020 and all affected offices are expected to complete developing their policies and procedures by May 2020. We will continue to monitor the Department's actions and assess the extent to which they address our recommendation. Given the long-standing nature of the issues we identified, we have also suggested that Congress consider including in the next reauthorization bill for surface transportation language that would require DOT to develop and implement transparency measures for its discretionary grant programs.³

Second, we recommended in September 2014 that DOT include in its National Freight Strategic Plan, which is required by law, a written statement articulating the federal role, objectives, and goals in mitigating local congestion caused by national freight movements.⁴ As we reported in our April 2019 DOT priority recommendation letter, DOT stated that it planned to release a final National Freight Strategic Plan in 2019. However, as of April 2020, DOT had not issued the National Freight Strategic Plan, and officials stated that they are planning to issue this plan in 2020.

Addressing Safety Risks. Six recommendations are critical to addressing transportation safety risks.

First, revising the methodology used to compare safety performance across motor carriers would help ensure that Federal Motor Carrier Safety Administration (FMCSA) can better identify and intervene with carriers at highest risk for crashing. We recommended in February 2014 that DOT revise the Safety Measurement System (SMS) methodology to better account for data accuracy and sufficiency limitations in drawing comparisons of safety performance information across carriers.

³ GAO, *Discretionary Transportation Grants: Actions Needed to Improve Consistency and Transparency in DOT's Application Evaluations*. [GAO-19-541](#) (Washington, D.C.: July 26, 2019).

⁴ 49 U.S.C. § 70102

The Department does not agree with our conclusions, and has requested that we close the recommendation as not implemented. We continue to believe implementing this recommendation will improve the reliability of data used to assess carriers that pose the greatest safety risks. We note that the National Academies of Sciences conducted a federally mandated evaluation of SMS, including the system's data accuracy and sufficiency, and in 2017 made several recommendations to improve FMCSA's ability to identify high-risk carriers. In June 2018, FMCSA issued an action plan in response to the National Academies of Sciences' recommendations and is developing data improvements and a new methodology, as described in the action plan, to better identify unsafe motor carriers. FMCSA has recently developed and tested a new methodological approach that could potentially account for the limitations we identified. While FMCSA has not yet committed to deploying the new methodology, officials said they hope to do so some time in 2020. Given the focus of the National Academies of Sciences' recommendations, we will review any SMS methodology revisions FMCSA implements to see the extent to which they also address our findings and recommendations.

Second, we recommended in November 2017 that DOT develop and implement a comprehensive plan to better manage departmental initiatives related to automated vehicles. Automated cars and light-duty trucks—from vehicles already on the road equipped with driver assistance technologies to fully driverless cars still in development—pose safety and infrastructure challenges. This plan should include leading principles such as goals, priorities, steps to achieve results, milestones, and performance measures to track progress. In July 2018, DOT released an initial plan related to this recommendation in response to congressional direction.⁵ This plan outlines DOT's overall approach for managing policy and research issues related to automated vehicles across DOT's modal administrations. In January 2020, DOT and the National Science and Technology Council released *Ensuring American Leadership in Automated Vehicle Technologies (AV 4.0)*, building on prior policies that DOT has identified as actions regarding its implementation of GAO's recommendation. DOT has yet to identify, for example, performance measures to monitor and gauge results. Without a comprehensive plan, it continues to be unclear whether DOT is adequately tackling automated vehicle challenges.

Third, we made a recommendation in March 2018 that is critical to successfully implementing FTA's additional authorities and responsibilities over rail transit that were enacted in 2012.⁶ We recommended that FTA develop and communicate a method for how it will monitor the effectiveness of state safety agencies' enforcement authorities and practices. Without such a method, FTA will lack the information needed to identify ineffective state enforcement, which risks allowing safety deficiencies to remain for long periods of time. FTA agreed and has discussed proposals with us, and we look forward to further discussions about how it is implementing the recommendation.

Fourth, we recommended in August 2019 that FAA's Runway Safety Manager should establish a plan to assess the effectiveness of all of FAA's terminal area-safety efforts, including Airport Surface Detection Equipment, Model X (ASDE-X) and the Runway Safety Program. FAA has many terminal-area safety efforts underway, but has not assessed their effectiveness. Prioritizing this recommendation will help FAA direct its resources toward activities and technologies proven to enhance safety and identify ways to strengthen those efforts. By

⁵ DOT released this initial plan in response to a provision in the Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2018, Pub. L. No. 115–141, 132 Stat. 348 (2018).

⁶ Fixing America's Surface Transportation Act (FAST Act), Pub. L. No. 112-141, § 20021, 126 Stat. 405, 709 (codified as amended at 49 U.S.C. § 5329).

assessing the effectiveness of its primary efforts, FAA may be better positioned to make decisions about how to target its limited resources within and among these efforts. As of December 2019, FAA has concurred with the recommendation, but needs to take additional steps to address the recommendation. FAA noted that it would identify actions to assess the effectiveness of all of its terminal-area safety efforts in a Runway Safety Evolution Plan, which the agency expects to complete by September 30, 2020. We will review the Runway Safety Evolution Plan when it is available.

Fifth and sixth, we made two recommendations in October 2019 that are critical to addressing FAA's oversight of unmanned aircraft systems (UAS) to reduce risks to public safety.

- FAA should develop an approach to more effectively communicate key information to local law enforcement agencies regarding their expected role with regard to small UAS safety oversight.
- FAA should identify existing or new data and information needed to evaluate the effectiveness of oversight over UAS safety and to develop a mechanism for capturing these data as needed.

These actions should help the agency adapt to an evolving UAS environment. FAA has concurred with these recommendations; we will continue to analyze and evaluate the actions the agency has taken in response.

Improving Transparency and Communication. We have identified two priority recommendations that are critical to improving transparency and communication for the DOT.

First, in December 2015, we made a recommendation critical to improving the U.S. aviation sector's preparedness for future communicable disease threats from abroad. We recommended that the Secretary of Transportation should work with relevant stakeholders, such as the Department of Health and Human Services (HHS), to develop a national aviation-preparedness plan for communicable disease outbreaks. Such a plan could establish a mechanism for coordination between the aviation and public health sectors and provides clear and transparent planning assumptions for a variety of types and levels of communicable disease threats.

As of April 2020, DOT has not developed a national aviation-preparedness plan to respond to communicable disease threats from abroad. DOT partially concurs with our recommendation and agrees that an aviation preparedness plan is needed, but continues to suggest that HHS and the Department of Homeland Security (DHS) have responsibility for communicable disease response and preparedness planning, respectively, and that these departments should lead any efforts to address planning for communicable disease outbreaks, including for transportation.

DOT would be in the best position to lead the effort because FAA and DOT have stronger and deeper ties to the relevant stakeholders that would be involved in such a broad effort and is responsible for overseeing the aviation sector. While the DOT and HHS may not agree on which agency should lead the development of a national aviation-preparedness plan, DOT's Office of the Secretary is the liaison to the International Civil Aviation Organization (ICAO) for Annex 9 to the Chicago Convention, an international aviation treaty. Annex 9 obligates each ICAO member state to establish a national aviation-preparedness plan for communicable disease outbreaks that pose a public health risk or public health emergency of international concern.

In the absence of a national aviation-preparedness plan, DOT officials point to ongoing efforts to engage with interagency partners at DHS and HHS, as well as industry stakeholders, to better

collaborate on communicable disease response and preparedness as they relate to civil aviation. For example, in response to the Coronavirus Disease 2019 (COVID-19) outbreak, DOT reported that it has facilitated conference calls between stakeholders, including federal agencies and aviation stakeholders, and it has collaborated with the Centers for Disease Control and Prevention (CDC) within HHS to update interim guidance for airline crews related to communicable diseases, specifically COVID-19, among other things. While these efforts are helpful, we continue to believe that DOT is in the best position to take the lead in working with its relevant stakeholders to develop a national aviation-preparedness plan, which could guide preparation for communicable diseases nationally and for individual airlines and airports, as well as establish a framework for communication and response for the next communicable disease outbreak. Such a plan should help government minimize and quickly respond to future communicable disease events and garner international cooperation in addressing pandemic issues.

Second, we recommended in July 2017 that in order to increase transparency and obtain information to better inform decisions on whether to investigate potentially unfair or deceptive practices in the air ambulance industry, the Secretary of Transportation should assess available federal and industry data and determine what further information could assist in the evaluation of future complaints or concerns regarding unfair or deceptive practices. DOT did not concur with this recommendation, noting that its analysis of whether a complaint alleges conduct that could constitute an unfair or deceptive practice is fundamentally based on the unique facts of each additional case, rather than aggregate data.

The FAA Reauthorization Act of 2018 (the Act), signed into law on October 5, 2018, directed the establishment of an Air Ambulance and Patient Billing (AAPB) Advisory Committee. The Act also required the committee to make recommendations on a variety of topics, including what additional data from air ambulance providers and other sources should be collected by DOT to improve its understanding of the industry. On September 12, 2019, DOT announced the formation of the AAPB Advisory Committee, including the appointment of 13 members. The first meeting of the AAPB Advisory Committee was held in January 2020. Pursuant to the Act, the AAPB Advisory Committee is to submit a report containing its recommendations not later than 180 days after the date of its first meeting. GAO will continue to monitor the work of the AAPB Advisory Committee related to this recommendation.

Cybersecurity Risks. As we discuss below, ensuring cybersecurity of the nation is another of the highest risks facing the government. Three priority recommendations will help address cybersecurity risks in aviation and workforce staffing, and improve DOT's risk management.

We recommended in February 2018 that DOT, in cooperation with the Department of Homeland Security (DHS), should take steps to consult, as appropriate with respective sector partners such as DHS and the National Institute of Standards and Technology (NIST), to develop methods for determining the level and type of cybersecurity framework adoption by entities across the transportation systems sector. DOT concurred with the recommendation. As of February 2020, the department had begun taking steps to develop methods to determine the level and type of framework adoption in the respective sectors.

Specifically, officials in the DOT's Office of Intelligence, Security, and Emergency Response, in coordination with the DHS, told us that they planned to develop and distribute a survey to the Transportation Systems sector to determine the level and type of framework adoption. DOT officials stated that the draft survey was undergoing DHS legal review and that the completion of the review and subsequent Office of Management and Budget review would determine when

the survey will be approved for distribution. While the department has ongoing initiatives, implementing our recommendations to gain a more comprehensive understanding of the framework's use by critical infrastructure sectors is essential to the success of protection efforts.

We made two recommendations in July 2019 that are critical to protecting DOT from a growing number of cyber threats to systems and data by taking a risk-based approach to cybersecurity by effectively identifying, prioritizing, and managing cyber risks. We recommended that the Secretary of Transportation should fully develop a cybersecurity risk management strategy that includes key required elements, including a statement of departmental risk tolerance and risk mitigation strategies, and a description of acceptable risk assessment methodologies. We also recommended that the Secretary of Transportation should fully establish and document a process for coordination between cybersecurity risk management and enterprise risk management functions. DOT concurred with both recommendations, and as of January 2020, estimated that it would implement them by October 1, 2020, and January 4, 2021, respectively. GAO continues to track DOT's progress in implementing these recommendations.

Improving management of information technology (IT) workforce planning. We recommended in November 2016 that DOT, as well as four other agencies, implement IT workforce planning practices to facilitate a more rigorous analysis of gaps between current skills and future needs, as well as develop a strategy for filling gaps. Specifically, we stated that the right mix of expertise to recognize problems early and the requisite authority to address them are contingent upon effective IT workforce planning. In October 2019, we reported the results of our evaluation of DOT's progress in implementing the eight IT workforce planning activities. Specifically, we reported that the Department had fully implemented the activity to develop competency and staffing requirements, but had not yet fully implemented the remaining seven activities, including developing a workforce planning process.⁷

In January 2020, the department stated that its Office of the Chief Information Officer and Office of Human Resource Management had established a workgroup to lead and conduct workforce planning activities, and had defined the strategic goals and objectives for the department's IT workforce. The department also stated that the workgroup was planning on subsequently completing additional activities, including completing a workforce analysis with a competency gap assessment, by the end of calendar year 2020, and developing strategies to address any identified gaps by the end of 2021. We will continue to monitor the department's efforts to implement our recommendation.

Improving federal grant management. In October 2019, we made a recommendation to the FHWA that is critical to enhancing accountability over highway emergency relief project decisions. We recommended that the Administrator of FHWA require FHWA division offices to document the rationale for classifying projects as emergency repairs, such as a description of why an emergency repair is necessary and which alternative strategies or repairs were considered, and to more clearly define the circumstances under which projects are classified as emergency repairs, including what constitutes restoration of essential traffic.

The Highway Emergency Relief Program has provided billions of dollars in assistance since 2017, including funds for emergency repairs undertaken during or immediately after a disaster to restore essential traffic that are eligible for 100 percent federal funding. DOT concurred with GAO's recommendation and FHWA stated it plans to issue a memo to its division offices to

⁷ GAO. *Information Technology: Agencies Need to Fully Implement Key Workforce Planning Activities*. [GAO-20-129](#). (Washington, D.C.: October 30, 2019).

implement the recommendation by June 2020. We will continue to monitor the department's efforts to implement our recommendation.

Improving transportation readiness. One recommendation made in September 2015 calls for the Maritime Administration (MARAD) to address the need for improved transportation readiness by fully assessing available maritime personnel resources. While MARAD has estimated that there is a shortage of qualified mariners available to crew a full and prolonged activation of the reserve fleet, its estimate does not fully account for all of the potential sources of supply. DOT agreed with this recommendation. DOT released the *National Maritime Strategy* (the Strategy) in March 2020. The Strategy lists, as one of its objectives, "develop an accurate roster of sealift qualified mariners." According to the Strategy, DOT is to have at least considered a timeline for achieving that objective by March 2021.

DOT also informed GAO that a MARAD report to Congress on "*Opportunities and Challenges to Increasing the Number of U.S. Coast Guard Credentialed Mariners*", which may address part of GAO's recommendation, is under the review of the U.S. Office of Management and Budget (OMB). Furthermore, the Mariner Survey project, which DOT planned to survey all appropriately credentialed U.S. merchant mariners in 2020, and again in 2022 to determine the number of qualified mariners willing and able to serve on short notice, has not yet been approved by OMB. Thus far, DOT has not implemented GAO's recommendation to study the potential availability of all qualified mariners.

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In March 2019 we issued our biennial update to our high-risk program, which identifies government operations with greater vulnerabilities to fraud, waste, abuse, and mismanagement or the need for transformation to address economy, efficiency, or effectiveness challenges. Our high-risk program has served to identify and help resolve serious weaknesses in areas that involve substantial resources and provide critical service to the public.

One of our high-risk areas, funding the nation's surface transportation, requires congressional action to develop a sustainable plan while also centering on DOT and the agency's ability to maximize existing resources. Several other government-wide high-risk areas including (1) ensuring cybersecurity of the nation, (2) improving management of IT acquisitions and operations, and (3) strategic human capital management, also have direct implications for DOT and its operation.⁸ We urge your attention to the DOT and government-wide high-risk issues as they relate to DOT. Progress on high-risk issues has been possible through the concerted actions and efforts of Congress, OMB, and the leadership and staff in agencies, including within DOT.

Copies of this report are being sent to the Director of the Office of Management and Budget and appropriate congressional committees including the Committees on Appropriations, Budget, and Homeland Security and Governmental Affairs, United States Senate; and the Committees on Appropriations, Budget, and Oversight and Government Reform, House of Representatives.

In addition, the report will be available at no charge on the GAO website at <http://www.gao.gov>.

⁸ [GAO-19-157SP](#). See pages 86-90 for Funding the Nation's Surface Transportation System, pages 178-184 for Ensuring the Cybersecurity of the Nation, pages 123-127 for Improving the Management of IT Acquisitions and Operations, and pages 75-77 for Strategic Human Capital Management.

I appreciate DOT's continued commitment to these important issues. If you have any questions or would like to discuss any of the issues outlined in this letter, please do not hesitate to contact me or Dan Bertoni, Managing Director, Physical Infrastructure at bertonid@gao.gov or 202-512-2834. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Our teams will continue to coordinate with your staff on all of the 197 open recommendations. Thank you for your attention to these matters.

Sincerely yours,

A handwritten signature in black ink, reading "Gene L. Dodaro". The signature is fluid and cursive, with the first name "Gene" and last name "Dodaro" clearly legible.

Gene L. Dodaro
Comptroller General
of the United States

Enclosure(s)— 1

Cc:

Russ Vought, Acting Director, OMB
James C. Owens, Deputy Administrator, NHTSA
Steve Dickson, Administrator, FAA
Nicole R. Nason, Administrator, FHWA
Jim Mullen, Deputy Administrator, FMCSA
K. Jane Williams, Acting Administrator, FTA
Mark H. Buzby, Administrator, MARAD
Madeline Chulumovich, Office of the Secretary, DOT

Enclosure

Department of Transportation (DOT) Priority Recommendations

Funding Surface Transportation

DOT Discretionary Grants: Problems with Hurricane Sandy Transit Grant Selection Process Highlight the Need for Additional Accountability. [GAO-17-20](#). Washington, D.C.: December 14, 2016.

Recommendation: Given DOT's new discretionary grant programs and similar challenges we have found with previous DOT programs, the Secretary of Transportation should issue a directive that governs department-wide and modal administration discretionary grant programs. Such a directive should include requirements to: (1) develop a plan for evaluating project proposals in advance of issuing a notice of funding availability that defines the stages of the process, including how the process will be overseen to ensure a consistent review of applications; (2) document key decisions, including the reason for any rating changes and the officials responsible for those changes, and how high-level concerns raised during the process were addressed; and (3) align stated program purpose and policy priorities with the evaluation and selection process.

Action needed: DOT concurred with this recommendation. In March 2019, DOT issued a one-page memo, directing all offices and departments that administer discretionary grants to update their policies and procedures to address GAO's recommendation. Due to a number of issues, however, it is unclear how this action will address our recommendation to create clear department-wide requirements aimed at improving transparency and consistency. DOT did not take steps to ensure that the various affected offices consistently interpret and implement the recommendation. In addition, DOT did not communicate to offices how they should sufficiently document their decisions to ensure that the rationale for those decisions—including the reasons individual projects were selected or not selected—is clear. Lack of information regarding how offices should implement the memo raises significant questions about whether various offices will interpret and implement the recommendations differently, and enhances the risk that DOT will continue to lack a department-wide approach to ensure that discretionary grant programs are consistently and transparently administered. DOT officials told us they wanted to provide the affected offices flexibility to implement the recommendation, but that the Department would assess the need for additional guidance based on revisions to its Financial Assistance Guidance Manual. DOT completed these revisions effective January 2020 and all affected offices are expected to complete developing their policies and procedures by May 2020. We will continue to monitor the Department's actions and assess the extent to which they address our recommendation. As we reported in June 2019, given the long-standing nature of the issues we identified, we have also suggested that Congress consider including language in the next reauthorization bill that would require DOT to develop and implement transparency measures for its discretionary grant programs.

High Risk Area: [Funding the Nation's Surface Transportation System](#)

Director: Elizabeth Repko

Contact information: RepkoE@gao.gov and (202) 512-2834

Freight Transportation: Developing National Strategy Would Benefit from Added Focus on Community Congestion Impacts. [GAO-14-740](#). Washington, D.C.: September 19, 2014.

Recommendation: Include in the National Freight Strategic Plan a written statement articulating the federal role in freight-related local congestion impacts, by clearly identifying potential objectives and goals (under the general area DOT has established for the Freight Transportation Conditions and Performance Report of reducing adverse environmental and community impacts) for mitigating local congestion caused by national freight movements and the role federal and state stakeholders could play in achieving each objective and goal, and including a written strategy for improving the availability of national data needed to quantify, assess, and establish measures on freight trends and impacts on local traffic congestion.

Action needed: DOT concurred with this recommendation. To fully implement this recommendation, DOT should complete and issue a National Freight Strategic Plan. As part of the development of the National Freight Strategic Plan, DOT should articulate the federal role, objectives, and goals in mitigating local congestion caused by national freight movements. DOT stated that it is continuing work on the National Freight Strategic Plan and intends to release the plan in 2020.

High Risk Area: [Funding the Nation's Surface Transportation System](#)

Director: Elizabeth Repko

Contact information: RepkoE@gao.gov and (202) 512-2834

Addressing Safety Risks

Federal Motor Carrier Safety: Modifying the Compliance, Safety, Accountability Program Would Improve the Ability to Identify High Risk Carriers. [GAO-14-114](#). Washington, D.C.: February 3, 2014.

Recommendation: To improve the Compliance, Safety, Accountability (CSA) program, the Secretary of Transportation should direct the FMCSA Administrator to revise the SMS methodology to better account for limitations in drawing comparisons of safety performance information across carriers; in doing so, the Secretary of Transportation should direct the FMCSA Administrator to conduct a formal analysis that specifically identifies limitations in: (1) the data used to calculate SMS scores including variability in the carrier population and the quality and quantity of data available for carrier safety performance assessments, and (2) the resulting SMS scores, including their precision, confidence, and reliability for the purposes for which they are used.

Action needed: FMCSA did not agree with our recommendation, disputing the methodology and conclusions in our report. However, we continue to believe that addressing Safety Measurement System (SMS) methodology limitations has merit and could help the agency better target FMCSA's resources to the carriers that pose the highest risk of crashing. For example, we found FMCSA requires a minimum level of information for a carrier to receive an SMS score; however, this requirement is not strong enough to produce sufficiently reliable scores. As a result, FMCSA identified many carriers as high risk that were not later involved in a crash, potentially causing FMCSA to miss opportunities to intervene with higher risk carriers. To fully implement this recommendation, FMCSA should revise SMS methodology to account for data limitations that limit comparisons so that the FMCSA is better positioned to identify and mitigate carriers that pose the greatest safety risks. FMCSA has recently developed and tested

a new methodological approach that could potentially account for the limitations we identified. While FMCSA has not yet committed to deploying the new methodology, they hope to do so some time in 2020.

Director: Elizabeth Repko

Contact information: RepkoE@gao.gov and (202) 512-2834

Automated Vehicles: Comprehensive Plan Could Help DOT Address Challenges. [GAO-18-132](#). Washington, D.C.: November 30, 2017.

Recommendation: The Secretary of Transportation should develop and implement a comprehensive plan to better manage departmental initiatives related to automated vehicles. This plan should include leading principles such as goals, priorities, steps to achieve results, milestones, and performance measures to track progress.

Action needed: DOT concurred with this recommendation. In January 2020, DOT released Ensuring American Leadership in Automated Vehicle Technologies (AV 4.0), building on prior policies that DOT has as actions regarding its implementation of GAO's recommendation. However, without incorporating leading principles of comprehensive planning, it continues to be unclear whether DOT is adequately tackling automated vehicle challenges.

Director: Elizabeth Repko

Contact information: RepkoE@gao.gov and (202) 512-2834

Rail Transit: Federal Transit Administration Can Strengthen Safety Oversight by Improving Guidance to States. [GAO-18-310](#). Washington, D.C.: March 20, 2018.

Recommendation: The Office of Transit Safety and Oversight should develop and communicate a method for how it will monitor the effectiveness of the enforcement authorities and practices of state safety agencies.

Action needed: DOT concurred with this recommendation. DOT should continue its progress to developing and communicating a methodology for how it will monitor the effectiveness of state safety agencies' enforcement.

Director: Andrew Von Ah

Contact information: Vonaha@gao.gov and (202) 512-2834

Aviation Safety: Opportunities Exist for FAA to Improve Airport Terminal Area Safety Efforts. [GAO-19-639](#) Washington, D.C.: August 30, 2019.

Recommendation: The Runway Safety Manager should establish a plan to assess the effectiveness of all of FAA's terminal area-safety efforts, including Airport Surface Detection Equipment, Model X (ASDE-X) and the Runway Safety Program.

Action Needed: FAA agreed with this recommendation. FAA noted that it will identify actions to assess the effectiveness of all of its terminal-area safety efforts in a Runway Safety Evolution Plan, the agency expects to complete by September 30, 2020. We will review the Runway Safety Evolution Plan when it is available.

Director: Heather Krause

Contact information: krauseh@gao.gov and (202) 512-2834

Unmanned Aircraft Systems: FAA's Compliance and Enforcement Approach for Drones Could Benefit from Improved Communication and Data. [GAO-20-29](#). Washington D.C.: October 17, 2019.

Recommendation: The Administrator of the FAA should develop an approach to more effectively communicate key information to local law enforcement agencies regarding their expected role with regard to small UAS safety oversight.

Recommendation: The Administrator of the FAA should identify existing or new data and information needed to evaluate oversight activities and develop a mechanism for capturing these data as needed.

Action Needed: DOT concurred with these recommendations. When we confirm what actions the agency has taken in response to these recommendations, we will provide updated information.

Director: Heather Krause

Contact information: krauseh@gao.gov and (202) 512-2834

Improving Transparency and Communication

Air Travel and Communicable Diseases: Comprehensive Federal Plan Needed for U.S. Aviation System's Preparedness. [GAO-16-127](#). Washington, D.C: December 16, 2015.

Recommendation: To help improve the U.S. aviation sector's preparedness for future communicable disease threats from abroad, the Secretary of Transportation should work with relevant stakeholders, such as the Department of Health and Human Services, to develop a national aviation-preparedness plan for communicable disease outbreaks. Such a plan could establish a mechanism for coordination between the aviation and public health sectors and provides clear and transparent planning assumptions for a variety of types and levels of communicable disease threats.

Action needed: DOT partially concurred with our recommendation and agrees that an aviation preparedness plan is needed, but continues to suggest that the Department of Health and Human Services (HHS) and the Department of Homeland Security (DHS) have responsibility for communicable disease response and preparedness planning, respectively, and that these departments should lead any efforts to address planning for communicable disease outbreaks, including for transportation. DOT would be in the best position to lead the effort because FAA and DOT have stronger and deeper ties to the relevant stakeholders that would be involved in such a broad effort and is responsible for overseeing the aviation sector. While the DOT and HHS may not agree on which agency should lead the development of a national aviation-preparedness plan, DOT's Office of the Secretary is the liaison to ICAO for Annex 9 to the Chicago Convention, an international aviation treaty. Annex 9 obligates each ICAO member state to establish a national aviation-preparedness plan for communicable disease outbreaks that pose a public health risk or public health emergency of international concern.

As of April 2020, the Department of Transportation (DOT) has not developed a national aviation-preparedness plan to respond to communicable disease threats from abroad. In the absence of a national aviation-preparedness plan, DOT officials point to ongoing efforts to engage with interagency partners at DHS and HHS, as well as industry stakeholders, to better collaborate on communicable disease response and preparedness as they relate to civil aviation. For example, in response to the COVID-19 outbreak, DOT reported that it has facilitated conference calls between stakeholders, including federal agencies and aviation stakeholders, and it has collaborated with the Centers for Disease Control and Prevention (CDC) within HHS to update interim guidance for airline crews related to communicable diseases, specifically COVID-19, among other things. Despite these efforts, we continue to believe that DOT is in the best position to work with its relevant stakeholders to develop a national aviation-preparedness plan, which could guide preparation for communicable diseases nationally and for individual airlines and airports, as well as establish a framework for communication and response for the next communicable disease outbreak.

Director: Heather Krause

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Air Ambulance: Data Collection and Transparency Needed to Enhance DOT Oversight. [GAO-17-637](#). Washington, D.C.: Jul 27, 2017.

Recommendation: To increase transparency and obtain information to better inform decisions on whether to investigate potentially unfair or deceptive practices in the air ambulance industry, the Secretary of Transportation should assess available federal and industry data and determine what further information could assist in the evaluation of future complaints or concerns regarding unfair or deceptive practices.

Action Needed: In September 2017, DOT did not concur with this recommendation, noting that its analysis of whether a complaint alleges conduct that could constitute an unfair or deceptive practice is fundamentally based on the unique facts of each additional case, rather than aggregate data. However, the FAA Reauthorization Act of 2018 (the Act), signed into law on October 5, 2018, directed the establishment of an Air Ambulance and Patient Billing (AAPB) Advisory Committee and required it to make recommendations on a variety of topics, including the recommendations from this GAO report. The AAPB Advisory Committee was formed in September 2019 and held its first meeting in January 2020. The Act requires the AAPB Advisory Committee to issue a report within 180 days of its first meeting to the Secretary of DOT, the Secretary of HHS, and appropriate committees of Congress. Pursuant to the Act, DOT's report is to include information on how DOT will conduct oversight of air ambulance providers, including the information sources DOT will use to conduct such oversight. This report will provide DOT an opportunity to document its response to GAO's recommendation to assess available data to inform its assessment on whether to pursue investigations regarding unfair or deceptive practices in the air ambulance industry.

Director: Heather Krause

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Cybersecurity Risks

Critical Infrastructure Protection: Additional Actions Are Essential for Assessing Cybersecurity Framework Adoption. [GAO-18-211](#). Washington, D.C.: February 15, 2018.

Recommendation: The Secretary of Transportation, in cooperation with the Secretary of Homeland Security, should take steps to consult with respective sector partner(s), such as the SCC, DHS and NIST, as appropriate, to develop methods for determining the level and type of framework adoption by entities across their respective sector.

Action needed: DOT concurred with the recommendation. As of February 2020, the department had begun taking steps to develop methods to determine the level and type of framework adoption in the respective sectors. Specifically, officials in the DOT's Office of Intelligence, Security, and Emergency Response, in coordination with the Department of Homeland Security (DHS), told us that they planned to develop and distribute a survey to the Transportation Systems sector to determine the level and type of framework adoption. DOT officials stated that the draft survey was undergoing DHS legal review and that the completion of the review and subsequent Office of Management and Budget review would determine when the survey is approved for distribution. While the department has ongoing initiatives, implementing our recommendations to gain a more comprehensive understanding of the framework's use by critical infrastructure sectors is essential to the success of protection efforts.

High Risk Area: [Ensuring the Cybersecurity of the Nation](#)

Director: Vijay A. D'Souza

Contact information: Dsouzav@gao.gov and (202) 512-6240

Cybersecurity: Agencies Need to Fully Establish Risk Management Programs and Address Challenges. [GAO-19-384](#). Washington, D.C.: July 25, 2019.

Recommendation: The Secretary of Transportation should fully develop a cybersecurity risk management strategy that includes the key elements identified in this report.

Recommendation: The Secretary of Transportation should fully establish and document a process for coordination between cybersecurity risk management and enterprise risk management functions.

Action Needed: DOT concurred with both recommendations. Regarding the first recommendation, the department stated that it intends to establish a cybersecurity risk management strategy that includes the missing elements by October 1, 2021. For the second recommendation, DOT stated that it will establish and document a process for coordination between cybersecurity risk management and enterprise risk management functions by January 4, 2021. GAO continues to track its progress in implementing these recommendations.

High Risk Area: [Ensuring the Cybersecurity of the Nation](#)

Director: Nicholas H. Marinos

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Improving management of information technology (IT) workforce planning

IT Workforce: Key Practices Help Ensure Strong Integrated Program Teams; Selected Departments Need to Assess Skill Gaps. [GAO-17-8](#). Washington, D.C.: November 30, 2016.

Recommendation: To facilitate the analysis of gaps between current skills and future needs, the development of strategies for filling the gaps, and succession planning, the Secretary of

Transportation should require the Chief Information Officer, Chief Human Capital Officer, and other senior managers as appropriate to address the shortfalls in IT workforce planning noted in this report, including the following actions: (1) establish a time frame for when the department is to finalize its draft workforce planning process and maintain that process; (2) develop staffing requirements for all positions; (3) assess competency and staffing needs regularly for all positions; (4) assess gaps in staffing for all components of the workforce; (5) develop strategies and plans to address gaps in competencies and staffing; (6) implement activities that address gaps, including an IT acquisition cadre, cross-functional training of acquisition and program personnel, a career path for program managers, and use of special hiring authorities, if justified and cost-effective; (7) monitor the department's progress in addressing competency and staffing gaps; and (8) report to department leadership on progress in addressing competency and staffing gaps.

Action Needed: DOT concurred with the recommendation. In January 2020, the department stated that its Office of the Chief Information Officer and Office of Human Resource Management had established a workgroup to lead and conduct workforce planning activities, and had defined the strategic goals and objectives for the department's IT workforce. The department also stated that the workgroup was planning on subsequently completing additional activities, including completing a workforce analysis with a competency gap assessment, by the end of calendar year 2020, and developing strategies to address any identified gaps by the end of 2021. We will continue to monitor the department's efforts to implement our recommendation.

High Risk Area: [Improving the Management of IT Acquisitions and Operations](#)

Director: Carol C. Harris

Contact information: harriscc@gao.gov and (202) 512-4456

Improving federal grant management

Highway Emergency Relief: Federal Highway Administration Should Enhance Accountability over Project Decisions. [GAO-20-32](#). Washington, D.C.: Oct 17, 2019.

Recommendation: The Administrator of FHWA should require FHWA division offices to document the rationale for classifying projects as emergency repairs, such as a description of why an emergency repair is necessary and which alternative strategies or repairs were considered, and to more clearly define the circumstances under which projects are classified as emergency repairs, including what constitutes restoration of essential traffic.

Action Needed: DOT concurred with the recommendations and stated it plans to implement it by June 2020. GAO continues to track its progress in implementing it.

Director: Elizabeth Repko

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Improving transportation readiness

International Food Assistance: Cargo Preference Increases Food Aid Shipping Costs, and Benefits are Unclear. [GAO-15-666](#). Washington, D.C.: September 25, 2015.

Recommendation: The Secretary of Transportation should direct the Administrator of MARAD to study the potential availability of all qualified mariners needed to meet a full and prolonged activation of the reserve sealift fleet. In the study, MARAD should identify potential solutions to address the mariner shortfall if one is still identified.

Action Needed: DOT concurred with the recommendation. To fully implement this recommendation, the Maritime Administration should reach out to all mariners identified by the U.S. Coast Guard as having unlimited credentials to both verify their qualifications as well as ascertain their availability and willingness to crew the reserve sealift fleet in a full and prolonged activation. In addition, the Maritime Administration should identify potential solutions to addressing any mariner shortfall that may be identified. DOT has not indicated that it implemented GAO's recommendation to study the potential availability of all qualified mariners needed to meet a full and prolonged activation of the reserve sealift fleet, including reaching out to all potentially qualified mariners to verify their qualifications as well as ascertain their availability and willingness to crew the reserve sealift fleet in a full and prolonged activation.

Director: Chelsa Gurkin

Contact information: GurkinC@gao.gov and (202) 512-2964

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Monthly Legislative Report – April 2020

April Advocacy Meetings

Due to the District of Columbia's shelter-in-place order, we have been unable to have in-person meetings during the month of April. Nevertheless, we have been in regular contact with a number of congressional offices and agencies this month via email and conference calls. Some of those meetings include the following:

Congressman Harley Rouda (D-CA) – We have been in contact with staff in Congressman Rouda's office to discuss OCTA project priorities in the upcoming Surface Transportation Reauthorization. We also discussed the adjustment of TIFIA loan interest rates and allowing an increased percentage of the project to be covered by TIFIA funds in addition to the other streamlining TIFIA streamlining provisions. We also discussed the need for supplemental funding for COVID-19 safety measures like regular sanitation of transit vehicles and PPE for transit employees. Finally, we discussed possible language to improve the alternative fuels excise tax credit.

Congressman Alan Lowenthal (D-CA) – We have been in communication with senior staff in Congressman Lowenthal's office to discuss OCTA's project needs list, and projected shortfalls in project funding due to a significant decrease in Measure M funding. We also discussed the need for a possible SAFE Rule fix, and the possibility of updating existing language regarding the alternative fuel excise tax credit.

Congressman Lou Correa (D-CA) – We have been communicating with Congressman Correa and his staff regarding the SR 55 Improvement Project and possible future grant application for that project.

Congressman Mike Levin (D-CA) – We have been in contact with senior staff in Congressman Levin's office to discuss the impact of COVID-19 on OCTA's operations and ongoing projects. We discussed revenue projections from reduced Measure M funds. We also discussed the need for TIFIA streamlining.

Congressman Gil Cisneros (D-CA) – We have been in contact with senior staff in Congressman Cisneros' office this month to discuss the need for additional relief funds and flexibilities for public transportation authorities. We discussed the impact COVID-19 has had on ridership, as well as the revenue being collected through Measure M. We also discussed support for temporary exemptions from certain FTA reporting requirements, the maximization of existing formula funding programs, and the temporary suspension of other regulatory requirements that distract from providing transit service and COVID-19 response activities.

Congresswoman Katie Porter (D-CA) – We have been in contact with staff in Congresswoman Porter’s office to discuss support for additional relief funding for public transportation authorities and ongoing COVID-19 safety efforts at the state and local level.

Senator Kamala Harris (D-CA) – We have been in contact with staff in Senator Harris’ office to discuss updates on the FY 21 appropriations process. We also took the opportunity to advocate for transportation and infrastructure in future stimulus legislation as well as possible provisions for TIFIA streamlining.

Senator Dianne Feinstein (D-CA) – We have been in email and phone contact with Senator Feinstein’s senior staff this month to discuss the need for additional funding to respond to COVID-19 related expenses and losses of revenue due to decreased sales taxes and ridership. We also discussed the status of the FY 21 appropriations requests. Finally, we discussed support for OCTA priorities and projects in the next stimulus bill/surface transportation reauthorization and discussed support for streamlining the TIFIA program.

House Transportation and Infrastructure Committee – We have been in close contact with both Majority and Minority staff this month to discuss the potential for new funding for transit and other transportation projects in future stimulus bills. We also discussed the Surface Transportation Reauthorization. Both Majority and Minority staff have indicated that while neither side has begun formally negotiating on drafts with each other, both sides are working on developing their priorities for future negotiations. In the meantime, we have provided a list of OCTA priority projects for their consideration.

Department of the Treasury – We have been in contact with intergovernmental staff at the Department of Treasury regarding guidance on stimulus fund, and disbursements to localities.

Congressional Schedule

Congress was scheduled to return to session on May 4th, but House Leadership has advised Members that the House will no longer be returning to session on May 4th and subsequently have not yet set an official return date. As of this report, the Senate still plans to return on May 4th.

Transportation and Infrastructure Funding and Authorization

Over the last few weeks, there have been some renewed discussions regarding the possibility of including transportation and infrastructure provisions as well as funding in a fourth stimulus bill. These discussions, however, have met with some resistance in the Senate. Chair of the House Committee on Transportation and Infrastructure Peter DeFazio (D-OR) released a statement after Senate Majority Leader Mitch McConnell [reportedly](#) refused to endorse the idea of infrastructure investment for a future economic rescue package:

“With tens of millions of Americans out of work and entire swaths of the economy shut down by a global health crisis, the country is now on the precipice of the worst economic downturn since the Great Depression. And just like the New Deal of the 1930s, the best way to re-start our economy and put workers first is with a massive investment in the kind of infrastructure that will help future generations succeed--from better bridges and roads, to robust transit and passenger rail service, to fully-functioning ports and harbors, to modernized waste and drinking water systems, and widely available broadband internet. Rebuilding communities across the country with resilient, innovative infrastructure is how we put millions of people to work in jobs that cannot be exported, while supporting U.S. manufacturing with the strongest Buy America requirements in the entire Federal government, and making our infrastructure smarter, safer, and made to last.”

Earlier this year before the COVID crisis, Chair DeFazio released a “infrastructure framework” that can be found [here](#). As mentioned earlier, based on some recent discussions with the House T&I Committee staff, they still plan on drafting a Surface Transportation Authorization over the next few weeks that uses some of those framework principles.

Republican senior staff told us late in the month that they are working on compiling a list of their priorities for the Surface Transportation Reauthorization or an Infrastructure bill. We expect there to be some bi-partisan discussions on those principles in the coming weeks on “Member-only” committee conference calls.

COVID-19 Federal Stimulus Response

To date, Congress has passed three stimulus bills, as well as a follow-up stimulus (being called Stimulus 3.5) to provide more funding to programs authorized in H.R. 748 – CARES Act. After over a week of negotiations in Congress, on April 24th the President signed H.R. 266 (Stimulus 3.5), the legislative vehicle for a \$483.4 billion economic relief bill to provide additional funding to the Payroll Protection Program (PPP) and hospitals. The full legislative text can be found [HERE](#), and a summary is below:

Small Business Administration (SBA)

- \$250 billion - Payroll Protection Program
- \$60 billion - Payroll Protection Program set-aside for institutions with fewer than \$50 billion in assets
- \$50 billion - Economic Injury Disaster Loans
- \$10 billion - Economic Injury Disaster Grants
- \$2 billion - Administrative costs

Health and Human Services (HHS)

- \$75 billion - Hospitals

- \$25 billion - Testing for COVID-19
 - Of which, \$11 billion shall be for States and localities for the development, purchase, and administration of COVID-19 testing, and
 - \$4.25 billion for States and Localities according to a formula based on relative number of cases

Note: In response to criticism that large corporations and organizations had received Paycheck Protection Program (PPP) loans intended for small businesses, the Treasury Department and Federal Reserve recently announced they will now be reviewing all loans of more than \$2 million. A press release of which may be found [here](#). This announcement comes in addition to the Small Business Administration's (SBA) interim final rule published earlier this week that explicitly prohibits hedge funds and private equity firms from receiving PPP loans.

Other Provisions:

- No new direct funding for states, or rule changes to Phase III state funding program.
- There were earlier discussions that a provision would be included to grant more flexibility to States and localities to use funds for budget shortfalls with Senate Minority Leader Chuck Schumer (D-NY) saying that the White House had agreed. However, Sec. 304 states that all funds in this Act must be used to prevent, prepare for, and respond to COVID-19.

The previous three stimulus bills passed last month are linked below along with their official summaries:

Stimulus 1 – H.R. 6074 (\$8.3 billion)

- Link to [Text](#)
- Link to [Summary](#)

Stimulus 2 – H.R. 6201 (Paid Leave Provisions)

- Link to [Text](#)
- Link to [Summary](#)

Stimulus 3 – H.R. 748 (\$2.3 Trillion)

- Link to [Text](#)
- Link to Division B (Appropriations) [Summary](#)

The possibility of a 4th Stimulus Bill to provide additional aid is still being discussed. A White House economic advisor Kevin Hassett this week indicated the President may also support an additional round of direct payments to taxpayers.

Providing additional and larger direct payments to taxpayers has been a top priority of House Speaker Nancy Pelosi (D-CA) and House Ways & Means Committee Chairman Richard Neal (D-MA) in last coronavirus relief negotiations.

While Hassett acknowledged that a fourth stimulus package was likely to be needed in this summer, he cautioned that negotiations were in the preliminary stages and that the potential additional direct payments were just one of several priorities being considered. He stressed that they would be meeting with the President over the next few days about what the President wants in the final package.

Some House Republicans staff members told us that do not see another stimulus bill moving quickly in either chamber until they get an idea of how the previous stimulus bill plays out. Senate Majority Leader Mitch McConnell (R-KY) has also indicated he will not support providing additional funds to state and local governments unless Congress also passes tort reform provisions to protect small businesses and healthcare providers against frivolous lawsuits.

COVID-19 Oversight Select Subcommittee

On April 29th, House Speaker Nancy Pelosi (D-CA) appointed seven Democratic lawmakers to the House Select Subcommittee on the Coronavirus Crisis. As we reported, the House passed a resolution last Friday establishing the select subcommittee under the House Oversight and Reform Committee to oversee the Administration's handling of the crisis and distribution of stimulus funds. Chaired by House Majority Whip James Clyburn (D-SC), the select subcommittee will now add three House Committee Chairs – Oversight Committee Chairwoman Carolyn Maloney (D-NY), Financial Services Committee Chairwoman Maxine Waters (D-CA), and Small Business Committee Chairwoman Nydia Velazquez (D-NY) – as well as members other to include Congressmen Jamie Raskin (D-MD), Bill Foster (D-IL), and Andy Kim (D-NJ). House Minority Leader Kevin McCarthy (R-CA) can appoint up to five members of the House Republican Caucus to serve on the subcommittee, although some House Republicans have called on him to not participate.

A separate bipartisan task force is looking into potentially amending House rules to allow for remote voting. This task force has also encouraged Committee leadership to begin testing online platforms for hearings which they hope to start holding again as early as June.

Senate Commerce, Science, and Transportation Hearing Scheduled for May 6th

On May 6th, the Senate Commerce, Science, and Transportation Committee will hold a hearing entitled "The State of the Aviation Industry: Examining the Impact of the COVID-19 Pandemic." Witnesses will include Eric Fanning, President and CEO of Aerospace Industries Association; Nicholas Calio, President and CEO of Airlines for America; and Todd Hauptli, President and CEO of American Association of Airport Executives. This hearing will take place in the Dirksen Senate Office.

In order to maintain physical distancing as advised by the Office of the Attending Physician, seating for credentialed press will be limited during the hearing. Access to the Capitol complex is also limited, and the general public has been encouraged to view this hearing via the live stream. We expect similar hearings for other modes of transportation to include rail to be held in the coming weeks with similar hearing protocols.

White House Announces Szabat for Under Secretary

On April 24th, the White House officially nominated Joel Szabat to be Under Secretary of Transportation for Policy. Szabat was previously confirmed by the Senate to be Assistant Secretary of Transportation for Aviation and International Affairs. Szabat has been working for the Department of Transportation for the last 18 years starting in 2002 as a political appointee and moving to a career deputy in 2008. Szabat also has experience overseeing the \$48 billion ARRA stimulus funds received by DOT in 2009.

