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## **BOARD AGENDA**

Orange County Transportation Authority Board Meeting  
Orange County Transportation Authority Headquarters  
Board Room - Conference Room 07-08  
550 South Main Street  
Orange, California  
**Monday, October 12, 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](http://www.octa.net) or through the Clerk of the Board's office at the OCTA Headquarters, 600 South Main Street, Orange, California.

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

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

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





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## **BOARD AGENDA**

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

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

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

Public comments may be submitted for the upcoming Board and Committee meetings by emailing them to [boardofdirectors@octa.net](mailto: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.**





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## **BOARD AGENDA**

### **Call to Order**

### **Roll Call**

### **Invocation**

Director Chaffee

### **Pledge of Allegiance**

Director Muller

### **Special Calendar**

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

- 1. Adopt Resolutions of Necessity for the State Route 55 Improvement Project Between Interstate 405 and Interstate 5**  
Joe Gallardo/James G. Beil

#### **Overview**

The Orange County Transportation Authority is implementing the State Route 55 Improvement Project between Interstate 405 and Interstate 5. The project requires acquisition of property rights from public and private parties adjacent to the existing freeway and city streets. On September 11, 2017, the Board of Directors approved acquiring right-of-way for the project. At this time, staff has been unable to reach an agreement to purchase required property rights from two of the 33 subject property owners. It is now necessary for the Board of Directors to exercise its power of eminent domain by adopting resolutions of necessity in order to acquire these necessary property rights in time to make the properties available to meet the project delivery and construction schedules.

#### **Recommendation**

Adopt Resolutions of Necessity Nos. 2020-279 and 2020-280, and authorize and direct General Counsel to prepare, commence, and prosecute a proceeding in eminent domain for the purpose of acquiring necessary right-of-way and real property interests for the State Route 55 Improvement Project between Interstate 405 and Interstate 5.





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**BOARD AGENDA****Consent Calendar (Items 2 through 17)**

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 September 28, 2020.

**3. Coronavirus Update**

Darrell E. Johnson

**Overview**

The Orange County Transportation Authority continues to take proactive measures in response to the impacts of the coronavirus pandemic in relation to transportation services, programs, and projects. The response efforts are centered around agency core values, helping to ensure the health and safety of the public and employees while continuing to provide essential transportation services and deliver critical infrastructure improvements. An overview and update on these efforts is presented.

**Recommendation**

Receive and file as an information item.

**4. Agreement for Security System Service and Maintenance**

Katrina L. Faulkner/Jennifer L. Bergener

**Overview**

On June 2, 2020, the Orange County Transportation Authority released a request for proposals for professional and technical services to provide security system service and maintenance. 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 security system service and maintenance.





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## **BOARD AGENDA**

### **4. (Continued)**

#### **Recommendations**

- A. Approve the selection of Climatec LLC as the firm to provide service and maintenance of the Orange County Transportation Authority's security system.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2341 between the Orange County Transportation Authority and Climatec LLC, in the amount of \$537,600, for a five-year term, to provide service and maintenance of the Orange County Transportation Authority's security system.

### **5. Approval to Release an Invitation for Bids for Construction of Anaheim Canyon Metrolink Station Improvements**

Lora Cross/James G. Beil

#### **Overview**

The Orange County Transportation Authority, in coordination with the Southern California Regional Rail Authority and the City of Anaheim, proposes improvements to the Anaheim Canyon Metrolink Station that will reduce existing congestion along the rail corridor and provide for more efficient operations and passenger movements at the station. Board of Directors' approval is requested to issue an invitation for bids for construction of improvements at the Anaheim Canyon Metrolink Station.

#### **Recommendation**

Approve the release of Invitation for Bids 0-2193 for construction of improvements at the Anaheim Canyon Metrolink Station.





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**BOARD AGENDA**

**6. Agreement for Facility Modifications at Santa Ana Bus Base for the Interstate 405 Toll Operations Center**

George Olivo/James G. Beil

**Overview**

The Orange County Transportation Authority's Santa Ana Bus Base requires facility modifications to accommodate the Interstate 405 Express Lanes Toll Operations Center. An invitation for bids was released on July 15, 2020. Bids were received in accordance with Board of Directors-approved procedures for public works projects. Board of Directors' approval is requested to execute the agreement.

**Recommendations**

- A. Find Reed Family Enterprises, Inc., the apparent low bidder, as non-responsive for failure to meet the federal requirement for Disadvantaged Business Enterprise participation.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2191 between the Orange County Transportation Authority and Dalke & Sons Construction, Inc., the lowest responsive, responsible bidder, in the amount of \$636,680, for facility modifications at the Santa Ana Bus Base for the Interstate 405 Express Lanes Toll Operations Center.

**7. Metrolink Fiscal Year 2019-20 Performance Report**

Megan LeMaster/Jennifer L. Bergener

**Overview**

The Southern California Regional Rail Authority is a five-member joint powers authority that operates the 400-mile commuter rail service known as Metrolink. A report on Metrolink ridership, revenue, and on-time performance for service in Orange County covering fiscal year 2019-20 is provided for Board of Directors' consideration.

**Recommendation**

Receive and file as an information item.





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**BOARD AGENDA****Orange County Transit District Consent Calendar Matters****8. Bus Operations Performance Measurements Report for the Fourth Quarter of Fiscal Year 2019-20**

Johnny Dunning, Jr./Jennifer L. Bergener

**Overview**

The Orange County Transportation Authority operates fixed-route bus and demand-response paratransit service throughout Orange County and into neighboring counties. The established measures of performance for these services assess the safety, courtesy, reliability, and overall quality of the services. This report highlights proposed changes to the method for counting passengers, measuring on-time performance, and summarizes the year-to-date performance of the fixed-route and paratransit services through the fourth quarter of fiscal year 2019-20.

**Recommendation**

Receive and file as an information item.

**9. Agreement for the Procurement of 40-Foot Plug-In Battery-Electric Buses**

Dayle Withers/Jennifer L. Bergener

**Overview**

On April 27, 2020, the Orange County Transportation Authority Board of Directors approved the release of a request for quotes for the purchase of up to ten, 40-foot plug-in battery-electric buses. As a result, quotes from qualified vendors under the California Statewide Contract for Zero-Emission Transit Buses issued by the California Department of General Services have been evaluated. Board of Directors' approval is requested to award an agreement for the purchase of these buses.

**Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2165 between the Orange County Transportation Authority and New Flyer of America, Inc., in the amount of \$10,373,230, for the purchase of up to ten 40-foot plug-in battery-electric buses.





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## **BOARD AGENDA**

### **10. Agreement for the Procurement of 40-Foot Compressed Natural Gas-Powered Buses**

Dayle Withers/Jennifer L. Bergener

#### **Overview**

On March 23, 2020, the Orange County Transportation Authority Board of Directors approved the release of a request for proposals for the purchase of up to 299, 40-foot compressed natural-gas powered buses. Board of Directors' approval is requested to award an agreement for the purchase of 165 buses.

#### **Recommendations**

- A. Approve the selection of GILLIG LLC as the firm to provide up to 165, 40-foot compressed natural gas-powered buses, with an option to purchase up to 134 additional buses.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1836 between the Orange County Transportation Authority and GILLIG LLC, in the amount of \$100,371,600, for the purchase of up to 165, 40-foot compressed natural gas-powered buses, with an option to purchase up to 134 additional buses.

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

### **11. Cooperative Agreement with the California Department of Transportation for the State Route 91 Improvement Project Between State Route 57 and State Route 55 and Authority to Acquire Right-of-Way**

Jeannie Lee/James G. Beil

#### **Overview**

The Orange County Transportation Authority proposes to enter into a cooperative agreement with the California Department of Transportation to define roles, responsibilities, and funding obligations for right-of-way support services, right-of-way engineering, right-of-way acquisition, and utility relocation for the State Route 91 Improvement Project between State Route 57 and State Route 55.





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

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-0-2583 between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$970,000, to perform right-of-way support services for the State Route 91 Improvement Project between State Route 57 and State Route 55.
- B. Authorize the use of up to \$39.602 million in State Route 91 Express Lanes excess revenue funding for right-of-way capital and right-of-way support services for the following projects:
  - State Route 91 from State Route 55 to Lakeview Avenue (Segment 1) - \$5.926 million
  - State Route 91 from La Palma Avenue to State Route 55 (Segment 2) - \$28.166 million
  - State Route 91 from Acacia Street to La Palma Avenue (Segment 3) - \$5.510 million
- 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.
- D. Authorize the Chief Executive Officer to initiate discussions with property owners and utility owners, make offers, and execute agreements for the acquisition of all necessary real property interests and necessary utility relocations.





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**BOARD AGENDA**

**12. Amendment to Cooperative Agreement with the City of Fountain Valley for the Interstate 405 Improvement Project**

Jeff Mills/James G. Beil

**Overview**

On March 14, 2016, the Orange County Transportation Authority Board of Directors approved Cooperative Agreement No. C-5-3613 with the City of Fountain Valley for city services required during the design-build implementation of the Interstate 405 Improvement Project. An amendment to the cooperative agreement is needed for the procurement and installation of emergency vehicle preemption at key signal locations within the City of Fountain Valley.

**Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Cooperative Agreement No. C-5-3613 between the Orange County Transportation Authority and the City of Fountain Valley, in the amount of \$374,000, for the procurement and installation of emergency vehicle preemption at 28 proposed signal locations, as part of the Interstate 405 Improvement Project. This will increase the maximum obligation of the cooperative agreement to a total value of \$5,023,708.

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

Jeff Mills/James G. Beil

**Overview**

On November 14, 2016, the Orange County Transportation Authority Board of Directors approved Agreement No. C-5-3843 with OC 405 Partners, a joint venture, for the design and construction of the Interstate 405 Improvement Project from State Route 73 to Interstate 605. Contract change orders are needed at this time to compensate OC 405 Partners for additional design and construction efforts related to additional extra maintenance work, United States Postal Service parking lot improvements, extension of a westbound Talbert Avenue third lane, and to provide a temporary bypass waterline at the Goldenwest Street overcrossing bridge.





## **BOARD AGENDA**

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### **13. (Continued)**

#### **Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 3.2 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$2,200,000, to provide additional extra maintenance work.
- B. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 78 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$537,436, to provide parking lot improvements at the United States Postal Service property.
- C. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 79 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$270,528, to provide an extension of the third westbound lane on Talbert Avenue to Cashew Street.
- D. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 80 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$579,604, to provide a temporary bypass waterline for the Goldenwest Street overcrossing bridge.

### **14. Consultant Selection for the Preparation of Project Report and Environmental Document for the Interstate 5 Improvement Project from San Diego County Line to Avenida Pico**

Josue Vaglienty/James G. Beil

#### **Overview**

On June 22, 2020, the Orange County Transportation Authority Board of Directors approved the release of a request for proposals for the preparation of the project report and environmental document for the Interstate 5 improvement project from the San Diego County Line to Avenida Pico. Board of Directors' approval is requested for the selection of a firm to perform the required work.





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## **BOARD AGENDA**

### **14. (Continued)**

#### **Recommendations**

- A. Approve the selection of Advanced Civil Technologies as the firm to prepare the project report and environmental document for the Interstate 5 improvement project from the San Diego County Line to Avenida Pico.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2335 between the Orange County Transportation Authority and Advanced Civil Technologies to prepare the project report and environmental document for the Interstate 5 improvement project from the San Diego County Line to Avenida Pico.

### **15. Measure M2 Senior Mobility Program Temporary Guideline Exceptions** Francesca Ching/Kia Mortazavi

#### **Overview**

The Measure M2 Senior Mobility Program provides funding to eligible jurisdictions to provide transit services that best meet the needs of their senior communities. Due to the impacts of the coronavirus pandemic, some jurisdictions have suspended operation of their Senior Mobility Program, and some have modified their services to continue to meet the needs of their senior communities in different ways, such as providing home-delivered meals in lieu of transporting the seniors to their nutrition programs. Staff recommends temporary exceptions to the Senior Mobility Program Guidelines to assist local jurisdictions in continuing to meet the needs of their senior communities through these unprecedented times. Board of Directors' approval of the proposed temporary guideline modifications is requested.





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

- A. Approve a temporary exception of the Senior Mobility Program guideline requirements related to service guidelines and service plan amendments, allowing agencies to use funds to provide the delivery of meals to seniors who had previously used city-provided transportation to travel to nutrition programs, from March 4, 2020 until Governor Newsom lifts the State of Emergency.
- B. Approve a temporary exception to the Senior Mobility Program guideline requirement related to funding distribution to suspend and hold allocations in reserve for agencies with suspended services until the State of Emergency is lifted or transportation services resume, whichever happens first.

**16. 2020 Project X - Environmental Cleanup Program Tier 1 Call for Projects - Programming Recommendations**

Alfonso Hernandez/Kia Mortazavi

**Overview**

The Orange County Transportation Authority's Environmental Cleanup Program provides Measure M2 funding for water quality improvement projects to address transportation-related pollution. The fiscal year 2020-21 Tier 1 Grant Program call for projects was issued on March 9, 2020. Evaluations are now complete, and a list of projects and recommended funding allocations are presented for review and approval.

**Recommendation**

Approve 12 projects, in the amount of \$2,800,000, for the 2020 Tier 1 Environmental Cleanup Program Tier 1 call for projects.





## **BOARD AGENDA**

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### **Orange County Service Authority For Freeway Emergencies Consent Calendar Matters**

#### **17. Approval to Release Request for Proposals for Freeway Service Patrol Services**

Patrick Sampson/Jennifer L. Bergener

##### **Overview**

The Orange County Transportation Authority provides Freeway Service Patrol services using contracted service providers covering ten service areas. Staff is requesting Board of Directors' approval to release a request for proposals for Freeway Service Patrol services for six service areas, consisting of six all-day beats, 12 peak-hour beats, three weekend beats, and one construction support beat.

##### **Recommendations**

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2574 for Freeway Service Patrol services.
- B. Approve the release of Request for Proposals 0-2574 for Freeway Service Patrol services for four service areas effective October 2, 2021 through October 2, 2027 and two service areas effective December 4, 2021 through October 2, 2027.

### **Regular Calendar**

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

#### **18. Fullerton Park-and-Ride Joint Development Study**

Sam Sharvini/Kia Mortazavi

##### **Overview**

The Orange County Transportation Authority initiated a study in the summer of 2018 to explore joint development opportunities at the Fullerton Park-and-Ride facility. This study analyzed conceptual scenarios, representing a range of land-use mixes to determine if further study and outreach are merited. The analysis and next steps are presented for Board of Directors' consideration.





## **BOARD AGENDA**

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### **18. (Continued)**

#### **Recommendation**

Direct staff to work with the City of Fullerton and stakeholders to further explore joint development opportunities at the Fullerton Park-and-Ride facility.

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

### **19. Contract Change Orders for the Construction of the OC Streetcar Project**

Mary Shavaliar/James G. Beil

#### **Overview**

On September 24, 2018, the Orange County Transportation Authority Board of Directors authorized Agreement No. C-7-1904 with Walsh Construction Company II, LLC for construction of the OC Streetcar project. Contract change orders are required to increase the allowance for removal of buried man-made objects, modify the traction power and overhead contact system to enable a single track operation in the Pacific Electric Right-of-Way, and allow adjacent tracks to be de-energized for maintenance or emergencies and conduct electrical continuity testing.

#### **Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 18 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$300,000, to increase the allowance for removal of man-made objects.
- B. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 24.1 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$845,985, for overhead contact system sectionalization.
- C. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 30.1 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$320,164, to conduct electrical continuity testing.





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## **BOARD AGENDA**

### **Discussion Items**

**20. Orange County Coronavirus Travel Trends**

Kurt Brotcke/Kia Mortazavi

Kurt Brotcke, Director, Strategic Planning, will present coronavirus travel trends in Orange County.

**21. Public Comments**

**22. Chief Executive Officer's Report**

**23. Directors' Reports**

**24. Closed Session**

There are no Closed Sessions scheduled.

**25. Adjournment**


The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, October 26, 2020**, at the Orange County Transportation Authority Headquarters, Board Room - Conference Room 07-08, 550 South Main Street, Orange, California.





**October 12, 2020**

**To:** Members of the Board of Directors

**From:** Darrell E. Johnson, Chief Executive Officer 

**Subject:** Adopt Resolutions of Necessity for the State Route 55 Improvement Project Between Interstate 405 and Interstate 5

### **Overview**

The Orange County Transportation Authority is implementing the State Route 55 Improvement Project between Interstate 405 and Interstate 5. The project requires acquisition of property rights from public and private parties adjacent to the existing freeway and city streets. On September 11, 2017, the Board of Directors approved acquiring right-of-way for the project. At this time, staff has been unable to reach an agreement to purchase required property rights from two of the 33 subject property owners. It is now necessary for the Board of Directors to exercise its power of eminent domain by adopting resolutions of necessity in order to acquire these necessary property rights in time to make the properties available to meet the project delivery and construction schedules.

### **Recommendation**

Adopt Resolutions of Necessity Nos. 2020-279 and 2020-280, and authorize and direct General Counsel to prepare, commence, and prosecute a proceeding in eminent domain for the purpose of acquiring necessary right-of-way and real property interests for the State Route 55 Improvement Project between Interstate 405 and Interstate 5.

### **Background**

The acquisition of public and private properties is often required to implement transportation projects, even though extensive efforts are made during the planning and design process to avoid or minimize the impacts to public and private properties. Cooperative Agreement Nos. C-7-1753 and C-7-1936 between the Orange County Transportation Authority (OCTA) and the California Department of Transportation (Caltrans) were approved by the Board of Directors (Board) on June 12, 2017 and September 11, 2017, respectively. These documents define the roles and responsibilities of



OCTA and Caltrans for final design and right-of-way (ROW) acquisition for the State Route 55 Improvement Project between Interstate 405 and Interstate 5 (Project). Pursuant to the cooperative agreements, OCTA is the lead implementing agency for final design and ROW acquisition for the Project. The environmental document and project report were approved by Caltrans on August 31, 2017 and September 11, 2017, respectively.

### ***Discussion***

Construction of the Project will impact 33 properties between Interstate 405 and Interstate 5, including three multi-residential properties, 20 commercial/industrial properties, one hotel, three vacant properties, five public properties, and one railroad property. There are 31 properties identified as partial acquisitions and two properties identified as full acquisitions. The Project may require the displacement of tenants/occupants from a multi-residential complex and may cause the displacement of several businesses. Displacees will be provided relocation assistance in accordance with OCTA and Caltrans policies and procedures. The real property requirements for the Project include the acquisition of the two full fee interests, partial fee interests (FEE), permanent highway easements (PHE), permanent footing easements (PFE), permanent utility easements (PUE), tie-back easements, temporary construction easements (TCE), and access control rights needed to construct the proposed highway and high-occupancy vehicle lane improvements. The partial FEEs, PHEs, PFEs, PUEs, and TCEs are required for roadway construction, soundwalls, retaining walls, drainage systems, and for the installation of above-ground and underground facilities, including electrical, telecommunication, water, sewer, and storm drain systems.

Resolution No. 2020-279 pertains to the acquisition of a TCE over a portion of the property owned by New Kenyon Apartments LP, a California limited partnership. The acquisition of the subject TCE is needed to provide sufficient work area to construct the freeway improvements and a retaining wall and soundwall along the realignment of the McFadden Avenue northbound (NB) off-ramp. The acquisition of the TCE may result in the permanent or temporary displacement of several of the occupants renting apartment units adjacent to the TCE area. The TCE limits the ability for the occupants to utilize their own garages for vehicular storage. In the event there may be a need to displace any occupant, relocation assistance will be provided in accordance with Caltrans' *Right of Way Manual* and OCTA's *Real Property Policies and Procedures Manual*. Relocation assistance will not be mandatory and would only occur on a voluntary basis if requested by an occupant.

Resolution No. 2020-280 pertains to the acquisition of a TCE over a portion of the property owned by HW-Dyer LLC, a cancelled Delaware limited liability company. The acquisition of the subject TCE is needed to provide sufficient



work area to realign and reconstruct the Orange County Flood Control District's (OCFCD) lane channel as a result of freeway widening improvements.

The property owners have been given substantially more time than the 30 days required by the Federal Highway Administration to consider OCTA's written purchase offer and have been contacted multiple times as described in Attachment A. These contacts include OCTA staff requesting a meeting with the property owner to conduct an OCTA policies and procedures required first-level review to describe the Project design and the need for the property.

OCTA must secure possession of the interests in the subject properties by July 2021 in order to meet Project schedule deadlines. Delay in acquiring the interests in these properties will cause Project delays. Proceeding with these resolutions of necessity (RON) will ensure that Project schedules are maintained.

The "List of Property Owners" and "Photo Aerial Exhibits," attachments B and C, respectively, provide information on property ownerships and locations.

Acquisition of the subject property interests is being conducted in accordance with OCTA real property policies and procedures and Caltrans guidelines. The required property interests were identified, engineered, and appraised by OCTA. The full appraised amount for each respective property interest was offered to the property owner under the requirements of Governmental Code Section 7267.2.

In order to proceed with the acquisition of the properties required for the Project and to comply with state and federal laws for ROW acquisition, the Board is requested to adopt the RONs for the subject properties. This action will allow OCTA to commence eminent domain proceedings to acquire the interests in real property needed for the Project.

The following resolutions are recommended:

- Resolution No. 2020-279 New Kenyon Apartments LP, a California limited partnership – Action is recommended for an acquisition of one TCE over a portion of the property to provide sufficient work area to construct the freeway improvements, a retaining wall, and soundwall along the realignment of the McFadden Avenue NB off-ramp.
- Resolution No. 2020-280 HW-Dyer LLC, a cancelled Delaware limited liability company – Action is recommended for an acquisition of one TCE over a portion of the property to provide sufficient work area to realign and reconstruct for the OCFCD's lane channel as a result of freeway widening improvements.



The eminent domain proceedings commence with action by the Board to adopt a RON in accordance with the California Code of Civil Procedure Section 1245.240, which requires an affirmative vote of two-thirds of the Board members. The Board is requested to determine whether the following criteria have been met:

1. The public interest and necessity require the Project;
2. The Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;
3. The property interest(s) sought to be acquired is necessary for the Project; and
4. The offer required by Section 7267.2 of the Governmental Code has been made to the owner or owners of record.

Property owners and/or its designated representative affected by a RON may request an appearance to speak to the Board when the RON is considered on matters of project design and the impact to the subject property. The issue regarding compensation for the value of the property affected by the RON should not be discussed. In the event the Board approves the RONs (attachments D and E), OCTA's General Counsel will proceed with litigation in order to obtain possession and ultimate use of the property interests. Staff will continue negotiations with the property owners throughout the eminent domain process with the objective of reaching an agreement on the acquisition without the necessity of trial.

### ***Summary***

The acquisition of specified real property interests is required for the construction of the Project. Statutory offers have been made to the property owners and negotiations are ongoing. Adopting these RONs and commencing eminent domain proceedings are requested to maintain the Project delivery schedule.



***Attachments***

- A. Correspondence/Contact Summaries with Property Owners
- B. List of Property Owners, State Route 55 Improvement Project Between Interstate 405 and Interstate 5, Board of Directors Exhibit Matrix
- C. Photo Aerial Exhibits
- D. Resolution No. 2020-279
- E. Resolution No. 2020-280

**Prepared by:**



Joe Gallardo  
Manager, Real Property  
(714) 560-5546

**Approved by:**



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



# **Correspondence/ Contact Summaries with Property Owners**



**Correspondence/Contact Summary**  
**Resolution No. 2020-279**  
**New Kenyon Apartments LP, a California limited partnership**

<b>Date</b>	<b>Reason for Contact</b>
June 23, 2020	Orange County Transportation Authority's (OCTA) right-of-way (ROW) agent left message for the property owner, requesting a meeting and stating that an offer was ready to be presented.
June 24, 2020	OCTA's ROW agent received phone call from property owner's representative. OCTA's ROW agent briefly discussed the project with the owner's representative and owner representative requested that the offer package be emailed for review and send a hard copy to an address in Los Angeles. OCTA's ROW agent emailed the offer package and mailed the hard copy via certified mail, as requested.
June 29, 2020	OCTA's ROW agent received United States Postal Service delivery confirmation that offer package was signed for at front desk at 12:03 p.m.
June 30, 2020	OCTA's ROW agent emailed owner's representative to follow up on receipt of offer. Owner's representative replied that property management was meeting with their legal counsel to discuss the offer.
July 7, 2020	OCTA's ROW agent sent follow-up email to property owner representative, regarding status of offer review. OCTA's ROW agent received email from owner's legal counsel, Mr. Joshua Gottheim, stating that all correspondence regarding this matter should go through his office. OCTA's ROW agent informed OCTA staff about owner's eminent domain legal representation. Owner's legal counsel included in his email a request for copies or links to public records regarding the project, including the Environmental Impact Report, related documents, and project plans, and asking that such request be deemed a formal request for public records pursuant to the California Public Records Act.
July 9, 2020	OCTA's legal counsel contacted owner's legal counsel via telephone and email, requesting that owner submit the public records request directly to OCTA's Clerk of the Board, and requesting owner's legal counsel contact OCTA's legal counsel with any questions.
July 10, 2020	Owner's legal counsel contacted OCTA's legal counsel via email to confirm that he had served OCTA with a public records request for project-related documents. Owner's legal counsel requested assistance in expediting production of the records.
July 14, 2020	OCTA's legal counsel attempted to contact owner's legal counsel via phone to discuss owner's public records request, left voice message.



July 15, 2020	Owner's legal counsel contacted OCTA's legal counsel via a series of emails, requesting documents included within the broader public records request for expedited production. OCTA's legal counsel informed owner's legal counsel that OCTA could provide links to any documents available online, but could not prioritize owner's public records request over other requests. Counsel also discussed scheduling a video call to discuss the documents, project, and proposed acquisition.
July 15, 2020	Owner's legal counsel and OCTA's legal counsel spoke by telephone, further discussing owner's request for public records. Counsel discussed OCTA's compensation offer. Owner's legal counsel indicated the owner had not yet decided if he would hire an appraiser. OCTA's legal counsel informed owner's legal counsel that OCTA's offer incentive would expire at the end of August 2020.
July 20, 2020	OCTA's legal counsel contacted Owner's legal counsel via email to confirm that the requested public records had been received and proposing to schedule a video call on August 6, 2020.
July 21, 2020	Owner's legal counsel contact OCTA's legal counsel via email to confirm receipt of the requested public records and confirming availability for a video call on August 6, 2020.
July 29, 2020	Owner's legal counsel contacted OCTA's legal counsel via email confirming video call for August 6, 2020, and requested OCTA to stake the temporary construction easements (TCE) boundaries at the subject property prior to the meeting. OCTA's legal counsel informed owner's legal counsel that the request would be forwarded to OCTA.
August 5, 2020	OCTA's legal counsel contacted owner's legal counsel via email to confirm that that staking of the TCE boundaries at the subject property had been completed.
August 6, 2020	OCTA's legal counsel met with owner's legal counsel, appraiser (Mr. Kevin Donahue), and representatives via video call to discuss the project and proposed acquisition.
August 6, 2020	Owner's legal counsel contacted OCTA's legal counsel via email with a follow-up list of requests for documents and information regarding the project and requesting that owner's appraiser be copied on the response.
August 20, 2020	OCTA's legal counsel contacted owner's legal counsel via email with requested additional documents and information regarding the project. Owner's appraiser was copied on the email.
August 21, 2020	Owner's legal counsel contacted OCTA's legal counsel via email to confirm receipt of the additional information and documents and requesting a two-week extension of the offer incentive period to allow owner's legal counsel and appraiser time to review and respond to the additional information.



	OCTA's legal counsel informed owner's legal counsel that his request had been forwarded to OCTA.
August 24, 2020	OCTA's legal counsel contacted owner's legal counsel via email to explain that the offer incentive period could not be extended beyond the initial 60 days, but stated that OCTA remained interested in resolving the matter through negotiated purchase and would consider a reasonable counteroffer even after expiration of the incentive period.
September 10, 2020	OCTA's legal counsel contacted owner's legal counsel via email to follow up and ask whether owner would now be in a position to formally respond to OCTA's offer. OCTA's legal counsel informed owner's legal counsel that OCTA would be sending out a Notice of Hearing on a resolution of necessity to condemn shortly, but that such notice would not foreclose ongoing negotiations between the parties.
September 10, 2020	Owner's legal counsel contacted OCTA's legal counsel via email, thanking him for the update and stating that owner's appraiser was "still working on his analysis" and that owner would respond to OCTA's offer "as soon as possible."



**Correspondence/Contact Summary**  
**Resolution No. 2020-280**  
**HW-Dyer LLC, a cancelled Delaware limited liability company**

<b>Date</b>	<b>Reason for Contact</b>
May 10, 2019	OCTA sent Notice of Decision to Appraise to property owner.
July 8, 2020	OCTA's ROW agent contacted property owner via phone to present and discuss the offer package. Owner stated that he did not own the property anymore and that it should have transferred to the business association once construction of the park was completed. OCTA's ROW agent confirmed mailing address in Corona Del Mar, California, however, owner requested to have the offer package sent to him electronically. Offer package sent electronically to rwerdin@werdin.com, as requested by the property owner.
August 19, 2020	OCTA's ROW agent discussed with title company the ownership.



**List of Property Owners**  
**State Route 55 Improvement Project Between Interstate 405 and Interstate 5**  
**Board of Directors Exhibit Matrix**

<b>Resolution No.</b>	<b>APN</b>	<b>CPN</b>	<b>Owner</b>	<b>Property Address</b>	<b>Area Needed</b>	<b>Type of Acquisition</b>	<b>Reason for Acquisition</b>
<b>2020-279</b>	402-142-11	103746	New Kenyon Apartments LP, a California limited partnership	17021-17041 Kenyon Drive Tustin, California	806 Sq. Ft.	TCE	One TCE over a portion of the property to provide sufficient work area to construct the freeway improvements and a retaining wall and soundwall along the realignment of the McFadden Avenue northbound off-ramp.
<b>2020-280</b>	411-142-13	104043	HW-Dyer LLC, a cancelled Delaware limited liability company	Dyer Business Center Common Area, adjacent to the Flood Control Channel, between Dyer Road and Alton Avenue Santa Ana, California	476 Sq. Ft.	TCE	One TCE over a portion of the property to provide sufficient work area to realign and reconstruct for the Orange County Flood Control District's lane channel as a result of freeway widening improvements.