US-Mexico-Canada Trade Agreement

US Trade associations and some Members of Congress are requesting that the USMCA trade agreement's July 1 start date be delayed in response to the COVID-19 outbreak. Business leaders are concerned that the pandemic has diverted resources needed to ensure a smooth transition from NAFTA to USMCA. Senate Finance Committee Members have sent a letter to US Trade Representative Robert Lighthizer asking for a reconsideration of the July 1 start date stating all partners must be ready and able to adhere to the new standards and policies. The letter is signed by the majority of the committee and can be found [HERE](#).

REHAB Act

Last month Congressman Earl Blumenauer (D-OR) introduced a bill ([H.R. 6175](#)) aimed at encouraging new housing and businesses in downtowns and walkable areas. The bill would modify the rehabilitation credit to allow for rehabilitating non-historic buildings at least 50 years old and near to an existing or proposed transit facility. Other eligible expenses would include public infrastructure like road improvements and transportation connections that could benefit OCTA. Future action on the bill remains uncertain as the Committee has yet to announce any hearings or markups.

Municipal Liquidity Facility Update

The Federal Reserve announced they will be expanding the scope and duration of the Municipal Liquidity Facility (MLF) by lowering the population thresholds for counties and cities to participate. A press release announcing this expansion may be found [here](#). As we have previously reported, the Federal Reserve established the MLF earlier this month to help state and local governments manage cash flow pressures related to the coronavirus pandemic by purchasing up to \$500B of short-term municipal notes. Initially, the Federal Reserve established that it would purchase notes from counties with a population of at least 2 million residents, and cities with a population of at least 1 million residents. However, these thresholds have been lowered to a population of at least 500,000 people for counties and 250,000 for cities. Additionally, the Federal Reserve will now allow certain multistate entities to participate. An updated term sheet may be found [here](#), an updated Frequently Asked Questions (FAQs) document [here](#), and a listing of the Municipal Facility Limit per state and eligible localities [here](#).

Main Street Lending Program Update

The Federal Reserve also announced they will be expanding the scope and eligibility of the Main Street Lending Program by lowering the minimum loan size and expanding the pool of businesses eligible. A press release announcing this expansion may be found [here](#). As we have previously reported, the Federal Reserve established the Main Street Lending Program earlier this month to provide enhanced support for small and mid-sized businesses in good financial standing prior to the outbreak with up to 10,000 employees or revenues of less than \$2.5 billion in the form of 4-year loans. Businesses with up to 15,000 employees or up to \$5 billion in annual revenue will now be able to receive loans under this program. Additionally, the minimum loan size has been lowered from \$1 million to \$500,000 to offer more loans and loan options to a wider variety of small to mid-sized businesses. An updated term sheet may be found [here](#), an updated Frequently Asked Questions (FAQs) document [here](#).



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors
From: Laurena Weinert, Clerk of the Board
Subject: Sole Source Agreement for Health Insurance Brokerage Services

Finance and Administration Committee Meeting of May 13, 2020

Present: Directors Do, Hennessey, Hernandez, Jones, Muller, R. Murphy, and Steel
Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 7-0 by the Members present.

Committee Recommendation

Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2078 between the Orange County Transportation Authority and Alliant Insurance Services, Inc., in the amount of \$342,000, for a three-year initial term, effective June 1, 2020 through May 31, 2023, with one, two-year option term, to provide health insurance brokerage services.



May 13, 2020

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Sole Source Agreement for Health Insurance Brokerage Services

Overview

In order to continue participation in the California State Association of Counties Excess Insurance Authority's purchasing insurance pool for employee health and welfare insurance benefits, pool members are required to have Alliant Insurance Services, Inc. as their primary broker of record. A proposal was solicited and received from Alliant Insurance Services, Inc. as a sole source procurement for health insurance brokerage services. Board of Directors' approval is required for the firm to provide the services.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2078 between the Orange County Transportation Authority and Alliant Insurance Services, Inc., in the amount of \$342,000, for a three-year initial term, effective June 1, 2020 through May 31, 2023, with one, two-year option term, to provide health insurance brokerage services.

Discussion

The Orange County Transportation Authority (OCTA) uses a broker of record to assist the Benefits Section of the Human Resources Department to implement and maintain OCTA's benefit programs for its employees. These services are required to maximize benefits for OCTA employees and contain costs for both OCTA and its employees.

The broker of record provides the following services in addition to marketing and placing coverage: assists OCTA in developing comprehensive, cost-effective health and welfare programs, supports and assists OCTA in resolving any health insurance carrier problems, informs of new legislation that may affect OCTA, performs research and analysis as requested, develops benefit communication pieces, and assists with open enrollment as requested.

OCTA entered into a Joint Powers Agreement with the California State Association of Counties Excess Insurance Authority (CSAC EIA) in 2016 to participate in a purchasing insurance pool with other California counties and public entities for employee health and welfare insurance benefits.

Alliant Insurance Services, Inc. (Alliant) is the exclusive broker of record for all CSAC EIA Public Agency risk-sharing programs. Alliant has exclusive rights to consult, underwrite, distribute, and service all CSAC EIA programs and its members. The delivery of CSAC EIA programs is contractually provided based on the knowledge and expertise of the Alliant program and service teams.

CSAC EIA requires that OCTA and other pool members utilize Alliant as the primary broker of record. This is a normal rule of engagement for entry into risk-sharing pools/programs. The selection of a broker outside of Alliant is considered OCTA's intent to withdraw from CSAC EIA employee benefits programs.

On April 1, 2016, the OCTA Board of Directors (Board) selected Burnham Benefits Insurance Services (Burnham) as the broker of record to assist the Human Resources Department to implement and maintain OCTA's benefit programs for its administrative and Transportation International Communications Union employees. Alliant granted an exception for the health insurance contract with Burnham, as OCTA had just joined the health program on January 1, 2016. OCTA was unaware of this exception when it entered into a contract with Burnham and only recently learned of this when OCTA expressed to CSAC EIA that it would be competitively procuring a new contract for health insurance brokerage services. The contract with Burnham will be replaced by the sole source agreement with Alliant.

It is in OCTA's best interest to remain a member of the CSAC EIA insurance pool and therefore, contract with Alliant as its primary broker of record.

Procurement Approach

This procurement was handled in accordance with OCTA's Board-approved policies and procedures for a sole source procurement.

Alliant is the exclusive broker of record for all CSAC EIA Public Agency risk-sharing programs and the sole entity to consult, underwrite, distribute, and service all CSAC EIA programs and its members. Therefore, Alliant is the sole source firm that can provide broker and consulting services for the Human Resources Department to implement and maintain employee benefit programs. Alliant has represented CSAC EIA since 1979 and the firm's core clientele are

public agencies, including several located in Southern California. Based on its technical ability and financial status, Alliant is deemed responsible.

Alliant's proposal was reviewed by staff from the Contracts Administration and Materials Management (Camm) and Human Resources Department to ensure compliance with the contract terms and conditions, as well as the technical requirements.

In accordance with OCTA's sole source procurement procedures, a sole source over \$50,000 requires OCTA's Internal Audit Department (Internal Audit) to conduct a price review of Alliant's proposed pricing. The OCTA project manager's independent cost estimate is approximately 23 percent higher than Alliant's quoted pricing. In addition, Alliant's quoted pricing is lower than what OCTA currently pays Burnham. Therefore, the quoted price is deemed fair and reasonable.

Based on the above, the award is recommended to Alliant.

Fiscal Impact

The project is included in OCTA's Fiscal Year 2019-2020 Budget, Benefits Section of Human Resources, Account No. 1340-7519-A2307-FBE, and is funded through the Local Transportation Fund.

Summary

Based on the information provided, staff recommends the Board authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2078 between the Orange County Transportation Authority and Alliant Insurance Services, Inc., in the amount of \$342,000, to provide health insurance brokerage services.

Attachment

None.

Prepared by:



Bea Maselli
Section Manager III, Benefits
714-560-5825



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



Virginia Abadessa
Director, Contracts Administration and
Materials Management
714-560-5623



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors

From: *Laurena Weinert*
Laurena Weinert, Clerk of the Board

Subject: Agreement for Bus Hoist Replacement at the Garden Grove and Irvine Construction Circle Bus Bases

Transit Committee Meeting of May 14, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Director Shaw was not present to vote on this item.

Committee Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1814 between the Orange County Transportation Authority and Southwest Lift & Equipment, Inc., the lowest responsive, responsible bidder, in the amount of \$314,810, for bus hoist replacement at the Garden Grove and Irvine Construction Circle bus bases.



May 14, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Agreement for Bus Hoist Replacement at the Garden Grove and Irvine Construction Circle Bus Bases

Overview

As part of the Orange County Transportation Authority Fiscal Year 2019-20 Budget, the Board of Directors approved replacement of the bus hoists at the Garden Grove and Irvine Construction Circle bus bases. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. Approval from the Board of Directors is requested to execute the agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1814 between the Orange County Transportation Authority and Southwest Lift & Equipment, Inc., the lowest responsive, responsible bidder, in the amount of \$314,810, for bus hoist replacement at the Garden Grove and Irvine Construction Circle bus bases.

Discussion

The Orange County Transportation Authority (OCTA) completed construction of the Garden Grove Bus Base in 1976. The Irvine Construction Circle Bus Base was originally constructed in 2000 and purchased by OCTA in late 2006. In support of operations, both bus bases have one bus hoist located in the bus chassis wash bay. The bus hoist at the Garden Grove Bus Base was last replaced in 2009, while the one at Irvine Construction Circle Bus Base was originally installed in 2008. Each of the chassis wash bay bus hoists has exceeded its useful life and requires replacement to maintain the bus wash systems in a state of good repair. The project consists of installation of two new flush mount drive-on bus hoists, remote control panels with electric hydraulic power and control units, wiring and connections, safety compliance, and related work.

Procurement Approach

This procurement was handled in accordance with OCTA's Board of Directors-approved procedures for public works projects. These procedures, which conform to both federal and state requirements, require that contracts are awarded to the lowest responsive, responsible bidder after a sealed bidding process.

Invitation for Bids (IFB) 9-1814 was issued electronically on CAMM NET on February 14, 2020. The project was advertised on February 14 and 17, 2020, in a newspaper of general circulation. A pre-bid conference and job walk were held on February 19, 2020, with three firms in attendance. Four addenda were issued to make available the pre-bid conference registration sheets and presentation, respond to approved equal requests, as well as issue an extension to the IFB submittal date. On March 31, 2020, three bids were received and publicly opened.

All bids were reviewed by staff from both the Contracts Administration and Materials Management and Facilities Engineering departments to ensure compliance with the contract terms and conditions, and technical specifications. Southwest Lift & Equipment, Inc., met the requirements of the IFB, as well as all federal and state requirements.

The list of bidders and bid amounts is presented below:

<u>Firm and Location</u>	<u>Bid Amount</u>
Southwest Lift & Equipment, Inc. San Bernardino, California	\$314,810
Autolift Services, Inc. Los Alamitos, California	\$317,000
Pacific Lift and Equipment Co, Inc. Pasadena, California	\$430,520

The OCTA project engineer's estimate for this project was \$380,000. The recommended firm's bid is 17 percent lower than the engineer's estimate and is considered by staff to be fair and reasonable.

State law requires award to the lowest responsive, responsible bidder. As such, staff recommends award to Southwest Lift & Equipment, Inc., the lowest responsive, responsible bidder, in the amount of \$314,810, for bus hoist replacement at the Garden Grove and Irvine Construction Circle Bus bases.

Agreement for Bus Hoist Replacement at the Garden Grove and Irvine Construction Circle Bus Bases **Page 3**

Fiscal Impact

The project was approved in OCTA's Fiscal Year 2019-20 Budget, Capital Programs , accounts 1722-9022-D1401-0MD and 1722-9022-D3122-0MD, and is funded through Federal Transit Administration Section 5337 State of Good Repair Grant Funds, Revenue Code 0030-6049-D1401-MJK.

Summary

Based on the information provided, staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1814 between the Orange County Transportation Authority and Southwest Lift & Equipment, Inc., the lowest responsive, responsible bidder, in the amount of \$314,810, for bus hoist replacement at the Garden Grove and Irvine Construction Circle bus bases.

Attachment

None.

Prepared by:



George Olivo, P.E.
Program Manager
(714) 560-5872

Approved by:



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



Virginia Abadessa
Director, Contracts Administration and
Materials Management
(714) 560-5623



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors

From: *RW*
Laurena Weinert, Clerk of the Board

Subject: Agreement for Power Generator Replacement at the Anaheim and Irvine Construction Circle Bus Bases

Transit Committee Meeting of May 14, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Director Shaw was not present to vote on this item.


Committee Recommendations

- A. Find RT Contractor Corp., the apparent low bidder, as non-responsive for failure to sign and submit the Disclosure of Lobbying Activities form as required by the bid instructions, and for failure to submit Iran Contracting Act exemption documentation.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2074 between the Orange County Transportation Authority and Global Power Group, Inc., the lowest responsive, responsible bidder, in the amount of \$1,374,200, for power generator replacement at the Anaheim and Irvine Construction Circle bus bases.
- C. Authorize the use of \$574,200, in additional Senate Bill 1, Chapter 5, Statutes of 2017, State of Good Repair funds for a total of \$1,374,200, to support the above recommendations.
- D. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above actions.



May 14, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer 

Subject: Agreement for Power Generator Replacement at the Anaheim and Irvine Construction Circle Bus Bases

Overview

On February 24, 2020, the Orange County Transportation Authority Board of Directors approved release of Invitation for Bids 0-2074 for power generator replacement at the Anaheim and Irvine Construction Circle bus bases. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. Approval from the Board of Directors is requested to execute the agreement.

Recommendations

- A. Find RT Contractor Corp., the apparent low bidder, as non-responsive for failure to sign and submit the Disclosure of Lobbying Activities form as required by the bid instructions, and for failure to submit Iran Contracting Act exemption documentation.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2074 between the Orange County Transportation Authority and Global Power Group, Inc., the lowest responsive, responsible bidder, in the amount of \$1,374,200, for power generator replacement at the Anaheim and Irvine Construction Circle bus bases.
- C. Authorize the use of \$574,200, in additional Senate Bill 1, Chapter 5, Statutes of 2017, State of Good Repair funds for a total of \$1,374,200, to support the above recommendations.
- D. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above actions.

Discussion

The Orange County Transportation Authority (OCTA) completed construction of the Anaheim Bus Base in 1983. The Irvine Construction Circle Bus Base was originally constructed in 2000 and purchased by OCTA in late 2006. In support of operations, both bus bases have standby electrical power generators that activate through an automatic transfer switch during power outages. Each of the current standby generators at the Anaheim and Irvine Construction Circle bus bases has exceeded its useful life and requires replacement to maintain the systems in a state of good repair. The project includes installation of new generators, automatic transfer switches with integrated transformers and panel board units, foundations, duct banks, wiring and connections, power company coordination, safety compliance, permits, and related work.

On April 28, 2017, Governor Brown signed Senate Bill (SB) 1, known as the Road Repair and Accountability Act of 2017. The State of Good Repair (SGR) Program is a transit capital program funded from the new SB 1 Transportation Improvement fee element and is estimated to provide \$111 million statewide for fiscal year (FY) 2020-21. The specific goal of the SGR Program is to rehabilitate and modernize existing local transit systems. Eligible projects include transit capital projects or services to maintain or repair a transit operator's existing transit vehicle fleet or transit facilities to improve existing transit services, and transit services that complement local efforts. OCTA's share is estimated to be \$5.921 million.

Staff is requesting approval from the Board of Directors (Board) to program an additional \$574,200 in SB 1 SGR funds for the project. On August 12, 2019, the Board approved \$800,000 in SB 1 SGR funds for the project. The approval of these additional funds brings the total of SB 1 SGR funding on the project to \$1,374,200. The use of SB 1 SGR funds for transit asset replacement is consistent with Board-approved Capital Programming Policies.

Procurement Approach

This procurement was handled in accordance with the Orange County Transportation Authority's Board-approved procedures for public works projects. These procedures, which conform to both state and federal requirements, require that contracts are awarded to the lowest responsive, responsible bidder after a sealed bidding process.

Invitation for Bids (IFB) 0-2074 was electronically released on February 24, 2020, through OCTA's CAMM NET system. The project was advertised on February 24 and March 2, 2020, in a newspaper of general circulation. A pre-bid conference and job walk was held on March 4, 2020, and was attended by 10 firms. Four addenda were issued to provide the pre-bid conference registration sheets and handle administrative issues related to the IFB. On March 30, 2020, seven bids were received and publicly opened.

All bids were reviewed by staff from both the Contracts Administration and Materials Management and Facilities Engineering departments to ensure compliance with the contract terms and conditions, and technical specifications. The list of bidders and bid amounts is presented below:

<u>Firm and Location</u>	<u>Bid Amount</u>
RT Contractor Corp. Garden Grove, California	\$1,172,000
Global Power Group, Inc. Lakeside, California	\$1,374,200
Westside Electric Los Angeles, California	\$1,377,700
California Building Evaluation & Construction, Inc. Santa Fe Springs, California	\$1,397,000
R2BUILD dba R2B Engineering Laguna Hills, California	\$1,563,000
Metro Builders & Engineering Group, Ltd. Newport Beach, California	\$1,792,000
Nationwide Contracting Services dba Nationwide General Construction Services Fountain Valley, California	\$1,886,300

The apparent low bidder, RT Contractor Corp., was found non-responsive for failure to sign and submit the Disclosure of Lobbying Activities form as required by the bid instructions and the Federal Transit Administration, which is providing funding for this project. RT Contractor Corp., also failed to submit Iran Contracting Act exemption documentation as required by the bid instructions and

the California Public Contract Code. As such, award is being recommended to Global Power Group, Inc., as the lowest, responsive, responsible bidder. The engineer's estimate for this project was \$1,410,000. The recommended firm's bid is three percent below the engineer's estimate and is considered by staff to be fair and reasonable.

State law requires award to the lowest responsive, responsible bidder. As such, staff recommends award to Global Power Group, Inc., the lowest responsive, responsible bidder, in the amount of \$1,374,200, for the power generator replacement at the Anaheim and Irvine Construction Circle bus bases.

Fiscal Impact

Funding for this project is included in OCTA's Fiscal Year 2019-20 Budget, Capital Programs, Account 1722-9022-D3103-0M4, and is funded with a grant from the State of California SB 1 SGR Program.

Summary

Based on the information provided, staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2074 between the Orange County Transportation Authority and Global Power Group, Inc., the lowest responsive, responsible bidder, in the amount of \$1,374,200, for the power generator replacement at the Anaheim and Irvine Construction Circle bus bases.

Attachment

A. Capital Funding Program Report

Prepared by:



George Olivo, P.E.
Program Manager
(714) 560-5872

Approved by:



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



Virginia Abadessa
Director, Contracts Administration and
Materials Management
(714) 560-5623



Capital Funding Program Report

Pending Board of Directors (Board) Approval - May 22, 2020

Federal Funds				State Funds				Local Funds			
Project Title	M Code	Total Funding	STBG/CMAQ	FTA	Other Fed.	STIP	SB1	Other State	M1	M2	Other Local
Go Local - Step 1	S	\$5,730							\$5,730		
Mobile ticketing equipment	S	\$4,036						\$4,036			
Project V Community Circulators	V	\$43,659								\$43,659	
Project W Safe Transit Stops (City)	W	\$1,206								\$1,206	
Project W Safe Transit Stops (OCTA)	W	\$370								\$370	
ACCESS and fixed-route radio systems upgrade		\$22,465		\$4,434	\$341			\$16,239			\$1,451
Associated Transportation Improvements		\$556		\$556							
Bravol 529 buses (six)		\$3,595	\$549					\$3,046			
Bus replacement - articulated alternative fuel buses (60')		\$31,105	\$22,250	\$8,855							
Bus replacement (40' and ACCESS)		\$149,009	\$29,198	\$68,139							\$51,672
Capital cost of contracting FY2016-17 to FY2023-24 (ACCESS and contracted fixed-route contracts)		\$325,734		\$162,114							\$163,620
Engine rebuild		\$16,294		\$14,824				\$1,470			
FTA Section 5310 Enhanced Mobility of Seniors & Individuals with Disabilities		\$3,657		\$3,657							
FTA Section 5316 Jobs Access and Reverse Commute		\$13,962		\$13,962							
FTA Section 5317 New Freedom		\$6,388		\$6,388							
Goldenwest Transportation Center parking structure		\$4,000	\$3,400								\$600
Goldenwest Transportation Center surface lot		\$2,000						\$1,200			\$800
Heating ventilation unit replacements		\$448		\$381			\$67				
iShuttle replacement buses (12)		\$6,803					\$6,123				\$680
iShuttle replacement buses (five)		\$2,800					\$2,520				\$280
MSRC County Transportation Commission Partnership Program		\$2,319				\$176					\$2,143
Non-fixed-route paratransit operations assistance - FY 2014-15 to FY 2023-24		\$294,861		\$102,395							\$192,466
OCTA Transit Security & Operations Center		\$5,914						\$5,914			
Preventive maintenance - including salaries and benefits (includes ATN & Laguna Beach)		\$162,740		\$162,740							
Purchase (201) 40-foot alternative fuel replacement buses (OCTA)		\$229,384	\$134,670	\$47,696							\$47,018
Purchase replacement paratransit vans (through FY 2023-24)		\$64,290		\$50,524							\$13,766
Rideshare/vanpool		\$6,732	\$6,732								
Standby backup generators at Anaheim and IRCC bases ^{1,2}		\$1,374					\$1,374				
Transit Security Program		\$3,167						\$3,167			
Vanpool Program - capital lease		\$12,838	\$12,838								
VSS upgrades at OCTA facilities		\$1,159		\$960				\$199			
Zero-emission Bravo I buses (Ten battery electric) and bus infrastructure		\$13,938					\$6,400	\$5,118			\$2,420
Zero-emission hydrogen fuel cell buses (10)		\$12,914					\$5,607	\$7,307			
Bus Transit Project Totals		\$1,455,447	\$209,637	\$647,625	\$341	\$176	\$22,091	\$47,696	\$5,730	\$45,235	\$476,916



Capital Funding Program Report

Pending Board of Directors (Board) Approval - May 22, 2020

Bus Transit Project											
	Project Title	M Code	Total Funding	Federal Funds			State Funds			Local Funds	
				STBG/CMAQ	FTA	Other Fed.	STIP	SB1	Other State	M1	M2
Federal Funding Total	\$857,603										
State Funding Total	\$69,963										
Local Funding Total	\$527,881										
Total Funding (000's)	\$1,455,447										



Capital Funding Program Report

Pending Board of Directors (Board) Approval - May 22, 2020

Board Actions:

1. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2074 between the Orange County Transportation Authority and Global Power Group, Inc., the lowest responsive, responsible bidder, in the amount of \$1,374,200 for the power generator replacement at Anaheim and Irvine Construction Circle Bus Bases.
2. Authorize the use of \$574,200 in additional Senate Bill 1 State of Good Repair funds for a total of \$1,374,200 to support the above recommendations.

Acronyms:


- ATN - Anaheim Transportation Network
- CMAQ - Congestion Mitigation Air Quality Improvement Program
- FTA - Federal Transit Administration
- IRCC - Irvine Construction Circle
- M Code - Project Codes in Measure M1 and M2
- M1 - Measure M1
- M2 - Measure M2
- MSRC - Mobile Source Air Pollution Reduction Review Committee
- OCTA - Orange County Transportation Authority
- STBG - Surface Transportation Block Grant
- STIP - State Transportation Improvement Program
- VSS - Video Surveillance System



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors

From:  Laurena Weinert, Clerk of the Board

Subject: Agreement for Electric Charging Stations at the Garden Grove and Santa Ana Bus Bases

Transit Committee Meeting of May 14, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Director Shaw was not present to vote on this item.

Committee Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2071 between the Orange County Transportation Authority and Caliba, Inc., the lowest responsive, responsible bidder, in the amount of \$1,348,000, for electric vehicle charging stations at the Garden Grove and Santa Ana bus bases.



May 14, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Agreement for Electric Vehicle Charging Stations at the Garden Grove and Santa Ana Bus Bases

Overview

On February 24, 2020, the Orange County Transportation Authority Board of Directors approved release of Invitation for Bids 0-2071 for electric vehicle charging stations at the Garden Grove and Santa Ana bus bases. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. Approval from the Board of Directors is requested to execute the agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2071 between the Orange County Transportation Authority and Caliba, Inc., the lowest responsive, responsible bidder, in the amount of \$1,348,000, for electric vehicle charging stations at the Garden Grove and Santa Ana bus bases.

Discussion

The Orange County Transportation Authority (OCTA) completed construction of the Garden Grove and Santa Ana bus bases in 1977 and 2005, respectively. In support of bus operations, OCTA owns, operates, and maintains a fleet of light-duty vehicles at both bus bases used for bus operator relief and support. These vehicles, referred to as operator relief vehicles (ORVs), are non-revenue vehicles. OCTA's current operational need for ORVs at the Garden Grove and Santa Ana bus bases is 55 vehicles, where up to 30 ORVs per base are required at any given time. OCTA plans to replace the ORV fleet with full electric vehicles. This project is for the construction of necessary infrastructure to support the installation of 30 electric ORV charging stations and five employee charging stations at each base, including one direct current fast charger, related Americans with Disabilities

Act compliance, all required electrical infrastructure, permits, coordination with electric utility companies, safety compliance, and related work.

Procurement Approach

This procurement was handled in accordance with OCTA's Board of Directors-approved procedures for public works projects. These procedures, which conform to both state and federal requirements, require that contracts are awarded to the lowest responsive, responsible bidder after a sealed bidding process.

Invitation for Bids (IFB) 0-2071 was released on February 24, 2020, through OCTA's CAMM NET system. The project was advertised on February 24 and March 2, 2020, in a newspaper of general circulation. A pre-bid conference and job walk was held on March 2, 2020, and was attended by 14 firms. Three addenda were issued to provide the pre-bid conference registration sheets and handle administrative issues related to the IFB. On March 23, 2020, nine bids were received and publicly opened.

All bids were reviewed by staff from both the Contracts Administration and Materials Management and Facilities Engineering departments to ensure compliance with the contract terms and conditions, and technical specifications. The list of bidders and bid amounts is presented below:

<u>Firm and Location</u>	<u>Bid Amount</u>
Caliba, Inc. Huntington Beach, California	\$1,348,000
RenewAge Energy Solutions dba RenewAge Construction El Segundo, California	\$1,375,000
Houalla Enterprises, Ltd. Dba Metro Builders & Engineers Group, Ltd. Newport Beach, California	\$1,492,300
California Building Evaluation & Construction, Inc. Santa Fe Springs, California	\$1,580,000
VT Electric, Inc. Ontario, California	\$1,700,500

RT Contractor Corporation Garden Grove, California	\$1,920,000
Solex Construction, Inc. Los Angeles, California	\$1,945,000
Nationwide Contracting Services, Inc. dba Nationwide General Construction Services Fountain Valley, California	\$2,230,000
Baker Electric, Inc. Escondido, California	\$2,361,000

The engineer's estimate for this project was \$1,467,000. The recommended firm's bid is eight percent below the engineer's estimate and is considered by staff to be fair and reasonable.

State law requires award to the lowest responsive, responsible bidder. As such, staff recommends award to Caliba, Inc., the lowest, responsive, responsible bidder, in the amount of \$1,348,000, for the electric vehicle charging stations at Garden Grove and Santa Ana bus bases.

Fiscal Impact

Funding for this project is included in OCTA's Fiscal Year 2019-20 Budget, Capital Programs, Account 1722-9022-D2108-0UV, and consists of grant funds from the State of California Low Carbon Transit Operations Program and the Federal Transit Administration.

Summary

Based on the information provided, staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2071 between the Orange County Transportation Authority and Caliba, Inc., the lowest responsive, responsible bidder, in the amount of \$1,348,000, for the electric vehicle charging stations at the Garden Grove and Santa Ana bus bases.

Attachment

None.

Prepared by:



George Olivo, P.E.
Program Manager
(714) 560-5872

Approved by:



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



Virginia Abadessa
Director, Contracts Administration and
Materials Management
(714) 560-5623



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors

From: *RW*
Laurena Weinert, Clerk of the Board

Subject: Agreement for Replacement of Heating and Ventilation Units at the Anaheim Bus Base Maintenance Building

Transit Committee Meeting of May 14, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Director Shaw was not present to vote on this item.

Committee Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2083 between the Orange County Transportation Authority and F.M. Thomas Air Conditioning, Inc., the lowest responsive, responsible bidder, in the amount of \$482,033, for replacement of heating and ventilation units at the Anaheim Bus Base maintenance building.



May 14, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer 

Subject: Agreement for Replacement of Heating and Ventilation Units at the Anaheim Bus Base Maintenance Building

Overview

As part of the Orange County Transportation Authority Fiscal Year 2019-20 Budget, the Board of Directors approved replacement of heating and ventilation units at the Anaheim Bus Base maintenance building. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. Approval from the Board of Directors is requested to execute the agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2083 between the Orange County Transportation Authority and F.M. Thomas Air Conditioning, Inc., the lowest responsive, responsible bidder, in the amount of \$482,033, for replacement of heating and ventilation units at the Anaheim Bus Base maintenance building.

Discussion

The Orange County Transportation Authority (OCTA) completed construction of the Anaheim Bus Base in 1976. In 2000, OCTA incorporated natural gas buses into its operating fleet out of the Anaheim Bus Base. Facility modifications were performed in 2000 for compatibility with the use of natural gas-powered buses, including installation of 13 rooftop heating and ventilation (HV) units at the maintenance building shop. Six of the HV units were recently replaced, and each of the remaining seven original HV units serving the bus maintenance shop has exceeded its useful life and requires replacement. Staff has developed a scope of work for replacement of these seven HV units, including installation of new seismic equipment curbs and related modification of structural supports, electrical disconnect switches, natural gas valves and piping at each unit, roof repair, and related work. The HV unit replacement is needed to maintain the

bus maintenance shop ventilation system in a state of good repair, increasing energy efficiency and providing an improved work environment for bus maintenance staff.

Procurement Approach

This procurement was handled in accordance with OCTA's Board of Directors-approved procedures for public works projects. These procedures, which conform to both state and federal requirements, require that contracts are awarded to the lowest responsive, responsible bidder after a sealed bidding process.

Invitation for Bids (IFB) 0-2083 was released electronically on February 26, 2020, through OCTA's CAMM NET system. The project was advertised on February 26 and March 4, 2020, in a newspaper of general circulation. A pre-bid conference and job-walk was held on March 5, 2020, and was attended by 13 firms. Three addenda were issued to provide the pre-bid conference registration sheets and handle administrative issues related to the IFB. On March 25, 2020, three bids were received and publicly opened.

All bids were reviewed by staff from both the Contracts Administration and Materials Management and Facilities Engineering departments to ensure compliance with the contract terms and conditions and technical specifications. The list of bidders and bid amounts is presented below:

<u>Firm and Location</u>	<u>Bid Amount</u>
F.M. Thomas Air Conditioning, Inc. Brea, California	\$482,033
Golden Gate Steel, Inc. dba Golden Gate Construction Norwalk, California	\$524,820
Houalla Enterprises, Ltd. dba Metro Builders Engineers Group, Ltd.	\$568,914

The engineer's estimate for this project was \$650,000. The recommended firm's bid is 26 percent below the engineer's estimate and is considered by staff to be fair and reasonable. The bidder indicates that it will be self-performing over 50 percent of the work, which accounts for aggressive pricing by bidder due to minimal subcontracting and layered markups. The bid analysis determined costs for HV units and electrical work were overestimated for the project.

Agreement for Replacement of Heating and Ventilation Units at the Anaheim Bus Base Maintenance Building **Page 3**

State law requires award to the lowest responsive, responsible bidder. As such, staff recommends award to F.M. Thomas Air Conditioning, Inc., the lowest responsive, responsible bidder, in the amount of \$482,033, for the replacement of heating and ventilation units at the Anaheim Bus Base maintenance building.

Fiscal Impact

The project was approved in OCTA's Fiscal Year 2019-20 Budget, Capital Programs, Account 1722-9022-D3103-0AL, and is funded through Federal Transit Administration Section 5337 State of Good Repair Grant Funds, Revenue Code 0030-6049-D3103-MJK.

Summary

Based on the information provided, staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2083 between the Orange County Transportation Authority and F.M. Thomas Air Conditioning, Inc., the lowest responsive, responsible bidder, in the amount of \$482,033, for the replacement of heating and ventilation units at the Anaheim Bus Base maintenance building.

Attachment

None.

Prepared by:

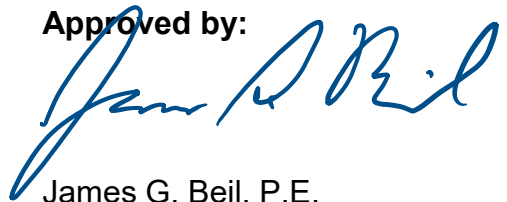


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Approved by:



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COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Amendment to Cooperative Agreement with the City of Laguna Beach for Public Transit Services

Finance and Administration Committee Meeting of May 13, 2020

Present: Directors Do, Hennessey, Hernandez, Jones, Muller, R. Murphy, and Steel

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 7-0 by the Members present.

Committee Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1679 between the Orange County Transportation Authority and the City of Laguna Beach, in the amount of \$599,381, for the pass through of Coronavirus Aid, Relief, and Economic Security Act funding. This will increase the maximum obligation of the cooperative agreement to a total contract value of \$3,199,381.



May 13, 2020

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Amendment to Cooperative Agreement with the City of Laguna Beach for Public Transit Services

Overview

On June 11, 2018, the Orange County Transportation Authority Board of Directors approved a cooperative agreement with the City of Laguna Beach for the continued operation of public transit services. Board of Directors' approval is requested to amend the cooperative agreement to provide the City of Laguna Beach with additional funds from the Coronavirus Aid, Relief, and Economic Security Act.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1679 between the Orange County Transportation Authority and the City of Laguna Beach, in the amount of \$599,381, for the pass through of Coronavirus Aid, Relief, and Economic Security Act funding. This will increase the maximum obligation of the cooperative agreement to a total contract value of \$3,199,381.

Background

The City of Laguna Beach (City) and its municipally-owned Laguna Beach Municipal Transit Lines (LBMTL) are eligible to receive funding from the Federal Transit Administration (FTA) Section 5307 Urbanized Area Formula Program Funds, FTA Section 5339 Bus and Bus Facilities Program funds, State Transit Assistance funds, State of Good Repair funds provided through Senate Bill 1 and Cap and Trade funds.

Based on the transportation services provided by LBMTL, additional federal grant funding is generated that can be utilized to support transportation services within Orange County. The Orange County Transportation Authority (OCTA), as the direct grant recipient, has the option to utilize the additional funds directly for

OCTA-related transportation services or to provide the additional funds to the City to support the services provided by LBMTL.

OCTA has historically utilized federal and state funds for OCTA-related projects and provided an equivalent amount of unrestricted local funds to the City to support the transportation services provided by the LBMTL. The amount of state funds can vary from year to year as program levels are determined by the state legislature as part of the annual state budget process. Federal funds are apportioned based on the service levels reported by the transit operators to the national transit database (NTD) system and remain reasonably consistent with the funding levels identified in the long-term federal legislation. On June 11, 2018, the OCTA Board of Directors (Board) approved a cooperative agreement for the pass through of unrestricted local funds to the City for fiscal year (FY) 2018-19 through FY 2022-23.

In March 2020, the United States Senate introduced the Coronavirus Aid, Relief, and Economic Security (CARES) Act in response to the recent novel coronavirus outbreak. The CARES Act would provide OCTA with a stimulus of \$225 million for economic relief caused by this pandemic. As a sub-recipient, the City is also eligible to receive a portion of OCTA's share. Similar to regular FTA Section 5307 funds, OCTA will also utilize the federal funds and provide equivalent amount of unrestricted local funds.

Discussion

The CARES Act provides stimulus to individuals and businesses in response to the economic distress resulting from the novel coronavirus. The City is an eligible transit operator under OCTA to receive FTA funds. CARES Act apportionments are allocated per FTA with the same formula as regular FTA Section 5307 funds, therefore the City is qualified as a sub-recipient of these funds. The City annually submits NTD data to FTA and OCTA. The NTD data enables OCTA to calculate the federal formula grant funding available to the City. OCTA used the City's reported revenue miles, passenger miles, and operating costs reported in FY 2017-18 to determine the City's portion. OCTA calculated the estimated amount of CARES Act funding available to the City, totaling \$599,381. This amount exceeds the estimated maximum amount in the cooperative agreement.

Amendment No. 1 is to provide the City with its share of the CARES Act funding, in the amount of \$599,381, which increases the maximum cumulative obligation from \$2,600,000 to \$3,199,381.

Fiscal Impact

There is no anticipated financial impact to OCTA. OCTA is the recipient and would pass through funds to the City. The payments will occur through the Orange County Transit District fund.

Summary

Staff requests Board approval to authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1679 between the OCTA and the City, in the amount of \$599,381, for the pass through of funding. This will increase the maximum obligation of the cooperative agreement to a total contract value of \$3,199,381.

Attachment

A. City of Laguna Beach Cooperative Agreement No. C-8-1679 Fact Sheet

Prepared by:

Approved by:



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**City of Laguna Beach
Cooperative Agreement No. C-8-1679
Fact Sheet**

1. June 11, 2018, Cooperative Agreement No. C-8-1679, \$2,600,000, approved by the Board of Directors (Board).
 - City of Laguna Beach, funding agreement for public transit services in the City of Laguna Beach funded with unrestricted local funds in exchange for State and Federal funds.
 - Effective November 8, 2018 through June 30, 2023.
2. May 22, 2020, Amendment No. 1 to Cooperative Agreement No. C-8-1679, \$599,381, pending approval by the Board.
 - Amendment to provide for the pass through of unrestricted local dollars in the amount equal to the City of Laguna Beach's share of CoronaVirus Aid, Relief, and Economic Security Act revenues.

Total commitment to City of Laguna Beach, Agreement No. C-8-1679: \$3,199,381.



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors

From: *RW*
Laurena Weinert, Clerk of the Board

Subject: Agreement for Technical Consulting Services for a Next Generation Fare Collection System and OC Streetcar Ticket Vending Machines

Transit Committee Meeting of May 14, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Director Shaw was not present to vote on this item.

Committee Recommendations

- A. Approve the selection of Jacobs Engineering Group, Inc., as the firm to provide technical consulting services for the next generation fare collection system.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2047 between the Orange County Transportation Authority and Jacobs Engineering Group, Inc., in the amount of \$870,000, for a three-year initial term with two, one-year option terms, to provide technical consulting services for the next generation fare collection system.



May 14, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Agreement for Technical Consulting Services for a Next Generation Fare Collection System and OC Streetcar Ticket Vending Machines

Overview

The Orange County Transportation Authority is seeking a consultant to provide technical consulting services to support the development and implementation of a next generation fare collection system and ticket vending machines for the OC Streetcar. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for these services.

Recommendations

- A. Approve the selection of Jacobs Engineering Group, Inc., as the firm to provide technical consulting services for the next generation fare collection system.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2047 between the Orange County Transportation Authority and Jacobs Engineering Group, Inc., in the amount of \$870,000, for a three-year initial term with two, one-year option terms, to provide technical consulting services for the next generation fare collection system.

Background

The Orange County Transportation Authority (OCTA) collects approximately \$46 million in fare revenue on an annual basis. Approximately \$28 million of fare revenue is collected in cash, which represents 60 percent of total fare revenue. The remaining fare revenue is accounted for based on the mobile ticketing application, pre-purchased fare media such as daily and monthly passes, college pass programs, and discounted passes.

OCTA's current fare collection system uses GFI Genfare fareboxes on its fixed-route fleet. The GFI farebox is a validating unit that accepts cash payments, detects and authenticates bills and coins with varying degrees of accuracy. The current farebox can also print magnetic-stripe (magstripe) paper media and is capable of validating magstripe media upon initial purchase or subsequent rides, depending on pass type. OCTA's GFI Genfare fareboxes were implemented 18 years ago and have reached the end of their useful life.

Fare collection technology has evolved dramatically in recent years. The latest batch of next generation fare collection systems offer numerous benefits including more convenient and equitable payment options for customers. In addition, new technologies also provide increased flexibility for transit agencies to manage fare policy and revenue collection.

In 2018, OCTA retained the services of CH2M Hill Engineers, Inc., which was subsequently acquired by Jacobs Engineering Group, Inc. (Jacobs), to conduct a study on fare collection system alternatives. Jacobs was tasked with evaluating OCTA's current fare collection system in addition to providing industry best practices, peer reviews, fare collection innovations, and determining ways to modernize OCTA's fare collection system for the future. This initial study was instrumental to the development of a Concept of Operations (Con Ops) that served as the first official documentation of broad project goals. This step in the process narrowed down the preferred next generation fare collection system to an account-based system.

An account-based fare collection system uses servers and software to manage fares, media, and reporting. Transactions in an account-based system occur and are managed within customer accounts in real-time, which provides customers greater flexibility purchasing and managing fares. An account-based system also allows greater flexibility in fare policy, fare media, and fare integration, and leverages OCTA's investment in mobile technology and validators.

Discussion

Technical consulting services are needed to support the next phase of the development process for an account-based/next generation fare collection system, as well as to support the development of specifications and the procurement and implementation of ticket vending machines (TVMs) for the OC Streetcar system. The technical consulting services for a next generation fare collection system will further refine the requirements provided by the Con Ops document.

The technical consultant will develop a comprehensive document that specifies each element of a next generation fare collection system, prepare final cost estimates associated with each component, define functional requirements of each component, provide technical oversight, develop business rules and operational processes including administrative responsibilities, data reporting, and regional reconciliation, and help prepare specifications for procurement of each component.

After the technical specifications and final cost estimates for a next generation fare collection system are completed, staff will return to the Board of Directors (Board) and provide system and cost information and seek Board feedback and direction. It is anticipated that this phase will take 12 to 18 months. If the Board is supportive of moving forward with a next generation fare collection system, this procurement also includes funds necessary for the consultant to assist with the procurement and implementation of the system.

In addition, the technical consultant will assist OCTA in developing design specifications for the TVMs for the OC Streetcar system. The TVM-related work will be focused on the design and type of TVMs suitable for the OC Streetcar system given the space requirements and existing number of platforms. Staff will return to the Board to request authorization for the release of the request for proposals (RFP) to procure and install TVMs for the OC Streetcar system. This procurement also includes funds necessary for the consultant to assist staff with the procurement, implementation, and testing of the TVMs.

Procurement Approach

The procurement was handled in accordance with OCTA's Directors Board-approved procedures for professional and technical services. Various factors are considered in the award for professional and technical services. Award is recommended to the firm offering the most comprehensive overall proposal considering such factors as prior experience with similar projects, staffing and project organization, work plan, as well as cost and price.

On February 4, 2020, RFP 0-2047 was issued electronically on CAMM NET. The project was advertised in a newspaper of general circulation on February 4 and 11, 2020. A pre-proposal conference was held on February 11, 2020, with 11 attendees representing nine firms. Two addenda were issued to make available the pre-proposal conference registration sheet and presentation, as well as to respond to written questions related to the RFP.

On March 9, 2020, six proposals were received. An evaluation committee consisting of OCTA staff from Contracts Administration and Materials Management, Revenue and Grants Administration, Financial Planning and Analysis, Scheduling and Bus Operations Support, Information Systems, and Transit Service Planning departments met to review all proposals received.

The proposals were evaluated based on the following evaluation criteria and weightings:

- Qualifications of the Firm 20 percent
- Staffing and Project Organization 30 percent
- Work Plan 30 percent
- Cost and Price 20 percent

Several factors were considered in developing the evaluation criteria weightings. Qualifications of the firm was weighted at 20 percent as the firm had to demonstrate experience providing similar technical expertise and oversight related to fare collection systems. Staffing and project organization was weighted at 30 percent as the firm had to present a project team with the expertise and skills, as well as the availability, to provide technical guidance and oversight for the development and implementation of OCTA's new fare collection system and TVM equipment. Work plan was weighted at 30 percent as the firm had to demonstrate its understanding of the scope of work, as well as the ability to meet the requirements specified. Cost was weighted at 20 percent to ensure OCTA receives value for the services provided.

On March 25, 2020, the evaluation committee reviewed the proposals based on the evaluation criteria and short-listed the three most qualified firms listed below in alphabetical order:

Firm and Location

Clevor Consulting Group (Clevor)
Portland, Oregon

Four Nines Technologies (Four Nines)
Corte Madera, California

Jacobs Engineering Group, Inc. (Jacobs)
Los Angeles, California

On April 2, 2020, the evaluation committee conducted interviews with the three short-listed firms. The interview consisted of a presentation to demonstrate the firms' understanding of OCTA's requirements. The firm's project managers and key team members had an opportunity to present each team's qualifications and respond to the evaluation committee's questions. Questions were related to any potential issues or problems that may be encountered, future fare collection trends, and interoperability with other agencies. In addition, each team was asked specific clarification questions related to its proposal.

After considering the responses to the questions asked during the interviews, the evaluation committee reviewed the preliminary ranking and made adjustments to individual scores. However, Jacobs remained the highest-ranked firm with the highest-overall score.

Based on the evaluation of the written technical proposals and the information obtained from the interviews, the evaluation committee recommends Jacobs for consideration of the award. The following is a brief summary of the proposal evaluation results.

Qualifications of the Firm

Jacobs was founded in 1947 and is headquartered in Dallas, Texas. The firm has 230 offices worldwide, including offices in the cities of Irvine and Los Angeles. Jacobs demonstrated relevant experience in implementing next generation fare collection systems, as well as developing specifications for the procurement of an account-fare based collection system, including TVMs and validation devices. The firm has worked on fare collection projects for San Diego Metropolitan Transit Authority, Southern California Regional Rail Authority (Metrolink), New York City Transit, Honolulu Authority for Rapid Transportation, and Valley Metro in Phoenix Arizona. Prior to the acquisition of CH2M by Jacobs, CH2M worked with OCTA on the fare collection system design and Con Ops, fare structure study, and mobile ticketing project. The firm did not propose to utilize any subcontractors.