**Legend**

APN = Assessor's Parcel Number

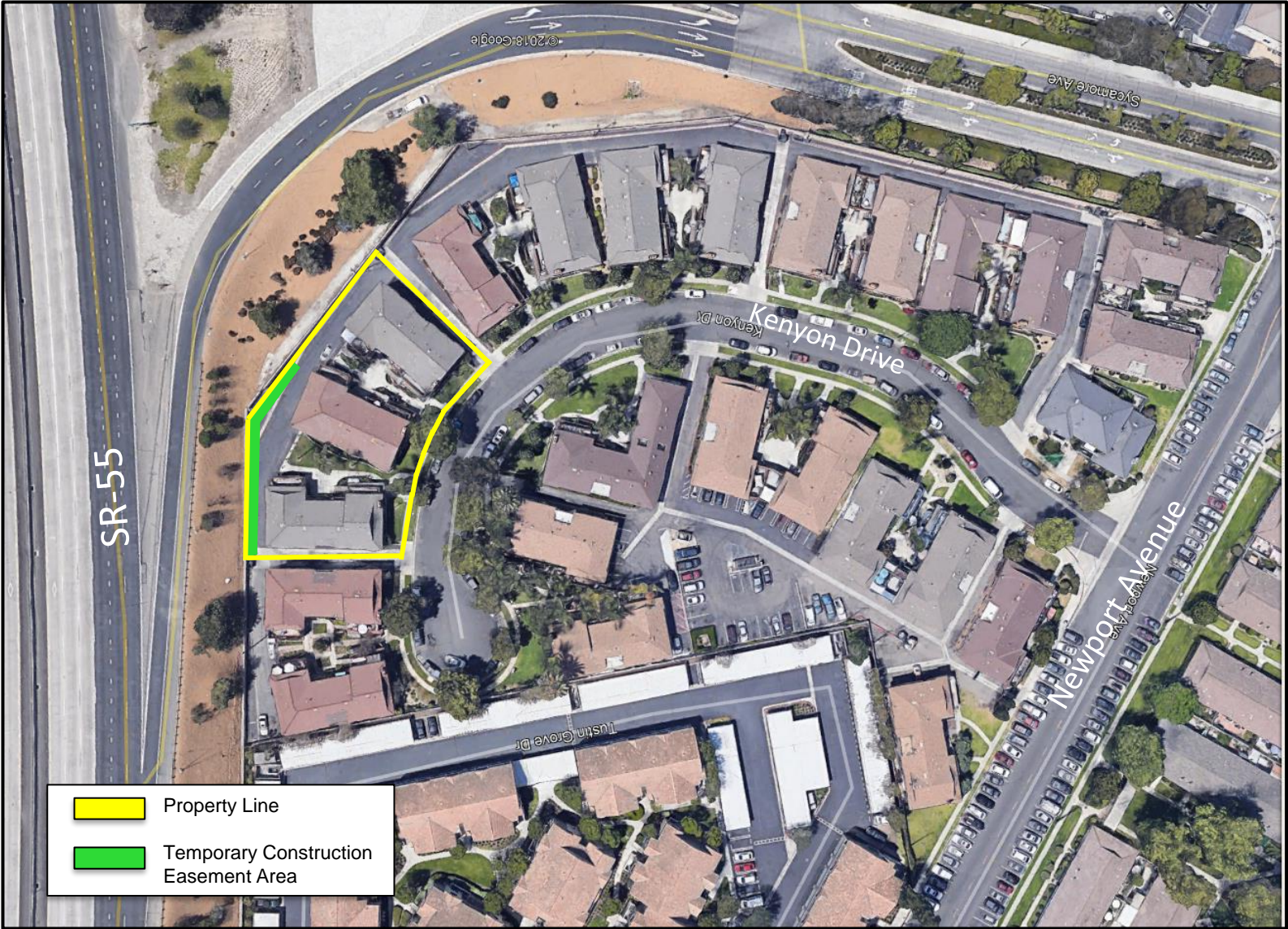
CPN = Caltrans Parcel Number

TCE = Temporary Construction Easement



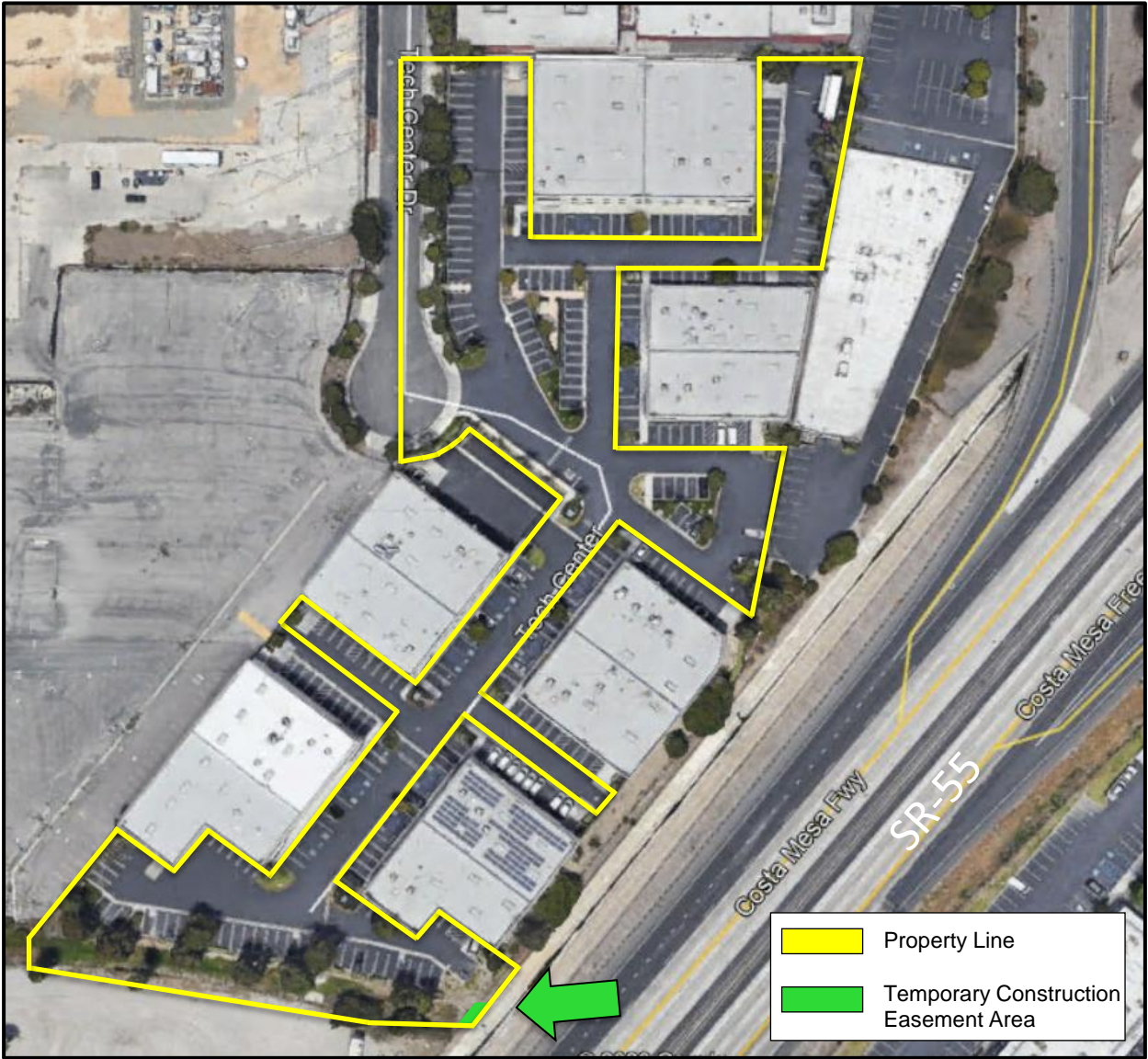
# Photo Aerial Exhibits

Resolution No. 2020-279 (New Kenyon Apartments LP)





Resolution No. 2020-280 (HW-Dyer LLC)





**RESOLUTION NO. 2020-279**

**A RESOLUTION OF THE ORANGE COUNTY TRANSPORTATION AUTHORITY FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY EMINENT DOMAIN OF AN INTEREST IN CERTAIN REAL PROPERTY FOR PUBLIC USE AND AUTHORIZING AND DIRECTING CONDEMNATION OF A PORTION OF ASSESSOR PARCEL NO. 402-142-11.**

**WHEREAS**, the Orange County Transportation Authority (the "Authority") is undertaking the State Route 55 ("SR-55") Improvement Project between Interstate 405 and Interstate 5, a right-of-way for freeway purposes and all public uses appurtenant thereto (the "Project"); and

**WHEREAS**, the Project is intended to enhance road safety, increase freeway capacity, and improve traffic and interchange operations by adding travel and high occupancy vehicle (HOV) lanes in each direction; and

**WHEREAS**, the Project requires the acquisition of property interests from public and private parties; and

**WHEREAS**, the Project will be a transportation improvement project serving the public interest; and

**WHEREAS**, subsection (a) of the California Public Utilities Code section 130220.5, authorizes the Authority to exercise the power of eminent domain to acquire these property interests for public use by condemnation; and

**WHEREAS**, a portion of the real property located at 17021-17041 Kenyon Drive, in the City of Tustin, California (the "Subject Property") is required for the Project. The specific portion of the Subject Property required for the Project is a temporary construction easement as legally described and depicted in Exhibit "A" hereto (the "Property Interest"); and

**WHEREAS**, reasonable vehicular and pedestrian access to and from the Subject Property will be maintained at all times; and

**WHEREAS**, the Authority communicated an offer of compensation to the owner or owners of record for the acquisition of the Property Interests; and



**WHEREAS**, in accordance with section 1245.235 of the California Code of Civil Procedure on September 11, 2020, the Authority mailed a Notice of Hearing on the Intent of the Authority to Adopt a Resolution of Necessity for acquisition by eminent domain of the Property Interest. The Notice of Hearing was mailed to the listed address of all persons whose names appear on the last equalized county assessment roll as having an interest in the Subject Property; and

**WHEREAS**, the Authority provided written notice to the City of Tustin as required by subsection (c) of California Public Utilities Code section 130220.5; and

**WHEREAS**, the Project, including all amendments thereto, together with the staff reports, environmental documents, and all other evidence presented to the Authority's Board of Directors at the times the Project and the amendments thereto were adopted, are incorporated herein by this reference and made a part hereof as though fully set forth herein; and

**WHEREAS**, pursuant to section 1245.235 of the California Code of Civil Procedure, the Authority scheduled a hearing for October 12, 2020, at 9:00 a.m, and gave to each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized county assessment roll a reasonable opportunity to be heard; and

**WHEREAS**, said hearing has been held by the Authority's Board of Directors; and

**WHEREAS**, the Authority may adopt a Resolution of Necessity pursuant to section 1240.040 of the California Code of Civil Procedure.

**NOW, THEREFORE, BE IT RESOLVED**, by at least a two-thirds vote of the Authority's Board of Directors under Code of Civil Procedure sections 1240.030 and 1245.230, the Authority does hereby find and determine as follows:

Section 1. Incorporation of Findings and Recitals. The above findings and recitals are true and correct and are incorporated herein in full by this reference.

Section 2. Compliance with California Code of Civil Procedure. There has been compliance by the Authority with the requirements of section 1245.235 of the California Code of Civil Procedure regarding notice and hearing.

Section 3. Public Use. The public use for which the Property Interest is to be acquired is for the construction and future maintenance of the Project, a public transportation improvement, as more fully described hereinabove. Subsection (a) of California Public Utilities Code section 130220.5 authorizes the Authority to acquire by eminent domain property and interests in property necessary for such purpose and for all uses incidental or convenient thereto.



Section 4. Necessity.

(a) The proposed Project is necessary to enhance road safety, increase freeway capacity, and improve traffic and interchange operations by adding travel and high occupancy vehicle (HOV) lanes in each direction; and

(b) The public interest and necessity require the acquisition by eminent domain proceedings of the Property Interests.

Section 5. Description of Property Interests. The Property Interest sought to be acquired is more particularly described and depicted in Exhibit "A" attached hereto and incorporated herein by reference.

Section 6. Findings. The Authority hereby finds, determines, and declares each of the following:

(a) The public interest and necessity require the proposed Project;

(b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;

(c) The Property Interest sought to be acquired is necessary for the proposed Project; and

(d) The offer required by section 7267.2 of the California Government Code has been made to the owner or owners of record.

Section 7. Existing Public Use(s). Pursuant to sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that any of the Property Interest is already devoted to a public use, the use proposed by this Project is a more necessary public use than the use to which the Property Interest, or any portion thereof, are already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property Interest, or any portion thereof, are already devoted.

Section 8. Acquisition of Substitute Property. To the extent portions of the real property to be acquired for the Project are currently devoted to or held for some public use, the Authority intends to acquire substitute property pursuant to California Code of Civil Procedure sections 1240.320 and 1240.330. The requirements of said Code sections have been satisfied and the acquisition of said substitute property is necessary for the Project. The substitute property may be conveyed by the Authority to the owner(s) of the necessary property.



Section 9. Authority to Exercise Eminent Domain. The Authority is hereby authorized and empowered to acquire the Property Interests, including the improvements thereon, if any, by eminent domain for the proposed Project.

Section 10. Further Activities. The Authority's legal counsel ("Counsel") is hereby authorized and empowered to acquire the Property Interest in the name of and on behalf of the Authority by eminent domain, and is authorized to institute and prosecute such legal proceedings as may be required in connection therewith. Counsel is further authorized to take such steps as may be permitted and required by law, and to make such security deposits as may be required by law and/or order of court, to permit the Authority to take possession of the Property Interest at the earliest possible time.

Section 11. Effective Date. This Resolution of Necessity shall take effect upon adoption.

PASSED, APPROVED, and ADOPTED on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

---

STEVE JONES, CHAIRMAN  
ORANGE COUNTY  
TRANSPORTATION AUTHORITY

APPROVED AS TO FORM:

---

JAMES M. DONICH  
GENERAL COUNSEL



ATTEST:

I, Laurena Weinert, Clerk of the Board of Directors of the Orange County Transportation Authority, do hereby certify that the foregoing Resolution No. 2020-279, by the following votes:

AYES:

NOES:

ABSENT:

---

LAURENA WEINERT  
CLERK OF THE BOARD



# EXHIBIT A



**TEMPORARY CONSTRUCTION EASEMENT  
ATTACHMENT TO LEGAL DESCRIPTION**

**Assessor Parcel No.: 402-142-11**

**Caltrans Parcel No.: 103746-1**

This temporary construction easement shall be in, on, over, under, and across that certain real property described in Exhibit "A1" and depicted in Exhibit "A2" attached hereto, subject to the rights and limitations set forth herein ("TCE"). The TCE shall be used by the Orange County Transportation Authority and its employees, agents, representatives, contractors, successors and assigns (collectively, "OCTA") in connection with the construction of the SR 55 Improvement Project. The TCE shall be for a period of sixty (60) months, a portion of which shall be exclusive (subject to the Rights and Limitations of Use and Occupancy set forth below) and a portion of which shall be non-exclusive. Specifically, the actual physical construction activities within the TCE area shall be limited to a period of thirty (30) consecutive months within the sixty (60) month TCE period (the "Construction Period"). During the Construction Period, OCTA's use and occupancy of the TCE will be exclusive, subject to the Rights and Limitations of Use and Occupancy set forth below. OCTA's use and occupancy of the TCE during the remaining thirty (30) months of the TCE period will be non-exclusive.

**Rights and Limitations of Use and Occupancy of TCE:**

- OCTA shall provide the owner(s) and occupant(s) of the property subject to this TCE a minimum of thirty (30)-days' written notice as to when the Construction Period will commence.
- During the Construction Period, OCTA may place a temporary fence around the TCE area.
- Reasonable pedestrian access to the property shall be maintained at all times.
- Access to the TCE area by OCTA shall be from the public right of way.
- Improvements within the TCE area will be removed as needed by OCTA to allow for construction activities. Any and all improvements so removed shall be included in the compensation paid by OCTA for this TCE.
- Prior to the termination of the Construction Period, OCTA will remove from the TCE area all construction equipment and materials including, without limitation, any temporary fence, any temporary improvements, and all construction-related debris. The TCE area will be graded and compacted. Functionally equivalent pavement material will be installed by OCTA to restore the TCE area to a similar condition that existed prior to commencement of the construction activities.

OCTA expressly reserves the right to convey, transfer, or assign the TCE subject to the same rights and limitations described herein.



**EXHIBIT "A1"**  
**LEGAL DESCRIPTION**

**CALTRANS PARCEL NO. 103746-1**

**TEMPORARY CONSTRUCTION EASEMENT**

APN 402-142-11

THAT PORTION OF LOT 7 OF TRACT NO. 5469, IN THE CITY OF TUSTIN, COUNTY OF ORANGE, STATE OF CALIFORNIA, PER MAP FILED IN BOOK 198, PAGES 30 AND 31, OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 7;

THENCE ALONG THE WESTERLY LINE OF SAID LOT 7 NORTH 12°10'05" EAST, 112.52 FEET TO THE NORTHWESTERLY LINE OF SAID LOT 7;

THENCE LEAVING SAID WESTERLY LINE AND ALONG SAID NORTHWESTERLY LINE NORTH 50°40'07" EAST, 50.44 FEET;

THENCE LEAVING SAID NORTHWESTERLY LINE SOUTH 39°19'53" EAST, 5.00 FEET;

THENCE SOUTH 50°40'07" WEST, 48.70 FEET;

THENCE SOUTH 12°10'05" WEST, 110.78 FEET TO THE SOUTHERLY LINE OF SAID LOT 7;

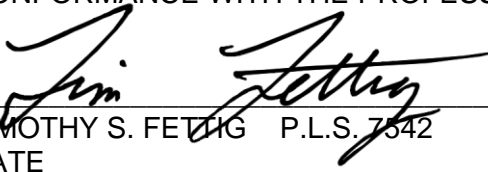
THENCE ALONG SAID SOUTHERLY LINE NORTH 77°45'18" WEST, 5.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS A GRID AREA 806 SQUARE FEET OR 0.019 ACRES, MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE VI, NAD 83 (1991.35 EPOCH OCS ADJUSTMENT), ALL DISTANCES SHOWN ARE GRID, TO OBTAIN GROUND DISTANCES DIVIDE BY 0.99997834.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "A2", ATTACHED HERETO AND MADE A PART HEREOF.

THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

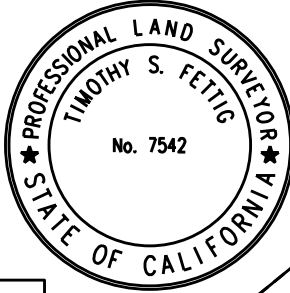
  
TIMOTHY S. FETTING P.L.S. 7542  
DATE

2/13/2020





PLAT TO ACCOMPANY  
LEGAL DESCRIPTION



PREPARED BY ME OR UNDER MY DIRECTION:

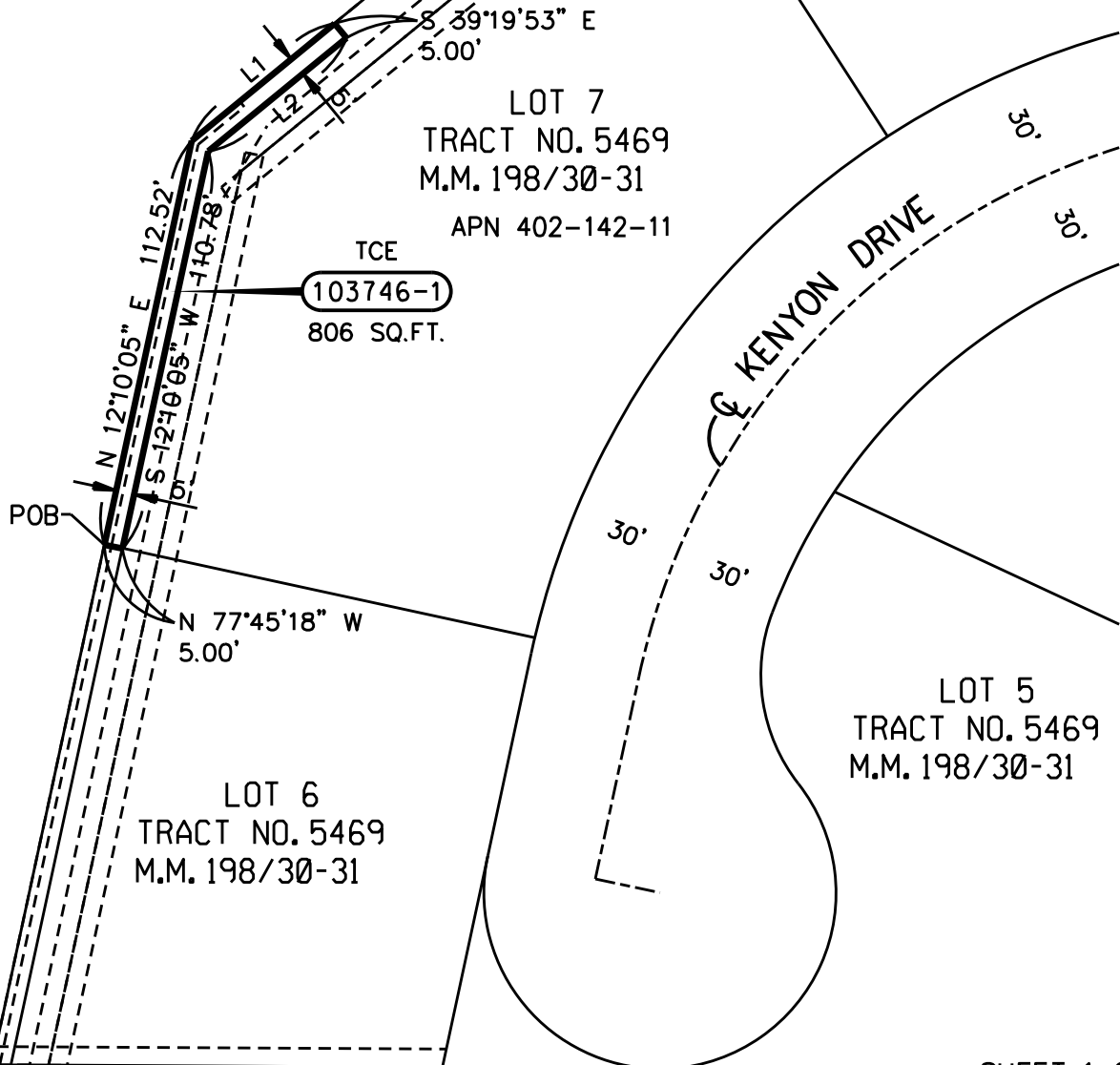
*Tim Fetting*  
TIMOTHY S. FETTING P.L.S. 7542

02/13/2020

DATE

LINE TABLE		
NO.	BEARING	LENGTH
L1	N 50°40'07" E	50.44'
L2	S 50°40'07" W	48.70'

STATE ROUTE 55



INST. NO. 2017000015727 O.R.  
REC. 1/12/2017

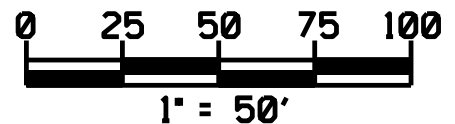
SHEET 1 OF 1

THE BEARINGS AND DISTANCES SHOWN ARE  
CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83),  
ZONE VI, NAD 83 (1991.35 EPOCH  
O.C.S. GPS ADJUSTMENT).

ALL DISTANCES SHOWN ARE GRID DISTANCES.  
DIVIDE THE GRID DISTANCES SHOWN  
BY 0.99997834 TO OBTAIN GROUND DISTANCES.

EXHIBIT "A2"

103746-1





**RESOLUTION NO. 2020-280**

**A RESOLUTION OF THE ORANGE COUNTY TRANSPORTATION AUTHORITY FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY EMINENT DOMAIN OF AN INTEREST IN CERTAIN REAL PROPERTY FOR PUBLIC USE AND AUTHORIZING AND DIRECTING CONDEMNATION OF A PORTION OF ASSESSOR PARCEL NO. 411-142-13.**

**WHEREAS**, the Orange County Transportation Authority (the "Authority") is undertaking the State Route 55 ("SR-55") Improvement Project between Interstate 405 and Interstate 5, a right-of-way for freeway purposes and all public uses appurtenant thereto (the "Project"); and

**WHEREAS**, the Project is intended to enhance road safety, increase freeway capacity, and improve traffic and interchange operations by adding travel and high occupancy vehicle (HOV) lanes in each direction; and

**WHEREAS**, the Project requires the acquisition of property interests from public and private parties; and

**WHEREAS**, the Project will be a transportation improvement project serving the public interest; and

**WHEREAS**, subsection (a) of the California Public Utilities Code section 130220.5, authorizes the Authority to exercise the power of eminent domain to acquire these property interests for public use by condemnation; and

**WHEREAS**, a portion of the real property located at the Dyer Business Center Common Area, adjacent to the Flood Control Channel, between Dyer Road and Alton Avenue, in the City of Santa Ana, California (the "Subject Property") is required for the Project. The specific portion of the Subject Property required for the Project is a temporary construction easement as legally described and depicted in Exhibit "A" hereto (the "Property Interest"); and

**WHEREAS**, reasonable vehicular and pedestrian access to and from the Subject Property will be maintained at all times; and

**WHEREAS**, the Authority communicated an offer of compensation to the owner or owners of record for the acquisition of the Property Interest; and



**WHEREAS**, in accordance with section 1245.235 of the California Code of Civil Procedure on September 11, 2020, the Authority mailed a Notice of Hearing on the Intent of the Authority to Adopt a Resolution of Necessity for acquisition by eminent domain of the Property Interest. The Notice of Hearing was mailed to the listed address of all persons whose names appear on the last equalized county assessment roll as having an interest in the Subject Property; and

**WHEREAS**, the Authority provided written notice to the City of Santa Ana as required by subsection (c) of California Public Utilities Code section 130220.5; and

**WHEREAS**, the Project, including all amendments thereto, together with the staff reports, environmental documents and all other evidence presented to the Authority's Board of Directors at the times the Project and the amendments thereto were adopted, are incorporated herein by this reference and made a part hereof as though fully set forth herein; and

**WHEREAS**, pursuant to section 1245.235 of the California Code of Civil Procedure, the Authority scheduled a hearing for October 12, 2020 at 9:00 a.m. and gave to each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized county assessment roll a reasonable opportunity to be heard; and

**WHEREAS**, said hearing has been held by the Authority's Board of Directors; and

**WHEREAS**, the Authority may adopt a Resolution of Necessity pursuant to section 1240.040 of the California Code of Civil Procedure.

**NOW, THEREFORE, BE IT RESOLVED**, by at least a two-thirds vote of the Authority's Board of Directors under Code of Civil Procedure sections 1240.030 and 1245.230, the Authority does hereby find and determine as follows:

Section 1. Incorporation of Findings and Recitals. The above findings and recitals are true and correct and are incorporated herein in full by this reference.

Section 2. Compliance with California Code of Civil Procedure. There has been compliance by the Authority with the requirements of section 1245.235 of the California Code of Civil Procedure regarding notice and hearing.

Section 3. Public Use. The public use for which the Property Interest is to be acquired is for the construction and future maintenance of the Project, a public transportation improvement, as more fully described hereinabove. Subsection (a) of California Public Utilities Code section 130220.5 authorizes the Authority to acquire by eminent domain property and interests in property necessary for such purpose and for all uses incidental or convenient thereto.



Section 4. Necessity.

(a) The proposed Project is necessary to enhance road safety, increase freeway capacity, and improve traffic and interchange operations by adding travel and high occupancy vehicle (HOV) lanes in each direction; and

(b) The public interest and necessity require the acquisition by eminent domain proceedings of the Property Interest.

Section 5. Description of Property Interest. The Property Interest sought to be acquired is more particularly described and depicted in Exhibit "A" attached hereto and incorporated herein by reference.

Section 6. Findings. The Authority hereby finds, determines and declares each of the following:

(a) The public interest and necessity require the proposed Project;

(b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;

(c) The Property Interest sought to be acquired is necessary for the proposed Project; and

(d) The offer required by section 7267.2 of the California Government Code has been made to the owner or owners of record.

Section 7. Existing Public Use(s). Pursuant to sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that any of the Property Interest is already devoted to a public use, the use proposed by this Project is a more necessary public use than the use to which the Property Interest, or any portion thereof, are already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property Interest, or any portion thereof, are already devoted.

Section 8. Acquisition of Substitute Property. To the extent portions of the real property to be acquired for the Project are currently devoted to or held for some public use, the Authority intends to acquire substitute property pursuant to California Code of Civil Procedure sections 1240.320 and 1240.330. The requirements of said Code sections have been satisfied and the acquisition of said substitute property is necessary for the Project. The substitute property may be conveyed by the Authority to the owner(s) of the necessary property.



Section 9. Authority to Exercise Eminent Domain. The Authority is hereby authorized and empowered to acquire the Property Interest, including the improvements thereon, if any, by eminent domain for the proposed Project.

Section 10. Further Activities. The Authority's legal counsel ("Counsel") is hereby authorized and empowered to acquire the Property Interest in the name of and on behalf of the Authority by eminent domain, and is authorized to institute and prosecute such legal proceedings as may be required in connection therewith. Counsel is further authorized to take such steps as may be permitted and required by law, and to make such security deposits as may be required by law and/or order of court, to permit the Authority to take possession of the Property Interest at the earliest possible time.

Section 11. Effective Date. This Resolution of Necessity shall take effect upon adoption.

PASSED, APPROVED, and ADOPTED on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

---

STEVE JONES, CHAIRMAN  
ORANGE COUNTY  
TRANSPORTATION AUTHORITY

APPROVED AS TO FORM:

---

JAMES M. DONICH  
GENERAL COUNSEL



ATTEST:

I, Laurena Weinert, Clerk of the Board of Directors of the Orange County Transportation Authority, do hereby certify that the foregoing Resolution No. 2020-280, by the following votes:

AYES:

NOES:

ABSENT:

---

LAURENA WEINERT  
CLERK OF THE BOARD



# EXHIBIT A



**TEMPORARY CONSTRUCTION EASEMENT  
ATTACHMENT TO LEGAL DESCRIPTION  
Assessor Parcel No.: 411-142-13  
Caltrans Parcel No.: 104043-1**

This temporary construction easement shall be in, on, over, under, and across that certain real property described in Exhibit "A1" and depicted in Exhibit "A2" attached hereto, subject to the rights and limitations set forth herein ("TCE"). The TCE shall be used by the Orange County Transportation Authority and its employees, agents, representatives, contractors, successors and assigns (collectively, "OCTA") in connection with the construction of the SR 55 Improvement Project. The TCE shall be for a period of sixty (60) months, a portion of which shall be exclusive (subject to the Rights and Limitations of Use and Occupancy set forth below) and a portion of which shall be non-exclusive. Specifically, the actual physical construction activities within the TCE area shall be limited to a period of forty-two (42) consecutive months within the sixty (60) month TCE period (the "Construction Period"). During the Construction Period, OCTA's use and occupancy of the TCE will be exclusive, subject to the Rights and Limitations of Use and Occupancy set forth below. OCTA's use and occupancy of the TCE during the remaining eighteen (18) months of the TCE period will be non-exclusive.

**Rights and Limitations of Use and Occupancy of TCE:**

- OCTA shall provide the owner(s) and occupant(s) of the property subject to this TCE a minimum of thirty (30)-days' written notice as to when the Construction Period will commence.
- During the Construction Period, OCTA may place a temporary fence around the TCE area.
- Access to the TCE area by OCTA shall be from the public right of way.
- Improvements within the TCE area will be removed as needed by OCTA to allow for construction activities. Any and all improvements so removed shall be included in the compensation paid by OCTA for this TCE.
- Prior to the termination of the Construction Period, OCTA will remove from the TCE area all construction equipment and materials, any temporary improvements, and all construction-related debris. The TCE area will be graded and compacted.

OCTA expressly reserves the right to convey, transfer, or assign the TCE subject to the same rights and limitations described herein.



**EXHIBIT "A1"**  
**LEGAL DESCRIPTION**

**CALTRANS PARCEL NO. 104043-1**

**TEMPORARY CONSTRUCTION EASEMENT**

APN 411-142-13

THAT PORTION OF PARCEL A OF PARCEL MAP NO. 2000-214, IN THE CITY OF SANTA ANA, COUNTY OF ORANGE, STATE OF CALIFORNIA, PER MAP FILED IN BOOK 323, PAGES 8 THROUGH 11, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL A;

THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL A NORTH 40°40'24" EAST, 34.25 FEET;

THENCE LEAVING SAID SOUTHEASTERLY LINE NORTH 88°24'48" WEST, 18.04 FEET;

THENCE SOUTH 40°40'24" WEST, 33.02 FEET;

THENCE SOUTH 80°33'11" EAST, 7.02 FEET TO THE SOUTHERLY LINE OF SAID PARCEL A;


THENCE ALONG SAID SOUTHERLY LINE SOUTH 88°24'48" EAST, 10.31 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS A GRID AREA 476 SQUARE FEET OR 0.011 ACRES, MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE VI, NAD 83 (1991.35 EPOCH OCS ADJUSTMENT), ALL DISTANCES SHOWN ARE GRID, TO OBTAIN GROUND DISTANCES DIVIDE BY 0.99997834.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "A2", ATTACHED HERETO AND MADE A PART HEREOF.

THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

  
TIMOTHY S. FETTING P.L.S. 7542

5/20/2020

DATE





PLAT TO ACCOMPANY  
LEGAL DESCRIPTION



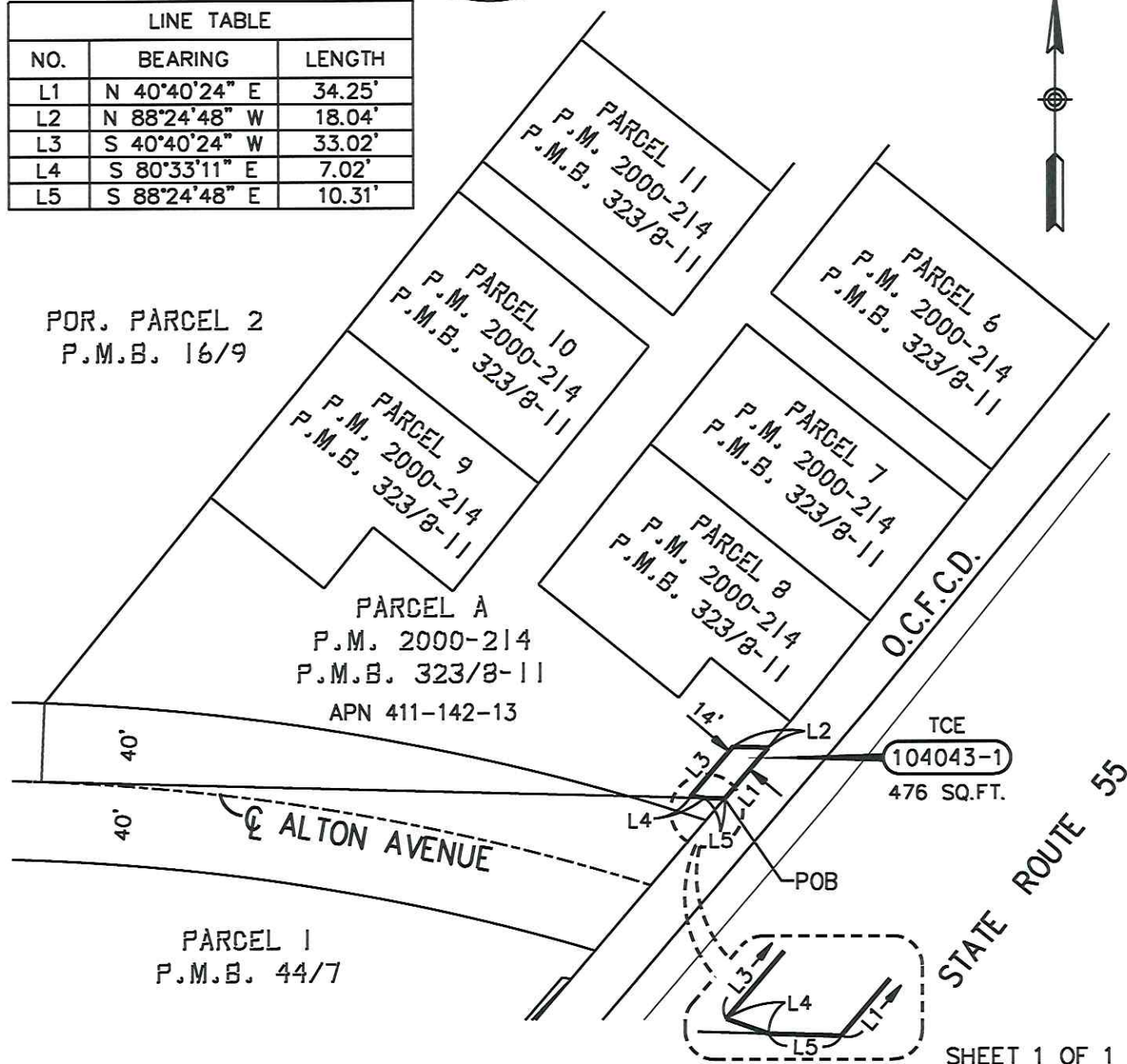
PREPARED BY ME OR UNDER MY DIRECTION:

*Tim Fetting*  
TIMOTHY S. FETTING P.L.S. 7542

5/20/2020

DATE

LINE TABLE		
NO.	BEARING	LENGTH
L1	N 40°40'24" E	34.25'
L2	N 88°24'48" W	18.04'
L3	S 40°40'24" W	33.02'
L4	S 80°33'11" E	7.02'
L5	S 88°24'48" E	10.31'

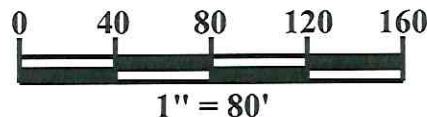


SHEET 1 OF 1

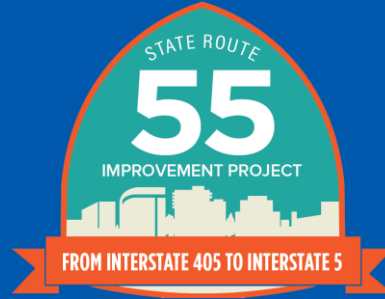
THE BEARINGS AND DISTANCES SHOWN ARE  
CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83),  
ZONE VI, NAD 83 (1991.35 EPOCH  
O.C.S. GPS ADJUSTMENT).  
ALL DISTANCES SHOWN ARE GRID DISTANCES.  
DIVIDE THE GRID DISTANCES SHOWN  
BY 0.99997834 TO OBTAIN GROUND DISTANCES.

**EXHIBIT "A2"**

**104043-1**



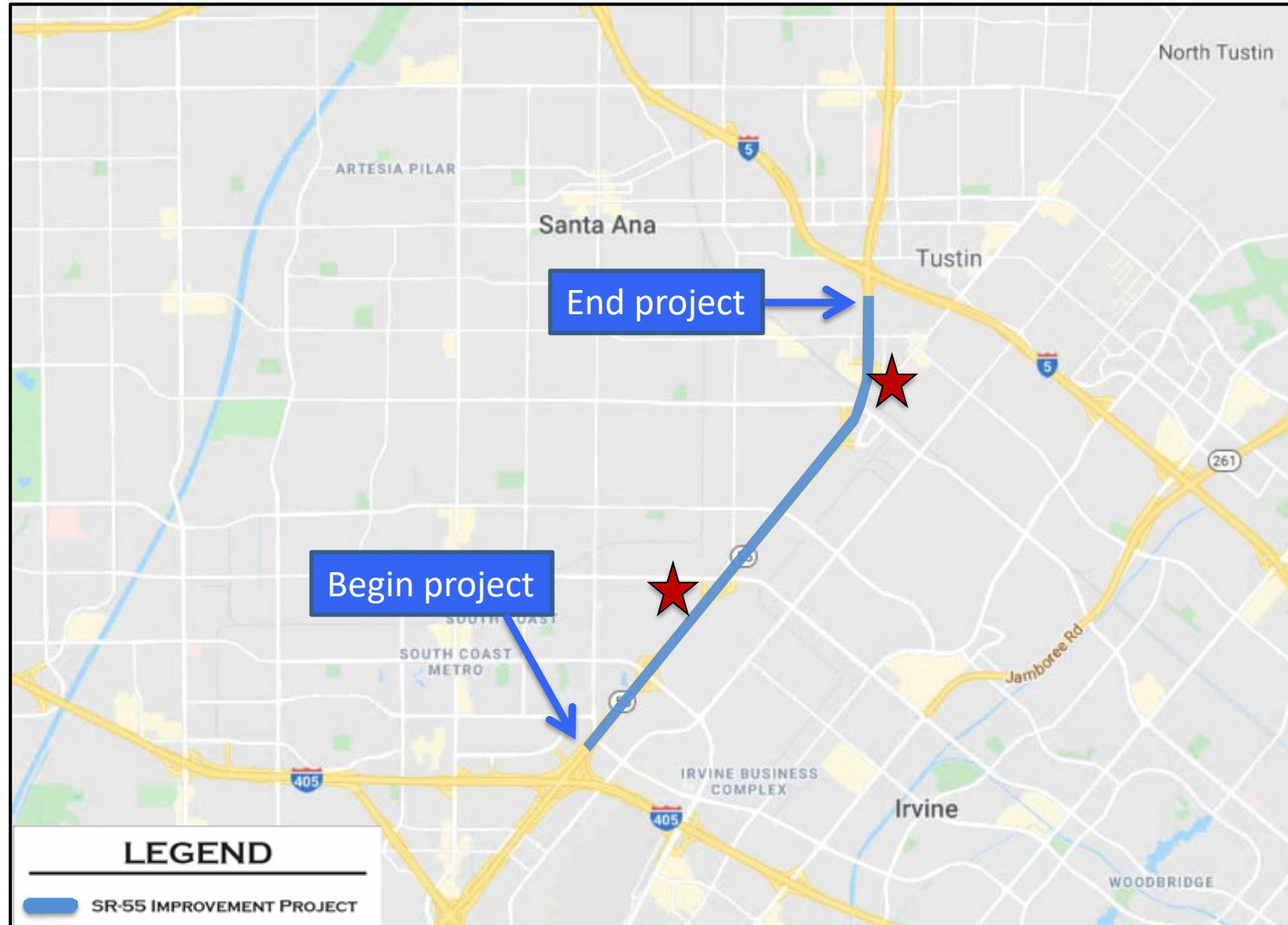




# **Adopt Resolutions of Necessity for the State Route 55 Improvement Project Between Interstate 405 and Interstate 5**



# State Route 55 Improvement Project Resolutions of Necessity Locations





# Resolution of Necessity No. 2020-279

## New Kenyon Apartments LP



Not to Scale,  
For Presentation  
Purposes Only



# Resolution of Necessity No. 2020-279

## New Kenyon Apartments LP



Not to Scale,  
For Presentation  
Purposes Only



# Resolution of Necessity No. 2020-279

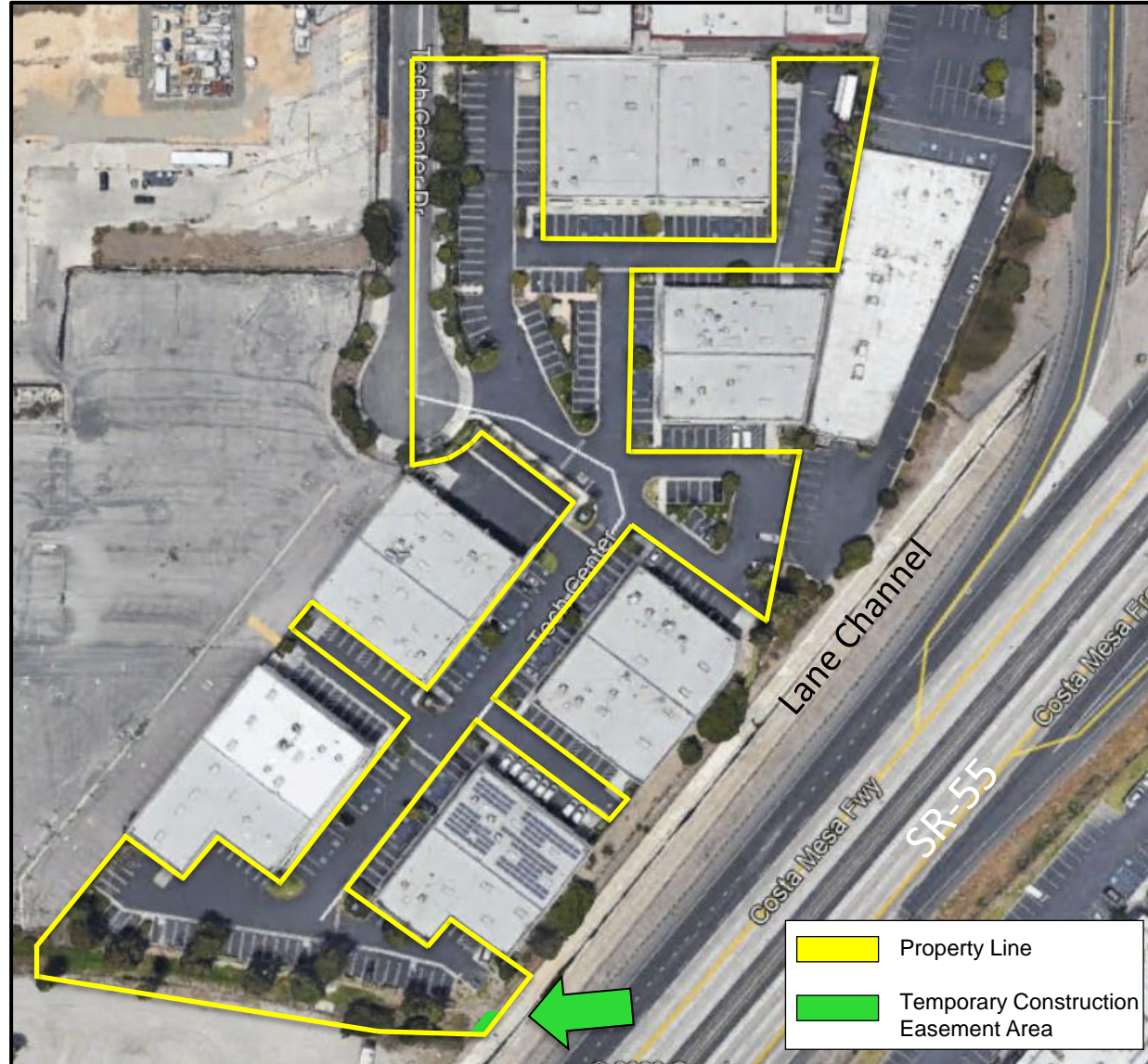
## New Kenyon Apartments LP





# Resolution of Necessity No. 2020-280

## HW-Dyer LLC





# Resolution of Necessity No. 2020-280

## HW-Dyer LLC



Not to Scale,  
For Presentation  
Purposes Only



## Four Requirements to be Considered to Adopt Resolutions

1. The public interest and necessity require the proposed project.
2. The proposed project is planned in a manner that will be most compatible with the greatest public good and the least private injury.
3. The property is necessary for the proposed project.
4. An offer to acquire the property in compliance with Government Code Section 7267.2 has been made to the owner of record.



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 September 28, 2020 regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Jones at 9:00 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 (COB) 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  
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 Operating Officer  
Laurena Weinert, COB  
Martha Ochoa, Assistant COB  
James Donich, General Counsel (Teleconference)



## **Invocation**

Director Hernandez gave the invocation.

## **Pledge of Allegiance**

Director Wagner led in the Pledge of Allegiance.

## **Special Calendar**

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

#### **1. Southern California Association of Governments' Presentation on Coronavirus Regional Travel Impacts**

Darrell E. Johnson, Chief Executive Officer (CEO), provided opening comments and introduced Kome Ajise, Executive Director of Southern California Association of Governments (SCAG), who provided a PowerPoint presentation as follows:

- Introduction;
- Vehicle Miles Traveled;
- Transit: Bus Ridership;
- Transit: Los Angeles Metro;
- Passenger Rail: Metrolink;
- Aviation: Air Passenger Traffic;
- Aviation: Aircraft Operations;
- Freight Indicators: Air Freight and Mail Cargo;
- Freight Indicators: Shipping Trends;
- Freight Indicators: Class I Rail Operator; and
- Freight Indicators: Boarder Truck Crossings.

Mr. Johnson stated that every four years OCTA develops a long-range transportation plan to give input into SCAG's Regional Transportation Plan (RTP). He also stated that in early 2021, OCTA will begin the 2022 SCAG RTP process that will be communicated to the Board and committees, as well as highlighted the reasons for this type of presentation.

No action was taken on this information item.



## **Consent Calendar (Items 2 through 8)**

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

**2. Approval of Minutes**

A motion was made by Director Davies, seconded by Director M. Murphy, and following a roll call vote, declared passed 16-0, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of September 14, 2020.

**3. Investments: Compliance, Controls, and Reporting, January 1 through June 30, 2020**

A motion was made by Director Davies, seconded by Director M. Murphy, and following a roll call vote, declared passed 16-0, to receive and file Investments: Compliance, Controls, and Reporting, January 1 through June 30, 2020, Internal Audit Report No. 21-502, as an information item.

**4. Coronavirus Update**

A motion was made by Director Davies, seconded by Director M. Murphy, and following a roll call vote, declared passed 16-0, to receive and file as an information item.

**5. Orange County Transportation Authority Investment and Debt Programs Report - August 2020**

A motion was made by Director Davies, seconded by Director M. Murphy, and following a roll call vote, declared passed 16-0, to receive and file as an information item.

**6. Excess Liability Insurance Renewal**

A motion was made by Director Davies, seconded by Director M. Murphy, and following a roll call vote, declared passed 16-0, to authorize the Chief Executive Officer to negotiate the terms of Purchase Order No. A45739, in the amount of \$1,500,000, to Marsh Risk and Insurance Services, Inc., to facilitate marketing the excess liability insurance on behalf of the Orange County Transportation Authority for the policy period of November 1, 2020 to November 1, 2021, and return to the Board of Directors for final approval.



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

### **7. Agreement for Armored Vehicle Transportation and Fare Collection Counting Services**

A motion was made by Director Davies, seconded by Director M. Murphy, and following a roll call vote, declared passed 16-0, to:

- A. Approve the selection of Los Angeles Federal Armored Services, Inc. as the firm to provide armored vehicle transportation and fare collection counting services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2256 between the Orange County Transportation Authority and Los Angeles Federal Armored Services, Inc., in the amount of \$2,700,000, for a seven-year term to provide armored vehicle transportation and fare collection counting services.

### **8. Hydrogen Fuel-Cell Electric Bus Pilot Update**

A motion was made by Director Davies, seconded by Director M. Murphy, and following a roll call vote, declared passed 16-0, to receive and file as an information item.