Located in the City of Portland, Clever was founded in 2017. The firm provides technology consulting related to electronic payment systems and has worked with Tri-County Metropolitan Transportation District of Oregon (Tri-Met), Washington Metropolitan Area Transit Authority, Honolulu Authority for Rapid Transportation, and Hillsborough Area Regional Transit. The firm proposed three subcontractors, Schaich Consulting (Schaich), Knapick, LLC (Knapick), and WSP, to provide additional expertise and support. Clever has worked with Schaich and Knapick on various fare collection projects since 2017. Currently,

Clevor is supporting WSP as a subcontractor on the Maryland Transit Authority project for a new account-based fare collection system. For that project, Clevor is tasked with developing a Con Ops, procurement strategy, technical and functional specifications, and solicitation package for Maryland Transit Authority.

Four Nines was established in 2012 and is headquartered in Corte Madera, California. The firm has provided fare collection strategy, procurement, and implementation support to many public agencies, such as Sound Transit, Capital Metropolitan Transportation Authority, North County Transit District, and Denver Regional Transportation District. Four Nines proposed Virginkar and Associates, Inc. (Virginkar) as a subcontractor to lead the development of the specifications for the TVMs. Virginkar has provided fare collection consulting support on Los Angeles County Metropolitan Transportation Authority's Transit Access Pass project and is currently supporting the procurement of TVMs for Golden Gate Transit.

Staffing and Project Organization

Jacobs proposed a knowledgeable project team with experience working together on other projects including developing OCTA's Con Ops document. The proposed project manager has 12 years of experience managing fare collection system projects. The proposed assistant project manager has 21 years of experience. The firm proposed that the project manager and assistant project manager will work in tandem to ensure ample availability for support and oversight. The project team's experience includes transportation and fare systems networking and cybersecurity, transportation planning, hardware and software design and integration, and transportation infrastructure design and planning. In addition, Jacobs proposed staff with varying levels of technical expertise to ensure the required level of support is met while completing the project within budget. During the interview, the project team members discussed their roles and approach to providing technical consulting services for the next generation fare collection system. The project team responded to the evaluation committee questions, which demonstrated an understanding of OCTA, as well as surrounding public agencies. When asked about the major obstacles to achieving interoperability with other systems and agencies, the team discussed the systems used by other agencies and the challenges associated with integrating with OCTA's system.

Clevor proposed a project team with extensive experience. The proposed project manager is a co-founder of Clevor and has 18 years of experience in program management and fare collection systems. The individual was previously the Director of Revenue Operations at Tri-Met and worked on various projects for

Tri-Met, such as the Hop Fastpass fare collection system, on-board bus ticketing printing solution, and mobile ticketing application. The proposed assistant project manager has over 30 years of fare collection experience. The project team's fare collection experience includes fare policy, design and delivery of electronic payment systems, development and implementation of technology solutions, and asset management. Clever indicated that it recently completed two projects and have the availability to commit to OCTA's project. During the interview, the project team discussed their roles and approach to providing the technical consulting services specified in the scope of work, as well as responded to the evaluation committee's questions. Although the project team members have relevant experience, their experience did not demonstrate familiarity with public agencies in Southern California.

Four Nines proposed a project team with relevant experience. The proposed project manager has 30 years of technical project management experience and has deployed several enterprise-level systems for transit agencies. The proposed assistant project manager has six years of experience in fare collection and regional transportation planning. The project team has experience in fare collection and regional transportation planning, fare policy and fare collection technology, TVMs, and systems integration. While the project team has fare collection-related experience, the team does not have as much experience directly related to the requirements of the scope of work as the other two-proposing firms. During the interview, the project team members discussed their roles and approach to providing technical consulting services for the next generation fare collection system. The team responded to the evaluation committee's questions.

Work Plan

Jacobs presented a work plan that addressed all of the elements of the scope of work. The firm discussed its approach in assisting OCTA in procuring and implementing an account-based fare collection system, as well as TVMs. Jacobs indicated that it will leverage its knowledge of OCTA and past fare collection projects to refine the Con Ops document, which will include the needs of the OC Streetcar and eventual integration with OC Bus, the new mobile ticketing provider, regional partners like Metrolink, and a new account-based fare collection system. The firm discussed the technical specifications for the procurement of the account-based fare collection system, as well as the TVMs. Jacobs also indicated that the timely launch of the OC Streetcar will drive the project schedule and the importance of prioritizing the procurement of the TVMs.

Clevor demonstrated a clear understanding of the scope of work in its work plan. The firm discussed its approach for providing technical consulting services by detailing the steps involved for each phase of the project to complete each deliverable. Clevor identified areas in the process that can be streamlined by completing certain deliverables concurrently to ensure that the project schedule is met, such as developing the regional operating rules in parallel with the implementation of the new account-based fare collection system. Additionally, the firm included references to past projects to emphasize and support its proposed approach. Clevor discussed reviewing the current Con Ops document and leading technical meetings to update the Con Ops, developing and refining the specifications for the new fare collection system and TVMs, and supporting the procurement process, as well as implementation of the new systems. Clevor indicated that while the project schedule is aggressive, the firm has the availability and resources to meet the required timeline.

Four Nines addressed all the elements of the scope of work in its work plan. The firm discussed its approach to assisting OCTA in the procurement of a new account-based fare collection system and TVMs. The firm indicated leveraging its experience integrating multiple generation fare collection systems for this project. Four Nines discussed how it will complete various deliverables, such as refining and adding details to the Con Ops document, conducting workshops with stakeholders, supporting procurement activities, and developing the deployment plan. The firm also proposed utilizing its Requirements Tool, which is a database of standard and transportation-specific requirements, to develop the technical and functional specifications for the new fare collection system and TVMs. Additionally, Four Nines indicated that it has experience completing projects with tight timelines.

Cost and Price

Pricing scores were based on a formula which assigned the highest score to the firm with the lowest weighted average hourly rate, and scored the other proposals' weighted average hourly rate on their relation to the lowest weighted average hourly rate. Jacobs proposed the lowest weighted average hourly rate.

Procurement Summary

Based on the evaluation of written proposals, the firm's qualifications, and the information obtained from the interviews, the evaluation committee recommends the selection of Jacobs as the top-ranked firm to provide technical consulting services for the next generation fare collection system. Jacobs delivered a thorough and comprehensive proposal and an interview that was responsive to all the requirements of the RFP.

Fiscal Impact

The project was included in OCTA's Fiscal Year 20-21 budget, Finance and Administration Division, accounts 1261-7519-A5105-F30 and 0035-7519-OC100-NAZ.

Summary

Staff is recommending the Board authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2047 between the Orange County Transportation Authority and Jacobs Engineering Group, Inc., in the amount of \$870,000, for a three-year initial term with two, one-year option terms, to provide technical consulting services for the next generation fare collection system.

Attachments

- A. Review of Proposals, RFP 0-2047 Technical Consulting Services for a Next Generation Fare Collection System and OC Streetcar Ticket Vending Machines
- B. Proposal Evaluation Criteria Matrix (Short-Listed Firms), RFP 0-2047 Technical Consulting Services for a Next Generation Fare Collection System and OC Streetcar Ticket Vending Machines
- C. Contract History for the Past Two Years, RFP 0-2047 Technical Consulting Services for a Next Generation Fare Collection System and OC Streetcar Ticket Vending Machines

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Review of Proposals
RFP 0-2047 Technical Consulting Services for a Next Generation Fare Collection System and OC Streetcar Ticket Vending Machines
Presented to Transit Committee - May 14, 2020
6 firms proposed, 3 firms were interviewed, 1 firm is being recommended

Overall Ranking	Proposal Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	Weighted Average Hourly Rate
1	90	Jacobs Engineering Group, Inc. Los Angeles, California	None	Highest-ranked firm overall. Experience with fare collection system projects. Provided fare collection consulting services to OCTA. Proposed project manager has 12 years of experience. Proposed deputy project manager has 21 years of experience. Proposed project team is knowledgeable with relevant experience. Discussed approach for each element in the scope of work. Proposed to leverage experience working with and knowledge of OCTA. Demonstrated an understanding of the project schedule. Presented approach and answered questions during the interview. Received positive responses from references. Proposed lowest weighted average hourly rate.	\$194
2	82	Clevar Consulting Group Portland, Oregon	Schalch Consulting Knapnick, LLC WSP	Small, boutique firm. Experience with fare collection system projects. Proposed to utilize three subcontractors for this project. Proposed project manager has 18 years of experience and previously served as Director of Operations for Tri-Met. Proposed project team has extensive experience. Discussed approach for providing technical consulting services. Proposed areas in the project that can be streamlined and completed concurrently. Indicated that the firm has the availability and resources to meet project schedule. Presented approach and answered questions during the interview. Received positive responses from references. Proposed competitive hourly rates.	\$221
3	79	Four Nines Technologies Corte Madera, California	Virginkar and Associates, Inc.	Experience with fare collection system projects. Proposed subcontractor has ticket vending machine experience. Proposed project manager has 30 years of experience. Proposed project team has relevant experience. Discussed approach and addressed all elements of the scope of work. Proposed to utilize its proprietary database tool to develop the specifications for the new account-based fare collection systems and ticket vending machines. Discussed ability to meet the project schedule. Presented approach and answered questions during the interview. Received positive responses from references. Proposed competitive hourly rates.	\$205

Evaluation Panel:

- Internal:
- Contracts Administration and Materials Management (1)
 - Revenue and Grants Administration (1)
 - Financial Planning and Analysis (1)
 - Scheduling and Bus Operations Support (1)
 - Information Systems (1)
 - Transit Service Planning (1)

Proposal Criteria

Weight Factors

- Qualifications of the Firm 20%
- Staffing and Project Organization 30%
- Work Plan 30%
- Cost and Price 20%

PROPOSAL EVALUATION CRITERIA MATRIX (Short-Listed Firms)
RFP 0-2047 Technical Consulting Services for a Next Generation Fare Collection System and
OC Streetcar Ticket Vending Machines

Jacobs Engineering Group, Inc.							Weights	Overall Score
Evaluator Number	1	2	3	4	5	6		
Qualifications of Firm	4.5	4.5	4.5	4.5	4.5	4.0	4	17.7
Staffing/Project Organization	4.5	5.0	4.5	4.0	4.5	4.5	6	27.0
Work Plan	4.5	4.5	4.5	4.0	4.0	4.0	6	25.5
Cost and Price	5.0	5.0	5.0	5.0	5.0	5.0	4	20.0
Overall Score	92.0	95.0	92.0	86.0	89.0	87.0		90

Clevor Consulting Group							Weights	Overall Score
Evaluator Number	1	2	3	4	5	6		
Qualifications of Firm	3.5	3.0	3.5	3.5	3.5	3.5	4	13.7
Staffing/Project Organization	4.5	4.0	4.0	4.0	4.0	4.0	6	24.5
Work Plan	4.5	5.0	4.5	4.0	4.5	4.0	6	26.5
Cost and Price	4.4	4.4	4.4	4.4	4.4	4.4	4	17.6
Overall Score	85.6	83.6	82.6	79.6	82.6	79.6		82

Four Nines Technologies							Weights	Overall Score
Evaluator Number	1	2	3	4	5	6		
Qualifications of Firm	4.0	4.0	4.0	4.0	4.0	4.0	4	16.0
Staffing/Project Organization	3.5	3.0	3.5	3.5	3.5	4.0	6	21.0
Work Plan	4.0	4.0	3.5	4.0	3.5	4.0	6	23.0
Cost and Price	4.7	4.7	4.7	4.7	4.7	4.7	4	18.8
Overall Score	79.8	76.8	76.8	79.8	76.8	82.8		79

Range of scores for non-short-listed firms was 34 to 69.

RFP 0-2047 Technical Consulting Services for a Next Generation Fare Collection System and OC Streetcar Ticket Vending Machines

CONTRACT HISTORY FOR THE PAST TWO YEARS

Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
Clevar Consulting Group Contract Type: Subconsultants: N/A	None	N/A	N/A	N/A	\$	-
Sub Total \$						-
Four Nines Technologies Contract Type: Subconsultants: N/A	None	N/A	N/A	N/A	\$	-
Sub Total \$						-
Jacobs Engineering Group, Inc. Contract Type: Firm-Fixed Subconsultants: Coast Surveying, Inc. Dynamic Engineering Services, Inc. S2 Engineering, Inc. Ghirardelli Associates, Inc. WSP USA Inc. Contract Type: Time-and-Expense Subconsultants: Fountainhead Consulting Corporation Harris and Associates Inc. MTGL, Inc. Wagner Engineering & Surveying, Inc. Kzhi Nation Resources Management	C-9-1605	Construction Management Support Services for the Interstate 5 Widening from Alicia Parkway to El Toro Road - Segment 3	TBD	TBD	N/A	9,056,654
	C-4-1447	Construction Management Consultant Services for Design-Build Interstate 405 Improvement Project between State Route 55 and Interstatet 605	June 29, 2016	December 31, 2022	N/A	34,230,297
Contract Type: Firm-Fixed Subconsultants: HDR Engineering, Inc. LSA Associates, Inc. Fehr & Peers Transportation Consultants Coast Surveying, Inc. Epic Land Solutions, Inc. Leighton Consulting, Inc. McCormick-Busse, Inc. OptiTrans Paleo Solutions, Inc. Procura360 Group Terry A. Hayes Associates, Inc. Taisumi and Partners, Inc. Sapphos Environmental, Inc.	C-5-3424	Plans, Specifications, and Estimates to Prepare Project Report and Environmental Document for State Route 55 Improvement Project from Interstate 5 to State Route 91	December 30, 2016	November 30, 2020	\$	4,492,652
					\$ 727,535	
					\$ 170,816	
					\$ 502,423	
					\$ 163,485	
					\$ 60,953	
					\$ 130,884	
					\$ 39,493	
					\$ 182,168	
					\$ 30,769	
					\$ 37,745	
					\$ 131,707	
					\$ 46,299	
					\$ 31,019	
Contract Type: Time-and-Expense Subconsultants: N/A	C-8-1546	Fare Collection System Design and Concept of Operations	June 19, 2019	June 30, 2020	N/A	137,685
Sub Total \$						47,917,288



May 22, 2020

To: Members of the Board of Directors

From: Darrell E. Johnson, Chief Executive Officer

Subject: Approval to Release Request for Proposals for Armored Vehicle Transportation and Fare Collection Counting Services

Overview

The Orange County Transportation Authority uses contracted armored vehicle transportation services and fare collection. The current contract expires November 2020. Staff has developed a draft request for proposals which will be used to initiate the competitive process to select a contractor to provide these services.

Recommendations

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2256 for selection of a contractor to provide armored vehicle transportation and fare collection counting services.
- B. Approve the release of Request for Proposals 0-2256 to select a contractor to provide armored vehicle transportation and fare collection counting services for a term of seven years.

Discussion

The Orange County Transportation Authority (OCTA) currently has a contract with a firm that provides armored vehicle transportation services for fare collections and other bank deposits, as well as fare collection counting services.

The primary need for armored vehicle transportation services is to transfer fare collections between OCTA bus bases and the contractor's counting facility. The total amount of fare revenue collected for the bus system is approximately \$46 million per year. In recent years, cash fare collections on the fixed-route bus system have been approximately \$21 million per year. As buses are serviced at the end of each shift, fare collections are transferred from the

farebox on the bus to receiver vaults. Fees for the counting service are charged at a negotiated rate per hundred dollars of coins and paper currency.

Armored vehicle transportation services also include the transportation of fare collection deposits from the contractor's counting facility to the bank, as well as miscellaneous deposits from various OCTA locations to the bank. All fare collection, administrative collection, and miscellaneous deposits are transferred Monday through Friday to the bank, except holidays. As per the requirement from Bank of the West, all deposits will be made to the Los Angeles Loomis Vault located in City of Montebello.

Included in the new contract, will be an optional expansion of service allowing OCTA to extend armored transportation and counting services to the OC Streetcar. The OC Streetcar will have ten streetcar stops in each direction comprised of four shared center platforms and six side platforms in each direction, for a total of 16 platforms. A total of 26 ticket vending machines will be installed along the length of the initial service area. Initial revenue collected for the service is estimated to be \$2.2 million for the first year of operations.

The current contract for these services expires November 30, 2020.

Procurement Approach

OCTA's Board of Directors (Board)-approved procedures require that the Board approve all requests for proposals (RFP) over \$1,000,000, as well as approve the evaluation criteria and weightings. Staff is submitting for Board approval the draft RFP and evaluation criteria and weights, which will be used to evaluate the proposals received in response to the RFP.

The proposed evaluation criteria and weights are as follows:

- | | |
|-------------------------------------|------------|
| • Qualifications of the Firm | 25 percent |
| • Staffing and Project Organization | 15 percent |
| • Work Plan | 30 percent |
| • Cost and Price | 30 percent |

Several factors were considered in developing the four criteria weights. Qualifications of the firm was weighted at 25 percent as the contractor must have the resources and experience to provide the services. Staff and project organization was assigned 15 percent, because the service does not require any specialized skills. Additionally, much of the counting function is automated with equipment used to count the coin and paper currency. Work plan was weighted

at 30 percent due to the importance of security since the contractor will be in possession of large amounts of cash. In addition, the contractor must adhere to the specifications and schedule in the scope of work. Cost and price was also weighted at 30 percent to ensure that OCTA receives value for the services given the term and significant cost of the service.

The contract for this procurement will be for a seven-year term. The total cost is anticipated to be approximately \$4,500,000. This RFP will be released upon Board approval of these recommendations.

Fiscal Impact

The project was approved in OCTA's Fiscal Year 2020-21 Budget, Finance and Administration Division/Accounting and Financial Reporting Department, Account 1261-7629-A5105-DU4, and is funded through the Orange County Transit District Fund.

Summary

Board approval is requested to release RFP 0-2256 for armored vehicle transportation and fare collection counting services and approval of the proposed evaluation criteria and weights.

Attachment

- A. Draft Request for Proposal (RFP) 0-2256, Armored Vehicle
Transportation and Fare Collection Counting Services

Prepared by:



Sam Kaur
Department Manager,
Revenue Administration
714-560-5889

Approved by:



Andrew Oftelie
Chief Financial Officer,
Finance and Administration
714-560-5649



Virginia Abadessa
Director, Contracts Administration and
Materials Management
714-560-5623

DRAFT REQUEST FOR PROPOSALS (RFP) 0-2256

ARMORED VEHICLE AND FARE COLLECTION COUNTING SERVICES



**ORANGE COUNTY TRANSPORTATION AUTHORITY
550 South Main Street
P.O. Box 14184
Orange, CA 92863-1584
(714) 560-6282**

Key RFP Dates

Issue Date:	May 22, 2020
Pre-Proposal Conference Date:	June 1, 2020
Question Submittal Date:	June 3, 2020
Proposal Submittal Date:	June 23, 2020
Interview/Site Visit Date:	July 15, 2020

TABLE OF CONTENTS

SECTION I: INSTRUCTIONS TO OFFERORS	1
SECTION II: PROPOSAL CONTENT	8
SECTION III: EVALUATION AND AWARD	16
EXHIBIT A: SCOPE OF WORK.....	19
EXHIBIT B: PRICE SUMMARY SHEET	21
EXHIBIT C: PROPOSED AGREEMENT	25
EXHIBIT D: STATUS OF PAST AND PRESENT CONTRACTS FORM	27
EXHIBIT E: CAMPAIGN CONTRIBUTION DISCLOSURE FORM	29
EXHIBIT F: SAFETY SPECIFICATIONS	34
EXHIBIT G: PROPOSAL EXCEPTIONS AND/OR DEVIATIONS.....	36
EXHIBIT H: PUBLIC RECORDS ACT INDEMNIFICATION – PROPOSAL DOCUMENTS.....	38



May 22, 2020

NOTICE OF REQUEST FOR PROPOSALS

(RFP): 0-2256: "ARMORED VEHICLE AND ARMORED COUNTING SERVICES"

TO: ALL OFFERORS

FROM: ORANGE COUNTY TRANSPORTATION AUTHORITY

The Orange County Transportation Authority (Authority) invites proposals from qualified firms to provide armored vehicle and fare collection counting services. The budget for this project is \$4,500,000 for a seven (7)-year term.

Proposals must be received in the Authority's office at or before 2:00 p.m. on June 23, 2020.

Proposals delivered in person or by a means other than the U.S. Postal Service shall be submitted to the following:

**Orange County Transportation Authority
Contracts Administration and Materials Management
600 South Main Street, (Lobby Receptionist)
Orange, California 92868
Attention: Donald Herrera, Contract Administrator**

Proposals delivered using the U.S. Postal Service shall be addressed as follows:

**Orange County Transportation Authority
Contracts Administration and Materials Management
P.O. Box 14184
Orange, California 92863-1584
Attention: Donald Herrera, Contract Administrator**

Note: The Authority utilizes a third-party delivery service; therefore, anticipate a 48-hour delay in delivery of proposals mailed to the P.O. Box listed above.

Proposals are considered received once time stamped at the Authority's physical address.

Proposals and amendments to proposals received after the date and time specified above will be returned to the Offerors unopened.

Firms interested in obtaining a copy of this RFP may do so by downloading the RFP from CAMM NET at <https://cammnet.octa.net>.

All firms interested in doing business with the Authority are required to register their business on-line at CAMM NET. The website can be found at <https://cammnet.octa.net>. From the site menu, click on CAMM NET to register.

To receive all further information regarding this RFP 0-2256, firms and subconsultants must be registered on CAMM NET with at least one of the following commodity codes for this solicitation selected as part of the vendor's on-line registration profile:

Category:
Services (General)

Commodity:
Armored Service
Currency Processing Service

A pre-proposal conference will be held on June 1, 2020, at 2:30 p.m. via teleconference only.

IN-PERSON ATTENDANCE IS NOT AVAILABLE

This pre-proposal conference will be open for attendance via teleconference only. The specific call-in number for this conference is 1 (714) 558-5200 Conference ID: 465127. The conference will begin promptly at 2:30 p.m. Callers are requested to dial in and mute the call.

The Authority has established July 15, 2020, as the date to conduct interviews/site visits. All prospective Offerors will be asked to keep this date available.

Offerors are encouraged to subcontract with small businesses to the maximum extent possible.

All Offerors will be required to comply with all applicable equal opportunity laws and regulations.

The award of this contract is subject to receipt of federal, state and/or local funds adequate to carry out the provisions of the proposed agreement including the identified Scope of Work.

SECTION I: INSTRUCTIONS TO OFFERORS

SECTION I. INSTRUCTIONS TO OFFERORS

A. PRE-PROPOSAL CONFERENCE

A pre-proposal conference will be held on June 1, 2020, at 2:30 p.m. via teleconference only.

IN-PERSON ATTENDANCE IS NOT AVAILABLE

This pre-proposal conference will be open for attendance via teleconference only. The specific call-in number for this conference is 1 (714) 558-5200 Conference ID: 465127. The conference will begin promptly at 2:30 p.m. Callers are requested to dial in and mute the call.

All prospective Offerors are encouraged to attend the pre-proposal conference.

B. EXAMINATION OF PROPOSAL DOCUMENTS

By submitting a proposal, Offeror represents that it has thoroughly examined and become familiar with the work required under this RFP and that it is capable of performing quality work to achieve the Authority's objectives.

C. ADDENDA

The Authority reserves the right to revise the RFP documents. Any Authority changes to the requirements will be made by written addendum to this RFP. Any written addenda issued pertaining to this RFP shall be incorporated into the terms and conditions of any resulting Agreement. The Authority will not be bound to any modifications to or deviations from the requirements set forth in this RFP as the result of oral instructions. Offerors shall acknowledge receipt of addenda in their proposals. Failure to acknowledge receipt of Addenda may cause the proposal to be deemed non-responsive to this RFP and be rejected.

D. AUTHORITY CONTACT

All communication and/or contacts with Authority staff regarding this RFP are to be directed to the following Contract Administrator:

Donald Herrera, Contract Administrator
Contracts Administration and Materials Management Department
600 South Main Street
P.O. Box 14184
Orange, CA 92863-1584
Phone: 714.560.5644, Fax: 714.560.5792
Email: dherrera@octa.net

Commencing on the date of the issuance of this RFP and continuing until award of the contract or cancellation of this RFP, no proposer, subcontractor, lobbyist or

agent hired by the proposer shall have any contact or communications regarding this RFP with any Authority's staff; member of the evaluation committee for this RFP; or any contractor or consultant involved with the procurement, other than the Contract Administrator named above or unless expressly permitted by this RFP. Contact includes face-to-face, telephone, electronic mail (e-mail) or formal written communication. Any proposer, subcontractor, lobbyist or agent hired by the proposer that engages in such prohibited communications may result in disqualification of the proposer at the sole discretion of the Authority. dherrera@octa.net

E. CLARIFICATIONS

1. Examination of Documents

Should an Offeror require clarifications of this RFP, the Offeror shall notify the Authority in writing in accordance with Section E.2. below. Should it be found that the point in question is not clearly and fully set forth, the Authority will issue a written addendum clarifying the matter which will be sent to all firms registered on CAMM NET under the commodity codes specified in this RFP.

2. Submitting Requests

- a. All questions, including questions that could not be specifically answered at the pre-proposal conference must be put in writing and must be received by the Authority no later than 5:00 p.m., on June 3, 2020.
- b. Requests for clarifications, questions and comments must be clearly labeled, "Written Questions". The Authority is not responsible for failure to respond to a request that has not been labeled as such.
- c. Any of the following methods of delivering written questions are acceptable as long as the questions are received no later than the date and time specified above:
 - (1) U.S. Mail: Orange County Transportation Authority, 550 South Main Street, P.O. Box 14184, Orange, California 92863-1584.
 - (2) Personal Delivery: Contracts Administration and Materials Management Department, 600 South Main Street, Lobby Receptionist, Orange, California 92868.
 - (3) Facsimile: (714) 560-5792.
 - (4) Email: dherrera@octa.net

3. Authority Responses

Responses from the Authority will be posted on CAMM NET, no later than June 9, 2020. Offerors may download responses from CAMM NET at <https://cammnet.octa.net>, or request responses be sent via U.S. Mail by emailing or faxing the request to Donald Herrera, Contract Administrator.

To receive email notification of Authority responses when they are posted on CAMM NET, firms and subconsultants must be registered on CAMM NET with at least one of the following commodity codes for this solicitation selected as part of the vendor's on-line registration profile:

Category:
Services (General)

Commodity:
Armored Service
Currency Processing Service

Inquiries received after 5:00 p.m. on June 3, 2020 will not be responded to.

F. SUBMISSION OF PROPOSALS

Offeror is responsible for ensuring third-party deliveries arrive at the time and place as indicated in this RFP.

1. Date and Time

Proposals must be received in the Authority's office at or before 2:00 p.m. on June 23, 2020.

Proposals received after the above-specified date and time will be returned to Offerors unopened.

2. Address

Proposals delivered in person or by a means other than the U.S. Postal Service shall be submitted to the following:

**Orange County Transportation Authority
Contracts Administration and Materials Management (CAMM)
600 South Main Street, (Lobby Receptionist)
Orange, California 92868
Attention: Donald Herrera, Contract Administrator**

Or proposals delivered using the U.S. Postal Services shall be addressed as follows:

**Orange County Transportation Authority
Contracts Administration and Materials Management (Camm)
P.O. Box 14184
Orange, California 92863-1584
Attention: Donald Herrera, Contract Administrator**

Note: The Authority utilizes a third-party delivery service; therefore, anticipate a 48-hour delay in delivery of proposals mailed to the P.O. Box listed above. Proposals are considered received once time stamped at the Authority's physical address.

3. Identification of Proposals

Offeror shall submit an **original and 6 copies** of its proposal in a sealed package, addressed as shown above in F.2. The outer envelope must show the Offeror's name and address and clearly marked with RFP number. In addition to the above, Proposers shall also include one (1) electronic copy of their entire RFP submittal package in "PDF" format, on a CD, DVD, or flash drive.

4. Acceptance of Proposals

- a. The Authority reserves the right to accept or reject any and all proposals, or any item or part thereof, or to waive any informalities or irregularities in proposals.
- b. The Authority reserves the right to withdraw or cancel this RFP at any time without prior notice and the Authority makes no representations that any contract will be awarded to any Offeror responding to this RFP.
- c. The Authority reserves the right to issue a new RFP for the project.
- d. The Authority reserves the right to postpone proposal openings for its own convenience.
- e. Each proposal will be received with the understanding that acceptance by the Authority of the proposal to provide the services described herein shall constitute a contract between the Offeror and Authority which shall bind the Offeror on its part to furnish and deliver at the prices given and in accordance with conditions of said accepted proposal and specifications.

- f. The Authority reserves the right to investigate the qualifications of any Offeror, and/or require additional evidence of qualifications to perform the work.
- g. Submitted proposals are not to be copyrighted.

G. PRE-CONTRACTUAL EXPENSES

The Authority shall not, in any event, be liable for any pre-contractual expenses incurred by Offeror in the preparation of its proposal. Offeror shall not include any such expenses as part of its proposal.

Pre-contractual expenses are defined as expenses incurred by Offeror in:

- 1. Preparing its proposal in response to this RFP;
- 2. Submitting that proposal to the Authority;
- 3. Negotiating with the Authority any matter related to this proposal; or
- 4. Any other expenses incurred by Offeror prior to date of award, if any, of the Agreement.

H. JOINT OFFERS

Where two or more firms desire to submit a single proposal in response to this RFP, they should do so on a prime-subcontractor basis rather than as a joint venture. The Authority intends to contract with a single firm and not with multiple firms doing business as a joint venture.

I. TAXES

Offerors' proposals are subject to State and Local sales taxes. However, the Authority is exempt from the payment of Federal Excise and Transportation Taxes. Offeror is responsible for payment of all taxes for any goods, services, processes and operations incidental to or involved in the contract.

J. PROTEST PROCEDURES

The Authority has on file a set of written protest procedures applicable to this solicitation that may be obtained by contacting the Contract Administrator responsible for this procurement. Any protests filed by an Offeror in connection with this RFP must be submitted in accordance with the Authority's written procedures.

K. CONTRACT TYPE

It is anticipated that the Agreement resulting from this solicitation, if awarded, will be a time-and-expense price contract for a seven (7)-year term effective December 1, 2020 through November 30, 2027 for work specified in the scope of work, included in the RFP as Exhibit A.

L. CONFLICT OF INTEREST

All Offerors responding to this RFP must avoid organizational conflicts of interest which would restrict full and open competition in this procurement. An organizational conflict of interest means that due to other activities, relationships or contracts, an Offeror is unable, or potentially unable to render impartial assistance or advice to the Authority; an Offeror's objectivity in performing the work identified in the Scope of Work is or might be otherwise impaired; or an Offeror has an unfair competitive advantage. Conflict of Interest issues must be fully disclosed in the Offeror's proposal.

All Offerors must disclose in their proposal and immediately throughout the course of the evaluation process if they have hired or retained an advocate to lobby Authority staff or the Board of Directors on their behalf.

Offerors hired to perform services for the Authority are prohibited from concurrently acting as an advocate for another firm who is competing for a contract with the Authority, either as a prime or subcontractor.

M. CODE OF CONDUCT

All Offerors agree to comply with the Authority's Code of Conduct as it relates to Third-Party contracts which is hereby referenced and by this reference is incorporated herein. All Offerors agree to include these requirements in all of its subcontracts.

SECTION II: PROPOSAL CONTENT

SECTION II. PROPOSAL CONTENT

A. PROPOSAL FORMAT AND CONTENT

1. Format

Proposals should be typed with a standard 12-point font, double-spaced and submitted on 8 1/2" x 11" size paper, using a single method of fastening. Charts and schedules may be included in 11"x17" format. Proposals should not include any unnecessarily elaborate or promotional materials. Proposals should not exceed fifty (50) pages in length, excluding any appendices, cover letters, resumes, or forms.

2. Letter of Transmittal

The Letter of Transmittal shall be addressed to Donald Herrera, Contract Administrator and must, at a minimum, contain the following:

- a. Identification of Offeror that will have contractual responsibility with the Authority. Identification shall include legal name of company, corporate address, telephone and fax number, and email address. Include name, title, address, email address, and telephone number of the contact person identified during period of proposal evaluation.
- b. Identification of all proposed subcontractors including legal name of company, contact person's name and address, phone number and fax number, and email address; relationship between Offeror and subcontractors, if applicable.
- c. Acknowledgement of receipt of all RFP addenda, if any.
- d. A statement to the effect that the proposal shall remain valid for a period of not less than 120 days from the date of submittal.
- e. Signature of a person authorized to bind Offeror to the terms of the proposal.
- f. Signed statement attesting that all information submitted with the proposal is true and correct.

3. Technical Proposal

a. Qualifications, Related Experience and References of Offeror

This section of the proposal should establish the ability of Offeror to satisfactorily perform the required work by reasons of: experience in performing work of a similar nature; demonstrated competence in the

services to be provided; strength and stability of the firm; staffing capability; work load; record of meeting schedules on similar projects; and supportive client references.

Offeror to:

- (1) Provide a brief profile of the firm, including the types of services offered; the year founded; form of the organization (corporation, partnership, sole proprietorship); number, size and location of offices; and number of employees.
- (2) Provide a general description of the firm's financial condition and identify any conditions (e.g., bankruptcy, pending litigation, planned office closures, impending merger) that may impede Offeror's ability to complete the project.
- (3) Describe the firm's experience in performing work of a similar nature to that solicited in this RFP, and highlight the participation in such work by the key personnel proposed for assignment to this project.
- (4) Identify subcontractors by company name, address, contact person, telephone number, email, and project function. Describe Offeror's experience working with each subcontractor.
- (5) Identify all firms hired or retained to provide lobbying or advocating services on behalf of the Offeror by company name, address, contact person, telephone number and email address. This information is required to be provided by the Offeror immediately during the evaluation process, if a lobbyist or advocate is hired or retained.
- (6) Provide as a minimum three (3) references for the projects cited as related experience, and furnish the name, title, address, telephone number, and email address of the person(s) at the client organization who is most knowledgeable about the work performed. Offeror may also supply references from other work not cited in this section as related experience.

b. Proposed Staffing and Project Organization

This section of the proposal should establish the method, which will be used by the Offeror to manage the project as well as identify key personnel assigned.

Offeror to:

- (1) Identify key personnel proposed to perform the work in the specified tasks and include major areas of subcontract work. Include the person's name, current location, proposed position for this project, current assignment, level of commitment to that assignment, availability for this assignment and how long each person has been with the firm.
- (2) Furnish brief resumes (not more than two [2] pages each) for the proposed Project Manager and other key personnel that includes education, experience, and applicable professional credentials.
- (3) Include a project organization chart, which clearly delineates communication/reporting relationships among the project staff.
- (4) Include a statement that key personnel will be available to the extent proposed for the duration of the project acknowledging that no person designated as "key" to the project shall be removed or replaced without the prior written concurrence of the Authority.

c. Work Plan

Offeror should provide a narrative, which addresses the Scope of Work, and shows Offeror's understanding of Authority's needs and requirements.

Offeror to:

- (1) Describe the approach to completing the work specified in the Scope of Work. The approach to the work plan shall be of such detail to demonstrate the Offeror's ability to accomplish the project objectives and overall schedule.
- (2) Outline sequentially the activities that would be undertaken in completing the work and specify who would perform them.
- (3) Describe the firm's emergency procedures related to armored vehicle transportation services.
- (4) Describe the equipment which will be used to count the currency/coins, as well as how many armored vehicles and description of vehicles.
- (5) Identify methods that Offeror will use to ensure quality control as well as budget and schedule control for the project.

- (6) Identify any special issues or problems that are likely to be encountered in this project and how the Offeror would propose to address them.
- (7) Offeror is encouraged to propose enhancements or procedural or technical innovations to the Scope of Work that do not materially deviate from the objectives or required content of the project.

d. Exceptions/Deviations

State any technical and/or contractual exceptions and/or deviations from the requirements of this RFP, including the Authority's technical requirements and contractual terms and conditions set forth in the Scope of Work (Exhibit A) and Proposed Agreement (Exhibit C), using the form entitled "Proposal Exceptions and/or Deviations" included in this RFP. This Proposal Exceptions and/or Deviations form must be included in the original proposal submitted by the Offeror. If no technical or contractual exceptions and/or deviations are submitted as part of the original proposal, Offerors are deemed to have accepted the Authority's technical requirements and contractual terms and conditions set forth in the Scope of Work (Exhibit A) and Proposed Agreement (Exhibit C). Offerors will not be allowed to submit the Proposal Exceptions and/or Deviations form or any technical and/or contractual exceptions after the proposal submittal date identified in the RFP. Exceptions and/or deviations submitted after the proposal submittal date will not be reviewed by Authority.

All exceptions and/or deviations will be reviewed by the Authority and will be assigned a "pass" or "fail" status. Exceptions and deviations that "pass" do not mean that the Authority has accepted the change but that it is a potential negotiable issue. Exceptions and deviations that receive a "fail" status means that the requested change is not something that the Authority would consider a potential negotiable issue. Offerors that receive a "fail" status on their exceptions and/or deviations will be notified by the Authority and will be allowed to retract the exception and/or deviation and continue in the evaluation process. Any exceptions and/or deviation that receive a "fail" status and the Offeror cannot or does not retract the requested change may result in the firm being eliminated from further evaluation.

e. Public Records Act Indemnification

Proposals received by Authority are subject to the California Public Records Act, Government Code section 6250 et seq. (the "Act"), except as otherwise provided in the Act. Proposers should familiarize

themselves and exceptions thereto. In no event shall the Authority or any of its agents, representatives, consultants, directors, officers, or employees be liable to a Proposer for the disclosure of any materials or information submitted in response to the RFP. Proposers must complete and sign the Exhibit H, Public Records Act Indemnification – Proposal Documents, and submit it with the proposal. Failure to complete Exhibit H may cause the proposal to be deemed non-responsive to this RFP and may no longer continue in the evaluation process.

If a California Public Records Act request is received by Authority for the release of information identified by Proposer as propriety, trade secret, or confidential, the request will be referred to Proposer for review and consideration. If Proposer requests that the information be withheld from release, Proposer shall provide such request in writing with the legal basis under the Act for each requested withholding. Failure to notify the Authority in writing of its desire to withhold the records within three business days and/or to timely provide a legal basis for the withholding of documents, regardless of any marking or designation of such documents, shall constitute a waiver of any claims Proposer may have had related to such disclosure.

Authority will review the request, determine if the disclosure of the records is required by law, and notify Proposer of such determination. If Authority determines that the disclosure of records is required by law, Authority will notify Proposer of such determination and provide Proposer the opportunity to seek a protective order or other appropriate legal relief to protect the records.

Proposer shall defend and hold harmless Authority from any legal action arising from such withholding, as further detailed in Exhibit H, Public Records Act Indemnification – Proposal Documents.

4. Cost and Price Proposal

As part of the cost and price proposal, the Offeror shall submit proposed pricing to provide the services described in Exhibit A, Scope of Work.

The Offeror shall complete the "Price Summary Sheet" form included with this RFP (Exhibit B), and furnish any narrative required to explain the prices quoted in the schedules. It is anticipated that the Authority will issue a time-and-expense price contract specifying rates and anticipated expenses to complete the Scope of Work.

5. Appendices

Information considered by Offeror to be pertinent to this project and which has not been specifically solicited in any of the aforementioned sections may be placed in a separate appendix section. Offerors are cautioned, however, that this does not constitute an invitation to submit large amounts of extraneous materials. Appendices should be relevant and brief.

B. FORMS

1. Campaign Contribution Disclosure Form

In conformance with the statutory requirements of the State of California Government Code Section 84308, part of the Political Reform Act and Title 2, California Code of Regulations 18438 through 18438.8, regarding campaign contributions to members of appointed Board of Directors, Offeror is required to complete and sign the Campaign Contribution Disclosure Form provided in this RFP and submit as part of the proposal.

This form **must** be completed regardless of whether a campaign contribution has been made or not and regardless of the amount of the contribution.

The prime contractor, subconsultants, lobbyists and agents are required to report all campaign contributions made from the proposal submittal date up to and until the Board of Directors makes a selection.

Offeror is required to submit only **one** copy of the completed form(s) as part of its proposal and it must be included in only the **original** proposal.

2. Status of Past and Present Contracts Form

Offeror shall complete and sign the form entitled "Status of Past and Present Contracts" provided in this RFP and submit as part of its proposal. Offeror shall identify the status of past and present contracts where the firm has either provided services as a prime vendor or a subcontractor during the past five (5) years in which the contract has been the subject of or may be involved in litigation with the contracting authority. This includes, but is not limited to, claims, settlement agreements, arbitrations, administrative proceedings, and investigations arising out of the contract. Offeror shall have an ongoing obligation to update the Authority with any changes to the identified contracts and any new litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations that arise subsequent to the submission of Offeror's proposal.

A separate form must be completed for each identified contract. Each form must be signed by the Offeror confirming that the information provided is

true and accurate. Offeror is required to submit one copy of the completed form(s) as part of its proposals and it should be included in only the original proposal.

3. Proposal Exceptions and/or Deviations Form

Offerors shall complete the form entitled "Proposal Exceptions and/or Deviations" provided in this RFP and submit it as part of the original proposal. For each exception and/or deviation, a new form should be used, identifying the exception and/or deviation and the rationale for requesting the change. Exceptions and/or deviations submitted after the proposal submittal date will not be reviewed nor considered by the Authority.

4. Public Records Act Indemnification Form

Offerors shall complete and sign the form entitled "Public Records Act Indemnification" provided in this RFP and submit it as part of the original proposal. Proposers must complete and sign either Option 1 or Option 2 whichever applies.

SECTION III: EVALUATION AND AWARD

SECTION III. EVALUATION AND AWARD

A. EVALUATION CRITERIA

The Authority will evaluate the offers received based on the following criteria:

- 1. Qualifications of the Firm 25%**

Technical experience in performing work of a closely similar nature; strength and stability of the firm; strength, stability, experience and technical competence of subcontractors; assessment by client references.
- 2. Staffing and Project Organization 15%**

Qualifications of project staff, particularly key personnel and especially the Project Manager; key personnel's level of involvement in performing related work cited in "Qualifications of the Firm" section; logic of project organization; adequacy of labor commitment; concurrence in the restrictions on changes in key personnel.
- 3. Work Plan 30%**

Depth of Offeror's understanding of Authority's requirements and overall quality of work plan; logic, clarity and specificity of work plan; appropriateness of resource allocation among the tasks; reasonableness of proposed schedule; utility of suggested technical or procedural innovations.
- 4. Cost and Price 30%**

Reasonableness of the monthly rates and fare counting services; competitiveness with other offers received; adequacy of data in support of figures quoted.

B. EVALUATION PROCEDURE

An evaluation committee will be appointed to review all proposals received for this RFP. The committee is comprised of Authority staff and may include outside personnel. The committee members will evaluate the written proposals using criteria identified in Section III A. A list of top-ranked proposals, firms within a competitive range, will be developed based upon the totals of each committee members' score for each proposal.

During the evaluation period, the Authority may interview and conduct site visits at some or all of the proposing firms' facilities. The Authority has established July 15, 2020, as the date to conduct interviews. All prospective Offerors are asked to keep this date available. No other interview dates will be provided, therefore, if an Offeror is unable to attend the interview on this date, its proposal may be

Offeror after which the evaluation committee will ask questions related to the firm's proposal and qualifications.

At the conclusion of the proposal evaluations, Offerors remaining within the competitive range may be asked to submit a Best and Final Offer (BAFO). In the BAFO request, the firms may be asked to provide additional information, confirm or clarify issues and submit a final cost/price offer. A deadline for submission will be stipulated.

At the conclusion of the evaluation process, the evaluation committee will recommend to the Finance and Administration Committee, the Offeror with the highest final ranking or a short list of top ranked firms within the competitive range whose proposal(s) is most advantageous to the Authority. The Finance and Administration Committee will review the evaluation committee's recommendation and forward its decision to the full Board of Directors for final action.

C. AWARD

The Authority will evaluate the proposals received and will submit, with approval of the Finance and Administration Committee, the proposal considered to be the most competitive to the Authority's Board of Directors, for consideration and selection. The Authority may also negotiate contract terms with the selected Offeror prior to award, and expressly reserves the right to negotiate with several Offerors simultaneously and, thereafter, to award a contract to the Offeror offering the most favorable terms to the Authority.

The Authority reserves the right to award its total requirements to one Offeror or to apportion those requirements among several Offerors as the Authority may deem to be in its best interest. In addition, negotiations may or may not be conducted with Offerors; therefore, the proposal submitted should contain Offeror's most favorable terms and conditions, since the selection and award may be made without discussion with any Offeror.

The selected Offeror will be required to submit to the Authority's Accounting department a current IRS W-9 form prior to commencing work.

D. NOTIFICATION OF AWARD AND DEBRIEFING

Offerors who submit a proposal in response to this RFP shall be notified via CAMM NET of the contract award. Such notification shall be made within three (3) business days of the date the contract is awarded.

Offerors who were not awarded the contract may obtain a debriefing concerning the strengths and weaknesses of their proposal. Unsuccessful Offerors, who wish to be debriefed, must request the debriefing in writing or electronic mail and the Authority must receive it within three (3) business days of notification of the contract award.

EXHIBIT A: SCOPE OF WORK

Scope of Work

Armored Vehicle & Fare Collection Counting Services

1. Overview

The Orange County Transportation Authority (OCTA) operates a fleet of over 500 buses throughout Orange County, collecting over \$21 million in cash bus fares annually. On a nightly basis, on-board collections are transferred from the fareboxes to large cash bins that are housed inside steel vaults located at OCTA's four (4) bus bases. On a daily basis, Monday through Saturday, twelve (12) cash bins are removed from the vaults, replaced with empty vaults and transported to the contractor's counting facility. The contractor counts the collections, prepares deposits and transports the deposits to designated banking facilities.

OCTA also prepares deposits at its administrative office building and at two (2) 91 Express Lane locations that must be transported to the bank on a daily or weekly basis.

OCTA is seeking a contractor to provide both the armored transport services and fare collection counting services.

Expansion of service option: Scheduled for operation in February 2020, OCTA will expand service with the OC Streetcar. The streetcar will utilize a network of ticket vending machines (TVMs). Initial expectations include twenty-six (26) cash accepting TVMs throughout the sixteen (16) platforms. The total operation length will be under five (5) miles. Cash collection and counting service will be provided daily for the initial implementation. The collection service will be adjusted with demand and need.

2. Armored Vehicle Services – Money Bins

- a. The contractor shall pick-up approximately twelve (12) full money bins per day, six (6)-days per week. The total number may change based on the need of the operation. The bins are housed in steel vaults located on the service islands of OCTA's four (4) bus bases located in the cities of Anaheim, Santa Ana, Garden Grove and Irvine.
- b. Full money bins shall be replaced with empty money bins.
- c. Full money bins shall be transported from the bases to the contractor's designated counting facility on the same day as the pick-up.
- d. Money bin exchanges must begin no earlier than 5:00 a.m. and must be completed before 7:30 a.m.

- e. Transportation of money bins between OCTA bases and designated counting facilities is required Monday through Saturday, including holidays.
 - f. The contractor shall have possession of keys for the locked vaults and shall be held accountable for the keys and be financially responsible for the cost of replacement or re-keying the locking mechanisms should their integrity be compromised. Cost associated to rekeying a system can be in excess of \$100,000.00 for both material and administrative cost associated with replacement.
 - g. The contractor shall immediately notify designated OCTA staff of any incident that occurs at any OCTA facility. Incidents include security issues, lack of access to service island vaults, equipment failures, equipment damage or any other event that is out of the ordinary. The contractor shall provide a written incident report to OCTA within twenty-four (24) hours of the verbal notification.
 - h. OCTA reserves the right to change the transport schedules at no additional cost to accommodate operational needs. OCTA shall provide written notification of any schedule change no less than seven (7)-days prior to the change.
 - i. At no time should the armored service have direct access to the cash collected during the time of collection, storing or staging. Counting function should be segmented from the armored transport.
3. Armored Vehicle Services –TVM Option
- a. The contractor shall pick-up approximately twenty-six (26) full money cassettes or cashboxes per day, six (6) days per week. The total number may change based on the need of the operation. The cassettes are housed inside the steel TVM housing located on each platform for the OC Streetcar located on roughly a five (5) mile stretch of Pacific Electric right-of-way traveling through the cities of Santa Ana and Garden Grove.
 - b. Full money cassettes shall be replaced with empty cassettes.
 - c. Full cassettes shall be transported from the bases to the contractor's designated counting facility on the same day as the pick-up.
 - d. Money bin exchanges must begin no earlier than 5:00 a.m. and must be completed before 7:30 a.m.
 - e. Transportation of money bins between OCTA bases and designated counting facilities is required Monday through Saturday, including holidays.

- f. The contractor shall have possession of keys for the locked TVM or ability to unlock the and shall be held accountable for the keys and be financially responsible for the cost of replacement or re-keying the locking mechanisms should their integrity be compromised. Cost associated to rekeying a system can be in excess of \$100,000.00 for both material and administrative cost associated to replacement.
 - g. The contractor shall immediately notify designated OCTA staff of any incident that occurs at any platforms. Incidents include security issues, lack of access to service TVMs, equipment failures, equipment damage or any other event that is out of the ordinary. The contractor shall provide a written incident report to OCTA within twenty-four (24) hours of the verbal notification.
 - h. OCTA reserves the right to change the transport schedules at no additional cost to accommodate operational needs. OCTA shall provide written notification of any schedule change no less than seven (7)-days prior to the change.
 - i. At no time should the armored service have direct access to the cash collected during the time of collection, storing or staging. Counting function should be segmented from the armored transport.
- 4. Armored Vehicle Services – Deposits
 - a. The OCTA contractor shall transport deposits from the contractor's counting facilities to designated depositories on a daily basis, Monday through Friday, excluding bank holidays.
 - b. The contractor shall pick-up a deposit, every Thursday on the 5th floor of the OCTA administration building. If Thursday is a bank holiday, the pick-up shall be the Wednesday prior to the holiday. The pick-up shall be between 1:00 p.m. and 3:00 p.m. The deposits shall be transported to a designated depository on the same day for same day credit. Deposit may consist of several sealed deposit bags with multiple accounts.
 - c. The contractor shall pick-up deposits at the both 91 Express Lanes offices, Monday through Friday, excluding OCTA and bank holidays. The daily pick-ups shall be between 9:30 a.m. and 2:00 p.m. The deposits shall be transferred to a designated depository on the same day for same day credit.
 - d. OCTA reserves the right to change the transport schedules at no additional charge to accommodate operational needs. OCTA shall provide written notification of any schedule change no less than seven (7)-days prior to the change.

5. Armored Vehicle Staff

- a. The contractor's employees providing armored vehicle services for OCTA must be armed and in the contractor's standard uniform for armed guards.
- b. The contractor's employees providing armored vehicle services for OCTA must carry security guard cards and weapon permits.
- c. The contractor's employees providing armored vehicle services for OCTA must have satisfactory criminal background checks and driving records.
- d. The contractor shall provide a current list of employees authorized to perform services for OCTA on a quarterly basis. The list shall include specimen signatures and current photographs of the individuals. The list must be updated for new employees prior to that person providing service to OCTA. The list shall be electronically sent to the OCTA Revenue Administrator.
- e. Any employee of the contractor that is providing armored vehicle services for OCTA shall be required to submit to a criminal background check by the Orange County Sheriff's Department at the discretion of OCTA.
- f. The contractor shall assume total responsibility and liability for its staff while providing armored vehicle services.

6. Armored Vehicle

- a. All armored vehicles used to transport OCTA funds must conform to standard requirements for armored vehicles in the State of California, which includes environmental and traffic safety laws.
- b. Armored vehicle(s) used to transport money bins must have the capacity to transport no less than fourteen (14) bins each day. Each bin is approximately 30 inches wide, 37 inches deep and 31 inches tall. An empty bin weighs 460 pounds; a full bin weighs approximately 1,200 pounds. Weight is distributed on four (4) swivel wheels.
- c. Each vehicle used to transport money bins requires a hydraulic lift with safety rails. A minimum 5,000-pound capacity is required. The lift gate shall be equipped with anchor pins and safety chains compatible in size and rating to the lift gate's maximum lifting capacity.
- d. The contractor is responsible for all damages to the money bins incurred in the pick-up and transport of the bins. This includes, but is not limited to, the electronic components and metal materials incorporated into the construction of the money bin. The contractor shall be responsible for the

cost of repair or replacement should the vault be damaged beyond repair. The approximate replacement cost of a money bin is \$11,400.

- e. Armored vehicle(s) used to transport TVM cassettes must have the capacity to transport no less than twenty-six (26) cassettes each day. The TVM design is yet to be determined. Anticipation to have two (2) cassettes, one (1) for bills and one (1) for coins. Coin cassettes will be an estimated 60lbs full and the bill cassette 10-15 pounds full. Each cassette is approximately 12 inches deep, 7 inches wide 6 inches tall. An empty cassette weighs 10 pounds. The total weight at maximum collection is approximately 1,950 pounds.

7. Coin and Currency Counting Service

- a. The contractor shall be responsible for counting farebox collections, preparing deposits and reporting summary information back to OCTA
- b. All deposits must have delivery manifests with daily summaries available on request by the OCTA staff.
- c. Farebox collections shall be delivered to the contractor's counting facility in steel money bins via armored vehicle.
- d. Contractor shall empty the money bins so that empty money bins may be returned to the OCTA bus bases the next day.
- e. The contents of each bin must be segregated with the contents identified by bin number, location number and date of pick-up.
- f. At all times, coin and paper currency must be under dual custodianship and under video surveillance.
- g. Contractor must provide a secure facility at which the fare collections will be counted. Proposal should detail the components of security that will be provided at the counting facility. Offers should be prepared to provide OCTA staff with a tour of their counting facility.
- h. Contractor will count and prepare the money for deposit in accordance with requirements of the designated depository.
- i. Deposit slips shall be prepared and submitted with each deposit taken to the designated depository. A copy of the deposit slip shall be submitted to OCTA within 24 hours of the actual deposit with the depository signature and timestamp.
- j. A supplementary deposit worksheet (Excel worksheet supplied by OCTA) shall also be created for each deposit that details by denomination, the

amount counted for each cash bin and cassette. The completed deposit worksheet shall be submitted to OCTA within 24 hours of the actual deposit.

- k. Coins and paper currency must be deposited no later than the depository's cutoff time on the second business day following the day the money bin was picked-up for counting.
- l. Contractor will provide their own deposit supplies (plastic bags, wrappers, rubber bands, etc.) except for deposit slips.

Collection Information

In recent years, cash fare collections have been approximately \$21 million per year. The average breakdown by denomination in previous years has been as follows:

i. Currency \$1	55.5%
ii. Currency \$2	00.1%
iii. Currency \$5	29.2%
iv. Currency \$10	01.1%
v. Coin	14.0%

8. Locations

- a. OCTA Administration Building
600 S Main St
Orange, CA 92868
- b. Garden Grove Base
11800 Woodbury Road
Garden Grove, CA 92843
- c. Anaheim Base
1717 E Via Burton
Anaheim, CA 92806
- d. Santa Ana Base
4301 W MacArthur Blvd
Santa Ana, CA 82704
- e. Sand Canyon Base (Irvine)
14736 Sand Canyon Ave
Irvine, CA 92618
- f. 91 Express Lanes Administration
180 N Riverview Drive
Anaheim, CA 92808

- g. 91 Express Lanes Customer Service Center
301 Corporate Terrace Circle
Corona, CA 92879
 - h. Bank of the West
1210 Los Angeles
656 South Vail Ave
Montebello, CA 90640
9. OCTA Holidays
- a. New Year's Day
 - b. Memorial Day
 - c. Independence Day
 - d. Labor Day
 - e. Thanksgiving Day
 - f. Day after Thanksgiving
 - g. Christmas Day
10. OCTA Bin Pick-up Schedule
- a. Initial collection schedule
 - i. Will be adjusted to operational needs

Base	Mon	Tue	Wed	Thu	Fri	Sat
Anaheim	3 Bins	3 Bins	3 Bins	3 Bins	3 Bins	3 Bins
Garden Grove	3 Bins	3 Bins	3 Bins	3 Bins	3 Bins	3 Bins
Santa Ana	4 Bins	4 Bins	4 Bins	4 Bins	4 Bins	4 Bins
Sand Canyon (Irvine)	2 Bins	2 Bins	2 Bins	2 Bins	2 Bins	2 Bins
Total	12 Bins	12 Bins	12 Bins	12 Bins	12 Bins	12 Bins

11. OC Streetcar TVM Pick-Schedule
- a. Initial collection schedule
 - i. Will be adjusted to operational needs

TVM Platforms	Mon	Tue	Wed	Thu	Fri	Sat
1	2 Trays	2 Trays	2 Trays	2 Trays	2 Trays	2 Trays
2	2 Trays	2 Trays	2 Trays	2 Trays	2 Trays	2 Trays
3	4 Trays	4 Trays	4 Trays	4 Trays	4 Trays	4 Trays
4	4 Trays	4 Trays	4 Trays	4 Trays	4 Trays	4 Trays
5	4 Trays	4 Trays	4 Trays	4 Trays	4 Trays	4 Trays
6	2 Trays	2 Trays	2 Trays	2 Trays	2 Trays	2 Trays

7	2 Trays	2 Trays	2 Trays	2 Trays	2 Trays	2 Trays
8	2 Trays	2 Trays	2 Trays	2 Trays	2 Trays	2 Trays
9	2 Trays	2 Trays	2 Trays	2 Trays	2 Trays	2 Trays
10	2 Trays	2 Trays	2 Trays	2 Trays	2 Trays	2 Trays
Total	26 Trays	26 Trays	26 Trays	26 Trays	26 Trays	26 Trays

EXHIBIT B: PRICE SUMMARY SHEET

PRICE SUMMARY SHEET

REQUEST FOR PROPOSALS (RFP) 0-2256

Enter below the proposed price for the services described in the Scope of Work, Exhibit A. Prices shall include direct costs, indirect costs, tax, and profits.

Armored Vehicle Services - Monthly Rates

[illegible]

Fare Counting Services – Rate Per Hundred

[illegible]

1. I acknowledge receipt of RFP 0-2256 and Addenda No.(s)___.
2. This offer shall remain firm for _____ days from the date of proposal.
(Minimum of 120)

COMPANY NAME

ADDRESS

TELEPHONE

SIGNATURE OF PERSON

AUTHORIZED TO BIND OFFEROR

NAME AND TITLE OF PERSON

AUTHORIZED TO BIND OFFEROR

DATE SIGNED

EXHIBIT C: PROPOSED AGREEMENT

1 **PROPOSED AGREEMENT NO. C-0-2256**

2 **BETWEEN**

3 **ORANGE COUNTY TRANSPORTATION AUTHORITY**

4 **AND**

5 _____
6 **THIS AGREEMENT** is effective this ____ day of _____, 2020
7 ("Effective Date"), by and between the Orange County Transportation Authority, 550 South Main Street,
8 P.O. Box 14184, Orange, California 92863-1584, a public corporation of the State of California
9 (hereinafter referred to as "AUTHORITY"), and , , , (hereinafter referred to as "CONTRACTOR").

10 **WITNESSETH:**

11 **WHEREAS**, AUTHORITY requires assistance from CONTRACTOR to provide armored vehicle
12 and fare counting collection services; and

13 **WHEREAS**, said work cannot be performed by the regular employees of AUTHORITY; and

14 **WHEREAS**, CONTRACTOR has represented that it has the requisite personnel and
15 experience, and is capable of performing such services; and

16 **WHEREAS**, CONTRACTOR wishes to perform these services;

17 **NOW, THEREFORE**, it is mutually understood and agreed by AUTHORITY and
18 CONTRACTOR as follows:

19 **ARTICLE 1. COMPLETE AGREEMENT**

20 A. This Agreement, including all exhibits and documents incorporated herein and made
21 applicable by reference, constitutes the complete and exclusive statement of the terms and conditions
22 of this Agreement between AUTHORITY and CONTRACTOR and it supersedes all prior
23 representations, understandings and communications. The invalidity in whole or in part of any term or
24 condition of this Agreement shall not affect the validity of other terms or conditions.

25 B. AUTHORITY's failure to insist in any one or more instances upon CONTRACTOR's
26 performance of any terms or conditions of this Agreement shall not be construed as a waiver or

1 relinquishment of AUTHORITY's right to such performance or to future performance of such terms or
2 conditions and CONTRACTOR's obligation in respect thereto shall continue in full force and effect.
3 Changes to any portion of this Agreement shall not be binding upon AUTHORITY except when
4 specifically confirmed in writing by an authorized representative of AUTHORITY by way of a written
5 amendment to this Agreement and issued in accordance with the provisions of this Agreement.

6 **ARTICLE 2. AUTHORITY DESIGNEE**

7 The Chief Executive Officer of AUTHORITY, or designee, shall have the authority to act for and
8 exercise any of the rights of AUTHORITY as set forth in this Agreement.

9 **ARTICLE 3. SCOPE OF WORK**

10 A. CONTRACTOR shall perform the work necessary to complete in a manner satisfactory to
11 AUTHORITY the services set forth in Exhibit A, entitled "Scope of Work," attached to and, by this
12 reference, incorporated in and made a part of this Agreement. All services shall be provided at the
13 times and places designated by AUTHORITY.

14 B. CONTRACTOR shall provide the personnel listed below to perform the above-specified
15 services, which persons are hereby designated as key personnel under this Agreement.

16 **Names**

Functions

17
18
19
20
21 C. No person named in paragraph B of this Article, or his/her successor approved by
22 AUTHORITY, shall be removed or replaced by CONTRACTOR, nor shall his/her agreed-upon function
23 or level of commitment hereunder be changed, without the prior written consent of AUTHORITY.
24 Should the services of any key person become no longer available to CONTRACTOR, the resume and
25 qualifications of the proposed replacement shall be submitted to AUTHORITY for approval as soon as
26 possible, but in no event later than seven (7) calendar days prior to the departure of the incumbent key

1 person, unless CONTRACTOR is not provided with such notice by the departing employee.
2 AUTHORITY shall respond to CONTRACTOR within seven (7) calendar days following receipt of these
3 qualifications concerning acceptance of the candidate for replacement.

4 **ARTICLE 4. TERM OF AGREEMENT**

5 This Agreement shall _____, and shall continue in full force and effect
6 through _____, unless earlier terminated or extended as provided in this Agreement.

7 **ARTICLE 5. PAYMENT**

8 A. For CONTRACTOR's full and complete performance of its obligations under this Agreement
9 and subject to the maximum cumulative payment obligation provisions set forth in Article 6,
10 AUTHORITY shall pay CONTRACTOR on a time-and-expense price basis in accordance with the
11 following provisions.

12 B. CONTRACTOR shall invoice AUTHORITY on a monthly basis for payments corresponding
13 to the work actually completed by CONTRACTOR. Work completed shall be documented in a monthly
14 progress report prepared by CONTRACTOR, which shall accompany each invoice submitted by
15 CONTRACTOR. AUTHORITY shall pay CONTRACTOR at the hourly labor rates specified in Exhibit B,
16 entitled "Price Summary Sheet," which is attached to and by this reference, incorporated in and made a
17 part of this Agreement. These rates shall remain fixed for the term of this Agreement and are
18 acknowledged to include CONTRACTOR's overhead costs, general costs, administrative costs and
19 profit. CONTRACTOR shall also furnish such other information as may be requested by AUTHORITY
20 to substantiate the validity of an invoice. At its sole discretion, AUTHORITY may decline to make full
21 payment until such time as CONTRACTOR has documented to AUTHORITY'S satisfaction, that
22 CONTRACTOR has fully completed all work required. AUTHORITY's payment in full shall constitute
23 AUTHORITY's final acceptance of CONTRACTOR's work.

24 C. Invoices shall be submitted by CONTRACTOR on a monthly basis and shall be submitted in
25 duplicate to AUTHORITY's Accounts Payable office. CONTRACTOR may also submit invoices
26 electronically to AUTHORITY's Accounts Payable Department at vendorinvoices@octa.net. Each

1 invoice shall be accompanied by the monthly progress report specified in paragraph B of this Article.
2 AUTHORITY shall remit payment within thirty (30) calendar days of the receipt and approval of each
3 invoice. Each invoice shall include the following information:

- 4 1. Agreement No. C-0-2256;
- 5 2. Specify the work for which payment is being requested;
- 6 3. The time period covered by the invoice;
- 7 4. Total monthly invoice (including project-to-date cumulative invoice amount);
- 8 5. Report;
- 9 6. Certification signed by the CONTRACTOR or his/her designated alternate that a)

10 The invoice is a true, complete and correct statement of reimbursable costs and progress; b) The
11 backup information included with the invoice is true, complete and correct in all material respects; c) All
12 payments due and owing to subcontractors and suppliers have been made; d) Timely payments will be
13 made to subcontractors and suppliers from the proceeds of the payments covered by the certification
14 and; e) The invoice does not include any amount which CONTRACTOR intends to withhold or retain
15 from a subcontractor or supplier unless so identified on the invoice.

16 7. Any other information as agreed or requested by AUTHORITY to substantiate
17 the validity of an invoice.

18 **ARTICLE 6. MAXIMUM OBLIGATION**

19 Notwithstanding any provisions of this Agreement to the contrary, AUTHORITY and
20 CONTRACTOR mutually agree that AUTHORITY's maximum cumulative payment obligation (including
21 obligation for CONTRACTOR's profit) shall be _____ Dollars (\$_____.00)
22 which shall include all amounts payable to CONTRACTOR for its subcontracts, leases, materials and
23 costs arising from, or due to termination of, this Agreement.

24 **ARTICLE 7. NOTICES**

25 All notices hereunder and communications regarding the interpretation of the terms of this
26 Agreement, or changes thereto, shall be effected by delivery of said notices in person or by depositing

1 said notices in the U.S. mail, registered or certified mail, returned receipt requested, postage prepaid
2 and addressed as follows:

3 To CONTRACTOR:

To AUTHORITY:

Orange County Transportation Authority

550 South Main Street

P.O. Box 14184

Orange, CA 92863-1584

8 ATTENTION:

ATTENTION: Donald Herrera

Contract Administrator

(714) 560 - 5644

dherrera@octa.net

12 **ARTICLE 8. INDEPENDENT CONTRACTOR**

13 A. CONTRACTOR's relationship to AUTHORITY in the performance of this Agreement is that
14 of an independent contractor. CONTRACTOR's personnel performing services under this Agreement
15 shall at all times be under CONTRACTOR's exclusive direction and control and shall be employees of
16 CONTRACTOR and not employees of AUTHORITY. CONTRACTOR shall pay all wages, salaries and
17 other amounts due its employees in connection with this Agreement and shall be responsible for all
18 reports and obligations respecting them, such as social security, income tax withholding, unemployment
19 compensation, workers' compensation and similar matters.

20 B. Should CONTRACTOR's personnel or a state or federal agency allege claims against
21 AUTHORITY involving the status of AUTHORITY as employer, joint or otherwise, of said personnel, or
22 allegations involving any other independent contractor misclassification issues, CONTRACTOR shall
23 defend and indemnify AUTHORITY in relation to any allegations made.

24 **ARTICLE 9. INSURANCE**

25 A. CONTRACTOR shall procure and maintain insurance coverage during the entire term of
26 this Agreement. Coverage shall be full coverage and not subject to self-insurance provisions.

1 CONTRACTOR shall provide the following insurance coverage:

2 1. Commercial General Liability, to include Products/Completed Operations,
3 Independent Contractors', Contractual Liability, and Personal Injury Liability, and Property Damage with
4 a minimum limit of \$1,000,000.00 per occurrence and \$2,000,000.00 general aggregate;

5 2. Automobile Liability Insurance to include owned, hired and non-owned autos
6 with a combined single limit of \$1,000,000.00 each accident;

7 3. Comprehensive Crime coverage, including third party or client coverage,
8 minimum \$5,000,000.00 coverage;

9 4. Workers' Compensation with limits as required by the State of California
10 including a waiver of subrogation in favor of AUTHORITY, its officers, directors, employees or agents;

11 5. Employers' Liability with minimum limits of \$1,000,000.00; and

12 6. Professional Liability with minimum limits of \$1,000,000.00 per claim.

13 B. Proof of such coverage, in the form of a certificate of insurance, with the AUTHORITY, its
14 officers, directors, employees and agents, designated as additional insureds as required by contract. In
15 addition, provide an insurance policy blanket additional insured endorsement. Both documents must be
16 received by AUTHORITY prior to commencement of any work. Proof of insurance coverage must be
17 received by AUTHORITY within ten (10) calendar days from the effective date of this Agreement. Such
18 insurance shall be primary and non-contributive to any insurance or self-insurance maintained by the
19 AUTHORITY. Furthermore, AUTHORITY reserves the right to request certified copies of all related
20 insurance policies.

21 C. CONTRACTOR shall include on the face of the certificate of insurance the Agreement
22 Number C-0-2256; and, the Contract Administrator's Name, Donald Herrera.

23 D. CONTRACTOR shall also include in each subcontract the stipulation that subcontractors
24 shall maintain insurance coverage in the amounts required from CONTRACTOR as provided in this
25 Agreement.

26 E. CONTRACTOR shall be required to immediately notify AUTHORITY of any modifications or

cancellation of any required insurance policies.

ARTICLE 10. ORDER OF PRECEDENCE

Conflicting provisions hereof, if any, shall prevail in the following descending order of precedence: (1) the provisions of this Agreement, including all exhibits; (2) the provisions of RFP 0-2256; (3) CONTRACTOR's proposal dated _____; (4) all other documents, if any, cited herein or incorporated by reference.

ARTICLE 11. CHANGES

By written notice or order, AUTHORITY may, from time to time, order work suspension and/or make changes in the general scope of this Agreement, including, but not limited to, the services furnished to AUTHORITY by CONTRACTOR as described in the Scope of Work. If any such work suspension or change causes an increase or decrease in the price of this Agreement, or in the time required for its performance, CONTRACTOR shall promptly notify AUTHORITY thereof and assert its claim for adjustment within ten (10) calendar days after the change or work suspension is ordered, and an equitable adjustment shall be negotiated. However, nothing in this clause shall excuse CONTRACTOR from proceeding immediately with the Agreement as changed.

ARTICLE 12. DISPUTES

A. Except as otherwise provided in this Agreement, any dispute concerning a question of fact arising under this Agreement which is not disposed of by supplemental agreement shall be decided by AUTHORITY's Director, Contracts Administration and Materials Management (CAMP), who shall reduce the decision to writing and mail or otherwise furnish a copy thereof to CONTRACTOR. The decision of the Director, CAMP, shall be final and conclusive.

B. Pending final decision of a dispute hereunder, CONTRACTOR shall proceed diligently with the performance of this Agreement and in accordance with the decision of AUTHORITY's Director, CAMP. This Disputes clause does not preclude consideration of questions of law in connection with decisions provided for above. Nothing in this Agreement, however, shall be construed as making final the decision of any AUTHORITY official or representative on a question of law, which questions shall be

settled in accordance with the laws of the State of California.

ARTICLE 13. TERMINATION

A. AUTHORITY may terminate this Agreement for its convenience at any time, in whole or part, by giving CONTRACTOR written notice thereof. Upon said notice, AUTHORITY shall pay CONTRACTOR its allowable costs incurred to date of termination and those allowable costs determined by AUTHORITY to be reasonably necessary to effect such termination. Thereafter, CONTRACTOR shall have no further claims against AUTHORITY under this Agreement.

B. In the event either Party defaults in the performance of any of their obligations under this Agreement or breaches any of the provisions of this Agreement, the non-defaulting Party shall have the option to terminate this Agreement upon thirty (30) days' prior written notice to the other Party. Upon receipt of such notice, CONTRACTOR shall immediately cease work, unless the notice from AUTHORITY provides otherwise. Upon receipt of the notice from AUTHORITY, CONTRACTOR shall submit an invoice for work and/or services performed prior to the date of termination. AUTHORITY shall pay CONTRACTOR for work and/or services satisfactorily provided to the date of termination in compliance with this Agreement. Thereafter, CONTRACTOR shall have no further claims against AUTHORITY under this Agreement. AUTHORITY shall not be liable for any claim of lost profits or damages for such termination.

ARTICLE 14. INDEMNIFICATION

CONTRACTOR shall indemnify, defend, and hold harmless AUTHORITY, its officers, directors, employees and agents from and against any and all claims (including attorneys' fees and reasonable expenses for litigation or settlement) for any loss, costs, penalties, fines, damages, bodily injuries, including death, damage to or loss of use of property, arising out of, resulting from, or in connection with the performance of CONTRACTOR, its officers, directors, employees, agents, subconsultants or suppliers under the Agreement. Notwithstanding the foregoing, such obligation to defend, hold harmless, and indemnify AUTHORITY, its officers, directors, employees and agents shall not apply to such claims or liabilities arising from the sole or active negligence or willful misconduct of AUTHORITY.

ARTICLE 15. ASSIGNMENTS AND SUBCONTRACTS

A. Neither this Agreement nor any interest herein nor claim hereunder may be assigned by CONTRACTOR either voluntarily or by operation of law, nor may all or any part of this Agreement be subcontracted by CONTRACTOR, without the prior written consent of AUTHORITY. Consent by AUTHORITY shall not be deemed to relieve CONTRACTOR of its obligations to comply fully with all terms and conditions of this Agreement.

B. AUTHORITY hereby consents to CONTRACTOR's subcontracting portions of the Scope of Work to the parties identified below for the functions described in CONTRACTOR's proposal. CONTRACTOR shall include in the subcontract agreement the stipulation that CONTRACTOR, not AUTHORITY, is solely responsible for payment to the subcontractor for the amounts owing and that the subcontractor shall have no claim, and shall take no action, against AUTHORITY, its officers, directors, employees or sureties for nonpayment by CONTRACTOR.

Subcontractor Name/Addresses

Function

ARTICLE 16. AUDIT AND INSPECTION OF RECORDS

CONTRACTOR shall provide AUTHORITY, or other agents of AUTHORITY, such access to CONTRACTOR's accounting books, records, payroll documents and facilities, as AUTHORITY deems necessary. CONTRACTOR shall maintain such books, records, data and documents in accordance with generally accepted accounting principles and shall clearly identify and make such items readily accessible to such parties during CONTRACTOR's performance hereunder and for a period of four (4) years from the date of final payment by AUTHORITY. AUTHORITY's right to audit books and records directly related to this Agreement shall also extend to all first-tier subcontractors identified in Article 15 of this Agreement. CONTRACTOR shall permit any of the foregoing parties to reproduce documents by any means whatsoever or to copy excerpts and transcriptions as reasonably necessary.

ARTICLE 17. CONFLICT OF INTEREST

CONTRACTOR agrees to avoid organizational conflicts of interest. An organizational conflict of interest means that due to other activities, relationships or contracts, the CONTRACTOR is unable, or potentially unable to render impartial assistance or advice to the AUTHORITY; CONTRACTOR's objectivity in performing the work identified in the Scope of Work is or might be otherwise impaired; or the CONTRACTOR has an unfair competitive advantage. CONTRACTOR is obligated to fully disclose to the AUTHORITY in writing Conflict of Interest issues as soon as they are known to the CONTRACTOR. All disclosures must be submitted in writing to AUTHORITY pursuant to the Notice provision herein. This disclosure requirement is for the entire term of this Agreement.

ARTICLE 18. CODE OF CONDUCT

CONTRACTOR agrees to comply with the AUTHORITY's Code of Conduct as it relates to Third-Party contracts which is hereby referenced and by this reference is incorporated herein. CONTRACTOR agrees to include these requirements in all of its subcontracts.

ARTICLE 19. PROHIBITION ON PROVIDING ADVOCACY SERVICES

CONTRACTOR and all subconsultants performing work under this Agreement, shall be prohibited from concurrently representing or lobbying for any other party competing for a contract with AUTHORITY, either as a prime consultant or subconsultant. Failure to refrain from such representation may result in termination of this Agreement.

ARTICLE 20. FEDERAL, STATE AND LOCAL LAWS

CONTRACTOR warrants that in the performance of this Agreement, it shall comply with all applicable federal, state and local laws, statutes and ordinances and all lawful orders, rules and regulations promulgated thereunder.

ARTICLE 21. EQUAL EMPLOYMENT OPPORTUNITY

In connection with its performance under this Agreement, CONTRACTOR shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, age or national

1 origin. CONTRACTOR shall take affirmative action to ensure that applicants are employed, and that
2 employees are treated during their employment, without regard to their race, religion, color, sex, age or
3 national origin. Such actions shall include, but not be limited to, the following: employment, upgrading,
4 demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other
5 forms of compensation; and selection for training, including apprenticeship.

6 **ARTICLE 22. PROHIBITED INTERESTS**

7 A. CONTRACTOR covenants that, for the term of this Agreement, no director, member, officer
8 or employee of AUTHORITY during his/her tenure in office or for one (1) year thereafter shall have any
9 interest, direct or indirect, in this Agreement or the proceeds thereof.

10 B. All ideas, memoranda, specifications, plans, manufacturing, procedures, drawings,
11 descriptions, and all other written information submitted to CONTRACTOR in connection with the
12 performance of this Agreement shall not, without prior written approval of AUTHORITY, be used for any
13 purposes other than the performance under this Agreement, nor be disclosed to an entity not connected
14 with the performance of the project. CONTRACTOR shall comply with AUTHORITY's policies
15 regarding such material. Nothing furnished to CONTRACTOR, which is otherwise known to
16 CONTRACTOR or is or becomes generally known to the related industry shall be deemed confidential.
17 CONTRACTOR shall not use AUTHORITY's name, photographs of the project, or any other publicity
18 pertaining to the project in any professional publication, magazine, trade paper, newspaper, seminar or
19 other medium without the express written consent of AUTHORITY.

20 C. No copies, sketches, computer graphics or graphs, including graphic artwork, are to be
21 released by CONTRACTOR to any other person or agency except after prior written approval by
22 AUTHORITY, except as necessary for the performance of services under this Agreement. All press
23 releases, including graphic display information to be published in newspapers, magazines, etc., are to
24 be handled only by AUTHORITY unless otherwise agreed to by CONTRACTOR and AUTHORITY.

25 /

26 /

ARTICLE 23. OWNERSHIP OF REPORTS AND DOCUMENTS

A. The originals of all letters, documents, reports and other products and data produced under this Agreement shall be delivered to, and become the property of AUTHORITY. Copies may be made for CONTRACTOR's records but shall not be furnished to others without written authorization from AUTHORITY. Such deliverables shall be deemed works made for hire and all rights in copyright therein shall be retained by AUTHORITY.

B. All ideas, memoranda, specifications, plans, manufacturing, procedures, drawings, descriptions, and all other written information submitted to CONTRACTOR in connection with the performance of this Agreement shall not, without prior written approval of AUTHORITY, be used for any purposes other than the performance under this Agreement, nor be disclosed to an entity not connected with the performance of the project. CONTRACTOR shall comply with AUTHORITY's policies regarding such material. Nothing furnished to CONTRACTOR, which is otherwise known to CONTRACTOR or is or becomes generally known to the related industry shall be deemed confidential. CONTRACTOR shall not use AUTHORITY's name, photographs of the project, or any other publicity pertaining to the project in any professional publication, magazine, trade paper, newspaper, seminar or other medium without the express written consent of AUTHORITY.

C. No copies, sketches, computer graphics or graphs, including graphic artwork, are to be released by CONTRACTOR to any other person or agency except after prior written approval by AUTHORITY, except as necessary for the performance of services under this Agreement. All press releases, including graphic display information to be published in newspapers, magazines, etc., are to be handled only by AUTHORITY unless otherwise agreed to by CONTRACTOR and AUTHORITY.

ARTICLE 24. PATENT AND COPYRIGHT INFRINGEMENT

A. In lieu of any other warranty by AUTHORITY or CONTRACTOR against patent or copyright infringement, statutory or otherwise, it is agreed that CONTRACTOR shall defend at its expense any claim or suit against AUTHORITY on account of any allegation that any item furnished under this Agreement or the normal use or sale thereof arising out of the performance of this Agreement, infringes

1 upon any presently existing U.S. letters patent or copyright and CONTRACTOR shall pay all costs and
2 damages finally awarded in any such suit or claim, provided that CONTRACTOR is promptly notified in
3 writing of the suit or claim and given authority, information and assistance at CONTRACTOR's expense
4 for the defense of same. However, CONTRACTOR will not indemnify AUTHORITY if the suit or claim
5 results from: (1) AUTHORITY's alteration of a deliverable, such that said deliverable in its altered form
6 infringes upon any presently existing U.S. letters patent or copyright; or (2) the use of a deliverable in
7 combination with other material not provided by CONTRACTOR when such use in combination
8 infringes upon an existing U.S. letters patent or copyright.

9 B. CONTRACTOR shall have sole control of the defense of any such claim or suit and all
10 negotiations for settlement thereof. CONTRACTOR shall not be obligated to indemnify AUTHORITY
11 under any settlement made without CONTRACTOR's consent or in the event AUTHORITY fails to
12 cooperate fully in the defense of any suit or claim, provided, however, that said defense shall be at
13 CONTRACTOR's expense. If the use or sale of said item is enjoined as a result of such suit or claim,
14 CONTRACTOR, at no expense to AUTHORITY, shall obtain for AUTHORITY the right to use and sell
15 said item, or shall substitute an equivalent item acceptable to AUTHORITY and extend this patent and
16 copyright indemnity thereto.

17 **ARTICLE 25. FINISHED AND PRELIMINARY DATA**

18 A. All of CONTRACTOR's finished technical data, including but not limited to illustrations,
19 photographs, tapes, software, software design documents, including without limitation source code,
20 binary code, all media, technical documentation and user documentation, photoprints and other graphic
21 information required to be furnished under this Agreement, shall be AUTHORITY's property upon
22 payment and shall be furnished with unlimited rights and, as such, shall be free from proprietary
23 restriction except as elsewhere authorized in this Agreement. CONTRACTOR further agrees that it
24 shall have no interest or claim to such finished, AUTHORITY-owned, technical data; furthermore, said
25 data is subject to the provisions of the Freedom of Information Act, 5 USC 552.

26 B. It is expressly understood that any title to preliminary technical data is not passed to

1 AUTHORITY but is retained by CONTRACTOR. Preliminary data includes roughs, visualizations,
2 software design documents, layouts and comprehensives prepared by CONTRACTOR solely for the
3 purpose of demonstrating an idea or message for AUTHORITY's acceptance before approval is given
4 for preparation of finished artwork. Preliminary data title and right thereto shall be made available to
5 AUTHORITY if CONTRACTOR causes AUTHORITY to exercise Article 11, and a price shall be
6 negotiated for all preliminary data.

7 **ARTICLE 26. FORCE MAJEURE**

8 Either party shall be excused from performing its obligations under this Agreement during the
9 time and to the extent that it is prevented from performing by an unforeseeable cause beyond its
10 control, including but not limited to: any incidence of fire, flood; acts of God; commandeering of material,
11 products, plants or facilities by the federal, state or local government; national fuel shortage; or a
12 material act or omission by the other party; when satisfactory evidence of such cause is presented to
13 the other party, and provided further that such nonperformance is unforeseeable, beyond the control
14 and is not due to the fault or negligence of the party not performing.

15 **ARTICLE 27. HEALTH AND SAFETY REQUIREMENT**

16 CONTRACTOR shall comply with all the requirements set forth in Exhibit __, Level 1 Safety
17 Specifications.

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PROPOSED AGREEMENT NO. C-0-2256
EXHIBIT C

IN WITNESS WHEREOF, the parties hereto have caused this Agreement No. C-0-2256 to be executed as of the date of the last signature below.

CONTRACTOR

ORANGE COUNTY TRANSPORTATION AUTHORITY

By: _____

By: _____

Darrell E. Johnson
Chief Executive Officer

Date: _____

Date: _____

APPROVED AS TO FORM:

By: _____

James M. Donich
General Counsel

Date: _____

APPROVED:

By: _____

Andrew Oftelie
Chief Financial Officer

Date: _____

EXHIBIT D: STATUS OF PAST AND PRESENT CONTRACTS FORM

STATUS OF PAST AND PRESENT CONTRACTS FORM

On the form provided below, Offeror/Bidder shall list the status of past and present contracts where the firm has either provided services as a prime vendor or a subcontractor during the past five (5) years in which the contract has been the subject of or may be involved in litigation with the contracting authority. This includes, but is not limited to, claims, settlement agreements, arbitrations, administrative proceedings, and investigations arising out of the contract.

A separate form must be completed for each contract. Offeror/Bidder shall provide an accurate contact name and telephone number for each contract and indicate the term of the contract and the original contract value. Offeror/Bidder shall also provide a brief summary and the current status of the litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations. If the contract was terminated, list the reason for termination.

Offeror/Bidder shall have an ongoing obligation to update the Authority with any changes to the identified contracts and any new litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations that arise subsequent to the submission of the bid. Each form must be signed by an officer of the Offeror/Bidder confirming that the information provided is true and accurate.

Project city/agency/other:	
Contact Name:	Phone:
Project Award Date:	Original Contract Value:
Term of Contract:	
(1) Litigation, claims, settlements, arbitrations, or investigations associated with contract:	
(2) Summary and Status of contract:	
(3) Summary and Status of action identified in (1):	
(4) Reason for termination, if applicable:	

By signing this Form entitled "Status of Past and Present Contracts," I am affirming that all of the information provided is true and accurate.

Name

Signature

Title

Date

EXHIBIT E: CAMPAIGN CONTRIBUTION DISCLOSURE FORM

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Information Sheet

ORANGE COUNTY TRANSPORTATION AUTHORITY

The attached Campaign Contribution Disclosure Form must be completed by applicants for, or persons who are the subject of, any proceeding involving a license, permit, or other entitlement for use pending before the Board of Directors of the OCTA or any of its affiliated agencies. (Please see next page for definitions of these terms.)

IMPORTANT NOTICE

Basic Provisions of Government Code Section 84308

- A. If you are an applicant for, or the subject of, any proceeding involving a license, permit, or other entitlement for use, you are prohibited from making a campaign contribution of more than \$250 to any board member or his or her alternate. This prohibition begins on the date your application is filed or the proceeding is otherwise initiated, and the prohibition ends three months after a final decision is rendered by the Board of Directors. In addition, no board member or alternate may solicit or accept a campaign contribution of more than \$250 from you during this period.
- B. These prohibitions also apply to your agents, and, if you are a closely held corporation, to your majority shareholder as well. These prohibitions also apply to your subcontractor(s), joint venturer(s), and partner(s) in this proceeding. Also included are parent companies and subsidiary companies directed and controlled by you, and political action committees directed and controlled by you.
- C. You must file the attached disclosure form and disclose whether you or your agent(s) have in the aggregate contributed more than \$250 to any board member or his or her alternate during the 12-month period preceding the filing of the application or the initiation of the proceeding.
- D. If you or your agent have in the aggregate contributed more than \$250 to any individual board member or his/or her alternate during the 12 months preceding the decision on the application or proceeding, that board member or alternate must disqualify himself or herself from the decision. However, disqualification is not required if the board member or alternate returns the campaign contribution within 30 days from the time the director knows, or should have known, about both the contribution and the fact that you are a party in the proceeding. The Campaign Contribution Disclosure Form should be completed and filed with your proposal, or with the first written document you file or submit after the proceeding commences.

1. A proceeding involving "a license, permit, or other entitlement for use" includes all business, professional, trade and land use licenses and permits, and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor or personal employment contracts), and all franchises.
2. Your "agent" is someone who represents you in connection with a proceeding involving a license, permit or other entitlement for use. If an individual acting as an agent is also acting in his or her capacity as an employee or member of a law, architectural, engineering, consulting firm, or similar business entity, both the business entity and the individual are "agents."
3. To determine whether a campaign contribution of more than \$250 has been made by you, campaign contributions made by you within the preceding 12 months must be aggregated with those made by your agent within the preceding 12 months or the period of the agency, whichever is shorter. Contributions made by your majority shareholder (if a closely held corporation), your subcontractor(s), your joint venturer(s), and your partner(s) in this proceeding must also be included as part of the aggregation. Campaign contributions made to different directors or their alternates are not aggregated.
4. A list of the members and alternates of the Board of Directors is attached.

This notice summarizes the major requirements of Government Code Section 84308 of the Political Reform Act and California Code of Regulations, Title 2 Sections 18438-18438.8.

ORANGE COUNTY TRANSPORTATION AUTHORITY
CAMPAIGN CONTRIBUTION DISCLOSURE FORM

RFP Number: _____ RFP Title: _____

Was a campaign contribution made to any OCTA Board Member within the preceding 12 months, regardless of dollar amount of the contribution by either the proposing firm, proposed subconsultants and/or agent/lobbyist? Yes _____ No _____

If no, please sign and date below.

If yes, please provide the following information:

Prime Contractor Firm Name: _____

Contributor or Contributor Firm's Name: _____

Contributor or Contributor Firm's Address: _____

Is Contributor:

- | | | |
|---|-----------|----------|
| <input type="radio"/> The Prime Contractor | Yes _____ | No _____ |
| <input type="radio"/> Subconsultant | Yes _____ | No _____ |
| <input type="radio"/> Agent/Lobbyist hired by Prime
to represent the Prime in this RFP | Yes _____ | No _____ |

Note: Under the State of California Government Code section 84308 and California Code of Regulations, Title 2, Section 18438, campaign contributions made by the Prime Contractor and the Prime Contractor's agent/lobbyist who is representing the Prime Contractor in this RFP must be aggregated together to determine the total campaign contribution made by the Prime Contractor.

Identify the Board Member(s) to whom you, your subconsultants, and/or agent/lobbyist made campaign contributions, the name of the contributor, the dates of contribution(s) in the preceding 12 months and dollar amount of the contribution. Each date must include the exact month, day, and year of the contribution.