## **Regular Calendar**

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

### **9. Interstate 405 Improvement Project Update**

Jeff Mills, Senior Program Manager, and Chris Boucly, Section Manager II, External Affairs, co-presented the PowerPoint presentation as follows:

- Project Location and Key Features;
- Background;
- Project Update;
- Construction Update:
  - Wall construction
  - Greenville-Banning Channel
  - Santa Ana River bridge construction
  - Edwards Street bridge demolition
  - McFadden Avenue bridge construction,
- Look Ahead for Bridge Construction;
- Bridge Construction Map;
- Project Challenges;



**9. (Continued)**

- Schedule Mitigations Implemented;
  - Commented on this morning's northbound full freeway closure,
- Community Engagement; and
- Upcoming Outreach.

Director Bartlett commented that at the beginning of this project, several bridge-built options were reviewed. Director Bartlett highlighted one of the options of advanced bridge construction that is more costly, and the other option is demolition half the bridge, build half of the bridge, etcetera.

Mr. Mills responded that at the beginning of the project, several bridge-built options were reviewed. Mr. Mills provided an overview of the advanced bridged construction and traditional California bridge construction, and for this project, the California traditional bridge construction option is being used.

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

**10. Public Comments**

The COB stated that a public comment was received by the COB Department on September 24 from Craig Durfey, the Board was emailed the comment on September 25, and the comment will be retained as part of the record for today's Board meeting.

**11. Chief Executive Officer's Report**

Darrell E. Johnson, CEO, reported on the following:

American Public Transportation Association (APTA) Pledge -

- On today's Consent Calendar, Item 4 - Coronavirus Update, Mr. Johnson stated that OCTA has pledged to participate in APTA's industry Health and Safety Commitments Program.
- This program is the transportation industry's pledge to passengers that the systems are operating safely as the nation recovers from the pandemic and to help speak with one voice about the commitment to transit users.
- The APTA program is in line with previous Board direction and resolution to prioritize safety and ensure OCTA is following all industry best practices.
- APTA is developing a Seal of Commitment that will be displayed on OCTA's vehicles and website to show OCTA's commitment to the health and safety of the bus riders.



**11. (Continued)**

Recognition of the September Employees of the Month -

- Operations Employee of the Month is Herbert Blanco
  - Mr. Blanco is a Coach Operator at the Santa Ana Base who started his driving career with OCTA in August 2005.
- Maintenance Employee of the Month is Andrew Nguyen.
  - Mr. Nguyen joined OCTA in November 2015 and is currently a Journeyman Mechanic on the graveyard shift at the Santa Ana Base.
- Administrative Employee of the Month is Gail Cherry.
  - Ms. Cherry started with the Orange County Transit District as a Transportation Clerk 40 years ago and currently leads the team responsible for developing the bus schedules.
- OCTA's September Employees of the Month were congratulated.

**12. Directors' Reports**

There were no Directors' reports.

**13. Closed Session**

There were no Closed Sessions scheduled.

**14. Adjournment**

The meeting adjourned at 9:43 a.m.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, October 12, 2020**, at the OCTA Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

ATTEST:

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Laurena Weinert  
Clerk of the Board

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Steve Jones  
Chairman





## COMMITTEE TRANSMITTAL

**October 12, 2020**

**To:** Members of the Board of Directors  
**From:** *RW*  
Laurena Weinert, Clerk of the Board  
**Subject:** Agreement for Security System Service and Maintenance

Executive Committee Meeting of October 5, 2020

**Present:** Chairman Jones, Vice Chairman Do, and Directors Davies, Hennessey, M. Murphy, and Shaw  
**Absent:** None

### **Committee Vote**

Following the roll call vote, this item was declared passed 5-0 by the Members present.

Director Hennessey was not present to vote on this item.

### **Committee Recommendations**


- A. Approve the selection of Climatec LLC as the firm to provide service and maintenance of the Orange County Transportation Authority's security system.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2341 between the Orange County Transportation Authority and Climatec LLC, in the amount of \$537,600, for a five-year term, to provide service and maintenance of the Orange County Transportation Authority's security system.





**October 5, 2020**

**To:** Executive Committee

**From:** Darrell E. Johnson, Chief Executive Officer 

**Subject:** Agreement for Security System Service and Maintenance

### **Overview**

On June 2, 2020, the Orange County Transportation Authority released a request for proposals for professional and technical services to provide security system service and maintenance. 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 security system service and maintenance.

### **Recommendations**

- A. Approve the selection of Climatec LLC as the firm to provide service and maintenance of the Orange County Transportation Authority's security system.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2341 between the Orange County Transportation Authority and Climatec LLC, in the amount of \$537,600, for a five-year term, to provide service and maintenance of the Orange County Transportation Authority's security system.

### **Discussion**

The Orange County Transportation Authority (OCTA) uses contracted professional and technical services to provide maintenance and repair services, including preventative maintenance to OCTA's security systems. This contracted service is vital to ensure all equipment is maintained and operating with full functionality and reliability. Additionally, this contracted service ensures operability issues are resolved in a timely manner without compromising the levels of security.



While some calls for service or maintenance can be anticipated and planned for, the majority of service calls are unexpected. Examples of unplanned maintenance and repairs include repairing door lock solenoids, addressing pin/latch misalignments, replacing card readers as it relates to access control equipment, and maintenance to the video management system. Additionally, addressing power issues, replacing batteries and supply boards, addressing server updates, and installing cameras related to the video management system are all unplanned service calls.

The current service contract for security system service and maintenance is set to expire October 31, 2020. The continuation of these services is vital to ensure optimal operability of OCTA's security systems.

### ***Procurement Approach***

The procurement was handled in accordance with OCTA Board of 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 June 2, 2020, Request for Proposals (RFP) 0-2341 was issued electronically on CAMM NET. The project was advertised in a newspaper of general circulation on June 2 and 8, 2020. A pre-proposal conference was held on June 8, 2020, with four attendees representing four firms. Six addenda were issued to handle administrative issues related to the RFP, make available the pre-proposal conference registration sheet and presentation, as well as respond to written questions.

On June 30, 2020, three proposals were received. An evaluation committee consisting of OCTA staff from Contracts Administration and Materials Management, Security and Emergency Preparedness, Facilities Engineering, Information Systems, and General Services departments, as well as an external evaluator from the County of Orange, met to review all the proposals received.

The proposals were evaluated based on the following evaluation criteria and weightings:

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



Several factors were considered in developing the evaluation criteria weightings. Qualifications of the firm was weighted at 30 percent as the firm had to meet or exceed specific minimum requirements, such as eight years of experience in security system concepts and installation for clients similar in size to OCTA, as well as being an authorized reseller for Lenel and Milestone security systems, which are currently utilized by OCTA. Staffing and project organization was weighted at 25 percent as the proposed project team needed to include Lenel and Milestone certified technicians, as well as meet the minimum years of experience. Work plan was also weighted at 25 percent as the firm had to discuss its approach to meeting the service and maintenance requirements. Cost was weighted at 20 percent to ensure that OCTA receives value for the services provided.

On July 15, 2020, the evaluation committee reviewed the proposals based on the evaluation criteria and short-listed the two most qualified firms listed below in alphabetical order:

Firm and Location

Climatec LLC (Climatec)  
Anaheim, California

Convergint Technologies (Convergint)  
Orange, California

On July 22, 2020, the evaluation committee conducted interviews with the short-listed firms. The interview consisted of a presentation by each firm to demonstrate the firms' understanding of OCTA's requirements. The firms' 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 assessment and inspection of the security systems, quality control measures, and processes for managing multiple projects and service calls, as well as specific clarification questions related to each firm's proposal.

After considering responses to questions asked during the interviews, the evaluation committee reviewed the preliminary ranking and made adjustments to individuals scores. As a result, the rankings changed.

Based on the evaluation of the written technical proposals and the information obtained from the interviews, the evaluation committee recommends Climatec for consideration of the award. The following is a brief summary of the proposal evaluation results.



### Qualifications of the Firm

Climatec and Convergent both demonstrated extensive experience with security system concepts and installations for clients similar in size to OCTA. Both firms also provided proof of business, occupational, and trade licenses required by law to perform the security system services. Additionally, both firms are authorized resellers for Lenel and Milestone security systems.

Climatec has been providing security system services since 1975. The firm has over 500 employees across multiple locations in California. The firm proposed its office in the City of Anaheim for this effort with its office in the City of Van Nuys as a backup. Climatec detailed its experience providing similar access control and video system installation and maintenance services to its clients, which include the County of Orange, NBC Universal Studios, Broadcom, and Lucas Museum. The projects include installation and maintenance of Lenel and Milestone security systems. During the interview, Climatec clarified that it has the appropriate certifications to meet OCTA's requirements. The firm also elaborated on its experience with Lenel and Milestone and demonstrated its expertise in the industry.

Convergent was established in 2001 with 110 offices in North America and over 5,000 employees. The office proposed for this effort is located in the City of Orange with a backup office in the City of San Diego. Convergent is currently providing security system services to OCTA. The firm also worked with OCTA in the installation of a video surveillance system at the Laguna Niguel/Mission Viejo Metrolink station. Convergent's other clients include the Port of Los Angeles, Metrolink, and Los Angeles World Airports. The firm has received recognition and awards from Lenel and Milestone.

### Staffing and Project Organization

Both firms proposed project teams with relevant experience and provided copies of current certifications and licenses.

Climatec's proposed project team is broken down into three sub teams to ensure that OCTA's needs are met as it relates to service calls, installation projects, and system solutions. A project manager is proposed to lead each sub-team. The proposed project manager for day-to-day service and repairs will be the overall project manager and main point of contact for this effort. Climatec proposed multiple experienced certified field technicians to perform service, maintenance, and repair work. During the interview, the project team discussed their roles and approach to meeting the security system service and maintenance requirements. The firm's responses to the evaluation committee's questions



demonstrated the project team's knowledge of various security system solutions. The firm also detailed that it has the resources available to meet OCTA's needs and how the technicians will be assigned to respond to different types of service calls. Furthermore, Climatec can utilize and assign the technicians from the other sub-teams for additional support if needed.

Convergint's proposed project team includes individuals currently providing security system services to OCTA. The project team includes an account executive for business communications, a project manager for installation projects, and a service manager for day-to-day activities. Convergint proposed a deep bench of certified technicians with relevant experience to provide maintenance and repair services. During the interview, the project team members discussed their roles and approach to meeting OCTA's requirements. The firm also responded to evaluation committee's questions, which included clarifications about its project team structure and the individual proposed as the overall project manager and main point of contact.

#### Work Plan

Climatec provided an overview of its approach to meeting the requirements of the scope of work. The firm discussed its 24-hour customer care center and emergency response system for managing requests and service calls. The firm described its service delivery framework and how it correlates with OCTA's established business impact levels by providing potential scenarios and how the firm would respond to the service calls. Climatec discussed its process for installation projects and the activities involved, which range from creating the project scope to installing and testing the new system or equipment. The firm also discussed the importance of proper planning and coordination to ensure that any modifications or installations are completed with minimal issues. While the firm provided a general overview in its written proposal, Climatec provided more detail about its approach and understanding of the scope of work during the interview. The firm also elaborated on its quality control process and how various service calls and projects are prioritized and managed.

Convergint presented a detailed work plan that demonstrated its understanding of the scope of work. The firm discussed its approach for the first 90 days of the new contract, such as confirming roles and responsibilities, establishing performance expectations and metrics, and how various projects will be managed. Convergint included sample checklists and schedules for preventative maintenance of the security system server, access control system, and cameras. The firm discussed its project controls and implementation plan for installation projects, which include managing the schedule, budget, and project quality controls, leading coordination meetings, and adhering to the overall master plan



and schedule. Convergent emphasized the importance of proactive communication and that it has escalation procedures in place. The firm described its process for service calls and how it would respond to OCTA's established business impact levels. The firm also discussed its web-based service portal to facilitate service requests and track progress of requests in real time.

#### **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 per service call and scored the other proposals' weighted average hourly rate per service call on their relation to the lowest weighted average hourly rate per service call. Climatec proposed the lowest weighted average hourly rate per service call.

#### **Procurement Summary**

Based on the evaluation of written proposals, the firms' qualifications, and the information obtained from the interviews, the evaluation committee recommends the selection of Climatec as the top-ranked firm to provide service and maintenance of OCTA's security system. Climatec delivered a thorough and comprehensive proposal and an interview that was responsive to all the requirements of the RFP.

#### **Fiscal Impact**

The project was approved in OCTA's Fiscal Year 2020-21 Budget, Chief Executive Office, accounts 1316-7611-A5310-OJO, 1316-7611-A5310-OJ1, 1316-7611-A5310-OJ2, 1316-7611-A5310-OJ3, 1316-7611-A5310-ORR, and 1316-7611-A5310-OZK, and is funded through local funds.

#### **Summary**

Staff is recommending the Board authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2341 with Climatec LLC, in the amount of \$537,600, for a five-year term, to provide security system service and maintenance.



***Attachments***

- A. Review of Proposals, RFP 0-2341 Security System Service and Maintenance
- B. Proposal Evaluation Criteria Matrix (Short-Listed Firms), RFP 0-2341 Security System Service and Maintenance
- C. Contract History for the Past Two Years, RFP 0-2341 Security System Service and Maintenance

**Prepared by:**



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Katrina L. Faulkner  
Manager, Security and Emergency  
Preparedness  
714-560-5719

**Approved by:**



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Jennifer L. Bergener  
Chief Operating Officer, Operations/  
Deputy Chief Executive Officer  
714-560-5462



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Pia Veasapen  
Interim Director, Contracts  
Administration and Materials  
Management  
714-560-5619



**Review of Proposals**  
**RFP 0-2341 Security System Service and Maintenance**  
Presented to Executive Committee - October 5, 2020  
**3 firms proposed, 2 firms were interviewed, 1 firm is being recommended**

Overall Ranking	Proposal Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	Weighted Average Hourly Rate Per Service Call
1	82	<b>Climatec LLC</b> Anaheim, California	None	Higher-ranked firm overall. Experience providing security system services for clients similar in size to OCTA. Possess required licenses and certifications. Proposed project team is knowledgeable with relevant experience. Organization of project team was clear. Proposed ample resource of dedicated technicians, including additional support as needed, to respond to service calls. Discussed approach to meeting OCTA's security system needs. Discussed its process for managing requests and service calls. Presented approach and answered questions during the interview. Received positive responses from references. Proposed lowest weighted average hourly rate per service call.	\$146
2	78	<b>Convergint Technologies</b> Orange, California	None	Experience providing security system services for clients similar in size to OCTA. Currently providing service and maintenance of OCTA's security system. Proposed project team has relevant experience. Project team includes individuals currently providing services to OCTA. Proposed a deep bench of technicians to respond to service calls. Demonstrated an understanding of the scope of work. Detailed approach and processes for meeting OCTA's requirements. Discussed its web-based service portal to track service requests. Presented approach and answered questions during the interview. Received positive responses from references. Proposed highest weighted average hourly rate per service call.	\$222

**Evaluation Panel:**  
Internal:  
Contracts Administration and Materials Management (1)  
Security and Emergency Preparedness (1)  
Capital Programs (1)  
Information Systems (1)  
General Services (1)  
External:  
County of Orange (1)

<b><u>Proposal Criteria</u></b>	<b><u>Weight Factors</u></b>
Qualifications of the Firm	30%
Staffing and Project Organization	25%
Work Plan	25%
Cost and Price	20%



**PROPOSAL EVALUATION CRITERIA MATRIX (Short-Listed Firms)**  
**RFP 0-2341 Security System Service and Maintenance**

<b>Climatec LLC</b>							<b>Weights</b>	<b>Overall Score</b>
<b>Evaluator Number</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>		
Qualifications of Firm	4.0	4.0	4.0	4.0	4.0	3.5	6	23.5
Staffing/Project Organization	4.0	4.0	4.0	4.0	4.0	4.0	5	20.0
Work Plan	4.0	4.0	3.5	3.5	4.0	3.0	5	18.3
Cost and Price	5.0	5.0	5.0	5.0	5.0	5.0	4	20.0
<b>Overall Score</b>	<b>84.0</b>	<b>84.0</b>	<b>81.5</b>	<b>81.5</b>	<b>84.0</b>	<b>76.0</b>		<b>82</b>

<b>Convergint Technologies</b>							<b>Weights</b>	<b>Overall Score</b>
<b>Evaluator Number</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>		
Qualifications of Firm	4.0	4.0	4.0	4.0	4.0	4.0	6	24.0
Staffing/Project Organization	4.0	4.0	3.5	4.0	4.0	4.0	5	19.6
Work Plan	4.0	4.5	4.0	4.5	4.0	4.5	5	21.3
Cost and Price	3.3	3.3	3.3	3.3	3.3	3.3	4	13.2
<b>Overall Score</b>	<b>77.2</b>	<b>79.7</b>	<b>74.7</b>	<b>79.7</b>	<b>77.2</b>	<b>79.7</b>		<b>78</b>

The score for non-short-listed firm was 52.