Name of Board Member: _____

Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s): _____

Name of Board Member: _____

Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s): _____

Date: _____

Signature of Contributor

Print Firm Name

Print Name of Contributor

**ORANGE COUNTY TRANSPORTATION AUTHORITY
AND AFFILIATED AGENCIES**

Board of Directors

Steve Jones, Chairman
Andrew Do, Vice Chairman
Lisa A. Bartlett, Director
Doug Chaffee, Director
Laurie Davies, Director
Barbara Delgleize, Director
Michael Hennessey, Director
Gene Hernandez, Director
Joseph Muller, Director
Mark A. Murphy, Director
Richard Murphy, Director
Miguel Pulido, Director
Tim Shaw, Director
Harry S. Sidhu, Director
Michelle Steel, Director
Donald P. Wagner, Director
Greg Winterbottom, Director

EXHIBIT F: SAFETY SPECIFICATIONS

LEVEL 1 HEALTH, SAFETY AND ENVIRONMENTAL SPECIFICATIONS

PART I – GENERAL

1.1 GENERAL HEALTH, SAFETY & ENVIRONMENTAL REQUIREMENTS

- A. The Contractor, its subcontractors, suppliers, and employees have the obligation to comply with all Authority health, safety and environmental compliance department (HSEC) requirements of this safety specification, project site requirements, bus yard safety rules, as well as all federal, state, and local regulations pertaining to scope of work, contracts or agreements with the Authority. Additionally, manufacturer requirements are considered incorporated by reference as applicable to this scope of work.
- B. Observance of repeated unsafe acts or conditions, serious violation of safety standards, non-conformance of Authority health, safety and environmental compliance department (HSEC) requirements, or disregard for the intent of these safety specifications to protect people and property, by Contractor or its subcontractors may be cause for termination of scope or agreements with the Authority, at the sole discretion of the Authority.
- C. The health, safety, and environmental requirements, and references contained within this scope of work shall not be considered all-inclusive as to the hazards that might be encountered. Safe work practices shall be planned and performed, and safe conditions shall be maintained during this work scope.
- D. The Authority Project Manager shall be responsible to ensure a safety orientation is conducted of known potential hazards and emergency procedures for all Contractor personnel, subcontractors, suppliers, vendors, and new employees assigned to the project prior to commencement of the project.
- E. The Contractor shall ensure that all Contractor vehicles, including those of its subcontractors, suppliers, vendors and employees are parked in designated parking areas, and comply with traffic routes, and posted traffic signs in areas other than the employee parking lots.
- F. California Code of Regulations (CCR) Title 8 Standards are minimum requirements; each Contractor is encouraged to exceed minimum requirements. When the Contractor's safety requirements exceed statutory standards, the more stringent requirements shall be applied for the safeguard of public and employees.

1.2 REGULATORY

- A. Injury/Illness Prevention Program
The Contractor shall comply with CCR Title 8, Section with California Code of Regulations (CCR) Title 8, Section 3203. The intent and elements of the IIPP shall be implemented and enforced by the Contractor and its sub-tier contractors, suppliers, and vendors. The program shall be provided to the Authority's Project Manager, upon request, within 72 hours.
- B. Substance Abuse Prevention Program

LEVEL 1 HEALTH, SAFETY AND ENVIRONMENTAL SPECIFICATIONS

Contractor shall comply with the Policy or Program of the Company's Substance Abuse Prevention Policy that complies with the most recent Drug Free Workplace Act. The program shall be provided to the Authority's Project Manager, upon request, within 72 hours.

C. Heat Illness Prevention Program

Contractor shall comply with CCR Title 8, Section, Section 3395, Heat Illness Prevention. The program shall be provided to the Authority's Project Manager, upon request, within 72 hours.

D. Hazard Communication Program

Contractor shall comply with CCR Title 8, Section 5194 Hazard Communication Standard. Prior to use on Authority property and/or project work areas Contractor shall provide the Authority Project Manager copies of SDS for all applicable chemical products used, if any. The program shall be provided to the Authority's Project Manager, upon request, within 72 hours.

- a. All chemicals including paint, solvents, detergents and similar substances shall comply with South Coast Air Quality Management District (SCAQMD) rules 103, 1113, and 1171.

E. Storm Water Pollution Prevention Plan

The Contractor shall protect property and water resources from fuels and similar products throughout the duration of the contract. Contractor shall comply with Storm Water Pollution Prevention Plan (SWPPP) requirements. The program or plan if required by scope shall be provided to the Authority's Project Manager, upon request, within 72 hours.

1.3 INCIDENT NOTIFICATION AND INVESTIGATION

- A. The Authority shall be promptly notified of any of the following types of incidents including but not limited to:

1. Damage incidents of property (incidents involving third party, contractor or Authority property damage);
2. Reportable and/or Recordable injuries (as defined by the U. S. Occupational Safety and Health Administration), a minor injury, and near miss incidents;
3. Incidents impacting the environment, i.e. spills or releases on Authority projects or property.
4. Outside Agency Inspections; agencies such as Cal/OSHA, DTSC, SCAQMD, State Water Resources Control Board, FTA, CPUC, EPA, USACE and similar agencies.

- B. Notifications shall be made to Authority representatives, employees and/or agents. This includes incidents occurring to contractors, vendors, visitors, or members of the public that arise from the performance of Authority contract work. An immediate verbal notice

LEVEL 1 HEALTH, SAFETY AND ENVIRONMENTAL SPECIFICATIONS

followed by an initial written incident investigation report shall be submitted to the Authority's Project Manager within 24 hours of the incident.

- C. A final written incident investigative report shall be submitted within seven (7) calendar days and include the following information. The Current Status of anyone injured, photos of the incident area, detailed description of what happened, Photos of the existing conditions and area of the injury/incident, the contributing factors that lead to the incident occurrence, a copy of the company policy or procedure associated with the incident and evaluation of effectiveness, copy of task planning documentation, copy of the Physician's first report of injury, copy of Cal/OSHA 300 log of work related injuries and illnesses, the Cal/OSHA 301 Injury Illness Incident Report, and corrective actions initiated to prevent recurrence. This information shall be considered the minimum elements required for a comprehensive incident report provided to OCTA.
- D. A Serious Injury, Serious Incident, OSHA Recordable Injury/Illness, or a Significant Near Miss shall require a formal incident review at the discretion of the Authority's Project Manager. The incident review shall be conducted within seven (7) calendar days of the incident. This review shall require a company senior executive, company program or project manager from the Contractors' organization to participate and present the incident review as determined by the OCTA Project Manager. The serious incident presentation shall include action taken for the welfare of the injured, a status report of the injured, causation factors that lead to the incident, a root cause analysis (using 5 whys and fishbone methods), and a detailed recovery plan that identifies corrective actions to prevent a similar incident, and actions to enhance safety awareness.
 - 1. Serious Injury: includes an injury or illness to one or more employees, occurring in a place of employment or in connection with any employment, which requires inpatient hospitalization for a period in excess of twenty-four hours for other than medical observation, or in which an employee suffers the loss of any member of the body, or suffers any serious degree of physical disfigurement. A serious injury also includes a lost workday or reassignment or restricted injury case as determined by the Physician's first report of injury or Cal/OSHA definitions.
 - 2. Serious Incident: includes but not limited to property damage of \$500.00 or more, an incident requiring emergency services (local fire, paramedics and ambulance response), news media or OCTA media relations response, and/or incidents involving other agencies (Cal/OSHA, EPA, AQMD, DTSC, Metrolink, FTA, FRA etc.) notification or representation.
 - 3. OSHA Recordable Injury / Illness: includes and injury / illness resulting in medical treatment beyond First Aid, an injury / illness which requires restricted duty, or an injury / illness resulting in days away from work.
 - 4. Significant Near Miss Incident: includes incidents where no property was damaged and no personal injury sustained, but where, given a slight shift in time or position, damage and/or injury easily could have occurred.

1.4 DESIGNATED HEALTH AND SAFETY REPRESENTATIVE

LEVEL 1 HEALTH, SAFETY AND ENVIRONMENTAL SPECIFICATIONS

- A. Upon contract award, the contractor within 10 business days shall designate a health and safety representative and provide a resume and qualifications to the Authority project manager, upon request, within 72 hours.
- B. This person shall be a competent or qualified individual as defined by the Occupational, Safety, and Health Administration (OSHA), familiar with applicable CCR Title 8 Standards (Cal/OSHA) and has the authority to affect changes in work procedures that may have associated cost, schedule and budget impacts.

1.5 PERSONAL PROTECTIVE EQUIPMENT

- A. The Contractor, its subcontractors, suppliers, and employees are required to comply with applicable personal protective equipment (PPE) requirements while performing work at any Authority project or property. Generally minimum PPE requirements include eye protection; hearing protection, head protection, class 2 or 3 safety reflective vests, and appropriate footwear.
- B. The Contractor, its subcontractors, suppliers, and employees are required to provide their own PPE, including eye, head, foot, and hand protection, safety vests, or other PPE required to perform their work safely on Authority projects or property. The Authority requires eye protection on construction projects and work areas that meet ANSI Z-87.1 Standards.

1.6 REFERENCES

- A. CCR Title 8 Standards (Cal/OSHA)
- B. FCR Including 1910 and 1926 Standards
- C. NFPA, NEC, ANSI, NIOSH Standards
- D. Construction Industry Institute (CII)
- E. OCTA Yard Safety Rules

END OF SECTION

EXHIBIT G: PROPOSAL EXCEPTIONS AND/OR DEVIATIONS

PROPOSAL EXCEPTIONS AND/OR DEVIATIONS

The following form shall be completed for each technical and/or contractual exception or deviation that is submitted by Offeror for review and consideration by Authority. The exception and/or deviation must be clearly stated along with the rationale for requesting the exception and/or deviation. If no technical or contractual exceptions or deviations are submitted as part of the original proposal, Offerors are deemed to have accepted Authority’s technical requirements and contractual terms and conditions set forth in the Scope of Work (Exhibit A) and Proposed Agreement (Exhibit C). Offerors will not be allowed to submit this form or any contractual exceptions and/or deviation after the proposal submittal date identified in the RFP. Exceptions and/or deviations submitted after the proposal submittal date will not be reviewed by Authority.

Offeror: _____

RFP No.: _____ RFP Title: _____

Deviation or Exception No. : _____

Check one:

- Scope of Work (Technical) _____
- Proposed Agreement (Contractual) _____

Reference Section/Exhibit: _____ Page/Article No. _____

Complete Description of Deviation or Exception:

Rationale for Requesting Deviation or Exception:

Area Below Reserved for Authority Use Only:

**EXHIBIT H: PUBLIC RECORDS ACT INDEMNIFICATION – PROPOSAL
DOCUMENTS**

PUBLIC RECORDS ACT INDEMNIFICATION – PROPOSAL DOCUMENTS

Offeror is required to submit one copy of the completed and signed form as part of its proposal and it should be included only in the original proposal. Offeror shall complete either Option 1 or Option 2 which ever applies.

Option #1: Public Records Act Indemnification Agreement

By signing below, the Proposer agrees as follows regarding its Proposal:

If Authority receives a Public Records Act request (Government Code sections 6250 et seq.) which seeks any portion of Proposer's proposal that the Proposer has marked as "confidential", "trade secret", "proprietary", "not subject to disclosure", or similar designation (the "PRA Documents"), the Authority will notify the Proposer of the request. The Proposer shall, within three business days of such notification from the Authority, inform the Authority as to whether it desires the PRA Documents to be withheld, and shall thereafter timely provide a legal basis for each such requested withholding. If the Authority determines to withhold the PRA Documents, Proposer shall indemnify and defend Authority from any and all costs or liabilities resulting from such withholding including, but not limited to, attorney fees and court costs.

Proposer shall pay all costs, immediately as they come due, pertaining to any action under the Public Records Act related to any portion of Proposer's proposal marked or designated as described above, and withheld by Authority. If the Proposer fails to notify the Authority in writing within three business days, or to timely provide a legal basis for the withholding of documents, Proposer agrees that Authority shall release and disclose Proposer records, notwithstanding any marking or designation of the PRA Documents.

In no case shall Authority be liable for any inadvertent disclosure of any Proposer proposal documents, or any disclosure made by Authority upon a good faith belief that disclosure is required by law, or in the event Proposer has failed to notify the Authority in writing of its desire to withhold the PRA Documents within three business days and/or to timely provide a legal basis for the withholding of documents, regardless of any marking or designation of such PRA Documents, and Proposer waives any claims it may have had related to such disclosure.

Official, legal name of Proposing Firm (Type or Print)

Contact Name: _____ (Print Name)

Title: _____

Signed by: _____

Date: _____

Option #2: Non-Applicability

This Proposer has not marked any portion of its proposal as "confidential", "trade secret", "proprietary", "not subject to disclosure", or similar designation.

Official, legal name of Proposing Firm (Type or Print)

Contact Name: _____ (Print Name)

Title: _____

Signed by: _____

Date: _____



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors
From: *RW*
Laurena Weinert, Clerk of the Board
Subject: Amendment to Agreement for Mobility Management Services

Transit Committee Meeting of May 14, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom
Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Director Shaw was not present to vote on this item.

Committee Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-9-1244 between the Orange County Transportation Authority and Mobility Management Partners, Inc., in the amount of \$735,084, to exercise the option term of the agreement and include additional travel training services, from August 1, 2020 to July 31, 2022. This will increase the maximum obligation of the agreement to a total contract value of \$983,995.



May 14, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Amendment to Agreement for Mobility Management Services

Overview

On July 22, 2019, the Board of Directors approved an agreement with Mobility Management Partners, Inc., to provide travel training services for the mobility management program. An amendment is necessary to exercise the option term of the agreement. The initial term of the agreement expires July 31, 2020. In order to continue services, an amendment to exercise the two-year option term is necessary.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-9-1244 between the Orange County Transportation Authority and Mobility Management Partners, Inc., in the amount of \$735,084, to exercise the option term of the agreement and include additional travel training services, from August 1, 2020 to July 31, 2022. This will increase the maximum obligation of the agreement to a total contract value of \$983,995.

Discussion

On January 11, 2016, the Orange County Transportation Authority (OCTA) Board of Directors (Board) directed staff to apply for Federal Transit Administration (FTA) Section 5310 grant funding to develop a comprehensive Mobility Management Program for Orange County. In April 2017, OCTA received a Section 5310 grant from the California Department of Transportation, as the designated recipient of FTA Section 5310 funds, to implement a countywide Mobility Management Program consisting of a specialized transportation services information and referral project and a travel training program.

The OCTA travel training program, implemented in July 2017, teaches the practical skills needed to safely and independently navigate the fixed-route bus system. The hands-on training sessions are available to individuals and groups, and include trip planning, vehicle boarding, fare payment, and transfers. While the curriculum is standardized, a training plan is developed and customized for each individual to address their specific mobility and travel needs. The goal of travel training is to remove any perceived barriers and to gain familiarity in using fixed-route public transit for passengers with specialized needs, including OC ACCESS riders and potential new riders. The travel training program also helps manage the growing demand for OC ACCESS service by encouraging OC ACCESS riders to use fixed-route bus service for their transportation needs, rather than rely on OC ACCESS alone. For those who do not qualify for OC ACCESS service, travel training is a resource that is offered to connect those individuals with other mobility choices.

Since its launch in July 2017, a total of 65 mobility workshops have been conducted throughout Orange County, providing group training for more than 1,210 participants. The mobility workshops were conducted with individuals from high schools, senior centers, senior living facilities, adult day care centers, and other social services centers. Several participants from these mobility workshops were then referred for one-on-one or small group follow-up training. In addition, outreach was conducted at local community centers and referrals were received through the OC ACCESS eligibility determination process, specifically for individuals with restricted eligibility or those who did not qualify for OC ACCESS service but would benefit from personalized travel training. As a result of the mobility workshops, outreach, and eligibility referrals, the program has conducted 228 individual travel training sessions since 2017.

The proposed amendment will allow for the continuation of the mobility workshops and training, and also includes an expansion of the program to include travel training and workshop services in languages other than English and Spanish to attract potential new riders from diverse communities. This amendment will allow an additional 48 mobility workshops and up to 44 individual travel trainings to be offered exclusively to diverse communities. The amendment will include the provision of translation services, as well as the administrative support needed prior to and during the additional sessions.

Procurement Approach

The procurement was handled in accordance with OCTA Board-approved policies and procedures for professional and technical services. On July 22, 2019, the Board approved award of Agreement No. C-9-1244 with Mobility Management Partners, Inc. The original agreement was awarded on a

competitive basis for a one-year initial term in the amount of \$248,911. The agreement includes one, two-year option term, effective August 1, 2020 through July 31, 2022, as described in Attachment A.

The proposed Amendment No. 1 is to exercise the option term of the agreement through July 31, 2022. The rates for mobility trainings and workshops in English and Spanish remain the same as originally negotiated. This amendment will also include additional mobility workshops and travel training in languages other than English and Spanish. The additional firm-fixed costs per session for the mobility workshop and travel training were negotiated at \$1,116 and \$1,176 respectively. Contracts Administration and Materials Management staff conducted a price review based on the level of efforts and deemed the additional cost to be fair and reasonable as they are comparable to rates OCTA pays for similar services on other translation-related contracts.

Amending this agreement will increase the maximum cumulative payment obligation by \$735,084, bringing the total contract value to \$983,995, which will allow continued mobility management services and provide the additional services in languages other than English and Spanish to attract potential new riders from diverse communities.

Fiscal Impact

The project was included in the proposed OCTA Fiscal Year 2020-21 Budget, Operations Division, Paratransit Services, Account 2147-7519-D1503-THP, and is funded through a Low Carbon Transit Operations Program grant.

Summary

Based on the information provided, staff recommends the Board authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-9-1244 with Mobility Management Partners, Inc., in the amount of \$735,084, to exercise the two-year option term of the agreement and include additional travel training services, from August 1, 2020 to July 31, 2022. This will increase the maximum obligation of the agreement to a total contract value of \$983,995.

Attachment

A. Mobility Management Partners, Inc., Agreement No. C-9-1244 Fact Sheet

Prepared by:



Gracie A. Davis
Section Manager, Paratransit
Services
714-560-5641



Virginia Abadessa
Director, Contracts Administration and
Materials Management
714-560-5623

Approved by:



Beth McCormick
Executive Director, Operations
714-560-5964



Jennifer L. Bergener
Chief Operating Officer, Operations/
Deputy Chief Executive Officer
714-560-5462

**Mobility Management Partners, Inc.
Agreement No. C-9-1244 Fact Sheet**

1. July 22, 2019, Agreement No. C-9-1244, \$248,911, approved by the Board of Directors (Board).
 - Agreement to provide mobility management services
 - Initial term effective August 1, 2019 through July 31, 2019, with one, two-year option term.
2. May 22, 2020, Amendment No. 1 to Agreement No. C-9-1244, \$735,084, pending approval by the Board.
 - Amendment to exercise the two-year option term of the agreement through July 31, 2022 and add additional services to provide travel training.

Total committed to Mobility Management Partners, Inc., Agreement No. C-9-1244: \$983,995.



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors

From: *RW*
Laurena Weinert, Clerk of the Board

Subject: Sole Source Agreements for the Purchase of Trapeze Software Group, Inc., Software Modules

Transit Committee Meeting of May 14, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Director Shaw was not present to vote on this item.

Committee Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2125 between the Orange County Transportation Authority and Trapeze Software Group, Inc., in the amount of \$104,356, for the sole source purchase and installation of the Trapeze DriverMate software module.
- B. Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2126 between the Orange County Transportation Authority and Trapeze Software Group, Inc., in the amount of \$93,388, for the sole source purchase and installation of the Trapeze Eligibility Management and the Trapeze Service Infractions software modules.



May 14, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Sole Source Agreements for the Purchase of Trapeze Software Group, Inc., Software Modules

Overview

The Orange County Transportation Authority utilizes software from Trapeze Software Group, Inc., to schedule trip requests for the OC ACCESS paratransit service. Staff is recommending the purchase of three additional software modules from Trapeze Software Group, Inc., to enhance customer service, system monitoring, and operational efficiency.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2125 between the Orange County Transportation Authority and Trapeze Software Group, Inc., in the amount of \$104,356, for the sole source purchase and installation of the Trapeze DriverMate software module.
- B. Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2126 between the Orange County Transportation Authority and Trapeze Software Group, Inc., in the amount of \$93,388, for the sole source purchase and installation of the Trapeze Eligibility Management and the Trapeze Service Infractions software modules.

Discussion

Trapeze Software Group, Inc. (Trapeze) has provided proprietary trip scheduling, routing and dispatching, and eligibility management software modules to approximately 600 transit agencies in North America. In the Southern California region, these agencies include Long Beach Transit, Los Angeles Access Services, Omnitrans, Orange County Transportation Authority (OCTA),

Riverside Transit Agency, San Diego Metropolitan Transit System, and the City of Santa Monica Big Blue Bus.

OCTA currently utilizes Trapeze software products for the operation and management of the OC ACCESS paratransit service. Trapeze software modules are used to schedule trips, administer the OC ACCESS eligibility process, operate the Interactive Voice Response system, and generate operating, trip, and financial reporting data for the OC ACCESS service. To improve the administration and operation of the OC ACCESS service, staff is requesting approval to add three software modules to the current Trapeze platform.

Trapeze DriverMate

OCTA provides approximately 1.5 million passenger trips annually on the OC ACCESS paratransit service. The OCTA-owned vehicles operated through an agreement with MV Transportation, Inc (MV) are equipped with mobile data terminals (MDT) that provide communication between the MV dispatcher and the operators. Some of the vehicles used by MV's subcontractor are equipped with an older MDT system that is obsolete, and some rely strictly on voice communication to relay information between the dispatcher and the operator. With the implementation of Trapeze DriverMate, smartphones, tablets, or other handheld devices may be used in lieu of MDT equipment to connect a subcontracted vehicle with the MV dispatch center and OCTA administration. Contact between dispatchers and operators is vital to maintain a smooth-running operation. Dispatchers need immediate notification of a no-show or late cancellation in order to manage a schedule in real time. Operators will benefit from less radio chatter and will be able to receive more information about traffic conditions and efficiently report no-shows and cancellations, as well as update pertinent passenger booking information such as the type of mobility aid a customer may be using. The implementation of this module has the potential to improve on-time performance, enhance the customer's overall trip experience and incorporate new subcontractors to provide OC ACCESS service.

Trapeze Eligibility Management

The Americans with Disabilities Act of 1990 (ADA) defines specific guidelines and processes that must be followed when addressing ADA customer eligibility. The Trapeze Eligibility Management software is designed to manage paratransit eligibility by integrating the existing databases and modules currently in use including, but not limited to, the client portal module, scheduling, routing, and dispatching operations modules.

This module will automate some tasks currently performed as associated with the eligibility process by:

- Managing communication with the customer via letters and emails;
- Allowing customers to pre-register, self-register, and auto-renew eligibility;
- Preventing incomplete applications from being submitted; and
- Incorporating statistical analyses into the standard Trapeze reporting packages.

Trapeze Service Infractions

The Trapeze Service Infractions software product upgrades a module currently in use that is no longer supported by Trapeze, ensuring OCTA maintains compliance with Federal Transit Administration (FTA) and ADA guidelines pertaining to no-show and late cancellation trip policies. The module will allow staff to evaluate customer trip histories based on agency-defined no-show and late cancellation trip policies; and identify, track, and record policy violations. In addition, the module will centralize all investigations; uniformly implement agency no-show and late cancellation trip policies thereby reducing errors in response and appeals; automate warning and suspension letters for customers; and easily adapt and update to industry, agency, and FTA or ADA changes.

Procurement Approach

This procurement was handled in accordance with OCTA Board of Directors (Board)-approved policies and procedures for a sole source procurement.

Trapeze is the exclusive owner of all proprietary rights and the sole entity able to market and sell the software for Trapeze DriverMate, Trapeze Eligibility Management, and Trapeze Service Infractions software modules. Trapeze is the sole contractor who can provide the application program interface and perform the installation services required to ensure successful completion of this project. Therefore, the agreement with Trapeze meets OCTA's criteria for a sole source procurement. Based on their technical ability and financial status, Trapeze is deemed responsible.

Trapeze's proposal was reviewed by staff from the Contracts Administration and Materials Management (CMM) and the Paratransit Services departments to ensure compliance with the contract terms and conditions, as well as the technical requirements.

In accordance with OCTA's sole source procurement procedures, a sole source over \$50,000 requires OCTA's Internal Audit Department (Internal Audit) to conduct an independent pre-award, agreed-upon procedures review of Trapeze's proposed pricing. Internal Audit's findings were considered and used as a basis for negotiations with Trapeze. Additionally, CMM conducted market research to determine reasonableness in pricing.

CMM confirmed Trapeze has contracts with other clients that are public transportation agencies with the same labor rates as quoted to OCTA. Furthermore, Trapeze's quoted total pricing is about six percent lower than the project manager's estimate and the level of effort was approved by the project manager. Therefore, pricing is deemed fair and reasonable.

Fiscal Impact

Funds for this project are available in the OCTA Fiscal Year 2019-20 Budget, Operations Division, Paratransit Services Department, accounts 2147-9028-D4102-11M, 2147-7519-D4302-0PX, and 2147-9028-D4302-0PV.

Summary

Based on the information provided, staff recommends the Board authorize the Chief Executive Officer to negotiate and execute Agreement Nos. C-0-2125 and C-0-2126 between the OCTA and Trapeze, in the total amount of \$197,744, for the purchase and installation of the Trapeze DriverMate, Trapeze Eligibility Management, and Trapeze Service Infractions software modules.

Attachment

None.

Prepared by:




Jack Garate
Department Manager, Paratransit
Services
714-560-5387

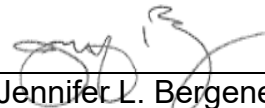
Approved by:



Beth McCormick
Executive Director, Operations
714-560-5964



Virginia Abadessa
Director, Contracts Administration and
Materials Management
714-560-5623



Jennifer L. Bergener
Chief Operating Officer, Operations/
Deputy Chief Executive Officer
714-560-5462



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors

From: *RW*
Laurena Weinert, Clerk of the Board

Subject: Amendment to Cooperative Agreement with the Regional Center of Orange County

Transit Committee Meeting of May 14, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Director Shaw was not present to vote on this item.

Committee Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1735 between the Orange County Transportation Authority and the Regional Center of Orange County to exercise the first option term to share in the cost of paratransit services provided to Regional Center of Orange County consumers through June 30, 2022.



May 14, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Amendment to Cooperative Agreement with the Regional Center of Orange County

Overview

On June 25, 2018, the Board of Directors approved a cooperative agreement with the Regional Center of Orange County to share in the cost of providing paratransit service to Regional Center of Orange County consumers for a two-year initial term with two, two-year option terms. The initial term of the current agreement expires June 30, 2020, and an amendment is required to exercise the first option term and extend the term of the agreement.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1735 between the Orange County Transportation Authority and the Regional Center of Orange County to exercise the first option term to share in the cost of paratransit services provided to Regional Center of Orange County consumers through June 30, 2022.

Discussion

The Regional Center of Orange County (RCOC) is responsible, under the Lanterman Act, to assist people with developmental disabilities. The Lanterman Act is a California law that gives people with developmental disabilities the right to services and supports they need to live a more independent and normal life. Through a contract with the State of California, the RCOC is responsible for arranging and purchasing transportation for its consumers so they can access the services identified in their individual program plan. The RCOC purchases a variety of transportation services for consumers, including Orange County Transportation Authority (OCTA) fixed-route bus passes, OC ACCESS service, and privately-contracted services.

The Americans with Disabilities Act (ADA) permits OCTA to charge a higher fare to social service agencies or other organizations for trips guaranteed to the organization as they may exceed the minimum ADA requirements. RCOC and OCTA have been engaged in a cost-sharing arrangement since 2003 for OC ACCESS transportation provided to RCOC consumers traveling to and from a variety of RCOC rehabilitation or work programs.

OCTA estimated providing 412,000 trips in fiscal year (FY) 2019-20 to RCOC consumers before the novel coronavirus (COVID-19) pandemic, which accounts for approximately 37 percent of all OC ACCESS trips. Under the terms of the cooperative agreement, RCOC consumers receive subscription service which provides an established travel schedule and eliminates the need to reserve rides within the one to three-day advance reservation window. In addition, RCOC consumers do not pay a fare when boarding. OCTA records all OC ACCESS trips provided to RCOC consumers and submits a monthly invoice to RCOC with comprehensive trip data; this assists RCOC with the reconciliation and reporting requirements established by the State of California.

The agreement also established a negotiated one-way trip rate for service provided to RCOC consumers. This rate may be adjusted based on the Consumer Price Index (CPI) for the January year-over-year change. Utilizing the FY 2019-20 rate of \$8.00 and applying a 3.1 percent CPI increase, the one-way trip rate for FY 2020-21 will be \$8.25, with fare revenue collection estimated at \$3.2 million annually. The FY 2021-22 rate will be based on FY 2020-21 rate adjusted by CPI in January 2021.

The initial term for this agreement expires on June 30, 2020, and an amendment is required to continue to provide this vital service in partnership with RCOC. Staff recommends exercising the first option term in the agreement and extend the term for two years.

Fiscal Impact

The estimated reimbursement associated with Cooperative Agreement No. C-8-1735 is included in the revenue projections for the proposed OCTA fiscal year 2020-21 Budget, Operations Division, Paratransit Services, Account 0030-5246-00000-SD1.

Summary

Based on the information provided, staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1735 between OCTA and RCOC to exercise the first option term to share in the cost of paratransit services provided to RCOC consumers through June 30, 2022.

Attachment

- A. Regional Center of Orange County Cooperative Agreement No. C-8-1735
Fact Sheet

Prepared by:




Jack Garate
Department Manager, Paratransit
Services
714-560-5387


Approved by:



Beth McCormick
Executive Director, Operations
714-560-5964



Virginia Abadessa
Director, Contracts Administration and
Materials Management
714-560-5623



Jennifer L. Bergener
Chief Operating Officer, Operations/
Deputy Chief Executive Officer
714-560-5462

**Regional Center of Orange County
Cooperative Agreement No. C-8-1735 Fact Sheet**

1. June 14, 2018, Cooperative Agreement No. C-8-1735, approved by the Board of Directors (Board).
 - Revenue agreement for the provision of ACCESS transportation for Regional Center of Orange County consumers traveling to and from day programs.
 - Initial term of the agreement is effective July 1, 2018 through June 30, 2020, with two, two-year option terms.
 - The one-way fare is \$6.93 per one-way trip effective July 1, 2018 through June 30, 2019.
 - The one-way fare is \$8.00 per one-way trip effective July 1, 2019 through June 30, 2020.
 - No maximum obligation for the reimbursement to OCTA since all trips will be reimbursed if properly approved in advance. Estimated revenue to Orange County Transportation Authority (OCTA) for the two-year initial term is \$7,435,155.
2. May 22, 2020, Amendment No. 1 to Cooperative Agreement No. C-8-1735, pending approval by the Board.
 - Amendment to exercise the first option term and extend the agreement through June 30, 2022.
 - The one-way fare for the first year of the option term is \$8.25 per one-way trip.
 - The estimated one-way fare for the second year of the option term rate will be based on the rate of the first year of the option term adjusted by Consumer Price Index (CPI) used in the fiscal year 2020-21 budget assumptions resulting in a \$8.41 rate; this rate will be reevaluated when the January 2021 CPI from the Bureau of Labor Statistics is published as per the agreement.
 - No maximum obligation for the reimbursement to OCTA since all trips will be reimbursed if properly approved in advance. Estimated revenue to OCTA for the first option term is \$6,863,920.

Total estimated reimbursement to OCTA from Regional Center of Orange County, Cooperative Agreement No. C-8-1735: \$14,299,075.



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors

From: *RW*
Laurena Weinert, Clerk of the Board

Subject: Sole Source Agreement for the Purchase of HASTUS Operations Scheduling Software Upgrade Version 2020

Transit Committee Meeting of May 14, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Director Shaw was not present to vote on this item.

Committee Recommendation

Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2001 between the Orange County Transportation Authority and GIRO, Inc., in the amount of \$1,360,799, for the upgrade of the HASTUS operations scheduling software from version 2013 to version 2020.



May 14, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Sole Source Agreement for the Purchase of HASTUS Operations Scheduling Software Upgrade Version 2020

Overview

As part of the Orange County Transportation Authority Fiscal Year 2019-20 Budget, the Board of Directors approved funds to upgrade the HASTUS operations scheduling software from version 2013 to version 2020. A proposal was solicited and received from GIRO, Inc., as a sole source procurement for this upgrade. Board of Directors' approval is requested to award an agreement for the HASTUS software upgrade.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2001 between the Orange County Transportation Authority and GIRO, Inc., in the amount of \$1,360,799, for the upgrade of the HASTUS operations scheduling software from version 2013 to version 2020.

Discussion

In 1999, the Orange County Transportation Authority (OCTA) acquired the HASTUS operations scheduling software from GIRO, Inc. (GIRO), to develop fixed route bus schedules and coach operator work assignments., OCTA has since invested in four software upgrades to support the continued use of the HASTUS, 2001, 2006, 2010, and 2013. The HASTUS operations scheduling software includes several modules that add to the functionality of the product for internal and external uses. This includes the process of bidding coach operators assignments electronically as well as customer-facing features such as trip planning for OC Bus and Metrolink and Text4Next for scheduled OC Bus arrival times available at the bus stop level.

GIRO provides software solutions to public transit agencies throughout the world and is a leader in delivering advanced optimization tools that help customers

meet efficiency objectives throughout the planning, scheduling, and management processes. As such, GIRO allocates significant resources to research and development, collaborating with research centers around the world on optimization methods and system features. This ensures that new features and enhancements are incorporated into software updates and ensures that HASTUS solutions are compatible with the latest computing technologies.

OCTA's current HASTUS version 2013 software is operating on Microsoft Windows Server 2012. Microsoft ended basic support for Windows Server 2012 on October 9, 2018, and currently offers extended support and software security patches; however, this extended support will be discontinued on October 10, 2023. HASTUS version 2020 software will operate on Microsoft Windows Server 2016, which will resolve the need to rely on Microsoft's extended support for Windows Server 2012. In addition, OCTA's Information Systems (IS) strategy is to operate with readily maintained and supported software. In order to remedy both of these deficiencies, staff is recommending an upgrade to HASTUS version 2020.

Procurement Approach

This procurement was handled in accordance with OCTA Board of Directors (Board)-approved policies and procedures for a sole source procurement.

GIRO is the exclusive owner of all proprietary rights for the HASTUS software and the sole entity able to market and sell the software. Therefore, GIRO is the sole source contractor that can provide the proprietary software and perform the services required to ensure successful completion of this upgrade project. GIRO has over 30 years of experience developing integrated software solutions for the planning and daily management of bus, rail, subway, and tramway public transport operations. Based on their technical ability and financial status, GIRO is deemed responsible.

GIRO's proposal was reviewed by staff from the Contracts Administration and Materials Management (Camm), Bus Operations, and IS departments to ensure compliance with the contract terms and conditions, as well as the technical requirements.

In accordance with OCTA's sole source procurement procedures, a sole source over \$50,000 requires OCTA's Internal Audit Department (Internal Audit) to conduct a price review of GIRO's proposed pricing. Internal Audit's recommended adjustments were offset by discounts in other areas of GIRO's proposed pricing. Additionally, the OCTA project manager's independent cost

estimate is approximately ten percent higher than GIRO's quoted pricing. Therefore, the quoted price is deemed fair and reasonable.

Fiscal Impact

The project was approved in OCTA's Budget for fiscal year 2019-20, Finance and Administration Division, Information Systems Department, Account 1288-9028-D0001-9RS, and is funded through the Local Transportation Fund.

Summary

Based on the information provided, staff recommends the Board authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2001 between OCTA and GIRO in the amount of \$1,360,799, for the upgrade of the HASTUS operations scheduling software from version 2013 to version 2020.

Attachment

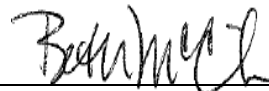
None.

Prepared by:



Sergio Hernandez
Section Manager, Operations Training
714-560-5461

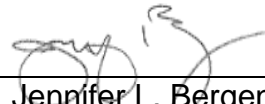
Approved by:



Beth McCormick
Executive Director, Operations
714-560-5964



Virginia Abadessa
Director, Contracts Administration and
Materials Management
714-560-5623



Jennifer L. Bergener
Chief Operating Officer, Operations/
Deputy Chief Executive Officer
714-560-5462



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors

From: *RW*
Laurena Weinert, Clerk of the Board

Subject: Amendment to Cooperative Agreements with Special Agencies
for the Provision of Special Transportation Services

Transit Committee Meeting of May 14, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Director Shaw was not present to vote on this item.

Committee Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1917 between the Orange County Transportation Authority and Acacia Adult Day Services, for continued services in the amount of \$626,620, and to adjust the per trip rate to \$16.49, effective July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$1,302,621.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No.1 to Cooperative Agreement No. C-8-1918 between the Orange County Transportation Authority and Alzheimer's Family Service Center, for continued services in the amount of \$610,130, and to adjust the per trip rate to \$16.49, effective from July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$ 1,343,599.



Committee Recommendations (Continued)

- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1919 between the Orange County Transportation Authority and Alzheimer's Orange County, for continued services in the amount of \$206,125, and to adjust the per trip rate to \$16.49 effective from July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$ 566,323.
- D. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1920 between the Orange County Transportation Authority and Community SeniorServ, for continued services in the amount of \$593,640, and to adjust the per trip rate to \$16.49 effective from July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$1,362,793.
- E. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1921 between the Orange County Transportation Authority and My Day Counts, for continued services in the amount of \$1,406,007, and to adjust the per trip rate to \$16.07, and the Regional Center of Orange County pass-through per trip rate to \$6.14 effective from July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$3,111,668.



May 14, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Amendment to Cooperative Agreements with Special Agencies for the Provision of Special Transportation Services

Overview

The Orange County Transportation Authority contracts with special agencies to assist in providing and managing the demand for OC ACCESS service. The special agencies provide services to OC ACCESS eligible seniors, people with dementia, and people with intellectual and physical disabilities. On October 22, 2018, the Board of Directors approved five-year cooperative agreements with six agencies to provide this service. These cooperative agreements are to be amended each year to adjust the per trip rate and the maximum obligations.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1917 between the Orange County Transportation Authority and Acacia Adult Day Services, for continued services in the amount of \$626,620, and to adjust the per trip rate to \$16.49, effective July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$1,302,621.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No.1 to Cooperative Agreement No. C-8-1918 between the Orange County Transportation Authority and Alzheimer's Family Service Center, for continued services in the amount of \$610,130, and to adjust the per trip rate to \$16.49, effective from July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$ 1,343,599.

- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1919 between the Orange County Transportation Authority and Alzheimer's Orange County, for continued services in the amount of \$206,125, and to adjust the per trip rate to \$16.49 effective from July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$ 566,323.
- D. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1920 between the Orange County Transportation Authority and Community SeniorServ, for continued services in the amount of \$593,640, and to adjust the per trip rate to \$16.49 effective from July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$1,362,793.
- E. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1921 between the Orange County Transportation Authority and Orange County Adult Achievement Center doing business as My Day Counts, for continued services in the amount of \$1,406,007, and to adjust the per trip rate to \$16.07, and the Regional Center of Orange County pass-through per trip rate to \$6.14 effective from July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$3,111,668.

Discussion

Since the implementation of the paratransit growth management strategies in 2005, the Orange County Transportation Authority (OCTA) has been proactive in establishing community partnerships and encouraging the availability of alternative transportation programs as a viable option for OC ACCESS customers to help reduce the growth in the demand and cost of OC ACCESS service. A large number of OC ACCESS trips are provided to and from adult day healthcare (ADHC) programs and Regional Center of Orange County (RCOC) day programs. OCTA has had long-standing cost-sharing agreements with five ADHCs and one RCOC day program to transition OC ACCESS riders to alternative transportation providers. It should be noted, one of the five ADHC agencies suspended their program in January 2020 due to a facility issue; therefore, the sixth agreement is not being amended at this time.

Under these cooperative agreements, OCTA provides an operating subsidy based on a per-trip cost for OC ACCESS-eligible customers traveling between

their homes and the special agency programs utilizing an alternative transportation provider. Since 2006, OCTA has worked in coordination with these agencies and their transportation service providers to successfully transition more than 750 OC ACCESS customers to transportation services selected by the special agencies receiving these subsidies. This allows individuals attending specialized programs to receive transportation which meets their unique needs. An estimated 147,149 peak-period trips will be provided under these cooperative agreements in fiscal year (FY) 2019-20. The per-trip subsidy provided by OCTA ranges from \$15.56 per trip to \$16.22 per trip.

Implementation of these community transportation partnership programs is a benefit to both OCTA and the special agencies. OCTA's potential cost savings for trips provided by these agreements is estimated to be \$5.1 million if these trips were operated by OC ACCESS at the FY 2019-20 cost per trip of \$49.13. For special agencies, managing the daily attendance for program participants is key to their operation because these agencies receive reimbursement for each day the participant attends the program. These agreements allow participants to easily travel to their program, usually with the same driver each day. In addition, if program participants require door-through-door assistance as part of their trip, the special agency is better suited to provide that type of accommodation.

The one RCOC day program providing transportation services directly to their program participants is also eligible to receive a contribution from the RCOC to cover a portion of the trip provided. Under a separate agreement between OCTA and RCOC, OCTA is able to receive partial reimbursement from RCOC for each trip provided by Orange County Adult Achievement Center doing business as My Day Counts (MDC). The funds received from RCOC for trips provided by MDC is combined with the OCTA subsidy to cover up to 90 percent of the total trip cost.

There is a provision in the agreements to increase the rate by an inflation factor on an annual basis. The agreements also cap the number of trips that each agency can provide. However, there is a provision in each contract that allows for the total number of trips to grow beyond the cap amount if the agency can provide information to OCTA that demonstrates that the additional trips would provide a direct-cost offset to the OC ACCESS service.

Fiscal Impact

The project is included in the proposed OCTA FY 2020-21 Budget, Operations Division, Paratransit Services, accounts under 2131-7312-D1208, and is funded through the Local Transportation Fund.

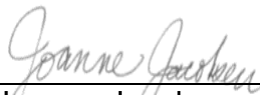
Summary

Based on the information provided, staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute amendments to cooperative agreements with Acacia Adult Day Services, Alzheimer's Family Service Center, Alzheimer's Orange County, Community SeniorServ, and MDC, in the total amount of \$3,442,522, to adjust the maximum contract obligations and cost per trip rates that will provide an operating subsidy for trips transitioned from OC ACCESS service to alternate service providers through June 30, 2021.

Attachments

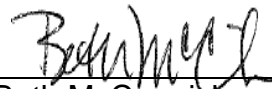
- A. Acacia Adult Day Services, Cooperative Agreement No. C-8-1917 Fact Sheet
- B. Alzheimer's Family Service Center, Cooperative Agreement No. C-8-1918 Fact Sheet
- C. Alzheimer's Orange County, Cooperative Agreement No. C-8-1919 Fact Sheet
- D. Community SeniorServ, Cooperative Agreement No. C-8-1920 Fact Sheet
- E. Orange County Adult Achievement Center doing business as My Day Counts, Cooperative Agreement No. C-8-1921 Fact Sheet

Prepared by:



Joanne Jacobsen
Senior Community Transportation
Coordinator
714-560-5660

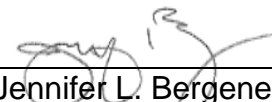
Approved by:



Beth McCormick
Executive Director, Operations
714-560-5964



Virginia Abadessa
Director, Contracts Administration and
Materials Management
714-560-5623



Jennifer L. Bergener
Chief Operating Officer, Operations/
Deputy Chief Executive Officer
714-560-5462

Acacia Adult Day Services
Cooperative Agreement No. C-8-1917 Fact Sheet

1. October 22, 2018, Cooperative Agreement No. C-8-1917, \$676,001, approved by the Board of Directors (Board).
 - Agreement to share in the cost of providing alternative transportation services for OC ACCESS customers.
 - Initial term effective July 1, 2019 through June 30, 2024, to be amended every year to adjust the per trip rate and the maximum obligation.
2. May 22, 2020, Amendment No. 1 to Cooperative Agreement No. C-8-1917, \$626,620, pending approval by the Board.
 - Amendment to increase the maximum obligation to share in the cost of OC ACCESS service through June 30, 2021.
 - Amendment to increase reimbursed trip rate to \$16.49 per trip.

Total committed to Acacia Adult Day Services Cooperative Agreement No. C-8-1917: \$1,302,621.

Alzheimer's Family Service Center
Cooperative Agreement No. C-8-1918 Fact Sheet

1. October 22, 2018, Cooperative Agreement No. C-8-1918, \$733,469, approved by the Board of Directors (Board).
 - Agreement to share in the cost of providing alternative transportation services for OC ACCESS customers.
 - Initial term effective July 1, 2019 through June 30, 2024, to be amended every year to adjust the per trip rate and the maximum obligation.
2. May 22, 2020, Amendment No. 1 to Cooperative Agreement No. C-8-1918, \$610,130, pending approval by the Board.
 - Amendment to increase the maximum obligation to share in the cost of OC ACCESS service through June 30, 2021.
 - Amendment to increase reimbursed trip rate to \$16.49 per trip.

Total committed to Alzheimer's Family Center Cooperative Agreement No. C-8-1918:
\$1,343,599.

Alzheimer's Orange County
Cooperative Agreement No. C-8-1919 Fact Sheet

1. October 22, 2018, Cooperative Agreement No. C-8-1919, \$360,198, approved by the Board of Directors (Board).
 - Agreement to share in the cost of providing alternative transportation services for OC ACCESS customers.
 - Initial term effective July 1, 2019 through June 30, 2024, to be amended every year to adjust the per trip rate and the maximum obligation.
2. May 22, 2020, Amendment No. 1 to Cooperative Agreement No. C-8-1919, \$206,125, pending approval by the Board.
 - Amendment to increase the maximum obligation to share in the cost of OC ACCESS service through June 30, 2021.
 - Amendment to increase reimbursed trip rate to \$16.49 per trip.

Total committed to Alzheimer's Orange County Cooperative Agreement No. C-8-1919: \$566,323.