**CONTRACT HISTORY FOR THE PAST TWO YEARS**  
**RFP 0-2341 Security System Service and Maintenance**

Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
<b>Climatec LLC</b>						
Contract Type: N/A	None	N/A	N/A	N/A	N/A	\$ -
Subconsultants: N/A						
<b>Sub Total</b>						<b>\$ -</b>
<b>Convergent Technologies</b>						
Contract Type: Time-and-Expense	C-7-1676	Security System Service and Maintenance	July 31, 2017	October 31, 2020	N/A	\$ 341,000
Subconsultants: N/A						
Contract Type: Firm-Fixed	C-7-2138	Installation of Video Surveillance System at Santa Ana and Garden Grove Bus Bases	June 13, 2018	August 31, 2019	\$ 68,877	\$ 697,073
Subconsultants:						
Federal Technology Solutions						
Contract Type: Firm-Fixed	C-7-2150	Video Surveillance System at Laguna Niguel/Mission Viejo Metrolink Station	June 28, 2018	June 30, 2019	\$ 165,019	\$ 419,695
Subconsultants:						
Global Electric						
<b>Sub Total</b>						<b>\$ 1,457,768</b>





**October 12, 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 E. Johnson", is placed over the "From:" line of the memo.

**Subject:** Approval to Release an Invitation for Bids for Construction of Anaheim Canyon Metrolink Station Improvements

### **Overview**

The Orange County Transportation Authority, in coordination with the Southern California Regional Rail Authority and the City of Anaheim, proposes improvements to the Anaheim Canyon Metrolink Station that will reduce existing congestion along the rail corridor and provide for more efficient operations and passenger movements at the station. Board of Directors' approval is requested to issue an invitation for bids for construction of improvements at the Anaheim Canyon Metrolink Station.

### **Recommendation**

Approve the release of Invitation for Bids 0-2193 for construction of improvements at the Anaheim Canyon Metrolink Station.

### **Discussion**

The Orange County Transportation Authority (OCTA), in coordination with the Southern California Regional Rail Authority (SCRRA) and the City of Anaheim, proposes the addition of approximately 3,400 linear feet of secondary track, the addition of a second platform, extending the existing platform, and improvements for two nearby at-grade railroad crossings, with one located on Tustin Avenue and the other on La Palma Avenue. Preliminary engineering was completed in November 2016, and the environmental documents were prepared and approved in compliance with the California Environmental Quality Act and the National Environmental Policy Act in December 2016 and June 2017, respectively. The project design is now complete and is ready for construction.

The proposed improvements to the Anaheim Canyon Metrolink Station (Station) will accommodate planned future train service expansion and will enhance



on-time performance and safety by allowing two Metrolink trains to service the Station at one time, reducing current train congestion.

The Board previously approved Cooperative Agreement No. C-8-2064 between OCTA and SCRRA that defined the roles and responsibilities for improvements to the Station. Consistent with that agreement, OCTA, in coordination with SCRRA, will lead the construction of track, structures, and other civil improvements. SCRRA will lead the construction of the signals, communications, and wayside positive train control facilities in support of the project.

### ***Procurement Approach***

OCTA's procurement policies and procedures require that the OCTA Board of Directors (Board) approve any invitation for bids (IFB) over \$1,000,000. Staff is requesting approval from the Board to release IFB 0-2193 for construction of the project (Attachment A).

The IFB will be released upon Board approval, and the award will be made to the lowest responsive, responsible bidder in accordance with the state law.

### **Fiscal Impact**

Funding for this project is included in OCTA's Fiscal Year 2020-21 Budget, Capital Programs Division, Account 0018-9084-C5061-TXD, and is funded from federal sources.

### ***Summary***

Board of Directors' approval is requested to release Invitation for Bids 0-2193 for construction of improvements at the Anaheim Canyon Metrolink Station.



***Attachment***

- A. Draft Invitation for Bids 0-2193, Construction of Anaheim Canyon Metrolink Station Improvements

**Prepared by:**



Lora Cross  
Project Manager  
(714) 560-5788

**Approved by:**



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



Pia Veasapen  
Interim Director, Contracts  
Administration and Materials  
Management  
(714) 560-5619



DRAFT INVITATION FOR BIDS (IFB) 0-2193

CONSTRUCTION OF ANAHEIM CANYON METROLINK STATION IMPROVEMENTS

IS AVAILABLE ON THE WEBSITE AT

<https://octa.legistar.com/LegislationDetail.aspx?ID=4660963&GUID=36171336-2958-49DA-B08E-107D5201A68E&Options=&Search=>

AND AVAILABLE UPON REQUEST

FROM THE CLERK OF THE BOARD'S OFFICE





## COMMITTEE TRANSMITTAL

**October 12, 2020**

**To:** Members of the Board of Directors

**From:** Laurena Weinert,  Clerk of the Board

**Subject:** Agreement for Facility Modifications at Santa Ana Bus Base for the Interstate 405 Toll Operations Center

Regional Planning and Highways Committee Meeting of October 5, 2020

**Present:** Directors Bartlett, Chaffee, Delgleize, Muller, M. Murphy, and R. Murphy

**Absent:** Director Pulido

### **Committee Vote**

Following the roll call vote, this item was declared passed 6-0 by the Members present.


### **Committee Recommendations**

- A. Find Reed Family Enterprises, Inc., the apparent low bidder, as non-responsive for failure to meet the federal requirement for Disadvantaged Business Enterprise participation.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2191 between the Orange County Transportation Authority and Dalke & Sons Construction, Inc., the lowest responsive, responsible bidder, in the amount of \$636,680, for facility modifications at the Santa Ana Bus Base for the Interstate 405 Express Lanes Toll Operations Center.





**October 5, 2020**

**To:** Regional Planning and Highways Committee   
**From:** Darrell E. Johnson, Chief Executive Officer  
**Subject:** Agreement for Facility Modifications at Santa Ana Bus Base for the Interstate 405 Toll Operations Center

### **Overview**

The Orange County Transportation Authority's Santa Ana Bus Base requires facility modifications to accommodate the Interstate 405 Express Lanes Toll Operations Center. An invitation for bids was released on July 15, 2020. Bids were received in accordance with Board of Directors-approved procedures for public works projects. Board of Directors' approval is requested to execute the agreement.

### **Recommendations**

- A. Find Reed Family Enterprises, Inc., the apparent low bidder, as non-responsive for failure to meet the federal requirement for Disadvantaged Business Enterprise participation.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2191 between the Orange County Transportation Authority and Dalke & Sons Construction, Inc., the lowest responsive, responsible bidder, in the amount of \$636,680, for facility modifications at the Santa Ana Bus Base for the Interstate 405 Express Lanes Toll Operations Center.

### **Discussion**

The Orange County Transportation Authority (OCTA), in cooperation with the California Department of Transportation, 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 from Euclid Street to I-605, consistent with Project K of Measure M2, and will add an additional lane in each direction that would combine with the existing high-occupancy vehicle lane to provide dual express lanes in each direction on



I-405 from SR-73 to I-605, otherwise known as the 405 Express Lanes. On October 12, 2015, the OCTA Board of Directors (Board) approved the operating assumptions for the 405 Express Lanes. The lanes will operate in a manner similar to the existing 91 Express Lanes, including all-electronic tolling using transponders, account types, and process for violations.

On February 26, 2018, the Board approved the selection of Kapsch TrafficCom USA, Inc., (Kapsch) as the toll system integrator (TSI) for the 405 Express Lanes. As TSI, Kapsch is responsible for the design, development, testing, installation, and maintenance of a complete and integrated electronic toll and traffic management (ETTM) system. In addition, Kapsch will provide and maintain the roadside systems, including the variable message signs, the closed-circuit television (CCTV) cameras, with video feeds displayed on a video wall in the Toll Operations Center (TOC), establish and operate the TOC, and provide staff to monitor incidents and traffic conditions on the 405 Express Lanes facility. The TOC will be operational 24 hours a day, seven days a week.

These facility modifications will provide the required space needed for the I-405 toll operations center. OCTA completed construction of the Santa Ana Bus Base in 2005, and the maintenance building contains various offices and equipment rooms in support of operations. Room 164, which was the original coin counting room, and Room 167, the original security room, are currently not being utilized. Improvements to these two rooms are required to accommodate planned use as the TOC. The building improvements will include mechanical, electrical, plumbing, fire protection, framing and finishes, and related work to upgrade the space needed for the I-405 TOC at the Santa Ana Bus Base.

### ***Procurement Approach***

This procurement was handled in accordance with OCTA'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) 0-2191 was electronically released on July 15, 2020, through OCTA's CAMM NET system. The project was advertised in a newspaper of general circulation on July 15 and 22, 2020. A pre-bid conference was held on July 23, 2020 and was attended by seven firms. Three addenda were issued to provide the pre-bid conference registration sheets and handle administrative issues related to the IFB. On August 17, 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>
Reed Family Enterprises, Inc. Temecula, California	\$537,000
Dalke & Sons Construction, Inc. Riverside, California	\$636,680
Fast-Track Construction Corporation Irwindale, California	\$870,000

The apparent low bidder, Reed Family Enterprises, Inc., was deemed non-responsive for failure to meet the federal requirement for Disadvantaged Business Enterprise participation or demonstrate sufficient good faith efforts as required by the bid instructions and regulations from the United States Department of Transportation, which is providing funding for this project.

State law requires award to the lowest responsive, responsible bidder. As such, staff recommends award to Dalke & Sons Construction, Inc., the lowest, responsive, responsible bidder, in the amount of \$636,680, for the facility modifications at the Santa Ana Bus Base for the I-405 TOC.

The engineer's estimate for this project was \$680,000. The recommended firm's bid is 6.3 percent below the engineer's estimate and is considered by staff to be fair and reasonable. The bidder is a general engineering and electrical contractor, licensed and in business for over 29 years. Reference checks received noted successful delivery of work on similar projects. The bid includes all the required work components. Dalke & Sons Construction, Inc., met the requirements of the IFB, as well as all federal and state requirements.

#### Fiscal Impact

The project was approved in OCTA's Fiscal Year 2020-21 Budget, Capital Programs Division, Account 0037-9023-A9510-X14, and is funded through the Transportation Infrastructure Finance and Innovation Act.



***Summary***

Based on the information provided, staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2191 to Dalke & Sons Construction, Inc., in the amount of \$636,680, for the facility modifications at the Santa Ana Bus Base for the Interstate 405 Toll Operations Center.

***Attachment***

None.

**Prepared by:**



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Program Manager  
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Interim Director, Contracts  
Administration and Materials  
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**Approved by:**



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





## COMMITTEE TRANSMITTAL

**October 12, 2020**

**To:** Members of the Board of Directors

**From:** *Lu*  
Laurena Weinert, Clerk of the Board

**Subject:** Metrolink Fiscal Year 2019-20 Performance Report

Transit Committee Meeting of October 8, 2020

**Present:** Directors Davies, Do, Jones, Pulido, Shaw, and Sidhu

**Absent:** None

**Committee Vote**

Following the roll call vote, this item was passed 5-0 by the Members present.

Director Pulido was not present to vote on this item.

**Committee Recommendation**

Receive and file as an information item.





**October 8, 2020**

**To:** Transit Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Metrolink Fiscal Year 2019-20 Performance Report

### **Overview**

The Southern California Regional Rail Authority is a five-member joint powers authority that operates the 400-mile commuter rail service known as Metrolink. A report on Metrolink ridership, revenue, and on-time performance for service in Orange County covering fiscal year 2019-20 is provided for Board of Directors' consideration.

### **Recommendation**

Receive and file as an information item.

### **Background**

The Southern California Regional Rail Authority's (Metrolink) membership includes the Los Angeles County Metropolitan Transportation Authority (LA Metro), the Orange County Transportation Authority (OCTA), the Riverside County Transportation Commission, the San Bernardino County Transportation Authority, and the Ventura County Transportation Commission (VCTC). Metrolink operates 169 weekday trains on seven lines, serving 62 stations, and carries approximately 35,000 riders each weekday.

In response to the coronavirus (COVID-19) pandemic and the resulting decrease in ridership, Metrolink implemented a temporary 30 percent systemwide service reduction in March 2020. Weekday trains were reduced from 169 to 115 systemwide. The change resulted in a 16.7 percent reduction of service on the three lines that serve Orange County. Metrolink will continue to operate with reduced service, incrementally restoring service as demand warrants, with the anticipation that pre-COVID-19 service levels will be fully reinstated by the third quarter of fiscal year (FY) 2020-21.



In addition to fare revenue, Metrolink is funded by its member agencies, with formulas based upon several factors covering each aspect of operations, maintenance, rehabilitation, and capital.

Metrolink service in Orange County includes three lines (OC Metrolink), with pre- and post-COVID-19 pandemic service levels outlined below:

- OC Line:
  - Oceanside to Los Angeles via Anaheim
  - Established in 1994
  - 27 daily trains (21 trains post-COVID-19 pandemic service reduction)
- Inland Empire – Orange County (IEOC) Line:
  - San Bernardino to Oceanside via Orange
  - Established in 1995
  - 16 daily trains (14 trains post-COVID-19 pandemic service reduction)
- 91/Perris Valley (91/PV) Line:
  - Perris to Los Angeles via Fullerton
  - Established in 2002
  - 11 daily trains (ten trains post-COVID-19 pandemic service reduction)

Metrolink trains serve 11 Orange County stations daily and carry an average of 14,413 daily passengers on OC Metrolink for the full FY, down 22.3 percent compared to the prior FY. Weekend service is offered on all three lines, with 16 trips on Saturday and Sunday.

Metrolink service along portions of each line in Orange County shares the corridor with the state-supported intercity passenger rail service known as the Amtrak Pacific Surfliner, managed by the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency with OCTA serving as the current managing agency.

The Rail 2 Rail (R2R) Program, which began in 2003, allows Metrolink monthly passholders the option of riding Amtrak Pacific Surfliner trains at no additional charge to the rider, if the rider travels within the stations identified on their monthly pass. Amtrak Pacific Surfliner monthly pass holders may also ride any Metrolink train within the station pairs of their monthly pass. The R2R Program is fully funded by the three member agencies that benefit from the program: LA Metro, VCTC, and OCTA, with OCTA contributing 66 percent.



### Discussion

This report provides an update on Metrolink weekday and weekend ridership, revenue, and on-time performance (OTP) for FY 2019-20 by line. All performance data is obtained directly from Metrolink, unless otherwise noted. Service operated as outlined above pre-COVID-19 was reduced in March, and most impacts from the COVID-19 pandemic were realized in the last quarter of the FY. Metrolink performance: ridership, revenue, and OTP are detailed in Attachment A.

### Ridership

#### Total Ridership

Weekday and weekend ridership combined for FY 2019-20 for OC Metrolink was 3.9 million, which represents a 23.6 percent decrease compared to the previous FY, as shown in the table below.

Total Boardings			
Line	FY 2018-19	FY 2019-20	Percent Change
OC Line	2,864,777	2,158,259	-24.7%
IEOC Line	1,315,621	1,015,806	-22.8%
91/PV Line	893,079	700,553	-21.6%
OC Metrolink	5,073,477	3,874,618	-23.6%
Systemwide	11,935,362	9,357,013	-21.6%

A quarterly ridership breakdown for OC Metrolink is provided below to show the impact of the COVID-19 pandemic on ridership through the FY, which shows a decline in the third and fourth quarters.

Total Boardings by Quarter				
	Quarter	FY 2018-19	FY 2019-20	Percent Change
OC Metrolink	Q1	1,315,084	1,329,985	1.1%
	Q2	1,254,275	1,277,507	1.9%
	Q3	1,226,349	1,153,217	-6.0%
	Q4	1,277,770	113,909	-91.1%
	Total	5,073,477	3,874,618	-23.6%

Each OC Metrolink line was impacted in the fourth quarter of FY 2019-20, as follows:

- OC Line - 92.6 percent decrease
- IEOC Line - 89.2 percent decrease
- 91/PV Line - 89.1 percent decrease



### Average Weekday Ridership

As Southern California's commuter rail system, weekday commuters are Metrolink's key market, and schedules are optimized to serve that market. In FY 2019-20, there were 14,413 combined average weekday boardings on OC Metrolink, representing a decline of 22.3 percent compared to the prior year.