Community SeniorServ
Cooperative Agreement No. C-8-1920 Fact Sheet

1. October 22, 2018, Cooperative Agreement No. C-8-1920, \$769,153, approved by the Board of Directors (Board).
 - Agreement to share in the cost of providing alternative transportation services for OC ACCESS customers.
 - Initial term effective July 1, 2019 through June 30, 2024, to be amended every year to adjust the per trip rate and the maximum obligation.
2. May 22, 2020, Amendment No. 1 to Cooperative Agreement No. C-8-1920, \$593,640, pending approval by the Board.
 - Amendment to increase the maximum obligation to share in the cost of OC ACCESS service through June 30, 2021.
 - Amendment to increase reimbursed trip rate to \$16.49 per trip.

Total committed to Community SeniorServ Cooperative Agreement No. C-8-1920: \$1,362,793.

ATTACHMENT E

Orange County Adult Achievement Center doing business as My Day Counts Cooperative Agreement No. C-8-1921 Fact Sheet

1. October 22 ,2018, Cooperative Agreement No. C-8-1921, \$1,705,661, approved by the Board of Directors (Board).
 - Agreement to share in the cost of providing alternative transportation services for OC ACCESS customers.
 - Initial term effective July 1, 2019 through June 30, 2024, to be amended every year to adjust the per trip rate and the maximum obligation.
 - \$390,000 was added to the maximum obligation of Agreement after negotiation by both parties.
2. May 22, 2020, Amendment No. 1 to Cooperative Agreement No. C-8-1921, \$1,406,007, pending approval.
 - Amendment to increase the maximum obligation to share in the cost of OC ACCESS service through June 30, 2021.
 - Amendment to increase the reimbursed trip rate to \$16.07 per trip and their Regional Center of Orange County pass-through per trip rate to \$6.14 per trip.

Total committed to Orange County Adult Achievement Center doing business as, My Day Counts Cooperative Agreement No. C-8-1921: \$3,111,668.



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors

From: *RW*
Laurena Weinert, Clerk of the Board

Subject: Amendment to Cooperative Agreements with Non-Profit Agencies to Provide Senior Mobility Program Services

Transit Committee Meeting of May 14, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 6-0 by the Members present.

Director Shaw was not present to vote on this item.

Committee Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Cooperative Agreement No. C-1-2490 between the Orange County Transportation Authority and Abrazar, Inc., in the amount of \$91,989, to provide funding through June 30, 2021.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 8 to Cooperative Agreement No. C-1-2491 between the Orange County Transportation Authority and Korean American Senior Association, in the amount of \$113,092, to provide funding through June 30, 2021.
- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Cooperative Agreement No. C-1-2492 between the Orange County Transportation Authority and Southland Integrated Services, Inc., in the amount of \$99,441, to provide funding through June 30, 2021.



May 14, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Amendment to Cooperative Agreements with Non-Profit Agencies to Provide Senior Mobility Program Services

Overview

The Senior Mobility Program is designed to offer transportation alternatives to seniors in addition to local fixed-route and paratransit service. There are currently three non-profit agencies that participate in the Senior Mobility Program and receive funding from local sources other than Measure M2 to support the services. The current funding agreements with these three agencies require amendments to include fiscal year 2020-21 funding in order to continue the service.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Cooperative Agreement No. C-1-2490 between the Orange County Transportation Authority and Abrazar, Inc., in the amount of \$91,989, to provide funding through June 30, 2021.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 8 to Cooperative Agreement No. C-1-2491 between the Orange County Transportation Authority and Korean American Senior Association, in the amount of \$113,092, to provide funding through June 30, 2021.
- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Cooperative Agreement No. C-1-2492 between the Orange County Transportation Authority and Southland Integrated Services, Inc., in the amount of \$99,441, to provide funding through June 30, 2021.

Discussion

The Orange County Transportation Authority (OCTA) established the Senior Mobility Program (SMP) in 2001 to help expand transportation services for seniors. The SMP was funded with Transportation Development Act funds from 2001 through 2011. On November 7, 2006, Orange County voters approved the renewal of Measure M (M2), the one-half cent sales tax for transportation improvements. M2 Project U apportions funding to support specialized transportation programs for seniors and persons with disabilities, including the SMP. One percent of net M2 revenues is allocated to the SMP and distributed via formula to participating Orange County cities. The formula is based upon each city's population of residents age 60 and older.

To date, 31 cities have implemented SMP services. In addition to the city-initiated programs, there are currently three local non-profit agencies that also operate SMP services. These agencies have been providing services since before M2 became the primary funding source for SMP and have been grandfathered into the program. These agencies provide services to seniors for trips that cross city boundaries, but do not qualify for M2 funding because the programs are run by local non-profit agencies, not local jurisdictions. OCTA has continued to support these three SMP programs using other local transit funding because of the significant transportation benefit provided to the community.

The three non-profit agencies in the SMP are Abrazar, Inc., Korean American Senior Association, and Southland Integrated Services, Inc. These three non-profit agencies provided 120,485 trips in fiscal year (FY) 2018-19 and received \$297,094 in funding from OCTA. Although, they are not eligible to receive M2 funding, they comply with all SMP guidelines and continue to receive other local funding from OCTA to provide a key link in the transportation network.

The funding provided for these programs is based on the anticipated number of trips for each FY. Consistent with funding provided to participating cities for SMP, OCTA funds 80 percent of the trip cost and the organization must provide a 20 percent match.

In order to preserve these services and support OCTA's goal under M2 Project U to expand mobility choices for seniors and persons with disabilities, Board of Directors' (Board) approval is necessary to execute amendments to provide the funds for these services through June 30, 2021. The total local funding allocation necessary for these services is \$304,522.

Fiscal Impact

These services will be included in the proposed OCTA FY 2020-21 Budget, Operations Division, Paratransit Services, accounts 0030-7831-D1502-PDK, 0030-7831-D1502-PDW, and 0030-7831-D1502-PEE, using local transportation funds.


Summary

Based on the information provided, staff recommends the Board authorize the Chief Executive Officer to negotiate and execute amendments, in the total amount of \$304,522, between OCTA and Abrazar, Inc., Korean American Senior Association, and Southland Integrated Services, Inc., to provide trips to local seniors in Orange County through June 30, 2021.

Attachments

- A. Non-Profit Agency Funding Projections, Fiscal Years 2019-20 to 2020-21
- B. Abrazar, Inc., Cooperative Agreement No. C-1-2490 Fact Sheet
- C. Korean American Senior Association, Cooperative Agreement No. C-1-2491 Fact Sheet
- D. Southland Integrated Services, Inc., Cooperative Agreement No. C-1-2492 Fact Sheet

Prepared by:




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Senior Community Transportation
Coordinator, Paratransit Services
714-560-5660



Virginia Abadessa
Director, Contracts Administration and
Materials Management
714-560-5623

Approved by:



Beth McCormick
Executive Director, Operations
714-560-5964



Jennifer L. Bergener
Chief Operating Officer, Operations/
Deputy Chief Executive Officer
714-560-5462

**Non-Profit Agency Funding Projections***Fiscal Years 2019-20 to 2020-21*

Community Center	2020 Disbursement	2021 Projection*	2020-2021 Total Projection*
Abrazar, Inc.	\$ 89,745	\$ 91,989	\$ 181,733
Korean American Senior Association	110,334	113,092	223,427
Southland Integrated Services, Inc.	97,015	99,441	196,456
Total	\$ 297,094	\$ 304,522	\$ 601,616

*Based on current sales tax growth trends. Funding will be determined by actual sales tax receipts.

**Abrazar, Inc.
Cooperative Agreement No. C-1-2490 Fact Sheet**

1. February 14, 2011, Cooperative Agreement No. C-1-2490, \$364,722, approved by the Board of Directors (Board).
 - Agreement to provide Transportation Development Act Article 4.5 funding for the provision of Senior Mobility Program (SMP) services.
 - Initial term effective July 1, 2011 through June 30, 2016.
 - City of Westminster is named a party to the agreement to receive funds from the Orange County Transportation Authority on behalf of Abrazar, Inc. (Agency) and transfers the funds to the Agency for the provision of SMP services.
2. April 11, 2016, Amendment No. 1 to Cooperative Agreement No. C-1-2490, \$0, approved by the Contracts Administration and Materials Management Department (Camm).
 - Administrative amendment to allow local funds to be used to support the program to be determined annually.
3. June 13, 2016, Amendment No. 2 to Cooperative Agreement No. C-1-2490, \$0, approved by the Board.
 - Amendment to revise responsibilities of both parties and extend the agreement through June 30, 2021.
4. March 7, 2018, Amendment No. 3 to Cooperative Agreement No. C-1-2490, \$0, approved by Camm.
 - Administrative amendment to remove the City of Westminster as a named party to the agreement with funds paid directly to the Agency.
5. March 7, 2018, Amendment No. 4 to Cooperative Agreement No. C-1-2490, \$35,168, approved by Camm.
 - Administrative amendment to allocate funding level for fiscal year 2017-18.

6. November 12, 2018, Amendment No. 5 to Cooperative Agreement No C-1-2490, \$87,556, approved by the Board.
 - Amendment to increase funding to support trips provided through June 30, 2019.
7. May 13, 2019, Amendment No. 6 to Cooperative Agreement No. C-1-2490, \$89,745, approved by the Board.
 - Amendment to increase funding to support trips provided through June 30, 2020.
8. June 8, 2020, Amendment No. 7 to Cooperative Agreement No. C-1-2490, \$91,989 pending Board approval.
 - Amendment to increase funding to support trips provided through June 30, 2021.

Total committed to Abrazar, Inc., Cooperative Agreement No. C-1-2490: \$669,180.

**Korean American Senior Association
Cooperative Agreement No. C-1-2491 Fact Sheet**

1. February 14, 2011, Cooperative Agreement No. C-1-2491, \$456,623, approved by the Board of Directors (Board).
 - Agreement to provide Transportation Development Act Article 4.5 funding for the provision of Senior Mobility Program (SMP) services.
 - Initial term effective July 1, 2011 through June 30, 2016.
 - City of Garden Grove is named a party to the agreement to receive funds from the Orange County Transportation Authority on behalf of the Korean American Senior Association (Agency) and transfers the funds to the Agency for the provision of SMP services.
2. March 7, 2016, Amendment No. 1 to Cooperative Agreement No. C-1-2491, \$0, approved by the Contracts Administration and Materials Management Department (CAMM).
 - Administrative amendment to allow local funds to be used to support the program to be determined annually.
3. June 13, 2016, Amendment No. 2 to Cooperative Agreement No. C-1-2491, \$0, approved by the Board.
 - Amendment to revise responsibilities of both parties and extend the agreement through June 30, 2021.
4. February 21, 2018, Amendment No. 3 to Cooperative Agreement No. C-1-2491, \$0, approved by CAMM.
 - Administrative amendment to revise Exhibit A, SMP Agency Service Plan to include trips to religious institutions and restaurants.
5. March 21, 2018, Amendment No. 4 to Cooperative Agreement No. C-1-2491, \$0, approved by CAMM.
 - Administrative amendment to remove the City of Garden Grove as a named party to the agreement with funds paid directly to the Agency.
6. February 27, 2018, Amendment No. 5 to Cooperative Agreement No C-1-2491, \$38,769, approved by CAMM.
 - Administrative amendment to allocate funding level for fiscal year 2017-18.

7. November 12, 2018, Amendment No. 6 to Cooperative Agreement No C-1-2491, \$107,643, approved by the Board.
 - Amendment to increase funding to support trips provided through June 30, 2019.
8. May 13, 2019, Amendment No. 7 to Cooperative Agreement No. C-1-2491, \$110,334, approved by the Board.
 - Amendment to increase funding to support trips provided through June 30, 2020.
9. June 8, 2020, Amendment No. 8 to Cooperative Agreement No. C-1-2491, \$113,092, pending Board approval.
 - Amendment to increase funding to support trips provided through June 30, 2021.

Total committed to the Korean American Senior Association, Cooperative Agreement No. C-1-2491: \$826,461.

**Southland Integrated Services, Inc.
Cooperative Agreement No. C-1-2492 Fact Sheet**

1. February 14, 2011, Cooperative Agreement No. C-1-2492, \$400,338, approved by the Board of Directors (Board).
 - Agreement to provide Transportation Development Act Article 4.5 funding for the provision of Senior Mobility Program (SMP) services.
 - Initial term effective July 1, 2011 through June 30, 2016.
 - City of Santa Ana is named a party to the agreement to receive funds from the Orange County Transportation Authority on behalf of Southland Integrated Services, Inc. (Agency) and transfers the funds to Agency for the provision of SMP services.
2. June 13, 2016, Amendment No. 1 to Cooperative Agreement No. C-1-2492, \$0, approved by the Board.
 - Amendment to revise responsibilities of both parties and extend the agreement through June 30, 2021.
3. April 17, 2018, Amendment No. 2 to Cooperative Agreement No. C-1-2492, \$0, approved by Contracts Administration and Materials Management Department (Camm).
 - Administrative amendment to remove the City of Santa Ana as a named party to the agreement with funds paid directly to the Agency.
4. April 17, 2018, Amendment No. 3 to Cooperative Agreement No C-1-2492, \$35,450, approved by Camm.
 - Administrative amendment to allocate funding level for fiscal year 2017-18.
5. November 12, 2018, Amendment No. 4 to Cooperative Agreement No C-1-2492, \$94,649, approved by the Board.
 - Amendment to increase funding to support trips provided through June 30, 2019.

6. May 13, 2019, Amendment No. 5 to Cooperative Agreement No. C-1-2492, \$97,015, approved by the Board.
 - Amendment to increase funding to support trips provided through June 30, 2020.
7. June 8, 2020, Amendment No. 6 to Cooperative Agreement No. C-1-2492, \$99,441, pending Board approval.
 - Amendment to increase funding to support trips provided through June 30, 2021.

Total committed to Southland Integrated Services, Inc., Cooperative Agreement No. C-1-2492: \$726,893.



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors

From: *RW*
Laurena Weinert, Clerk of the Board

Subject: Agreement for Operations and Maintenance Services for the OC Streetcar Project

Transit Committee Meeting of May 14, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom

Absent: None

Committee Vote

Following the roll call vote, this item was declared passed 5-0 by the Members present.

Director Shaw was not present to vote on this item.

Due to the Levine Act, Transit Committee Chairman Do recused himself and did not participate or vote on this item.

Committee Recommendations

- A. Approve the selection of Herzog Transit Services, Inc. as the firm to provide operations and maintenance services for the OC Streetcar Project.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-8-2039 between the Orange County Transportation Authority and Herzog Transit Services, Inc., in the amount of \$45,065,590, for operations and maintenance services for the OC Streetcar Project for an initial start-up and pre-revenue period, and a five-year revenue term, with two, two-year option terms.



NOTE:

Corrections were made to the following:

- Staff Report, Page 10, paragraph three as follows:

“Herzog’s overall price of \$82,918,863, is within ~~one~~ 2.6 percent of OCTA’s independent cost estimate and thus is considered fair and reasonable.”
- Attachment A – Header third line was removed as follows:

~~“PRESENTED TO THE TRANSIT COMMITTEE – April 9, 2020”~~



May 14, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Agreement for Operations and Maintenance Services for the OC Streetcar Project

Overview

The Orange County Transportation Authority is underway with construction of the OC Streetcar, and services are required to operate and maintain the system. A competitive procurement has been conducted, and offers were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for operations and maintenance services for the OC Streetcar.

Recommendations

- A. Approve the selection of Herzog Transit Services, Inc. as the firm to provide operations and maintenance services for the OC Streetcar Project.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-8-2039 between the Orange County Transportation Authority and Herzog Transit Services, Inc., in the amount of \$45,065,590, for operations and maintenance services for the OC Streetcar Project for an initial start-up and pre-revenue period, and a five-year revenue term, with two, two-year option terms.

Discussion

On March 27, 2017, the Orange County Transportation Authority (OCTA) Board of Directors (Board) approved the use of a contractor to provide operations and maintenance (O&M) services for the OC Streetcar. The contractor is required to provide management for O&M of the streetcar system, alignment, vehicles, and all streetcar-specific tools and equipment. The contractor will initially be responsible for providing documentation and staffing required to prepare for the implementation and commencement of operations of

the OC Streetcar, known as the start-up and pre-revenue service period. The start-up and pre-revenue service period will last approximately 17 months.

During the first half of this start-up and pre-revenue period, the contractor will engage its key management personnel, who will work with OCTA to develop rulebooks, standard operating procedures, and create documentation required to support start-up and operations. During the second half of the period, the contractor will chair the Rail Activation/Operations Committee, hire and train streetcar operators and maintenance staff, and will support vehicle and system testing and documentation to prepare for revenue service. During the pre-revenue period, the contractor will also develop and administer the Rail Activation Plan, System Integration Testing Plan, and Public Transportation Agency Safety Plan, which are requirements of the California Public Utilities Commission (CPUC) and the Federal Transit Administration (FTA) prior to initiating revenue operations.

Additionally, the contractor will be responsible to:

- Adhere to all requirements from the CPUC as the safety and security regulatory authority over rail transit and other public transit fixed-guideway systems in California (CA).
- Operate and maintain the OC Streetcar system and provide the requisite personnel, services, supplies, and equipment (except for such supplies and equipment provided by OCTA) required to safely and efficiently operate and maintain the OC Streetcar.
- Conduct and document all maintenance and repairs of streetcar vehicles in a state of good repair.
- Clean vehicles at OCTA-prescribed intervals.
- Provide all streetcar dispatching, communication, and supervising activities.
- Inspect, test, maintain, and repair all streetcar system components, including, but not limited to, track, switches, rail signals and crossing gates, train-to-wayside control, the overhead power system, wires, poles, stanchions, and substations.
- Comply with all OCTA, state, and federal standards and requirements for both the pre-revenue and revenue operations periods.
- Provide security services for the maintenance and storage facility (MSF).
- Provide station stop maintenance and repair services.

OCTA will be responsible to:

- Provide the streetcar vehicles and MSF.
- Provide all needed non-specialized, non-revenue vehicles.
- Conduct all security, fare collection, and enforcement activities on the OC Streetcar.

- Establish the overall service O&M parameters, handling all customer comments, and establishing fare policies and the fare structure.

OCTA's anticipated schedule that was provided in the request for proposals (RFP) is as follows. This schedule is subject to change.

Activity	Period of Performance	Duration
Start-Up Period	9/1/2020 – 4/30/2021	8 months
Pre-Revenue Service Period	5/1/2021 – 2/1/2022	9 months
Revenue Operations Period	2/2/2022 – 2/1/2027	5 years
Revenue Operations Option Term 1	2/2/2027 – 2/1/2029	2 years
Revenue Operations Option Term 2	2/2/2029 – 2/1/2031	2 years

During the start-up and pre-revenue periods, the contractor will be paid on a fixed-rate-per-month basis. During the revenue operations period, the contractor will invoice OCTA on a monthly fixed-fee and variable hourly rate structure based on revenue vehicle hours (RVH) operated. As proposed, the contractor's monthly fixed-fee will include the costs of labor, benefits, office expenses, security services for the MSF, and management fee/overhead for management and administrative personnel. The contractor's monthly variable rate, which is driven by RVH can change based on approved fluctuations in service or staffing levels, will include the costs of labor, benefits, and taxes for O&M personnel, materials, supplies, uniforms, and management fee/overhead.

The current service plan anticipates providing 31,508 RVH annually using four to six streetcar vehicles. The proposed agreement includes language that will provide for the RVH rate to be renegotiated if the service level changes 20 percent above or below the established base RVH level for each year.

Procurement Approach

This procurement was handled in accordance with OCTA Board-approved procedures for professional and technical services. In addition to cost, other factors are considered in an award for professional and technical services. Award is recommended to the firm offering the most comprehensive overall proposal considering factors such as qualifications, prior experience with similar projects, staffing and project organization, work plan, as well as cost and price. To initiate the procurement, an industry forum was held on November 15, 2017, at OCTA's administrative offices prior to the issuance of the RFP for the project. The purpose of the forum was to inform participants of the upcoming

procurement, gauge industry interest, gather industry feedback for possible inclusion in the procurement, and inform potential proposers of OCTA's requirements.

The industry forum was attended by five interested firms. OCTA and the five firms exchanged ideas in one-on-one meetings regarding scope of work, contract duration, and terms and conditions, some of which were incorporated in the RFP documents.

On November 12, 2018, the Board authorized the release of RFP 8-2039 for Operations and Maintenance Services for the OC Streetcar, which was issued electronically on CAMM NET. The project was advertised in a newspaper of general circulation on November 12 and 19, 2018 and the trade magazine, *Transit Talent*, on November 13, 2018. A pre-proposal conference was held on December 13, 2018, with 17 attendees representing 13 firms. Ten addenda were issued to make available the pre-proposal conference registration sheet and presentation, respond to over 280 questions received, and handle administrative changes to the RFP.

On July 24, 2019, four proposals were received. An evaluation committee consisting of OCTA staff from Contracts Administration and Materials Management (CAMM), Maintenance and Motorist Services, OC Streetcar Operations, and external representatives from the City of Milwaukee, Wisconsin and the Southeast Ohio Regional Transportation Authority met to review all submitted proposals.

The proposals were evaluated based on the following Board-approved evaluation criteria and weights:

- | | |
|-------------------------------------|------------|
| • Qualifications of the Firm | 20 percent |
| • Staffing and Project Organization | 25 percent |
| • Work Plan | 30 percent |
| • Cost and Price | 25 percent |

Several factors were considered in developing the criteria weights. Staff assigned the greatest level of importance to the work plan, as the technical approach to the service plan, implementation schedule for the different phases of operations, and methods to manage budget and schedule are critical to the successful delivery of the O&M services.

The next level of importance was assigned to the staffing and project organization. The qualifications of the general manager and other key personnel are essential to the successful operation of the service, along with an understanding of the challenges, adequate level of staffing, and having related experience in managing all phases of operations. Cost and price were weighted

at 25 percent to ensure the firms submitted competitive price proposals. Qualifications of the firm was weighted at 20 percent to ensure firms have experience providing similar services, with relevant scope and complexity, and knowledge of CPUC general orders and FTA public safety and security program requirements as noted in the RFP. Having experience with the CPUC and FTA is important for the O&M contractor to demonstrate a clear understanding of initializing rail activation and system safety certification.

The evaluation committee reviewed all proposals and short-listed the three most qualified firms listed below in alphabetical order.

Firm and Location

Bombardier Mass Transit Corporation (Bombardier)
(Plattsburgh, New York)

Herzog Transit Services, Inc. (Herzog)
(St. Joseph, Missouri)

RATP Dev USA (RATP)
(Fort Worth, Texas)

On September 25, 2019, the evaluation committee conducted interviews with the short-listed firms. The interview consisted of the firms presenting their operations and maintenance plan, discussion on background of the key personnel, challenges related to performing on the alignment and their approach to recruitment and training of staff. Firms were also asked specific questions related to their proposal.

On November 25, 2019, a request for a best and final offer (BAFO) was issued to the three short-listed firms. The BAFO formally incorporated the station stop maintenance and repair services into the scope of work; updated specific terms and conditions of the agreement, and updated the cost and price summary forms to include station stop maintenance and repair services. On February 5, 2020, the evaluation committee reconvened via a teleconference to review the BAFO and clarification responses.

After considering the responses to the questions asked during the interviews and BAFO information and clarifications, the evaluation committee adjusted the scores for two out of the three firms and the rankings changed, with Herzog as the top-ranked firm with the highest-cumulative score.

Qualifications of Firm

All three firms have extensive experience providing O&M services on a national as well as global basis.

Herzog has been providing O&M services to the rail industry since 1993. Herzog has relevant experience with a proven track record of delivering operations and maintenance services for 20 rail and streetcar systems throughout North America. Herzog's current experience in CA and in the United States (US) includes the Kansas City Streetcar, Oklahoma City Streetcar, Caltrain in San Jose, CA, Altamont Corridor Express in Stockton, CA, Metrorail in Austin, Texas, and New Jersey Transit (NJT) in Atlantic City. Herzog's team has demonstrated streetcar start-up and CPUC experience. The firm is also well-versed in FTA program requirements and National Transit Database reporting. Herzog proposed to partner with four subcontractors to provide support for vehicle and station platform maintenance and repair, on-call electrification, emergency rerailing and un-armed security services. Two of the four subcontractors have experience working directly with Herzog on current rail projects, while two have experience providing their services to other transportation agencies.

RATP has been providing O&M services to the rail industry for over 40 years throughout North America. RATP's relevant experience in the past 15 years includes the Sun Link Streetcar in Tucson, Arizona and the Washington, D.C. Streetcar in addition to various streetcar/light rail systems in Paris, Manchester, and Casablanca. The firm also has experience managing start-up phases. RATP does not have any CPUC experience. RATP has proposed to partner with Siemens Mobility, Inc. as a subcontractor to provide streetcar system and vehicle maintenance services. RATP has worked with Siemens Mobility on various rail projects. RATP has also proposed to partner with four other subcontractors who will provide the vehicle and station platform cleaning and unarmed security services and has worked with one of these subcontractors providing services to a local transportation agency.

Bombardier is an experienced O&M service provider throughout North America and globally with demonstrated experience in start-up and pre-revenue operations. The firm's current portfolio includes commuter rail operations with NJT River Line, Central Florida Corridor SunRail commuter rail, and John F. Kennedy International Airport AirTrain in New York City. Bombardier has extensive CPUC and FTA experience with its automated people mover agreements in Los Angeles, Sacramento, and San Francisco, as well as commuter rail operations with Southern California Regional Rail Authority (Metrolink) and North County Transit District Sprinter commuter rail in San Diego. Bombardier does not have any current streetcar experience in North America. The firm proposed to partner with four other subcontractors to

provide system and vehicle cleaning services as well as un-armed security and skilled rail labor services and has a history of working with three of the subcontractors.

Staffing and Project Organization

Herzog has proposed a qualified and experienced team who has over 55 years of combined rail experience as well as extensive experience working with the Siemens S70 vehicles. The proposed general manager and operations manager have over 36 years rail experience and are both providing project management and O&M streetcar support consulting services to Herzog on the Kansas City and Oklahoma City streetcar projects. Both managers have extensive experience with CPUC and FTA rail transit requirements. The proposed maintenance manager has over 22 years rail experience as well as extensive maintenance experience with the Siemens S70 vehicle. The proposed safety manager is certified in both Transit Security and Safety Program (TSSP) and FTA Transit Rail Incident Investigation.

Herzog's proposed staffing levels adequately support all the project requirements and schedule. During the interview, Herzog's team provided responses that demonstrated their knowledge of starting up and maintaining a streetcar operation within CA. Herzog also stated that they will engage their corporate Human Resources Department to recruit qualified personnel by engaging potential candidates through various tools such as social media, Herzog's website, online job posting sites, and local newspapers and periodicals to meet the staffing needs. All proposed key personnel were present at the interview and validated their experience by providing detailed responses to questions.

RATP also proposed a qualified team with relevant experience. The proposed general manager has experience with start-up streetcar projects in Atlanta, Georgia, Seattle, Washington and Tucson, Arizona. The proposed operations manager has a decade of streetcar and light rail O&M experience with two transportation agencies in the US. The proposed maintenance manager has over 13 years of rail operations, maintenance, and safety oversight experience. The proposed safety manager has over 30 years of experience with various transportation agencies within the US.

RATP's proposed staffing composition of operators and operations supervisors, was changed with the BAFO submission to reduce the number of operators and this reduced level of effort was deemed by the evaluation committee as a potential risk to service delivery. Based on the wages proposed, the evaluation committee was concerned about recruitment and retention of vehicle operators. The firm did provide a detailed recruitment plan and training plan. The interview

demonstrated knowledge, ability, and experience with rail operations and provision of O&M services.

Bombardier proposed a qualified team with relevant experience. The proposed general manager has eight years of rail experience and was previously chief vehicle maintenance officer with the Southeastern Pennsylvania Transportation Authority. The proposed operations manager is a senior subject-matter expert with the firm and was previously the general manager with the Central Florida Sunrail system. The proposed maintenance manager is also a senior subject matter expert with Bombardier and has been with the firm for 22 years. The proposed safety manager is TSSP-certified and was previously the system safety supervisor with the NJT River Line. All proposed staffing levels met the project requirements. Bombardier proposed to augment some of their skilled rail staff by utilizing one of their subcontractors to recruit local candidates. Bombardier adequately responded to all interview questions.

Work Plan

Herzog's comprehensive understanding of the project scope of work and requirements was demonstrated in a detailed roll-out plan for each project phase. Herzog provided a detailed functional chart that illustrated their knowledge of the division of work activities, capabilities, and responsibilities of the O&M contractor during each phase of the project. Herzog's experience in start-up planning on the Kansas City and Oklahoma City streetcar projects prepares them to provide all key operational documents such as the Book of Operating Rules, Standard Operating Procedures, O&M Plans, Rail Activation Plan, and safety and security documents that include the System Security and Emergency Preparedness Plan and System Safety Program Plan. Herzog is experienced in developing a comprehensive training program in partnership with the streetcar manufacturer that includes such topics as operational route description, tailgate safety meetings, track access training, streetcar maintenance training, and streetcar operator certification. Herzog demonstrated a clear understanding of the requirements to coordinate with the streetcar construction contractor and the streetcar vehicle manufacturer.

RATP's proposed work plan was detailed with all processes and procedures clearly documented by phase and included providing all key operational documents. RATP's proposed utilization of Siemen's proprietary web-based revenue vehicle maintenance platform, Railigent, would provide predictive information for optimal fleet operation. Their organizational chart delineated roles and responsibilities which were further clarified during the interview. RATP's safety management system (SMS) meets the current FTA SMS guidelines and focuses on a return on investment by decreasing costs through increased employee engagement and extensive safety training.

Bombardier provided a detailed project implementation plan and schedule by phase that included all required process and operating documentation. The plan demonstrated a clear understanding of the numerous CPUC and FTA system and vehicle testing requirements. Bombardier's plan demonstrated the firm's ability to provide system and revenue vehicle maintenance, operations and engineering support amongst the various contracted rail agencies by utilizing their service delivery centers within CA.

Cost and Price

Cost and Price was weighted at 25 percent of the overall score. All firms submitted and were evaluated on the price for the initial and option terms of the contract, as required by FTA. However, contract award is for the price of the initial term only. Option terms will be exercised with Board approval at a future date.

On November 25, 2019, the short-listed firms were asked to submit a BAFO which added the station platform cleaning services and updated specific agreement terms and conditions. Additional BAFO clarifications requests were issued to the short-listed firms on January 30, 2020, prior to finalizing the scores.

Scores for the cost and price were based on a formula that assigned the highest score to the firm with the lowest total price and scores the remaining firms' total prices based on their relation to the lowest total price. The total price proposal was solicited separately from the firms' technical proposal, reviewed, and analyzed by CAMM and Financial Planning staff.

The following is a breakdown of the price by the short-listed firms after the BAFO Offer:

Initial Term

Firm	Start-up and Pre-Revenue	Revenue Operations (Initial Term)	Station Platform Services	Total
Initial Term				
Herzog	\$4,928,910	\$38,885,175	\$1,251,505	\$45,065,590
RATP	\$4,690,752	\$40,004,535	\$2,658,304	\$47,353,591
Bombardier	\$6,851,436	\$45,009,526	\$2,842,739	\$54,703,701

Option Terms

Option Terms	Start-up and Pre-Revenue	Revenue Operation	Station Platform Services	Total
Herzog	N/A	\$36,907,658	\$945,615	\$37,853,273
RATP	N/A	\$36,301,132	\$2,124,008	\$38,425,140
Bombardier	N/A	\$39,632,555	\$2,190,311	\$41,822,866

Total Cost (Initial Term and Option Terms)

Firm	Initial Term Revenue Operations	Revenue Operations (Option Terms)	Total Price
Herzog	\$45,065,590	\$37,853,273	\$82,918,863
RATP	\$47,353,591	\$38,425,140	\$85,778,730
Bombardier	\$54,703,701	\$41,822,866	\$96,526,567

Herzog's total contract price of \$82,918,863, is the lowest price amongst all three firms. This price is for the start-up phases, monthly operations and maintenance costs, vehicle revenue service, and station platform maintenance and repair services.

RATP's total contract price of \$85,778,730, is second lowest price amongst the three firms, and Bombardier's total price of \$96,526,567, is the highest of all short-listed firms.

Herzog's overall price of \$82,918,863, is within 2.6 percent of OCTA's independent cost estimate and thus is considered fair and reasonable.

Procurement Summary

Based on the evaluation of the written proposals, the information obtained from the interviews, and the BAFO request and clarifications, the evaluation committee recommends Herzog as the top-ranked firm to provide O&M services for the OC Streetcar. Herzog demonstrated relevant experience in both the start-up of new service and ongoing O&M and submitted a comprehensive proposal that was responsive to all requirements of the RFP.

Fiscal Impact

The costs associated with the start-up and pre-revenue services are included in the OCTA Fiscal Year 2019-20 Budget, Operations Division, OC Streetcar, Account 0051-TS010-7370-Z88. Start-up and pre-revenue services are eligible expenses for reimbursement under the Full Funding Grant Agreement (FFGA).

Some portion of this phase of work will be funded from FFGA contingency because some of the services were not included when the project cost estimate was prepared. It will not increase the project cost of \$407.7 million, as defined in the FFGA.

For revenue service, OCTA intends to leverage state and federal funds including federal Congestion Mitigation and Air Quality Improvement Program funds and State of California Low Carbon Transit Operations Program funds to support revenue service operations in addition to fares, Measure M2 Project S and contributions from the cities of Garden Grove and Santa Ana.

Summary

Staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-8-2039 with Herzog Transit Services, Inc., in the amount of \$45,065,590, for an initial start-up and pre-revenue term and a five-year revenue term with two, two-year revenue option terms, for operations and maintenance services for the OC Streetcar.

Attachments

- A. Operations and Maintenance Services for the OC Streetcar Project, Review of Proposals RFP 8-2039
- B. Proposal Evaluation Criteria Matrix ("SHORTLISTED FIRMS"), RFP 8-2039 Operations and Maintenance Services for the OC Streetcar Project
- C. Contract History for the Past Two Years, RFP 8-2039, Operations and Maintenance Services for the OC Streetcar Project

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Operations and Maintenance Services for the OC Streetcar Project
Review of Proposals RFP 8-2039
4 proposals were received, 3 firms were interviewed, 1 firm is being recommended.

Overall Ranking	Proposal Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	Total Price
1	78	Herzog Transit Services, Inc St. Joseph, Missouri	The Finishing Touch 1 LLC RS Electric Corporation Hot Line Constructions, Inc. Morrow-Meadows Corporation Hulcher Services, Inc. Rubicon Security System	Highest-ranked firm overall. Technical qualifications and experience includes streetcar operations in Kansas City and Oklahoma City. Qualified team with experience in streetcar start-up operations and California Public Utilities Commission (CPUC) requirements. Proposed staffing levels meet all of the project requirements and timeline. General manager and maintenance manager have extensive experience working with Siemens S70 vehicles. Comprehensive work plan with detailed functional responsibilities for each project phase. Clear understanding of coordination requirements with construction contractor and vehicle manufacturer. Interview demonstrated knowledge of start-up streetcar operations and the requirements of operating in California. Lowest proposed overall price.	\$82,918,863
2	74	RATP Dev USA Fort Worth, Texas	Siemens Mobility Inc. Blue Goose Uniforms Gorilla Stationers LLC Rubicon Security System Final Cleaning Solutions Inc.	Second-ranked firm. Project team has experience in providing commuter rail services on a global basis. Technical qualifications and experience includes streetcar operations in District of Columbia and Tucson Sun Link streetcar. Proposed staffing plan will meet minimum operational requirements for revenue service. Partnered with Siemens Mobility, Inc. for vehicle and system maintenance services. No demonstrated CPUC experience or California rail operations. Detailed phased work plan that identified deliverables for all key operational documents. Interview demonstrated knowledge, ability and experience of rail operations and provision of operations and maintenance services.	\$85,778,730
3	70	Bombardier Mass Transit Corporation Plattsburgh, New York	Macadi Cleaning Corporation PTOS Inc. Absolute International Security	Firm has extensive experience in providing commuter rail operations on a global basis. Proposed key staff are experienced in start-up rail operations. No North American experience in streetcar operations. Detailed project implementation plan and schedule. Demonstrated understanding of CPUC and Federal Transit Administration vehicle testing requirements. Adequately responded to interview questions Proposed highest overall price.	\$96,526,567

Evaluation Panel: (5 members)

Contracts Administration and Materials Management (1)
Operations, Motorist Services (1)
Operations, OC Streetcar (1)
City of Milwaukee, Wisconsin (1)
Southeast Ohio Regional Transit Authority (1)

Evaluation Criteria

Qualification of the Firm
Staffing and Project Organization
Work Plan
Cost and Price

Weight Factors

20%
25%
30%
25%

PROPOSAL EVALUATION CRITERIA MATRIX ("SHORTLISTED FIRMS")							
RFP 8-2039 Operations and Maintenance Services for the OC Streetcar Project							
FIRM: Herzog Transit Services, Inc.						Weights	Overall Score
Evaluator Number	1	2	3	4	5		
Qualifications of Firm	4.0	4.0	4.0	4.0	4.0	4	16.0
Staffing/Project Organization	3.5	3.5	3.5	3.5	3.0	5	17.0
Work Plan	3.5	3.0	3.5	3.0	3.5	6	20.0
Cost and Price	5.0	5.0	5.0	5.0	5.0	5	25.0
Overall Score	79.5	76.5	79.5	76.5	77.0		78
FIRM: RATP DEV USA							
						Weights	Overall Score
Evaluator Number	1	2	3	4	5		
Qualifications of Firm	4.5	4.0	4.0	4.0	4.0	4	16.0
Staffing/Project Organization	2.5	2.5	2.5	2.5	2.5	5	13.0
Work Plan	3.5	3.5	3.5	3.5	3.5	6	21.0
Cost and Price	4.8	4.8	4.8	4.8	4.8	5	24.0
Overall Score	75.5	73.5	73.5	73.5	73.5		74
FIRM: Bombardier Mass Transit Corporation							
						Weights	Overall Score
Evaluator Number	1	2	3	4	5		
Qualifications of Firm	3.5	3.5	3.5	3.5	3.5	4	14.0
Staffing/Project Organization	3.5	3.0	3.0	3.5	3.0	5	16.0
Work Plan	3.0	3.0	3.0	3.0	3.0	6	18.0
Cost and Price	4.3	4.3	4.3	4.3	4.3	5	22.0
Overall Score	71.0	68.5	68.5	71.0	68.5		70
The score for the non-short listed firm was 62.							

CONTRACT HISTORY FOR THE PAST TWO YEARS

RFP 8-2039 Operations and Maintenance Services for the OC Streetcar Project

Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
Herzog Transit Services, Inc.		<i>none to report</i>				
						\$ -
Contract Type:						\$ -
Subconsultants:						
Sub Total						\$0.00
RATP DEV USA		<i>none to report</i>				
						\$ -
Contract Type:						
Subconsultants:						
Sub Total						\$0.00
Bombardier Mass Transit Services, Inc.		<i>none to report</i>				
Contract Type:						
Subconsultants:						
Sub Total						\$0.00

Agreement for Operations and Maintenance Services for the OC Streetcar Project

Background

- March 2017: OCTA Board of Directors approved use of contract services to provide Operations and Maintenance (O&M) services for the OC Streetcar
- Current service plan assumes 31,508 revenue vehicle hours using four to six vehicles
- Contract Terms: 6.5-year contract with two, two-year options
 - Start-Up and Pre-Revenue:
 - Develop required operation procedures and start-up plans
 - Hire and train operators and maintenance staff
 - Prepare for rail activation and system integrated testing
 - Coordinate with California Public Utilities Commission (CPUC) and Federal Transit Administration to meet safety requirements
 - Revenue Service:
 - Provide personnel, equipment, services for the daily O&M of vehicles and system
 - Provide dispatching, communication, and supervising activities
 - Provide security at maintenance and storage facility

Board Approved: Evaluation Criteria and Weights

Qualifications of the Firm	20 percent
Staffing and Project Organization	25 percent
Work Plan	30 percent
Cost and Price	25 percent

Scoring Summary

Evaluation Criteria	Herzog	RATP	Bombardier
Qualifications of the Firm (20 percent)	16	16	14
Staffing and Project Organization (25 percent)	17	13	16
Work Plan (30 percent)	20	21	18
Subtotal	53	50	48
Cost and Price (25 percent)	25	24	22
Total	78	74	70

Overview of Cost

- Cost Structure:
 - Start-Up and Pre-Revenue Period (17 months): Fixed rate per month (labor, benefits, office expenses, management fee)
 - Revenue Operations: Monthly fixed fee plus variable hourly rate based on revenue vehicle hours (variations in service levels will impact staffing levels)
- Staff requested a best and final offer for firms to provide additional information to clarify cost proposals. Cost scoring requires review of option terms pricing in addition to initial contract term.
- Staff reviewed elements that account for cost differences
- Cost proposal from Herzog is fair and reasonable

Recommendation

- Bombardier, Herzog, and RATP are comparable firms and submitted competitive proposals
- Based on Board of Directors-approved evaluation criteria, Herzog received the highest overall score
 - Herzog has proven track record of delivering O&M services for 20 rail and streetcar systems in North America
 - Demonstrated start-up and CPUC experience
 - Proposed General manager, operations manager, maintenance manager have extensive streetcar O&M experience, including working with Siemens vehicles
 - Work plan included a detailed roll-out plan for each phase of operations, including preparation of key start-up operational documents and training programs.
 - Lowest price amongst the three firms
- Recommend contract award to Herzog for \$45,065,590 for O&M services for start-up, pre-revenue, and five-year revenue term.



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors
From: *RW*
Laurena Weinert, Clerk of the Board
Subject: June 2020 Bus Service Change

Transit Committee Meeting of May 14, 2020

Present: Directors Davies, Do, Jones, Pulido, Shaw, Sidhu, and Winterbottom
Absent: None

Committee Vote

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

Staff Recommendation

Receive and file as an information item.



May 14, 2020

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: June 2020 Bus Service Change

Overview

The June 2020 bus service change consists of adjustments to bus service levels that account for the novel coronavirus pandemic effects. The changes include increases in frequency on higher ridership routes and restoration of service on some routes that were suspended in March 2020. The June service change strikes a balance between anticipated increased customer demand, social distancing, and coach operator availability. The primary strategy is to transition the current service to Saturday service levels.

Recommendation

Receive and file as an information item.

Background

The Orange County Transportation Authority (OCTA) implements schedule and route revisions to selected bus routes three times a year, in February, June, and October. The next bus service change is scheduled for implementation on June 14, 2020. OCTA implemented an emergency service change on March 23, 2020, which temporarily reduced service to comply with Governor Newsom's stay-at-home order and help protect the health of OCTA employees while providing a baseline level of service for customers needing to make essential trips. The service change in June will be focused on restoring service based on an anticipated increase in demand, social distancing, and labor availability.

Discussion

After the implementation of the novel coronavirus (COVID-19) stay-at-home order, weekday OC Bus ridership dropped significantly. Weekday ridership decreased from approximately 125,000 boardings to the low 30,000s, but has been steadily recovering and is now in the mid-40,000s. On March 23, 2020, OCTA reduced fixed-route bus service by approximately 40 percent by

implementing a Sunday service schedules on all routes, seven days a week. Service on the Metrolink rail-feeder routes continued to operate.

This proactive measure was in response to significantly lower ridership and an effort to help minimize health risks to coach operators and passengers while still providing a critical public service. Moving to Sunday service could be done quickly because existing schedules could be used, and the change could be easily communicated to passengers. As part of this change, service was suspended on ten local/community bus routes, five freeway express routes, as well as Bravo! and Xpress limited-stop routes not operating on Sunday. Staff has continually monitored passenger loads based on ridership data, customer feedback, and coach operator observations. Additional bus trips have been deployed, when possible, on routes where passenger loads have created social distancing issues.

Staff anticipates that demand for OC Bus service will increase between now and mid-June based on the easing of the stay-at-home restrictions. As some businesses reopen, it is anticipated that the public will start using the bus system more often. OCTA will continue to monitor and comply with appropriate state and federal guidance on transit service operation, including that related to social distancing and cleaning best practices. To allow for social distancing, OCTA is currently operating additional buses on certain routes to keep passenger loads low. As such, it is prudent to increase bus service levels during the upcoming June service change to allow for social distancing and accommodate additional customers. OCTA is also mindful of coach operator availability because some employees are not able to return to work.

The primary strategy is to transition the current service to Saturday service levels. This will increase service by 143 daily bus trips over the 1,825 daily bus trips currently being operated. In addition, 141 trips will be strategically added to routes on weekdays where social distancing is a concern, based on current passenger loads. Additional unscheduled trips will be operated, when needed, based on passenger loads to allow for social distancing. Weekday service will also be restored on nine local and community routes that did not have weekend schedules and were therefore suspended in March 2020. Community Route 150 will remain suspended because of the availability of nearby routes. All routes will operate on the weekends based on their normal Saturday or Sunday schedules. There will be no OC Fair Express service this year as the OC Fair has been cancelled.

A summary of the service plan is outlined below. A table describing the details by route is shown in Attachment A. The attachment lists the level of added trips by route and the related revenue hour changes. Also, a map of the route

changes by type is shown in Attachment B. Routes that will continue to have their suspended service are shown in Attachment C.

Service Change Highlights

- Improve weekday service levels on 37 routes by implementing Saturday schedules instead of Sunday schedules, which include increased frequency and/or hours of operation.
- Operate additional weekday bus trips on 15 routes above the Saturday schedule to allow for social distancing.
- Continue to provide regular service on Stationlink rail feeder routes.
- Continue suspension of service on freeway express and limited-stop bus routes which do not operate on weekends.

Overall, the June service change will increase weekday service by 517 daily bus trips and Saturday service by 147 daily trips. Annualized revenue vehicle hours will increase from the 955,641 operated since March to 1,210,312. This is 25 percent below the 1,625,000 annualized revenue vehicle hours operated prior to COVID-19. This amount of service provides for an effective level of bus service that accounts for potential added demand and sufficient capacity to permit social distancing and promote customer confidence. Staff will reassess service levels for the October service change based on customer demand, workforce availability, and social distancing, which may result in route deletions or additions, and adjustments to frequency or span of service.

Communication and engagement will continue to play a key role in building confidence and trust as OCTA delivers critical public transportation services during and beyond the COVID-19 pandemic. To notify customers about the June service change, OCTA is developing information to include the new service and schedules, as well as the safety measures OCTA has implemented such as rear-door boarding and new capacity limits to accommodate social distancing. The information will be distributed two weeks prior to June 14, 2020, through brochures distributed on-board buses and by mail, signage inside and outside the bus, as well as at stops and transit centers. In addition, digital messaging via email, texting, social media, mobile apps, and OCTA's website will be deployed to ensure sufficient level of awareness of the June service change.

Federal Requirements

The changes to bus service for both March and June 2020 are considered temporary services changes, as they are in response to an emergency, and the Federal Transit Administration (FTA) has indicated that they are not considered "major service changes", where a Service Equity Analysis and a public participation process would otherwise be required. Staff informed the regional

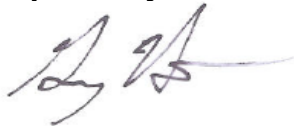
FTA office about the changes made in March and will also inform the FTA about the June changes.

Summary

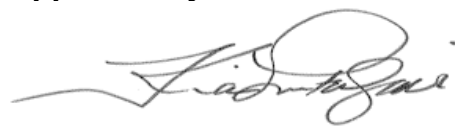
The June 2020 bus service change increases the weekday frequency to Saturday service levels in anticipation of additional demand as stay-at-home orders are eased. The service levels were developed based on anticipated demand, workforce availability, and social distancing. Notification of the changes to customers will be issued two weeks prior to implementation of the service change.

Attachments

- A. June 2020 Bus Service Change Summary
- B. June 2020 Bus Service Change System Map, Weekday Service Levels
- C. June 2020 Bus Service Change System Map, Suspended Routes

Prepared by:

Gary Hewitt
Section Manager, Transit Planning
(714) 560-5715

Approved by:

Kia Mortazavi
Executive Director, Planning
(714) 560-5741

June 2020 Bus Service Change Summary

Route	Service Change Summary	Daily Change in Bus Trips			Annualized Change in Revenue Vehicle Hours		
		WKD	SAT	SUN	WKD	SAT	SUN
1	Implement Saturday Service on Weekdays Plus Additional Trips	1	-	-	504.9	-	-
25	Implement Saturday Service on Weekdays	-	-	-	841.5	171.6	-
26	Implement Saturday Service on Weekdays	-	-	-	71.4	14.6	-
29/A	Implement Saturday Service on Weekdays Plus Additional Trips	14	6	-	14,040.3	2,863.1	-
30	Implement Saturday Service on Weekdays Plus Additional Trips	4	-	-	2,927.4	597.0	-
33	Implement Saturday Service on Weekdays	-	-	-	586.5	119.6	-
35	Implement Saturday Service on Weekdays	5	5	-	3,113.6	634.9	-
37	Implement Saturday Service on Weekdays Plus Additional Trips	22	9	-	9,537.0	1,944.8	-
38	Implement Saturday Service on Weekdays Plus Additional Trips	11	(4)	-	5,418.8	1,105.0	-
42/A	Implement Saturday Service on Weekdays Plus Additional Trips	3	-	-	1,073.6	218.9	-
43	Implement Saturday Service on Weekdays Plus Additional Trips	20	7	-	10,205.1	2,081.0	-
46	Implement Saturday Service on Weekdays	-	-	-	660.5	134.7	-
47/A	Implement Saturday Service on Weekdays Plus Additional Trips	8	-	-	8,996.4	1,834.6	-
50	Implement Saturday Service on Weekdays Plus Additional Trips	22	1	-	9,876.2	2,014.0	-
53	Implement Saturday Service on Weekdays Plus Additional Trips	17	15	-	8,644.5	1,762.8	-
54	Implement Saturday Service on Weekdays	5	5	-	4,539.0	925.6	-
55	Implement Saturday Service on Weekdays Plus Additional Trips	8	7	-	3,774.0	769.6	-
56	Implement Saturday Service on Weekdays	-	-	-	1,020.0	208.0	-
57	Implement Saturday Service on Weekdays	8	8	-	6,410.7	1,307.3	-
59	Implement Saturday Service on Weekdays	6	6	-	739.5	150.8	-
60	Implement Saturday Service on Weekdays Plus Additional Trips	10	-	-	7,698.5	1,569.9	-
64	Implement Saturday Service on Weekdays Plus Additional Trips	23	5	-	16,585.2	3,382.1	-
66	Implement Saturday Service on Weekdays Plus Additional Trips	20	-	-	7,369.5	1,502.8	-
70	Implement Saturday Service on Weekdays Plus Additional Trips	15	11	-	4,046.9	825.2	-
71	Implement Saturday Service on Weekdays	7	7	-	3,743.4	763.4	-
72	Implement Saturday Service on Weekdays	4	4	-	1,096.5	223.6	-
76	Restore Weekday Service	26	-	-	6,686.1	-	-
79/A	Implement Saturday Service on Weekdays	-	-	-	-	-	-
82	Restore Weekday Service	27	-	-	3,858.2	-	-
83	Implement Saturday Service on Weekdays	11	11	-	3,468.0	707.2	-
85	Restore Weekday Service	32	-	-	7,999.4	-	-
86	Restore Weekday Service	28	-	-	10,934.4	-	-
87	Restore Weekday Service	26	-	-	6,969.2	-	-
89	Implement Saturday Service on Weekdays	1	1	-	377.4	-	-
90	Implement Saturday Service on Weekdays	2	2	-	650.3	132.6	-
91	Implement Saturday Service on Weekdays	15	15	-	5,393.3	1,099.8	-
123	Restore Weekday Service	32	-	-	16,332.8	-	-
129	Implement Saturday Service on Weekdays	4	4	-	994.5	202.8	-
143	Implement Saturday Service on Weekdays	3	3	-	867.0	176.8	-
150	Suspended Service	-	-	-	-	-	-
153	Implement Saturday Service on Weekdays	2	2	-	504.9	103.0	-
167	Restore Weekday Service	30	-	-	14,427.9	-	-
177	Implement Saturday Service on Weekdays	17	17	-	3,009.0	613.6	-
178	Restore Weekday Service	28	-	-	8,517.0	-	-
206	Suspended Service	-	-	-	-	-	-
213	Suspended Service	-	-	-	-	-	-
453	Continue Weekday Service	-	-	-	-	-	-
463	Continue Weekday Service	-	-	-	-	-	-
472	Continue Weekday Service	-	-	-	-	-	-
473	Continue Weekday Service	-	-	-	-	-	-
480	Continue Weekday Service	-	-	-	-	-	-
529	Suspended Service	-	-	-	-	-	-
543	Implement Saturday Service on Weekdays	-	-	-	-	-	-

June 2020 Bus Service Change Summary

Route	Service Change Summary	Daily Change in Bus Trips			Annualized Change in Revenue Vehicle Hours		
		WKD	SAT	SUN	WKD	SAT	SUN
560	Suspended Service	-	-	-	-	-	-
701	Suspended Service	-	-	-	-	-	-
721	Suspended Service	-	-	-	-	-	-
794	Suspended Service	-	-	-	-	-	-
862	Implement Saturday Service on Weekdays	-	-	-	-	-	-
Totals		517	147	-	224,510	30,161	-

Acronyms

SAT - Saturday

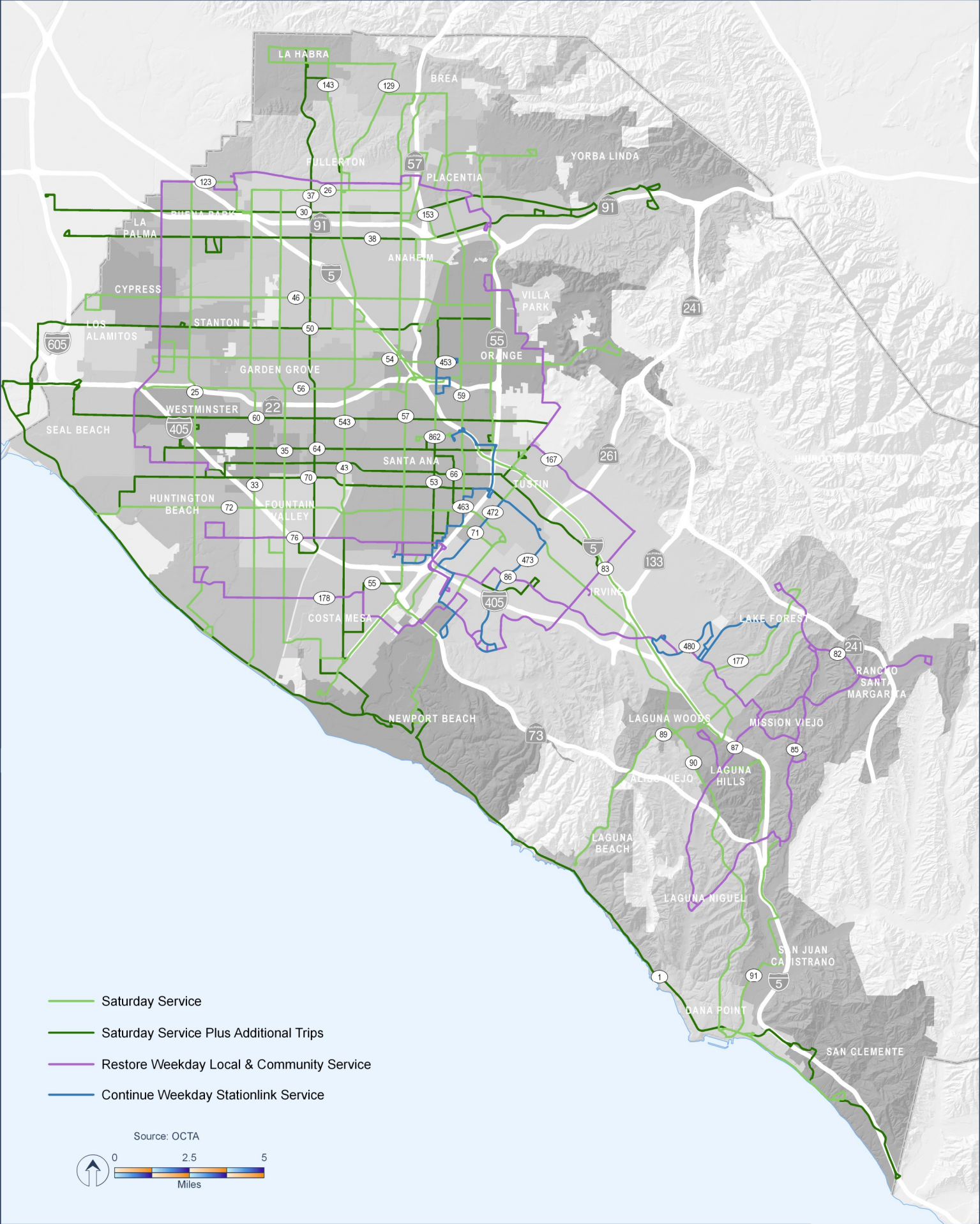
SUN - Sunday

WKD - Weekday

June 2020 Bus Service Change System Map

Weekday Service Levels

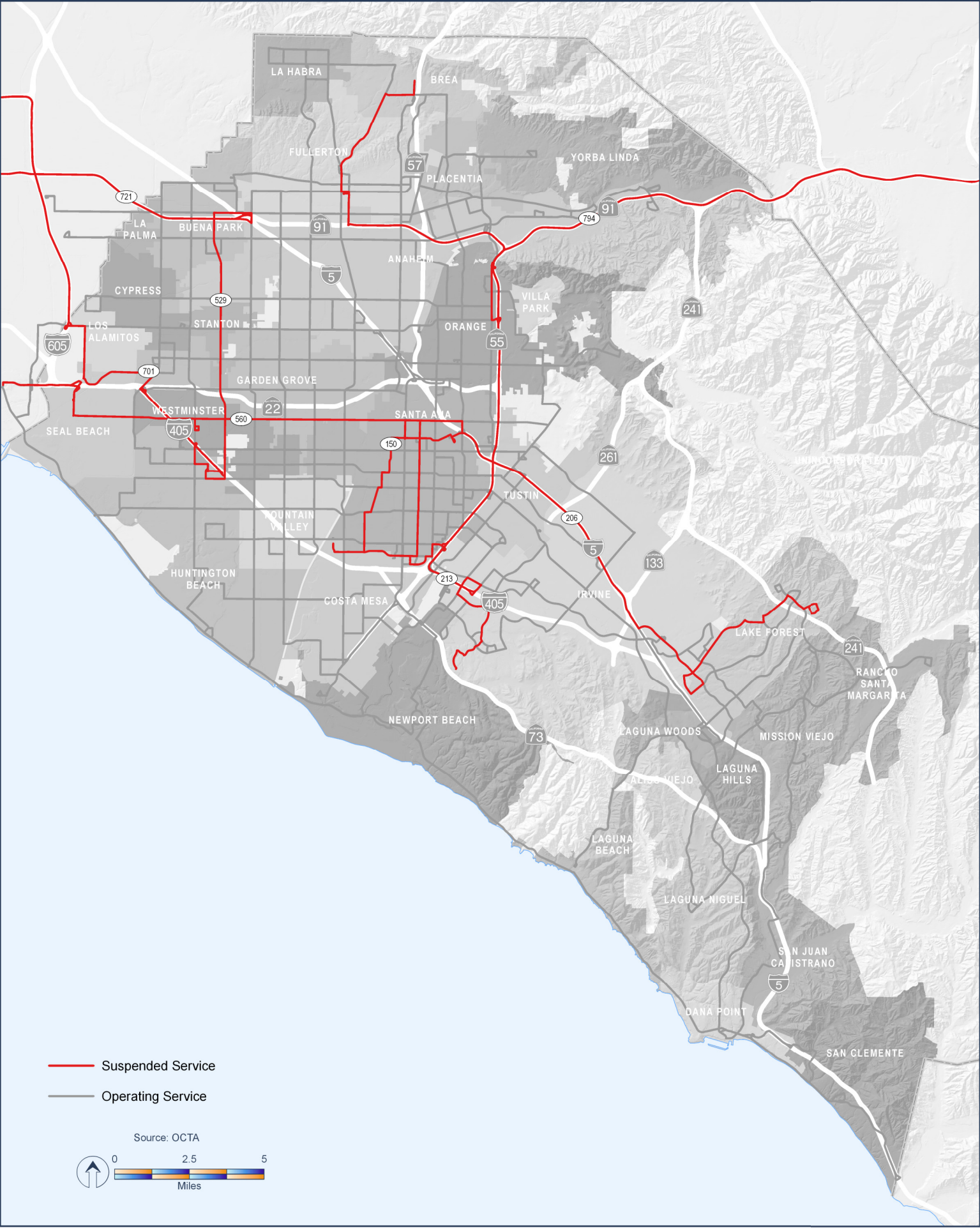
ATTACHMENT B



June 2020 Bus Service Change System Map

Suspended Routes

ATTACHMENT C





To: Members of the Board of Directors

From: Darrell E. Johnson, Chief Executive Officer

Subject: Measure M2 Senior Mobility Program Temporary Guideline Requirement Suspension

Overview

The Measure M2 Senior Mobility Program provides funding to eligible local jurisdictions interested in providing transit services that best meet the needs of seniors living within their community. Due to the impacts of the novel coronavirus, a primary service provider for several jurisdictions has terminated its operations with limited notice. The affected agencies need temporary relief from the third-party contracting requirements to allow for continuity of service. A recommended temporary suspension to the program guidelines is presented for Board of Directors' consideration.

Recommendation

Approve a temporary suspension effective June 1, 2020 to May 31, 2021 of the Senior Mobility Program guideline requirement related to procuring third-party contracted transportation service using a competitive bidding process. OCTA expects that best efforts are applied to ensure that contracts entered into are the most cost effective available.

Background

The Measure M2 (M2) Project U – Senior Mobility Program (SMP) provides funding to support local, community-based transportation service for seniors. Originally established in 2001 using limited state funding for bus operations, M2 Project U SMP funding was established to continue and expand the existing program. A formula funding allocation was established for all Orange County participating cities and eligible agencies based upon their senior population from the latest census. One percent of M2 net revenue is used to fund the program, and participating cities and eligible agencies must provide a minimum 20 percent local match of the total annual program expenditures. Included in the SMP are eligible non-profits. These agencies are funded locally but are required to follow requirements as specified for the M2 SMP.

To ensure compliance with the M2 Ordinance No. 3, the SMP Funding and Policy Guidelines (Guidelines) were established and approved by the Orange County Transportation Authority (OCTA) Board of Directors (Board) on February 14, 2011. Program guidelines are periodically updated as needed with the most recent SMP Guidelines adopted by the Board on November 26, 2018. The SMP Guidelines (Attachment A) specifies on page 3, 6.0 Service Guidelines, paragraph 2, that a jurisdiction may contract with a third-party service contractor at their discretion but must do so using a competitive procurement process.

The SMP is a vital connection for seniors to travel to medical appointments, grocery shopping, and senior center nutrition programs. Without the SMP, many seniors would be unable to travel or would potentially utilize OC ACCESS service.

Discussion

As a result of the novel coronavirus (COVID-19) pandemic, transit ridership has experienced a sharp decline as “stay-at-home” orders have been in place. Several SMP local jurisdictions have either suspended or modified service to provide essential trips only. Keolis Transit Services, LLC (Keolis) recently notified the six SMP local jurisdictions they serve that they will be discontinuing all transportation services in Orange County effective May 31, 2020, due to unforeseen circumstances and concerns related to the uncertainty surrounding the effects of the COVID-19 pandemic.

The six local jurisdictions are the cities of Anaheim, Costa Mesa, La Habra, Placentia, Seal Beach, and Yorba Linda. Combined, these six local jurisdictions provide approximately 48,000 trips to seniors in their communities every year. The short notice from Keolis has left these local jurisdictions with very little time to competitively procure another third-party service contractor. It typically takes a minimum of three months to issue a request for proposals (RFP), review proposals, select a provider, receive approval from city council, and award the contract. This process is also constrained by the limited number of contractors available and willing to respond to an RFP. Recently another local jurisdiction, the City of Laguna Woods, issued an RFP for their SMP transportation service and received no responses, including from the incumbent. The reason the incumbent provided for not responding to the RFP was the unknown ramifications of the COVID-19 pandemic and uncertainty of whether they could continue providing service in the foreseeable future.

As a result of the current situation, staff is recommending that the requirement related to the competitive procurement process be temporarily suspended to allow local jurisdictions currently in the program the ability to quickly secure a replacement provider in the short term. This temporary suspension would be effective through May 31, 2021. By June 1, 2021, local jurisdictions would be required to have contracts in place that have been competitively procured meeting the requirements as specified in the adopted Guidelines.

OCTA continues to require that local jurisdictions use a competitive process when able to do so. This temporary suspension is intended to provide relief to local jurisdictions who are unable to use a competitive process and, in those cases, OCTA expects that best efforts are applied to ensure that contracts entered into are the most cost effective available. In order for a local jurisdiction to exercise this suspension, they will be required to send OCTA a letter requesting to be relieved from the requirement. OCTA would send a letter in response authorizing the suspension and referencing the OCTA Board action. The OCTA letter and staff report would serve as official documentation for local jurisdiction audit purposes.

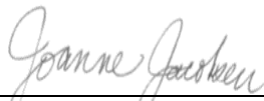
Summary

Based on challenges local jurisdictions are facing procuring third-party transit providers for the Measure M2 Senior Mobility Program, staff recommends the Board authorize the Chief Executive Officer to grant a temporary suspension of the competitive procurement requirement specified in the program guidelines during the time period of June 1, 2020 through May 31, 2021. Local jurisdictions are expected to continue to use their best efforts to ensure that contracts are cost effective.

Attachment

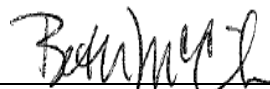
- A. Senior Mobility Program Project U Funding and Policy Guidelines

Prepared by:

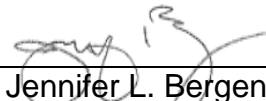


Joanne Jacobsen
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Executive Director, Operations
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Jennifer L. Bergener
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Deputy Chief Executive Officer
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Senior Mobility Program Project U Funding and Policy Guidelines

November 2018

1.0 Overview

The Measure M2 (M2) Project U – Senior Mobility Program (SMP) provides funding to support local, community-based transportation service for seniors. Originally established in 2001 using limited state funding for bus operations, M2 Project U SMP funding was established to continue and expand the existing program. A formula funding allocation was established for all Orange County participating cities and eligible agencies based upon their senior population. One percent of M2 net revenue is used to fund the program and participating cities and eligible agencies must provide a minimum 20 percent local match of the total annual program expenditures.

Included in the SMP are eligible non-profits. These agencies are funded locally and must also comply with the Guidelines.

2.0 Objectives

- To provide for local, community-based senior transportation services.
- To allow participating cities and eligible agencies to develop and implement senior transportation services to serve their community.
- To provide transit options for seniors which complement rather than duplicate OCTA fixed route and ACCESS paratransit service.

3.0 Eligibility Requirements

Participation in the SMP is contingent upon maintaining M2 eligibility. Participating cities and eligible agencies must be eligible to receive M2 funding, established on an annual basis as specified in the M2 Ordinance Requirements for Eligible Jurisdictions, to receive the formula allocation for this program.¹ Adherence to strict funding guidelines is required.

Participating cities and eligible agencies are required to submit a Service Plan as described in Section 7.0 and must enter into a cooperative funding agreement with OCTA that defines the conditions of use of SMP funds prior to receiving their SMP funding allocation.

4.0 Funding Allocation Method & Distribution

¹ Orange County Transportation Authority Ordinance No. 3, Attachment B, Section III

Funding for the program is identified as one percent of M2 net sales tax revenue and will be allocated to eligible participating cities and eligible agencies based upon the participating cities and eligible agencies' percentage of the senior population of the county. Senior population is determined by using the most current official decennial Census information provided by the U.S. Census Bureau.

Funding allocations are based on actual sales tax receipts. Funding will be distributed on a bi-monthly basis. SMP funds must be expended within three years of receipt.

OCTA may grant a two-year extension beyond the three-year expenditure limitation; however, an extension may not exceed five years from the date of the initial funding allocation. Participating cities and eligible agencies requesting an extension beyond the three-year limitation must submit a justification letter for review and approval by OCTA at least 90 days prior to the end of the third fiscal year.

In the event the time limits for use of SMP funds are not satisfied, any retained SMP funds that were allocated to an eligible participating city and eligible agency, including interest, shall be returned to OCTA.

5.0 Match Requirements

Participating cities and eligible agencies must provide a minimum 20 percent local match of the total annual program expenditures. Match funding may be made up of cash subsidies, fare revenues, donations, or in-kind contributions such as salaries and benefits for the participating cities and eligible agencies' employees who perform work on the program. Participating cities and eligible agencies may also be required to submit supporting documentation to substantiate local match expenditures. Participating cities and eligible agencies are not required to contribute the minimum match requirement on a monthly basis; however, the minimum 20 percent match requirement must be met by the end of each fiscal year, defined as June 30.

Participating cities and eligible agencies not satisfying the annual 20 percent match shall be subject to withholding of funds from future bi-monthly allocations equal to the difference between the amount of Measure M funds actually spent and the amount of Measure M funds actually matched.

Example:

Total Program Expenditures	\$100,000
Total M2 Funding Allocation	\$ 80,000
20% Required Match	\$ 20,000
Actual Reported Match	\$ 15,000

Withholding Calculation:

Total M2 Funds Spent	\$ 80,000
M2 Funding Eligibility Based on Actual Reported Match	- <u>\$ 60,000</u>
Withholding from Future Allocation(s)	\$ 20,000

6.0 Service Guidelines

Services provided under the SMP are available to individuals 60 years of age and older. Participating cities and eligible agencies have discretion in the types of trips provided within Orange County, such as trips to/from senior centers, medical appointments, shopping, personal care, and social/recreational activities. Participating cities and eligible agencies should use discretion when providing trips for social/recreational activities when developing their Service Plan to ensure prudent and appropriate use of taxpayer funds. SMP trips outside Orange County are restricted to medical trips only within approximately 10 miles of the Orange County border.

Participating cities and eligible agencies also have discretion in how the service is operated. Senior transportation services may be operated using employees, volunteers, or the jurisdiction may contract with a third-party service contractor. Contractors must be selected using a competitive procurement process and the participating city and eligible agency must ensure the contractor is in compliance with program guidelines and provisions included in the cooperative funding agreement.

Participating cities and eligible agencies whose program offers subsidized taxi service for seniors must ensure trips provided with SMP funding are consistent with the trip types as specified in these guidelines.

Wheelchair accessible vehicles must be available for SMP service.

Participating cities and eligible agencies will perform, or ensure that a contractor performs, maintenance of all vehicles used in the Senior Mobility Program. Participating cities and eligible agencies will ensure that its operators, or its contracted operators, are properly licensed and trained to proficiency to perform duties safely, and in a manner which treats its riders with respect and dignity.

Participating cities and eligible agencies may receive one retired OCTA ACCESS paratransit vehicle per year, free of charge, to support their senior transportation programs subject to availability. Any retired ACCESS vehicles in excess of one per year may be purchased for a cost equivalent to the refurbishment cost incurred by OCTA.

7.0 Service Plan Adoption

Participating cities and eligible agencies shall submit to OCTA a SMP Service Plan which defines program services (Exhibit A). The Service Plan must be submitted using a template provided by OCTA and must be adopted by the participating cities and eligible agencies' governing body and approved by the OCTA Board of Directors. Any revision to the adopted SMP Service Plan must be submitted to OCTA in advance for review and approval. Revisions to the trips listed on the service plan will require an amendment to the cooperative funding agreement prior to implementing a change in program services.

8.0 Insurance

Participating cities and eligible agencies shall procure and maintain insurance coverage as specified in their Senior Mobility Program cooperative agreements with OCTA.

9.0 Drug and Alcohol Testing

Participating cities and eligible agencies shall establish and implement an alcohol and drug testing program that complies with 41 U.S.C. sections 701-707, (the Drug Free Workplace Act of 1988), and will produce any documentation necessary to establish its compliance with sections 701-707.

10.0 Marketing and Outreach

Participating cities and eligible agencies shall participate as appropriate in OCTA marketing and outreach efforts to encourage the use of fixed route transit service by older adults.

11.0 Recognition of OCTA Sponsorship

Participating cities and eligible agencies shall note OCTA sponsorship in any promotional material for senior mobility services funded by OCTA and shall display an OCTA-provided OC Go Senior Mobility Program decal on vehicles used in this Program, excluding taxis.

12.0 Vehicle Maintenance

Participating cities and eligible agencies shall perform or ensure that a contracted vendor performs maintenance of all vehicles used in the Program, including:

- Daily pre-trip inspections and completion of checklists identifying each vehicle component and system inspected.

- Scheduled preventive maintenance that meets or exceeds the vehicle manufacturer's standards.

- Maintaining maintenance records for each vehicle for five years.

If required, cooperation in annual motor coach carrier terminal inspections conducted by the California Highway Patrol.

13.0 Eligible Expenses

Participating cities and eligible agencies shall ensure M2 funds are used for eligible direct program-related expenses which may include contract service providers, staff time, vehicle maintenance, fuel, insurance, vehicle acquisition, program supplies and materials, marketing materials, and community outreach. Participating cities and eligible agencies shall ensure all costs are program-related and are fair and reasonable. Administrative costs up to 10 percent are allowed and considered eligible program expenses. All program expenses are subject to audit.

No M2 funding shall be used by a participating city and eligible agency for other than transportation purposes authorized in the M2 Ordinance.

14.0 Program Revenue

Participating cities and eligible agencies must maintain adequate controls for collecting and reporting program revenue, including donations, fees, and cash fares. Program revenue must be used to support the transportation service and may be used as part of the participating cities and eligible agencies' 20 percent local match requirement.

15.0 Reporting

Participating cities and eligible agencies are required to submit reports using templates provided by OCTA. Required reporting data will include, but not be limited to, the following:

A. Operational Reports

- Number of Trips by Category
- Vehicle Service Hours
- Vehicle Service Miles

Operational reports are due 30 days after the end of the service month.

B. Financial Reports

- Program Cost Detail by Expense Category and % of Total Operating Cost
- Fares, Fees and Other Operating Revenue
- Participating City and Eligible Agency Total Contribution & Source
- Participating City and Eligible Agency Share as % of Total Operating Cost
- Cumulative Participating City and Eligible Agency Share to Date
- OCTA Contribution
- OCTA Contribution as % of Total Operating Cost

- Cumulative Contribution Received from OCTA
- Total Monthly Program Operating Cost
- Cumulative Total Program Operating Cost

Financial reports are due 60 days after the end of the quarter. Reports must be certified by the participating city and eligible agency's Finance Director or Finance Director's financial designee.

Participating cities and eligible agencies shall be required to maintain supporting documentation to substantiate reporting data. Supporting documentation may include, but is not limited to, actual receipts, contractor invoices, trip sheets, payroll, timesheets, fuel logs, and maintenance records/receipts.

C. Annual Questionnaire and Document Request (AQDR)

Participating cities and eligible agencies shall certify their compliance with these Guidelines annually by having their City Manager or City Manager's department director designee sign a completed version of a questionnaire sent out by OCTA. Jurisdictions shall also submit all compliance-related documents requested by OCTA. Completed AQDRs must be submitted to OCTA within 90 days of the end of the fiscal year reported upon.

Failure to meet the established reporting deadlines for any of these reports may result in future withholding of funding and/or other sanctions to be determined.

16.0 Audits & Inspection of Records

M2 funding is subject to audit. Participating cities and eligible agencies shall maintain program documentation and records for a period of no less than five years. Program documents and records, including but not limited to payroll, trip sheets, invoices, vehicle maintenance, fuel, and other program-related expenses, shall be available for review by OCTA SMP administrators, auditors, and authorized agents upon request. Participating cities and eligible agencies must follow established accounting requirements and applicable laws regarding the use of public funds. Failure to submit to an audit in a timely manner may result in withholding or loss of future funding. Failure to comply with the approved Service Plan will require remediation which may include repayment, reduction in overall allocation, and/or other sanctions to be determined by the OCTA Board of Directors.

Audits shall be conducted by the OCTA Internal Audit Department, or other authorized agent, as determined by OCTA.

OCTA's failure to insist in any one or more instances of a participating city and eligible agency's performance of the provisions set forth in these guidelines shall not be construed as a waiver or relinquishment of the participating city and eligible agency's obligation to comply with these guidelines.

Moreover, only the OCTA Board of Directors shall have the authority to alter and/or waive any requirements/obligations set forth in these guidelines.



Senior Mobility Program

Agency Service Plan

Cities and eligible agencies participating in the Orange County Transportation Authority (OCTA) Senior Mobility Program (SMP) must complete the following Service Plan in order to receive SMP funding. The Service Plan must be developed in accordance with SMP Guidelines and submitted to OCTA for review. Upon review from OCTA, the Service Plan must be formally adopted by the agency's council or governing body and approved by the OCTA Board of Directors. Any modifications to trip types (Item 3 below) requires submittal of a new Service Plan.

Participant Information:

Agency _____ Date _____

Program Contact _____

Phone _____ Email _____

Service Description:

1. Program goals and objectives:

2. Indicate how SMP service will be operated: *(Please check all that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Directly-Operated | <input type="checkbox"/> Subsidized Taxi Program |
| <input type="checkbox"/> Contract Service Provider | <input type="checkbox"/> Other (Please Describe) |
| <input type="checkbox"/> Volunteers | |

3. Eligible trips provided under the SMP are limited to the following categories.

Amusement parks Aquariums/zoos Beaches and parks Charity and social group events Community/cultural events Education/employment-related Family and friends Funerals/memorial services Government offices and services Libraries/museums/cultural sites	Medical Movie theaters/concerts Nutrition programs Personal care Religious institutions Restaurants Senior Centers Shopping Sporting/fitness Transit hubs/centers
---	--

Describe any other types of trip provided in the box below:

EXHIBIT A

4. SMP Guidelines restricts trips outside of Orange County to medical trips within approximately 10 miles of the Orange County border. Do you intend to provide medical trips outside of Orange County?

☐ Yes

☐ No

If yes, please list any destinations outside Orange County: (*ex. - medical trips to the VA Hospital in Long Beach*)

5. Fare structure:

6. Number of vehicles:

7. Projected annual ridership:

8. Source(s) of 20 percent match funding:

IN WITNESS WHEREOF, _____ (Agency Name) _____ has formally adopted the Senior Mobility Program Agency Service Plan as written above.

AGENCY REPRESENTATIVE

(Signature)

Name: _____

Title: _____

OCTA REPRESENTATIVE

(Signature)

Name: _____

Title: _____



COMMITTEE TRANSMITTAL

May 22, 2020

To: Members of the Board of Directors

From: Laurena Weinert, Clerk of the Board

Subject: Interstate 405 Improvement Project Update

Regional Planning and Highways Committee Meeting of May 4, 2020

Present: Directors Bartlett, Chaffee, Delgleize, Muller, M. Murphy,
R. Murphy, and Pulido

Absent: None

Committee Vote

Following the discussion, no action was taken on this receive and file information item.

Committee Recommendation

Receive and file as an information item.



May 4, 2020

To: Regional Planning and Highways Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Interstate 405 Improvement Project Update

Overview

The Orange County Transportation Authority is currently underway with the implementation of the Interstate 405 Improvement Project. This report provides a project update.

Recommendation

Receive and file as an information item.

Background

The Orange County Transportation Authority (OCTA), in cooperation with the California Department of Transportation, and the cities of Costa Mesa, Fountain Valley, Huntington Beach, Seal Beach, and Westminster, is implementing the Interstate 405 (I-405) Improvement Project between State Route 73 (SR-73) and Interstate 605 (I-605) (Project). The Project will add one general purpose lane in each direction from Euclid Street to I-605, consistent with Measure M2 Project K, and will add an additional lane in each direction that will combine with the existing high-occupancy vehicle lane to provide dual express lanes in each direction of I-405 from SR-73 to I-605, otherwise known as the 405 Express Lanes.

On November 14, 2016, the OCTA Board of Directors (Board) awarded the design-build (DB) contract to OC 405 Partners (OC405), a joint venture. OCTA executed the DB contract with OC405 and issued Notice to Proceed (NTP) No. 1 on January 31, 2017. NTP No. 1 was a limited NTP for mobilization, design, and administrative activities. On July 26, 2017, the Transportation Infrastructure Finance and Innovation Act (TIFIA) loan agreement was executed between OCTA and the United States Department of Transportation (USDOT). On July 27, 2017, OCTA issued NTP No. 2 to OC405. NTP No. 2 was a full NTP for all activities, including construction.

Discussion

A number of activities are ongoing as the final design, right-of-way (ROW) acquisition, utility relocations, and construction activities continue to advance. The following provides a more detailed status of Project activities.

Financing and TIFIA Loan

On July 26, 2017, OCTA executed a TIFIA loan agreement with the USDOT for up to \$628.93 million. Pursuant to the terms identified in the loan agreement, OCTA staff submits periodic reimbursement requisitions to the USDOT Build America Bureau and Federal Highway Administration. OCTA has received two TIFIA loan disbursements to date and anticipates receiving the third disbursement later this year.

Tolling Contracts

On February 26, 2018, the Board selected Kapsch TrafficCom USA, Inc., (Kapsch) to provide toll lanes system integration services for design, installation, operation, and maintenance of the electronic toll and traffic management (ETTM) system on both the 405 and 91 Express Lanes. Kapsch is currently under contract and is working closely with the design-builder to deliver fully functional express lanes upon opening in 2023. Kapsch has submitted the ETTM infrastructure final design to be used for the 405 Express Lanes, including equipment types and configurations. Kapsch has also reviewed the design-builder's plans and provided input on requirements for the Toll Operations Center (TOC) improvements. The TOC will be located at OCTA's Santa Ana Bus Base and will be staffed by Kapsch for 405 Express Lanes operations.

Staff has initiated the development of a request for proposals for the back office support and customer service center contract for the 405 Express Lanes, and plans to seek Board approval for its release in the summer of 2020.

Design

The final design is substantially complete at this time. The DB process allows for design refinements, and that process will continue throughout the remainder of construction.

ROW Acquisition

Construction of the Project impacts 288 properties, including 179 residential properties, 71 commercial/industrial properties, 37 public properties, and one railroad property. There are 287 properties identified as partial acquisitions

and one property identified as a full acquisition at the owner's request. The real property requirements for the partial acquisitions are comprised of a combination of fee acquisitions, permanent easements, temporary construction easements (TCE), permanent and temporary ground lease reductions, and access control rights needed to construct the proposed highway and express lane improvements for the Project. The full-fee acquisition, partial-fee acquisitions, permanent easements, and TCEs are required for roadway and bridge construction, soundwalls and retaining walls, drainage systems, and for the installation of above-ground and underground facilities, including electrical, telecommunication, water, sewer, gas, and storm drain systems.

The ROW acquisition program is currently on schedule. Of the 288 total properties impacted, the following summarizes the status of the ROW acquisition:

- 288 offers presented,
- 283 parcels in OCTA's possession for construction,
- 60 resolutions of necessity (RONs) approved.

No additional RONs are anticipated at this time.

Utility Relocations

There are currently 107 utilities that require relocation to accommodate the Project. OCTA is coordinating with 22 impacted utility owners to identify and resolve conflicts and relocation issues. To date, OCTA has executed 80 utility agreements, or over 75 percent of the agreements for utilities requiring relocation, and is in the process of finalizing the remaining utility agreements. There are several potential utility relocation risks, including a Southern California Gas transmission line and several Southern California Edison (SCE) facilities for which staff continues to develop and implement mitigation plans, as utilities are a shared risk between OCTA and OC405. Critical utility relocations that had once been considered to pose some risk, such as facilities owned by Frontier Communications, Chevron USA, Crimson Pipeline, and SCE, have been successfully completed.

Construction

OC405 began construction on March 6, 2018. Initial construction activities included restriping portions of the freeway and setting up concrete barriers on the outside of the freeway to protect work areas for activities such as tree removals and grading. These initial construction activities are complete. Clearing and grubbing, including tree and ground cover removal, and rough grading activities are also substantially complete at this time.

Significant roadway construction activities, including installation of drainage systems, retaining walls and soundwalls, and paving operations began in earnest in 2019 and will continue through 2020. Construction at Oceanview Channel and East Valley Channel, two major drainage facilities that cross under the freeway, is well underway. Additionally, over 50 walls are under construction or complete.

After the opening of the Slater Avenue overcrossing bridge in late August 2019, demolition and construction activities commenced on Bushard Street and Talbert Avenue. The Bushard Street and Talbert Avenue overcrossing bridge construction is actively progressing, and the bridges are anticipated to be open to traffic in late 2020 and early 2021, respectively. Construction on the McFadden Avenue overcrossing bridge also continues, and the bridge is anticipated to be open to traffic in late summer of 2020. Bushard Street, Talbert Avenue, and McFadden Avenue are all one-stage bridges, which means the bridges are closed to traffic on both sides of I-405 during demolition and reconstruction.

Significant bridge construction also continued at Fairview Road, Magnolia Street, Goldenwest Street, Westminster Boulevard, and Bolsa Chica Road overcrossings. These are two-stage bridges, which means traffic will be maintained on the remaining portion of the bridge while the first half of the new bridge is constructed. The first half of the new Magnolia Street overcrossing bridge opened in late March, and construction began on the second half of the bridge immediately thereafter. The opening of the first half of the other two-stage bridges noted is anticipated in 2020.

This past quarter, the widening of existing freeway bridges continued over Harbor Boulevard, Santa Ana River, Beach Boulevard, Bolsa overhead railroad crossing, and an old Navy railroad crossing.

Looking ahead, the remainder of 2020 will remain busy related to bridge, wall, and pavement construction.

Project Challenges

As would be expected on a project of this magnitude, certain challenges have been encountered, including the following:

- Oversight and approvals from many different agencies and third parties
- Cost and availability of construction resources in this active construction market
- Dispute resolution and change management
- Minimizing impacts and disruptions to the public
- Timely performance of third-party utility work
- Project schedule impacts and mitigations

OCTA has worked closely with its partners and OC405 to mitigate schedule delays when identified. Schedule mitigations implemented to date include building the Slater Avenue and Edwards Street overcrossing bridges in one stage instead of two stages, improvements to the construction staging at Oceanview Channel, and the long-term closure of one of the two off-ramps from northbound I-405 to Westminster Boulevard. More recent schedule mitigations that have been implemented include extended overnight and daytime freeway lane closures to take advantage of the significantly reduced traffic volumes on the freeway the past two months related to the COVID-19 pandemic. The objectives of the schedule mitigations are to minimize impacts to the original Project completion date while balancing the minimization of traffic impacts.

Additionally, in September 2019, there was a discovery of archaeological resources within the Project site. OCTA is following established state procedures for this type of discovery and is working with the appropriate parties to ensure appropriate and respectful procedures are followed. This discovery has impacted construction at a specific location. Recently, a mitigation was implemented to minimize the impacts to the overall Project schedule.

Project Cost/Contingency

The overall Project cost remains \$1.9 billion, and the Project contingencies have been approximately 38 percent expended to date. This is in line with the percent complete for the Project from both a time and earned value standpoint.

Public Outreach

Over the past few months, the public outreach team has shifted strategies as a result of the COVID-19 pandemic. All meetings with residents, business owners, and key stakeholders have become virtual discussions, and outreach is being conducted primarily through electronic means.

As work is ongoing on a large number of walls, the public outreach team is coordinating with approximately 150 residents due to the residents' backyard walls being rebuilt as part of the Project. Residents are advised of initial activities such as installation of safety fencing and ongoing work that may be of impact, such as wall demolition and pile installation. In addition, the public outreach team is facilitating preconstruction surveys prior to pile installation activities at bridges.

The public outreach team has conducted three virtual neighborhood meetings since the start of the COVID-19 pandemic. The first was with Fountain Valley, Huntington Beach, and Westminster residents near the Magnolia Street bridge as work there began on the second half of the bridge. In addition, virtual

meetings have been held with Leisure World and College Park East residents in the City of Seal Beach for activities along North Gate Road and Almond Avenue, respectively. The meetings were attended by an average of 50 residents, and the format, a webinar during which residents were able to comment and ask questions, has been well received.

The virtual meetings are among several tools the public outreach team has begun using in lieu of face-to-face briefings and meetings, tactics that are currently on hold. Other tools include targeted social media ads; addressable geofencing to deliver information through mobile music, games, and news apps; connecting with and sharing information to community-specific social media groups within each corridor city; creating 30- to 60-second videos for social media; and tagging local traffic reporters on social media.

In the coming months, the public outreach team anticipates conducting at least two additional virtual neighborhood meetings to notify communities of the next phase of activities beginning for the Bolsa Chica Road and Goldenwest Street bridges. Typically, the team also participates in community events throughout spring and summer, however, all events have been canceled. Meanwhile, the team continues to brief key community stakeholders through conference calls and have partnered with city staff to provide updates through each city's respective communication channels.

Constituent comments and questions have dropped slightly, averaging approximately 130 per month this past quarter, down from an average of 140 per month in the last quarter of 2019. An increase in activities has driven a rise in construction emails, with an average of 12 per month going to more than 12,000 recipients. In addition, targeted social media ads continue to be a cost-effective tool while the Project interactive map and mobile app use remains steady.

Next Steps

Staff will continue to work closely with the design-builder to continue construction. This involves completing the ROW acquisition, obtaining permits, utility relocation coordination, and coordinating construction activities.

Summary

Construction continues to advance. Currently, ROW acquisition, utility relocations, public outreach, and other activities are in process to continue the construction phase of the Project.

Attachment

None.

Prepared by:

A handwritten signature in blue ink, appearing to read "Jeff Mills".

Jeff Mills, P.E.
Senior Program Manager
(714) 560-5925

Approved by:

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

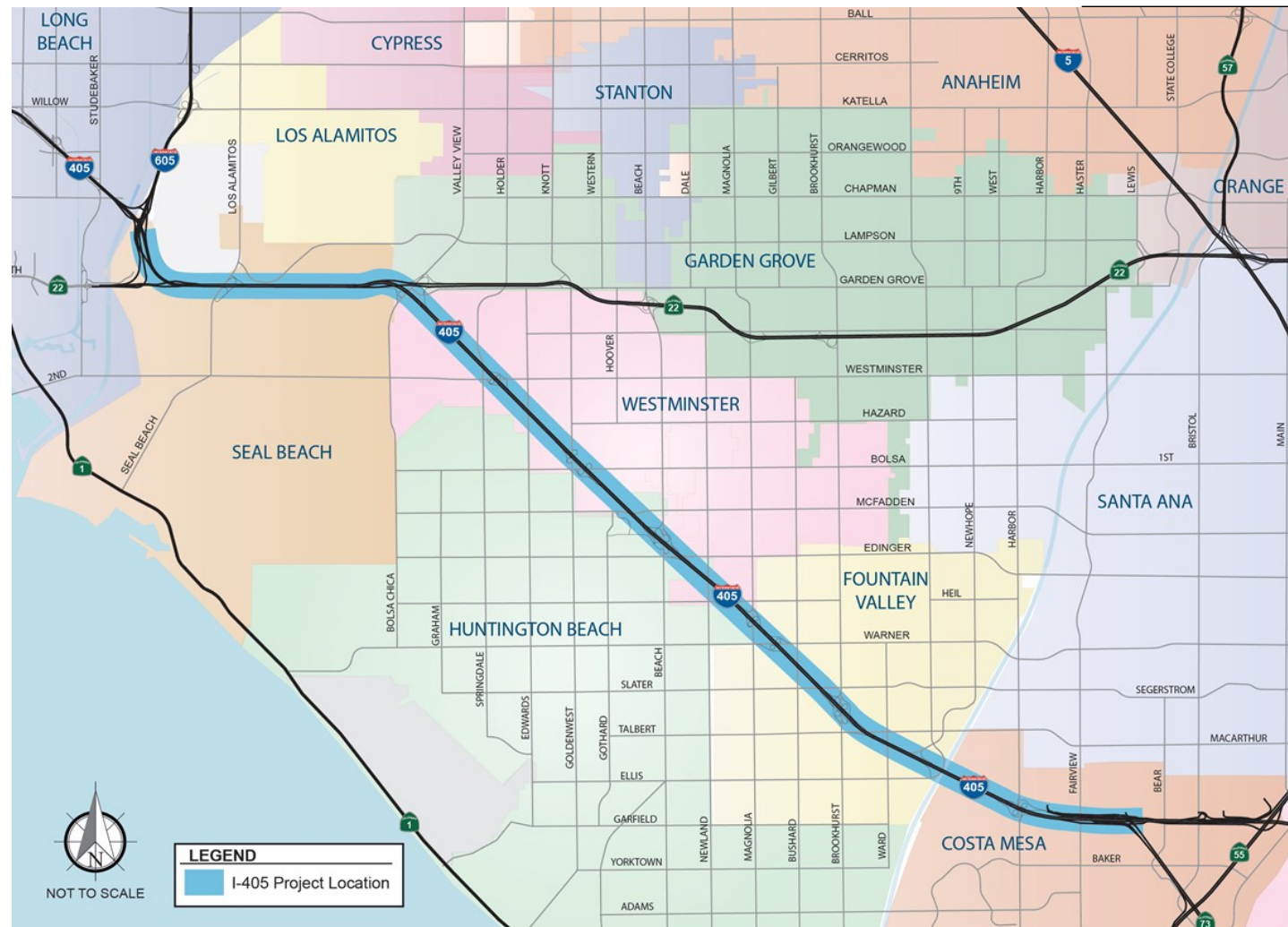
James G. Beil, P.E.
Executive Director, Capital Programs
(714) 560-5646



Interstate 405 Improvement Project Update



Project Location and Key Features



Background



Milestone	Completion Date
Environmental clearance	May 2015
Orange County Transportation Authority Board of Directors (Board) awards design-build (DB) contract to OC 405 Partners	November 2016
Notice to Proceed (NTP) No. 1 issued	January 2017
TIFIA* loan executed	July 2017
NTP No. 2 issued	July 2017
Construction began	March 2018

* Transportation Infrastructure Finance and Innovation Act

Project Update



Design

- Project design is substantially complete
- Future design refinements allowed in DB process

Right-of-Way

- 288 properties impacted – on schedule overall
- 288 offers presented
- 283 properties in possession (98 percent of total parcels needed)
- 60 resolutions of necessity adopted by the Board

Construction

- Construction over 30 percent complete
- Design-builder has approximately 700 workers involved in the I-405 Interstate Improvement Project (Project)

Construction Update



Concrete pavement construction

Construction Update



Drainage and other roadway construction

Construction Update



Wall construction

Construction Update



Magnolia Street bridge demolition

Construction Update



**McFadden Avenue
bridge construction**



**Westminster Boulevard
bridge construction**

Look Ahead for Bridge Construction



May – June 2020

- Bolsa Chica Road bridge (first half) opens to traffic
- Goldenwest Street bridge (first half) opens to traffic

July – December 2020

- McFadden Avenue bridge fully opens to traffic
- Bushard Street fully opens to traffic
- Start Heil Avenue pedestrian overcrossing
- Westminster Boulevard bridge (first half) opens to traffic
- Fairview Road bridge (first half) opens to traffic

Bridge Construction Map



Project Challenges



- Oversight and approvals from many different agencies and third parties
- Cost and availability of construction resources in this active construction market
- Change management
- Minimizing impacts and disruptions to the public
- Timely performance of third-party utility work
- Schedule impacts and mitigations

Schedule Mitigations Implemented



Previously Implemented

Slater Avenue bridge from two-stage to one-stage construction

Edwards Street bridge from two-stage to one-stage construction

Improvements to staging of Oceanview Channel construction

Long-term closure of one of two northbound off-ramps to Westminster Boulevard

Longer ramp closure durations

Extended and/or multiple night closures

Recently Implemented

Work-around to take area near archaeological discovery off the future schedule critical path

Daytime lane closures due to current lower traffic volumes

- Mitigations intended to minimize impacts to Project completion date
- To be balanced with minimizing traffic impacts

Community Engagement



Category	Average per month
Public comments, questions	130 constituents
Social media reach	186,359 users
Construction emails	12 (30 percent open rate)
Interactive map	968 users
Mobile app	272 users
Website closures list	353 downloads

Upcoming Outreach



- Virtual Neighborhood Meetings
 - Bolsa Chica Road
 - Goldenwest Street
- Almond Avenue Soundwalls
- North Gate Utility Relocations/Soundwalls
- Long-Term Ramp Closures
 - Seal Beach Boulevard
 - South Coast Drive
 - Edinger Avenue
- Key Stakeholder Briefings

405 Magnolia Online Meeting

Magnolia Street Bridge Update

Preparing for Traffic Shift

- **Magnolia closed, Recreation Circle to Heil Avenue**
9 p.m. to 6 a.m. nightly*
Thursday, March 26-Sunday, March 29

A video player interface showing two images: on the left, a bridge under construction with orange traffic cones; on the right, a construction site with a large concrete wall and a crane. A small video inset in the bottom right shows a man wearing a headset. The video player has a progress bar at 7:49 / 1:08:06 and a 'Scroll for details' link.



May 22, 2020

To: Members of the Board of Directors

From: Darrell E. Johnson, Chief Executive Officer

A handwritten signature in blue ink, appearing to read "Darrell Johnson", is placed over the "From:" line of the email header.

Subject: 2020 Board of Directors and Chief Executive Officer Initiatives and Action Plan – First Quarter Progress Report and Revised Action Plan

On January 27, 2020, the Board of Directors (Board) approved the 2020 Board and Chief Executive Officer (CEO) Initiatives (Attachment A) and Action Plan (Attachment B). The Action Plan consists of five Board initiatives broken down into nine CEO initiatives monitored through 97 milestones. Quarterly progress reports are presented to the Board. In light of the unprecedented novel coronavirus (COVID-19) pandemic and the impacts on the Orange County Transportation Authority's (OCTA) programs and priorities, the Action Plan was reviewed. The review was initiated to ensure the milestones continued to reflect OCTA's needs and goals. The revised Action Plan is presented along with the first quarter progress report.

First Quarter (Q1) Progress Report

During first quarter (Q1) of calendar year 2020 (January 1, 2020 through March 31, 2020), 15 milestones were scheduled for completion. At the end of Q1, nine of 15 milestones had been completed. The Q1 highlights include the initiation of construction on the Interstate 5 South Project, the extension of the OC Flex Microtransit Pilot Program, selection of an engineering team for the design phase of State Route 91 between State Route 57 and State Route 55, completion of the environmental approval phase for San Juan Creek Railroad Bridge, and launching the Leadership Development Academy. Since the end of Q1, an additional Q1 milestone has been completed, that being the start of environmental and preliminary design efforts for the Orange County Rail Maintenance Facility. The five milestones not completed that were assigned to Q1 are summarized in Attachment B. Schedule adjustments were necessary to align the need to further define project scope, and costs or issues with integration of new technology. In addition, OCTA completed three milestones one quarter early during Q1, which all support and advance progress of Orange County's Measure M2 Program and the Board-adopted Next 10 Delivery Plan.

2020 Action Plan Review

The review of the Action Plan confirmed that OCTA's goals remain unchanged. However, the schedules of certain activities did require adjustments allowing more time for OCTA to focus on management and recovery plans related to COVID-19. As a result, five milestones require minor adjustments, two COVID-19 milestones were added, and seven milestones were removed and will be reconsidered in 2021 as appropriate. The two added milestones address OCTA's response to COVID-19 through development of a task force and a post-COVID-19 Bus Service Plan to restore appropriate levels of service. Detail of changes to the 14 milestones as the result of the COVID-19 impacts can be found on pages three and four of Attachment B.

The Q1 progress report and revised Action Plan have been completed and are included for your review. As we navigate the impacts of COVID-19, OCTA continues to proactively and strategically address the immediate needs of the public and agency employees to continue keeping Orange County moving. Please contact me at (714) 560-5343 with any questions or suggestions.

DEJ:fc
Attachments

2020 BOARD AND CEO INITIATIVES

BALANCED & FORWARD THINKING



STEVE JONES
Chairman

DARRELL E. JOHNSON
Chief Executive Officer

ACTION PLAN - REVISED

ORANGE COUNTY TRANSPORTATION AUTHORITY

2020 BOARD AND CEO INITIATIVES

BALANCED & FORWARD THINKING



STEVE JONES
Chairman

DARRELL E. JOHNSON
Chief Executive Officer

2020 Board Initiatives

1. Comprehensive Mobility Solutions
2. Regional Leadership & Public Transparency
3. Resiliency, Sustainability & Innovation
4. Fiscal Accountability
5. Organizational Excellence

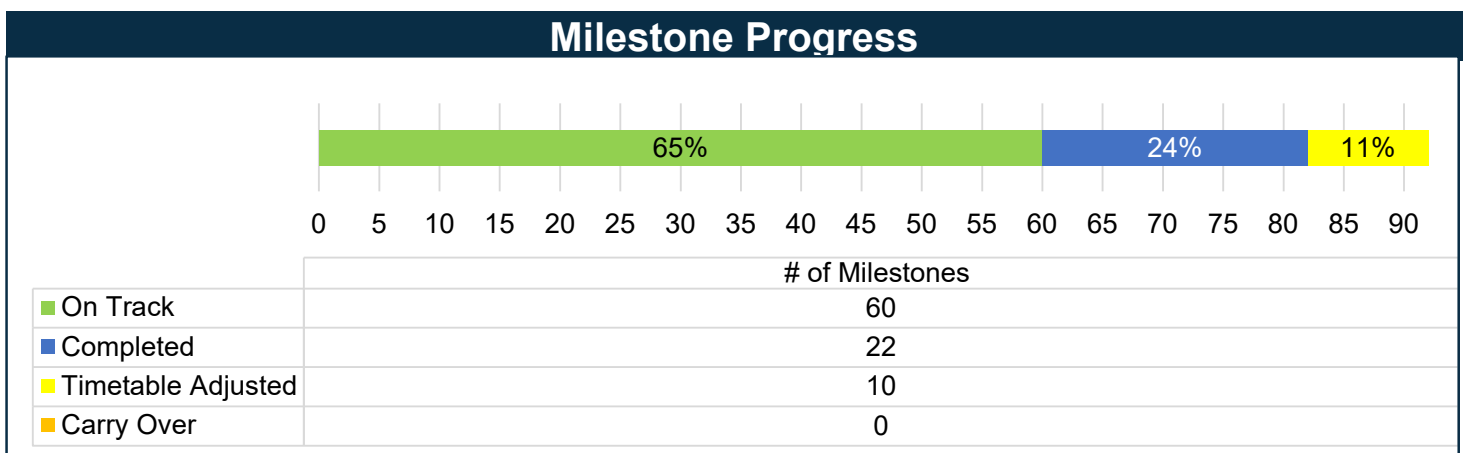
2020 CEO Initiatives

1. Enhance Transit Service Quality and Customer Experience
2. Deliver OC Go - Next 10 Plan Commitments
3. Collaborate with Local and Regional Partners
4. Ensure Public Accountability and Transparency
5. Advance Climate Resiliency and Sustainability
6. Promote and Deploy Innovative Technology
7. Champion Fiscal Responsibility
8. Strengthen Safety and Security Measures
9. Develop and Maximize Workforce Potential

2020 CEO Milestone Summary

Number of Milestones by Quarter		
Quarter Due	Original	Revised*
First Quarter	15	15
Second Quarter	30	31
Third Quarter	24	20
Fourth Quarter	28	26
TOTAL	97	92

* Explanation for revised milestones can be found on page 3.



Action Plan Review - Novel Coronavirus (COVID-19) Pandemic

On February 27, 2020, the Orange County Transportation Authority (OCTA) activated its Emergency Operations Center (EOC) and implemented its Emergency Operations Plan (EOP) in response to potential impacts from the novel coronavirus (COVID-19), which subsequently was declared a pandemic by the World Health Organization.

On March 4, 2020, Governor Newsom declared a State of Emergency to help the state prepare for a broader spread of COVID-19. On March 19, 2020, the Governor issued a stay-at-home order to protect the health and well-being of all Californians and slow the spread of COVID-19. Public transportation and infrastructure projects are designated by the state and federal governments as critical infrastructure projects. OCTA has taken steps to continue operations serving the public with essential transit service, capital project implementation, and is playing a vital role with the County of Orange EOC.

OCTA is closely monitoring risks and the financial implications of the pandemic including identifying any necessary changes to the OCTA budget, Measure M projects and program delivery and OCTA's bus operations. There is a great deal of uncertainty regarding the severity of the fiscal impact. OCTA is implementing proactive and strategic measures to ensure the health of the public and OCTA employees, supporting the County of Orange in the ongoing emergency response to the COVID-19 pandemic, and ensuring that short- and long-term agency programs can be successfully delivered. Due to the unprecedented pandemic, a review of the current Action Plan milestones was initiated to ensure they continue to reflect OCTA's needs and goals. Although our goals remain unchanged, timing of certain projects have been adjusted to allow OCTA to focus on management and recovery plans due to the health crisis. The tables on pages 3 and 4 summarize milestones that have been identified as impacted and require adjustments. These milestones along with their status will also be reflected in their respective assigned quarters and be designated with a "COVID-19" label identifying the change.

Milestones Adjusted

#	Project/ Program	Objective	Milestone	COVID-19 Impact
1.	Early Career Academy (ECA)	Provide Early Career Development to Grow New Professionals	Select and launch the second cohort of the ECA - Q2	Program postponed until employees are back in the office. Timetable adjusted to Q4.
2.	Transportation Communications Union Collective Bargaining Agreement	Negotiate and Renew Agreement	Present parts clerks and facilities technicians agreement to Board - Q2	Current contract expired April 30, 2020. Negotiations continue. Current contract terms remain status quo. Timetable adjusted to Q3.
3.	Agency Climate Resiliency and Sustainability Practices	Perform Gap Analysis on Agency Sustainability Practices and Preparedness for Natural and Human Induced Hazards	Inventory agency wide practices, including comparative analysis with peer agencies and present next steps for Plan development to ESC – Q2	Data collection and inventory processes to perform a thorough Gap Analysis have been limited. Timetable adjusted to Q4.

Milestones Adjusted (Continued)

#	Project/ Program	Objective	Milestone	COVID-19 Impact
4.	Transportation Needs Assessment	Conduct Assessment to Gain Insight on Current and Potential Customers	Present results update to Board - Q3	Assessment was put on hold in mid-March. Research efforts will restart three months after next major bus service change allowing for ridership to pick up. Milestone wording was modified and timetable adjusted to Q4.
5.	Credit Ratings	Maintain OCTA's Positive Credit Rating	Conduct annual rating agency trip meeting - Q3	A trip may not be possible, but a phone meeting will still be held. Milestone wording was modified.

Milestones Added

#	Project/ Program	Objective	Milestone	COVID-19 Impact
1.	COVID-19 Task Force	COVID-19 planning and response actions	Initiate the COVID-19 Task Force to develop plans and timely implementation of necessary actions to mitigate organizational, employee and customer risk. Present COVID-19 After-Action Report to Board - Q4	Added new milestone to Q4.
2.	Post-COVID-19 Bus Service Plan	Restore appropriate levels of bus service post COVID-19	Present post-COVID-19 bus service plan to Board - Q2	Added new milestone to Q2.

Milestones Removed - To be reconsidered in 2021 as appropriate

#	Project/ Program	Objective	Milestone	COVID-19 Impact
1.	OC Bus 2.0	Develop Strategies for Service Improvement	Present Improvement Plan to Board - Q3	Milestone replaced with the added post-COVID-19 Bus Service Plan milestone.
2.	Bravo Service Enhancements	Develop BRAVO Enhancement Strategy	Create a speed and amenity task force and present recommendations to Board - Q3	Milestone superceded with the added post-COVID-19 Bus Service Plan milestone.
3.	Strategic Transit Technology Plan	Develop Road Map for Future Transit Technology Improvements	Initiate procurement for consultant services - Q3	Milestone superceded with the added post-COVID-19 Bus Service Plan milestone.
4.	Employee Rotation Program	Develop Employees through Job Rotation	Launch annual program to develop future leaders with a broadened understanding of OCTA - Q3	Program postponed to ensure a complete experience. Carryover to 2021.
5.	OCTA Innovation Ideas	Explore Innovation Opportunities through Inter-divisional Team Meetings	Present biannual updates to Board - Q2 & Q4	Staff resources focused on post-COVID-19 service recovery plans. This will be reconsidered in 2021.
6.	Agency Climate Resiliency and Sustainability Strategies	Create a Comprehensive Plan	Using information from the gap analysis completed in Q2, initiate procurement to develop a Climate Resiliency and Sustainability Plan - Q4	The Agency Climate Resiliency and Sustainability Practices milestone was timetable adjusted to Q4, this will be reconsidered in 2021.
7.	Treasury Functional Review (2019 Carryover - Revised)	Conduct an External Review of Treasury Functions	Initiate procurement for consultant services - Q4	Staff resources focused on COVID-19 review to debt and investment portfolios. This milestone will be removed. There is no imminent need; the latest Treasury audit had

FIRST QUARTER (Q1)

10 of 15 Completed - 67%

#	Project/ Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
1.	Bus Fleet	Ensure Asset Preservation	Present 40-foot bus replacement RFP to Board - Q1	March 23, 2020 – presented to Board approval to release RFP.				
2.	OC ACCESS	Review OC ACCESS Service	Present results and recommendations from service delivery model study to ESC - Q1	February 24, 2020 - presented to ESC.				
3.	Orange County Rail Maintenance Facility (2019 Carryover)	Build a Local Rail Maintenance Facility	Begin environmental and preliminary design - Q1	April 22, 2020 - Contract to begin environmental and preliminary design executed.				
4.	San Juan Creek Railroad Bridge	Ensure Asset Preservation	Obtain environmental approval and initiate ROW acquisition to replace 100 year-old Railroad Bridge - Q1	March 26, 2020 - FTA issued environmental approval to initiate ROW acquisition.				
5.	I-5, SR-73 to El Toro Road (2019 Carryover)	Begin Construction	Initiate construction activities for Segment 1 on I-5 between SR-73 and Oso Parkway - Q1	January 15, 2020 - construction contract approved to initiate construction activities.				
6.	OC Streetcar (2019 Carryover)	Award Operations & Maintenance Contract	Present recommendation for contract award to Board - Q1	May 22, 2020 - anticipated to present to Board. Award of the contract is being adjusted to be consistent with the construction schedule and NTP for when the contractor is needed.				
7.	SR-91, SR-55 to SR-57	Begin Design	Present release of RFP for design of Segment 3 on SR-91 between Acacia Avenue to La Palma Avenue to Board - Q1	March 9, 2020 - presented release of RFP to Board.				
8.	Fare Collection System	Modernize Fare Collection System	Present Farebox replacement alternatives to Transit Committee - Q1	June 11, 2020 - anticipated to present award of the design contract to study farebox replacement to Transit Committee to better define scope and cost of modernizing OCTA's fare collection system				

ON TRACK

COMPLETED

TIMETABLE ADJUSTED

CARRYOVER

FIRST QUARTER (Q1) (Continued)

#	Project/ Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
9.	OC Flex	Test New Transit Delivery Models	Provide an update with recommendations on next steps to Board - Q1	January 27, 2020 - update provided to Board with a recommendation to extend OC Flex to October 2020				
10.	Signal Synchronization Technology	Future Proof Infrastructure	Initiate discussions with local agencies on advanced signal system improvements - Q1	February 11, 2020 - discussions were initiated at the Traffic Forum. Local agencies were interested, although many expressed concerns with aging infrastructure and resource availability.				
11.	Coach Operator Security	Enhance Security Measures for Coach Operators	Provide update in closed session to Board - Q1	Staff has requested additional resources in the FY21 budget to enhance security for coach operators; after review by BRC, a presentation for closed session item will be prepared				
12.	Facility Security Camera System (2019 Carryover)	Secure All OCTA Facilities	Complete security camera installation - Q1	June 30, 2020 - anticipated to complete security camera installation. Delay is due to difficulties with fiber optic cabling and integration into software.				
13.	Leadership Development Academy (LDA)	Provide Professional Development Programs	Select and launch the fourth cohort of the LDA to grow the next generation of leaders - Q1	January 16, 2020 - launched LDA with 15 participants. Due to COVID-19, some elements will be postponed and the program will be extended once everyone is back in the office. The cohort continues to meet monthly to connect and engage with one another.				
14.	Transit Master Plan	Seek Direction of Future Transit Options	Present prior Transit Master Plan for discussion to Transit Committee - Q1	July 2020 - anticipated to present to Transit Committee				
15.	M2 Eligibility - City of Santa Ana and City of Stanton	Ensure Timely Audit Of Expenditure Report and Maintenance of Effort (MOE)	Upon receipt, audit City of Santa Ana's and City of Stanton's Expenditure Reports and MOE requirements to bring recommendation at earliest meeting for action to Board - Q1	March 23, 2020 - presented audit findings to Board; April 13, 2020 - anticipated eligibility recommendations to Board				

ON TRACK

COMPLETED

TIMETABLE ADJUSTED

CARRYOVER

SECOND QUARTER (Q2)

11 of 31 Completed -

35%

#	Project/ Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
1.	Fullerton Transportation Center Revitalization	Enhance Passenger Experience	Complete construction - Q2	May 15, 2020 - anticipated to complete construction				
2.	OC ACCESS	Ensure Asset Preservation	Present OC ACCESS vehicle replacement contract to Board - Q2	May 22, 2020 – anticipated to present to Board; May 14, 2020 – anticipated to go to Transit Committee for award of agreement to purchase paratransit vehicles				
3.	OC ACCESS	Ensure Service Continuity	Present OC ACCESS Service Provider RFP to Board - Q2	May 22, 2020 - anticipated to present RFP to Board				
4.	Anaheim Canyon Metrolink Station Improvement(2019 Carryover)	Initiate Construction for Passenger Enhancements	Present recommendation for construction contract award to Board - Q2	October 2020 - anticipated contract award to Board. There is an access easement needed from a private property that could hold up the release of plans for bid.				
5.	Community Based Transit Circulators	Fund Community Based Transit Options	Present recommendations for Transit Circulator projects (Project V) grant awards to Board - Q2	April 13, 2020 - presented recommendations for grant awards to Board				
6.	I-5, El Toro Interchange	Seek Consensus on Project Alternative	Provide progress report on path forward based on input from the affected cities to Board - Q2	March 9, 2020 - provided project progress report to Board	Early Complete			
7.	I-5, I-405 to SR-55	Initiate Design Phase	Present release of RFP for design of Segment 2 on I-5 between Yale Avenue and SR-55 to Board - Q2	June 22, 2020 - anticipated release of RFP to Board				
8.	I-5, SR-73 to El Toro Road	Initiate Construction	Achieve Ready to List status for Segment 3 on I-5 between Alicia Parkway and El Toro Road - Q2	April 4, 2020 - achieved Ready to List status				
9.	I-605/Katella Avenue Interchange	Begin Design	Present release of RFP for design consultant services to Board - Q2	April 13, 2020 - presented RFP release to Board				

ON TRACK

COMPLETED

TIMETABLE ADJUSTED

CARRYOVER

SECOND QUARTER (Q2) (Continued)

#	Project/ Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
10.	Placentia Metrolink Station (2019 Carryover - Revised)	Provide Construction Start Progress	Provide update on agreements necessary to initiate construction to Transit Committee - Q2	June 11, 2020 - anticipated to provide update to Transit Committee				
11.	SR-55, I-405 to I-5	Complete Design	Submit 100 percent design plans for approval to Caltrans - Q2	April 29, 2020 - submitted to Caltrans				
12.	SR-55, I-5 to SR-91	Complete Environmental	Submit final environmental document for approval to Caltrans - Q2	March 13, 2020 - submitted final environmental document to Caltrans. The Final Project Report was signed on March 30, 2020.	Early Complete			
13.	SR-91, SR-55 to SR-57	Begin Design	Present recommendation for award of design contract for Segment 2 on SR-91 between La Palma Avenue and SR-55 to Board - Q2	February 10, 2020 - presented recommendation to Board	Early Complete			
14.	SR-91, SR-55 to SR-57 (2019 Carryover)	Complete Environmental	Submit final environmental document for approval to Caltrans - Q2	June 15, 2020 - anticipated to submit final environmental document to Caltrans				
15.	Streets & Roads	Fund Streets and Roads Improvements	Present recommendations for RCP (Project O) and RTSSP (Project P) projects grant awards to Board - Q2	May 11, 2020 - anticipated to present recommendations for grant awards to Board				
16.	Agency Climate Resiliency and Sustainability Practices	Perform Gap Analysis on Agency Sustainability Practices and Preparedness for Natural and Human Induced Hazards	Inventory agency wide practices, including comparative analysis with peer agencies and present next steps for Plan development to ESC – Q2	Data collection and inventory processes to perform a thorough Gap Analysis have been limited. In some cases, face-to-face interaction with employees at the bus bases is necessary to obtain adequate feedback and information. This will be timetable adjusted to Q4.				COVID-19

ON TRACK

COMPLETED

TIMETABLE ADJUSTED

CARRYOVER

SECOND QUARTER (Q2) (Continued)

#	Project/ Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
17.	Zero-Emission Bus Roll Out	Prepare Roll Out Plan for Zero-Emission Bus Implementation	Present for adoption to Board - Q2	February 13, 2020 - presented update on Roll Out Plan to Transit Committee				
18.	Dynamic Digital Bus Stop Signage	Deploy Pilot Real Time Bus Digital Signs	Provide an interim update on implementation to ESC – Q2	June 8, 2020 - anticipated to provide update to ESC				
19.	Fullerton Park and Ride Joint Development	Opportunities for Public/Private Partnership to Increase Transit Interest	Present the results from the study for future consideration of joint development opportunities to Board – Q2	May 22, 2020 - anticipated to present Phase 1 joint development study results to Board; May 14, 2020 - Transit Committee				
20.	Mobility On Demand	Support Mobility on Demand	Provide update on demand responsive services proposed through Project V to Board - Q2	April 13, 2020 - provided update on demand responsive services as part of Project V programming recommendations to Board				
21.	OCTA's Operating and Capital Budget	Develop a FY 2020-21 Balanced Budget	Present a comprehensive balanced OCTA FY 2020 - 21 Budget for adoption to Board - Q2	June 8, 2020 - anticipated to present budget to Board. The FY 21 budget public hearing will be held at the board meeting on June 8, with back up board meeting date on June 22.				
22.	Cybersecurity Training	Protect OCTA's Information Systems	Require completion of annual cybersecurity training for all employees - Q2	June 30, 2020 - cybersecurity training deadline for all employees				
23.	Cybersecurity Training	Protect OCTA's Information Systems	Continue implementation of Cyber Security Roadmap and provide an update to Executive Committee - Q2	April 6, 2020 - provided update to Executive Committee				
24.	Transit Police Services (TPS)	Protect OCTA Operations	Present contract for TPS to Board - Q2	June 22, 2020 - anticipated to present contract to Board				

ON TRACK

COMPLETED

TIMETABLE ADJUSTED

CARRYOVER

SECOND QUARTER (Q2) (Continued)

#	Project/ Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
25.	Early Career Academy (ECA)	Provide Early Career Development to Grow New Professionals	Select and launch the second cohort of the ECA - Q2	Eleven participants were selected but shelter in place order occurred before the program launch on April 29, 2020. The program will be postponed until employees are back in the office and a new schedule can be drafted. This milestone will be timetable adjusted to Q4.				COVID-19
26.	Personnel and Salary Resolution	Update Personnel Policies	Present recommendations to Board - Q2	June 8, 2020 - anticipated to present to Board. On track to be presented with OCTA budget.				
27.	Transportation Communications Union Collective Bargaining Agreement	Negotiate and Renew Agreement	Present parts clerks and facilities technicians agreement to Board - Q2	Current contract expires April 30, 2020. Negotiations continue. Current contract terms remain status quo. This will be timetable adjusted to Q3.			COVID-19	
28.	Beach Boulevard Corridor Study	Study Corridor Transportation Improvement Options	Present draft final report to Regional Planning & Highways Committee - Q2	April 6, 2020 - presented draft final report to Regional Planning & Highways Committee and to Board on April 27, 2020				
29.	I-5, Pico to San Diego County Line	Initiate the Environmental Phase to complete Orange County's High Occupancy Vehicle Lane System	Provide update to Board - Q2	June 22, 2020 - anticipated RFP release for PA/ED services to Board; June 8, 2020 - PA/ED coop with Caltrans to Board.				
30.	SAFE Rule	Monitor Implementation of SAFE Rule	Provide an update to Legislative & Communications Committee - Q2	April 16, 2020 - provided an update to Legislative & Communications Committee.				
31.	Post-COVID-19 Bus Service Plan	Restore appropriate levels of bus service post COVID-19	Present post-COVID-19 bus service plan to Board - Q2	May/June 2020 - anticipated to update Transit Committee, then to Board		COVID-19		

ON TRACK

COMPLETED

TIMETABLE ADJUSTED

CARRYOVER

THIRD QUARTER (Q3)

1 of 20 Completed - 5%

#	Project/ Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
1.	Human Services Transportation Coordinated Plan	Coordinate Transportation Delivery Services	Present final plan to Board - Q3	September 28, 2020 - anticipated to present final plan Board. Prior, to Transit Committee on September 10, 2020.				
2.	I-405 Improvement Project (2019 Carryover)	Complete Possession of Property Rights	Complete ROW Phase (obtain legal possession) - Q3	July 2020 - anticipated to obtain legal possession				
3.	Hazard Mitigation Plan	Develop a Plan of Actions	Issue an RFP for a Plan of Sustained Actions Needed to Reduce Risks to Life and Property from All Hazards - Q3	August 24, 2020 - anticipated RFP release; March 9, 2020 - grant funding acceptance was presented to Board for approval				
4.	Near Zero-Emission Engines	Install Cleanest CNG Engine Technology	Complete near zero-emission engine installation on 20 articulated buses - Q3	February 10, 2020 - completed six NZ engine repowers. On track for Q3 completion.				
5.	Zero-Emission Battery Electric Buses	Evaluate Large Bus (BRAVO) Battery Electric Technology	Present release of vehicle procurement RFP to Board - Q3	April 27, 2020 – presented to Board for approval to release RFP		Early Complete		
6.	Zero-Emission Bus Update	Report on Transit Technology	Present fleet and equipment performance update to Board - Q3	September 28, 2020 - anticipated to provide update to Board				
7.	Zero-Emission Relief Vehicles	Reduce Emissions From Coach Operator Relief Vehicles	Present request for purchase of zero-emission vehicles to Board - Q3	August 24, 2020 – anticipated to present to Board to release IFB. EV Infrastructure design in progress.				

ON TRACK

COMPLETED

TIMETABLE ADJUSTED

CARRYOVER

THIRD QUARTER (Q3) (Continued)

#	Project/ Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
8.	Express Lanes Network Study	Assess Freeway Operations Strategies	Present recommendations to Regional Planning & Highways Committee - Q3	June 8, 2020 - On schedule to complete in Q2 and an update will be presented to the Regional Planning & Highways Committee and the Board.				
9.	405 Express Lanes Back Office System	Implement Transaction Processing System	Present the RFP for back office system and customer service to Board - Q3	July 13, 2020 - anticipated RFP release to Board Notes – Staff continues to meet with PMC on a regular basis to develop the scope of work, RFP, and draft agreement.				
10.	Credit Ratings	Maintain OCTA's Positive Credit Rating	Conduct annual rating agency meeting - Q3	June 17-19, 2020 - trip scheduled; Fitch reaffirmed the 91 Express Lanes Rating at "A+".			COVID-19	
11.	Express Lanes Roadside Assistance	Ensure Roadside Safety	Present release of SR-91 and 405 Express Lanes Roadside Assistance RFP to Board - Q3	July 13, 2020 - anticipated release of RFP to Board. Notes – Staff continues to meet with PMC on a regular basis to develop the scope of work, RFP, and draft agreement.				
12.	Safety Management System	Ensure Operational Safety	Present the Public Transportation Agency Safety Plan (PTASP) to Board - Q3	May 2020 - anticipated to present PTASP to Board for adoption. Draft PTASP developed and is currently being routed for internal review and comment. Draft PTASP to be sent to the FTA for review in March.				

ON TRACK

COMPLETED

TIMETABLE ADJUSTED

CARRYOVER

THIRD QUARTER (Q3) (Continued)

#	Project/ Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
13.	Coach Operator Collective Bargaining Agreement	Negotiate and Renew Agreement	Present agreement to Board - Q3	Current contract expired April 30, 2020. Negotiations continue. Current contract terms remain status quo. This milestone will require more time and will be timetable adjusted to Q4.				
14.	Employee Health Insurance Renewal Programs	Secure Competitive Health Benefits	Present health insurance recommendations to Board - Q3	August 24, 2020 - anticipated present to Board. Rate renewals are received in March-April timeframe at which time recommendations can be formulated.				
15.	College Pass Program	Initiate Post Pilot Next Steps	Work with colleges to extend the pass program beyond the pilot phase for Santa Ana College & Rancho Santiago Community College District Continued Education - Q3	Currently working on extending the current program and working with new colleges who expressed interest for Fall enrollment.				
16.	OC to LA Transit Connections Study	Study Regional Transit Connection Opportunities	Present update to Transit Committee - Q3	September 28, 2020 - anticipated to present to Board				
17.	SR-91 Implementation Plan	Collaborate with RCTC to Update the Plan in Support of Regional SR-91 Corridor Transportation Improvements	Present Plan to Board – Q3	July 13, 2020 - anticipated to present to Board; January 22, 2020 - PDT Meeting held ; June 5, 2020 - anticipated 91 Advisory Committee; July 6, 2020 - anticipated RP&H				
18.	Diversity Outreach	Conduct Diversity Outreach Programs to Support Capital Projects, Planning Studies and Marketing	Provide annual update to Board - Q3	August 24, 2020 - anticipated to provide update to Board; August 20, 2020 - to Transit Committee				

ON TRACK

COMPLETED

TIMETABLE ADJUSTED

CARRYOVER

THIRD QUARTER (Q3) (Continued)

#	Project/ Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
19.	Legislative Priorities	Provide End of Session Report	Discuss outcomes of legislative priorities, including protection of toll agency interoperability and enforcement practices and any reform of the Transportation Development Act with Legislative & Communications Committee - Q3	November 19, 2020 - anticipated to provide end of year report. We will also include a summary of bills with positions at the September 28, 2020 Board meeting. However, the Governor's signing deadline is September 30, so we will not have complete results until after that.				
20.	Transportation Needs Assessment	Conduct Assessment to Gain Insight on Current and Potential Customers	Provide update to Board - Q3	Restart research efforts 3 months after next major bus service change allowing for ridership to pick up				COVID-19
	OC Bus 2.0	Develop Strategies for Service Improvement	Present Improvement Plan to Board - Q3	Milestone superceded with the added post COVID-19 Bus Service Plan milestone.			COVID-19	
	Bravo Service Enhancements	Develop BRAVO Enhancement Strategy	Create a speed and amenity task force and present recommendations to Board - Q3	Milestone superceded with the added post COVID-19 Bus Service Plan milestone.			COVID-19	
	Strategic Transit Technology Plan	Develop Road Map for Future Transit Technology Improvements	Initiate procurement for consultant services - Q3	Milestone superceded with the added post COVID-19 Bus Service Plan milestone.			COVID-19	
	Employee Rotation Program	Develop Employees through Job Rotation	Launch annual program to develop future leaders with a broadened understanding of OCTA - Q3	The program is able to provide a full and meaningful experience when started at the beginning of the calendar or fiscal year. This will be carried over to 2021.			COVID-19	

ON TRACK

COMPLETED

TIMETABLE ADJUSTED

CARRYOVER

FOURTH QUARTER (Q4)

0 of 26 Completed - 0%

#	Project/ Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
1.	I-405 Improvement Project	Continue to Advance Construction	Complete McFadden Avenue bridge - Q4	October 2020 - anticipated to complete bridge				
2.	Next 10 Plan	Ensure M2 Delivery Commitment	Review and present status of the Next 10 Plan deliverables to Board - Q4	October 12, 2020 - anticipated to present to Board				
3.	OC Streetcar	Ensure Vehicle Delivery	Finish assembly of one complete vehicle - Q4	Currently on schedule, based on Siemens' baseline schedule.				
4.	SR-55, I-405 to I-5	Initiate Construction	Achieve Ready to List status - Q4	November 30, 2020 - anticipated to achieve Ready to List status				
5.	Congestion Management Program / SB 743 (Chapter 386, Statutes of 2013) Consistency	Support SB 743 requirements	Develop VMT Analysis Guidelines and present recommendations to ESC - Q4	February 4, 2020 - Consultant selected to develop VMT analysis guidelines				
6.	M2 Environmental Cleanup Program	Fund Water Quality Improvements	Present programming recommendations for Tier 1 Projects (Project X) grant awards to Board - Q4	September 14, 2020 - anticipated to present recommendations for grant awards to Board				
7.	OC Flex	Test New Transit Delivery Models	Upon completion of the micro-transit pilot program, present results and recommendations to ESC - Q4	December 14, 2020 - anticipated to present to ESC				
8.	Comprehensive Annual Financial Report (CAFR)	Ensure Accountability and Transparency	Obtain an unmodified opinion from the external auditors and provide the annual financial statements to Board - Q4	November 23, 2020 - anticipated to provide CAFR to Board				
9.	Comprehensive Business Plan	Develop OCTA's Business Plan	Provide a summary of OCTA's FY 2020-21 long-term financial plan for adoption to Board - Q4	December 14, 2020 - anticipated to provide CBP to Board. The CBP is still scheduled to be kicked-off in August 2020 and planned to be presented to the Board on or before the December 14, 2020 meeting.				

ON TRACK

COMPLETED

TIMETABLE ADJUSTED

CARRYOVER

FOURTH QUARTER (Q4) (Continued)

#	Project/ Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
10.	Federal Obligation Authority Plan	Maximize Federal Formula Funding Opportunities	Present the Federal Obligation Authority Plan to Board – Q4	September 14, 2020 - anticipated to present to Board				
11.	New Budget Software Implementation	Ensure Long Term OCTA Budget System Support	Transition from internally developed software to commercial software during 2020 for development of FY 2021-22 budget - Q4	December 2020 - anticipated training kickoff in new system for the development of FY2021-22 budget. Implementation will take 6 months.				
12.	Crisis Communication	Ensure Agency and Staff Preparedness	Conduct a tabletop exercise for the Crisis Communications team and revise Crisis Communications Plan as appropriate – Q4	Mid-November - anticipated to conduct tabletop exercise				
13.	APTA Expo	Host International Conference	Lead efforts to host APTA Expo 2020 in Anaheim - Q4	October 12-14, 2020 – APTA Expo will be held at the Anaheim Convention Center				
14.	South Orange County Multimodal Study	Study Regional Multimodal Transportation Improvement Options	Provide an update to Board - Q4	June 2020 - anticipated update to Board				
15.	241/91 Express Lanes Connector (ELC)	Provide 241/91 ELC Project Progress	Provide an update on the status of the project with a discussion on the development of the agreements related to the term sheet to Board - Q4	November 23, 2020 - anticipated update to Board. Notes – Representatives from RCTC, TCAs, and OCTA continue to meet on a monthly basis to negotiate deal points for the agreements to construct, operate, and maintain the 241/91 ELC facility.				

ON TRACK

COMPLETED

TIMETABLE ADJUSTED

CARRYOVER

FOURTH QUARTER (Q4) (Continued)

#	Project/ Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
16.	State Active Transportation Program	Support Local Efforts to Secure Active Transportation Funding	Provide an update and priorities to Board - Q4	December 14, 2020 - anticipated to provide update to Board				
17.	Federal Transportation Reauthorization	Monitor Reauthorization Efforts	Report on discussions consistent with legislative platforms to Board - Q4	February 24, 2020 - principles presented to Board.				
18.	Legislative Platforms	Set Legislative Priorities	Present 2021 state and federal legislative platforms to Board - Q4	November 23, 2020 - anticipated to present to Board. Schedule for adoption will go the Board on June 22nd. Drafts will go September 28th.				
19.	OC Streetcar	Continue to Advance Construction	Report on status of construction to meet March 2022 service startup date Q1 - Q4	March 23, 2020 - provided update to Board				
20.	Outreach Activities	Conduct Outreach to Support Capital Projects and Planning Studies	Provide quarterly I-405 and OC Streetcar updates and other projects and studies as appropriate to Board - Q1-Q4	January 13, 2020 - provided Board with 405 update; March 23, 2020 - presented OC Streetcar update to Board; April 27, 2020 - anticipated to present Beach Blvd Study to Board; May 22, 2020 - anticipated to present 405 updates to Board; June 22, 2020 - anticipated to present OC Streetcar update to Board				
21.	Active Transportation Initiatives	Implement Programs in Support of Non-Motorized Transportation	Provide biannual updates on Safe Routes to School, OC Loop and Safety Programs to Board - Q2 & Q4	June 8, 2020 & December 14, 2020 - anticipated updates to Board				

ON TRACK

COMPLETED

TIMETABLE ADJUSTED

CARRYOVER

FOURTH QUARTER (Q4) (Continued)

#	Project/ Program	Objective	Milestone	Notes	Q1	Q2	Q3	Q4
22.	M2 Environmental Mitigation Programs	Ensure Comprehensive Freeway Program Mitigation	Present biannual progress reports to Board - Q2 & Q4	June 22, 2020 & December 14, 2020 - anticipated to present to Board				
23.	Legislative Forums	Communicate Transportation Needs and Challenges	Conduct forums with local delegation representatives and present report to ESC - Q2 & Q4	First forum was scheduled for sometime in April, however, this will be rescheduled.				
24.	Marketing Activities	Promote and Educate Public on OCTA Services	Present biannual updates on ongoing campaigns promoting bus, rail, OC Flex, rideshare, vanpool services and bus service changes to Legislative & Communications Committee - Q2 & Q4	June 18, 2020 & November 19, 2020 - anticipated updates to Legislative & Communications Committee				
25.	Regional Planning Activities	Highlight Transportation Planning Activities	Present biannual reports on activities underway that impact OCTA and the Southern California Region to Board - Q2 & Q4	May 22, 2020 & November 2020 - anticipated to present to Board				
26.	COVID-19 Task Force	COVID-19 planning and response actions	Initiate the COVID-19 Task Force to develop plans and timely implementation of necessary actions to mitigate organizational, employee, and customer risk. Present COVID-19 After-Action Report to Board - Q4	Activated Q1 – Continued activation until crisis ends				
	Treasury Functional Review (2019 Carryover – Revised)	Conduct an External Review of Treasury Functions	Initiate procurement for consultant services – Q4	There is no imminent need and given COVID-19, we will be dedicating Treasury time and resources elsewhere. In addition, the latest Treasury audit had no findings.				COVID-19
	Agency Climate Resiliency and Sustainability Strategies	Create a Comprehensive Plan	Using information from the gap analysis completed in Q2, initiate procurement to develop a Climate Resiliency and Sustainability Plan – Q4	The Agency Climate Resiliency and Sustainability Practices milestone was timetable adjusted to Q4, this will be reconsidered in 2021.				COVID-19
	OCTA Innovation Ideas	Explore Innovation Opportunities through Inter-divisional Team Meetings	Present biannual updates to Board – Q2 & Q4	Staff resources focused on post-COVID-19 service recovery plans. This will be reconsidered in 2021.				COVID-19

ON TRACK

COMPLETED

TIMETABLE ADJUSTED

CARRYOVER

Acronyms

APTA – American Public Transit Association	Q1 – First Quarter
BRC – Budget Review Committee	Q2 – Second Quarter
Board – Board of Directors	Q3 – Third Quarter
Caltrans – California Department of Transportation	Q4 – Fourth Quarter
CBP – Comprehensive Business Plan	RCTC – Riverside County Transportation Commission
CNG – Compressed Natural Gas	RCP – Regional Capacity Program
ESC – Executive Steering Committee	RPH – Regional Planning and Highways Committee
EV – Electric Vehicle	RFP – Request for Proposals
FTA – Federal Transit Administration	ROW – Right-of-Way
FY – Fiscal Year	RTSSP – Regional Transportation Signal Synchronization Program
I-5 – Interstate 5	RCTC – Riverside County Transportation Commission
I-405 – Interstate 405	SR-55 – State Route 55
I-605 – Interstate 605	SR-57 – State Route 57
IFB – Invitation for Bids	SR-73 – State Route 73
M2 – Measure M2	SR-91 – State Route 91
NTP – Notice to Proceed	SAFE – Safer Affordable Fuel Efficiency
PA/ED – Project Approval/Environmental Document	TCA – Transportation Corridor Agencies
PDT – Project Development Team	VMT – Vehicle Miles Traveled