The OC Metrolink lines, stations, and boardings are geographically portrayed in Attachment B. The table below shows the change in average weekday station boardings in FY 2018-19 compared to FY 2019-20.

<b>Average Weekday Station Boardings</b>			
<b>Orange County Station</b>	<b>FY 2018-19</b>	<b>FY 2019-20</b>	<b>Percent Change</b>
Fullerton	1,651	1,269	-30.1%
Irvine	1,431	1,074	-33.3%
Tustin	1,198	922	-30.0%
Santa Ana	817	629	-30.0%
Orange	639	504	-26.7%
Buena Park	594	462	-28.5%
Anaheim	542	423	-28.0%
Laguna Niguel/Mission Viejo	327	263	-24.3%
Anaheim Canyon	307	240	-27.7%
San Juan Capistrano	143	111	-28.7%
San Clemente (North Beach)	102	74	-37.7%

In addition to local OC Bus routes that connect to rail stations, OCTA operates StationLink and iShuttle routes that are designed to meet certain trains. These rail feeder buses provide a commuter link to major employment centers, with nearly 1,350 average weekday boardings prior to the COVID-19 pandemic and 95 average weekday boardings post-COVID-19 pandemic (compared to 1,700 the previous year). StationLink service has been maintained with no reductions through the COVID-19 pandemic, whereas the iShuttle routes were suspended with plans to restore service once Metrolink ridership demand recovers following the COVID-19 pandemic. OCTA also provides the OC Flex on-demand shuttle service that serves the Laguna Niguel/Mission Viejo Station in one of its zones. Connections to OC Bus and OC Flex service are free with valid Metrolink fare. OC Flex serving the Metrolink station averaged 687 per month from July to March 2020 and dropped to a 217-monthly average from April to June 2020, or post-COVID pandemic.



### Weekend Ridership

Metrolink weekend service began in 2006 with two roundtrips on the OC Line. There are currently four weekend roundtrips on the OC Line, two on the IEOC Line, and two on the 91/PV Line. Weekend service on the 91/PV Line extension began October 2019.

Combined weekend ridership on OC Metrolink lines during FY 2019-20 reached approximately 336,000 boardings. This represents a decrease of 26.4 percent compared to FY 2018-19. To encourage weekend ridership recovery, OCTA continues to promote Metrolink weekend service through Metrolink weekend campaigns, which feature exclusive deals and travel itineraries. The following table details weekend ridership by line.

Total Weekend Ridership			
Line	FY 2018-19	FY 2019-20	Percent Change
OC Line	227,147	166,930	-26.5%
IEOC Line	155,367	112,005	-27.9%
91/PV Line	73,794	56,986	-22.8%
OC Metrolink	456,308	335,921	-26.4%
Systemwide	1,028,937	770,579	-25.1%

### Revenue

Systemwide revenue for FY 2019-20 was \$62 million, a 27.4 percent decrease from FY 2018-19. Annual revenue for OC Metrolink totaled \$27.3 million, which represents a 30.8 percent decrease from the previous FY, due to the COVID-19 pandemic. Revenue for OC Metrolink is 44 percent of the systemwide total of \$62 million.

Passenger fare revenue covers roughly half of Metrolink operating expenses, with the remainder covered by other revenues and member agency subsidies. The OC Line consistently has the highest farebox recovery rate, for FY 2019-20 projected farebox recovery was 65.1 percent, exceeding the systemwide projection of 34.3 percent. A summary of Metrolink revenue is depicted in the following table.

Metrolink Total Revenue			
Line	FY 2018-19	FY 2019-20	Percent Change
OC Line	\$ 22,495,173	\$ 16,901,989	-33.1%
IEOC Line	\$ 7,443,678	\$ 5,839,660	-27.5%
91/PV Line	\$ 5,758,327	\$ 4,548,926	-26.6%
OC Metrolink	\$ 35,697,178	\$ 27,290,575	-30.8%
Systemwide	\$ 79,007,225	\$ 62,018,826	-27.4%



### On-Time Performance

Trains can be delayed for a variety of reasons, including equipment issues, unscheduled delays (or meets) with other trains, delays from other operators utilizing the same tracks, construction or track maintenance, and incidents. Metrolink's OTP goal is 95 percent. A train is defined as on-time if it arrives at its destination within five minutes of its scheduled arrival time. In FY 2019-20, Metrolink operated at a 95.1 percent systemwide on-time performance, a 2.4 percentage point increase from the prior year. The OC, IEOC, and 91/PV lines averaged 92.9, 94.3, and 94.7 percent OTP, respectively, for FY 2019-20. OTP improved significantly in the third and fourth quarters of the FY, including all the lines that operate in OC.

### Key Initiatives FY 2019-20

Metrolink undertook several efforts to enhance service during the year. The list below highlights some of these efforts:

- *Smarter. Better. Essential.* Campaign: Metrolink launched a clean commute campaign in response to the COVID-19 pandemic, by increasing the cleaning and safety procedures onboard and at stations. The cleaning measures include an enhanced nightly train deep cleaning, the addition of more staff to perform touch-point cleaning, the purchase of electrostatic sprayers that disinfect passenger cars, and the installation of two hand sanitizer stations on each train car. To enhance safety, Metrolink installed decals on trains that remind riders to practice social distancing and highlight Metrolink's cleaning measures. Metrolink requires staff and riders to wear masks while onboard trains; if a rider does not have a mask or face covering, Metrolink conductors may provide one.
- The Metrolink Recovery Plan Framework is designed to protect employees and customers against the spread of COVID-19 while taking a phased approach to position Metrolink as smarter, better, and essential for post-stay-at-home operations:
  - Health and Safety
  - Operational Transparency
  - The Triple Bottom Line: Economy, Environment, Equity
  - Future Proof Operations: More Efficient Stewardship
  - Sustainable Financial Performance



- In July 2020, the OCTA Board of Directors approved the use of \$64,633,169 in Coronavirus Aid, Relief, and Economic Security Act funds for Metrolink operations. Metrolink has begun to draw down the funds to offset fare revenue shortfalls and to cover additional cleaning practices noted above.
- Special Trains – In response to the COVID-19 pandemic, Metrolink suspended special train service until further notice. The following special trains took place before the COVID-19 pandemic in FY 2019-20:
  - Los Angeles Rams: In coordination with member agencies, Metrolink operated special train service on the OC and 91/PV lines to four 2019 regular season Los Angeles Rams football home games at the Los Angeles Coliseum. On average during the regular season, boardings on game days nearly tripled compared to boardings on a typical Sunday.
  - Holiday Express Train: Metrolink debuted an interactive seasonal-themed special train that featured carolers, holiday characters, and decorations. The special train operated on the OC, Ventura County, and Antelope Valley lines. The OC Line train operated from the Laguna Niguel/Mission Viejo Station to Oceanside and back with no stops. The Holiday Express Train was a success, with 98.5 percent of tickets for the OC Line event sold.
- Tier 4 Locomotives: Metrolink currently has 37 of the 40 Tier 4 locomotives operating in its fleet, with the final three scheduled to be placed in service this fall. The Tier 4 Locomotive project received environmental certification in September 2020 from the California Air Resources Board, a designation that affirms Metrolink's commitment to reducing greenhouse gas emissions. As of May 2020, Metrolink removed its last Tier 0 Locomotive from service.
- New Fare Pilot Programs: As part of Metrolink's ridership recovery plan, Metrolink launched two new fare pilot programs: 'Kids Ride Free' on Weekends and the 5-Day Flex Pass.
- New Ticket Vending Devices: Metrolink completed the installation of 133 new ticket vending machines at all 62 stations as of June 2020. The machines' interface and technology are more reliable, user-friendly, and provide convenience and time savings.



***Summary***

This report provides an update on OC Metrolink commuter rail ridership, revenue, and OTP for FY 2019-20. Total ridership was 3.9 million boardings, a 23.6 percent decrease over the prior year, with the COVID-19 pandemic impacting both weekday and weekend ridership. Annual revenue for OC Metrolink totaled \$27.3 million, which represents a 30.8 percent decrease from the previous FY. The OC, IEOC, and 91/PV lines averaged 92.9, 94.3, and 94.7 percent OTP, respectively, for the period covered in this report.

***Attachments***

- A. Metrolink Fiscal Year 2019-20 Performance Report
- B. Metrolink Average Weekday Station Boardings (FY2019-20)

**Prepared by:**

Megan LeMaster  
Principal Transportation Analyst  
(714) 560-5601

**Approved by:**

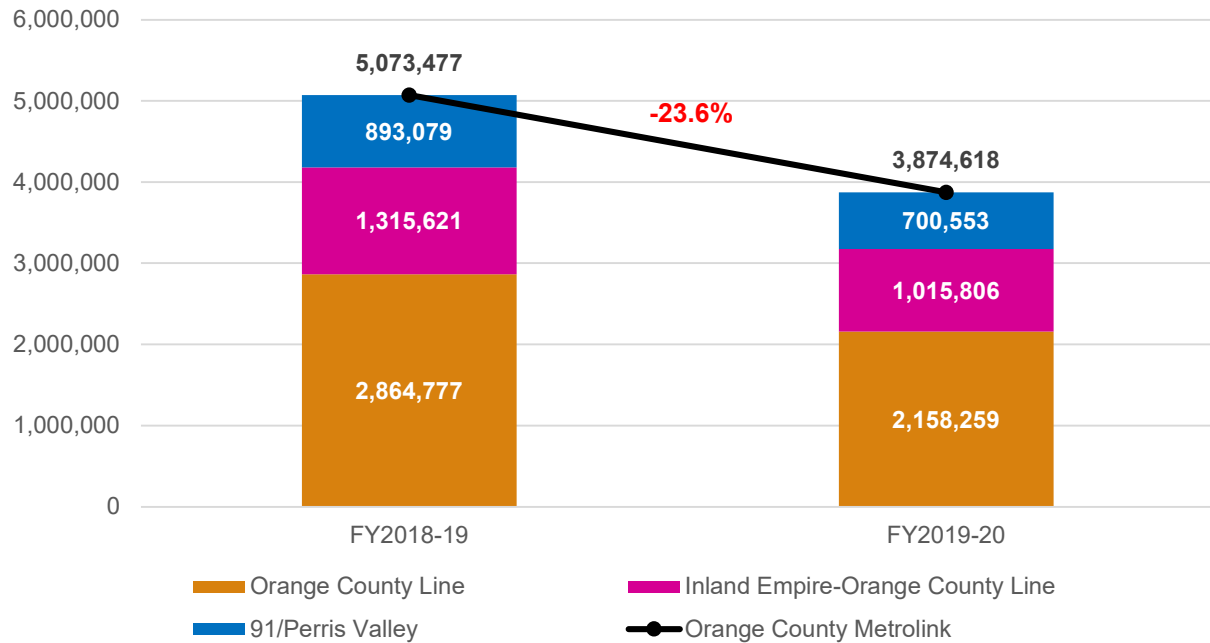
Jennifer L. Bergener  
Chief Operating Officer, Operations/  
Deputy Chief Executive Officer  
(714) 560-5462



## Metrolink Fiscal Year 2019-20 Performance Report

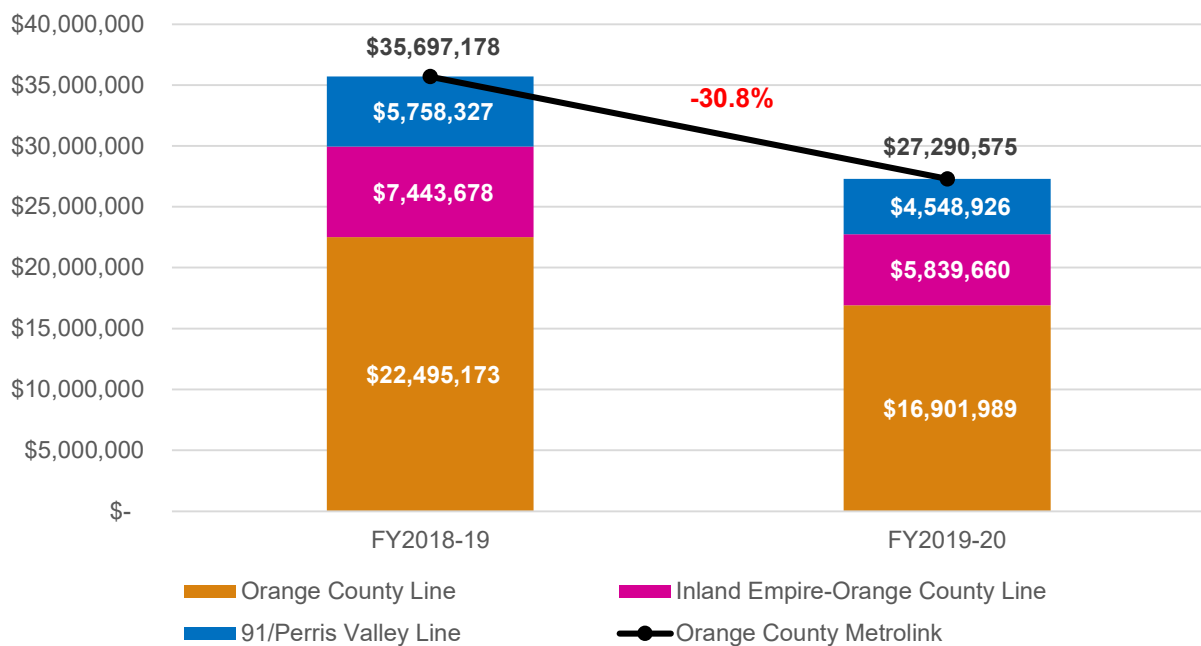
## Ridership

Figure 1: FY2018-19 v. FY2019-20 Comparison - Total Boardings



## Revenue

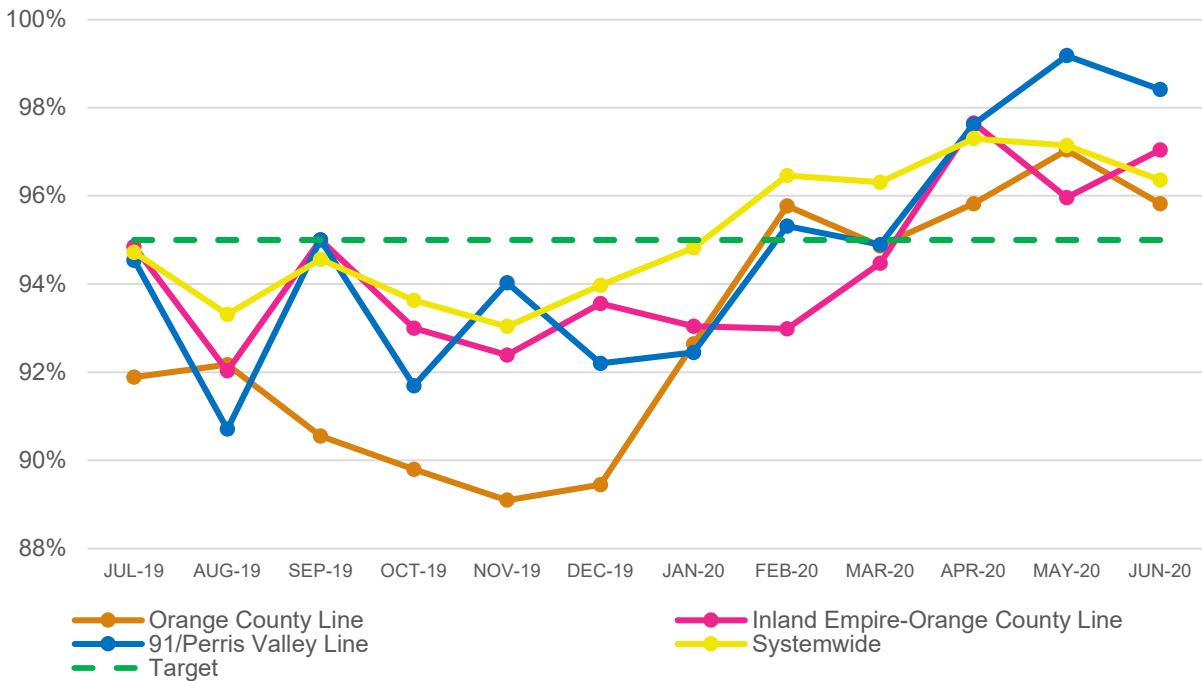
Figure 2: FY2018-19 v. FY2019-20 Comparison - Total Revenue





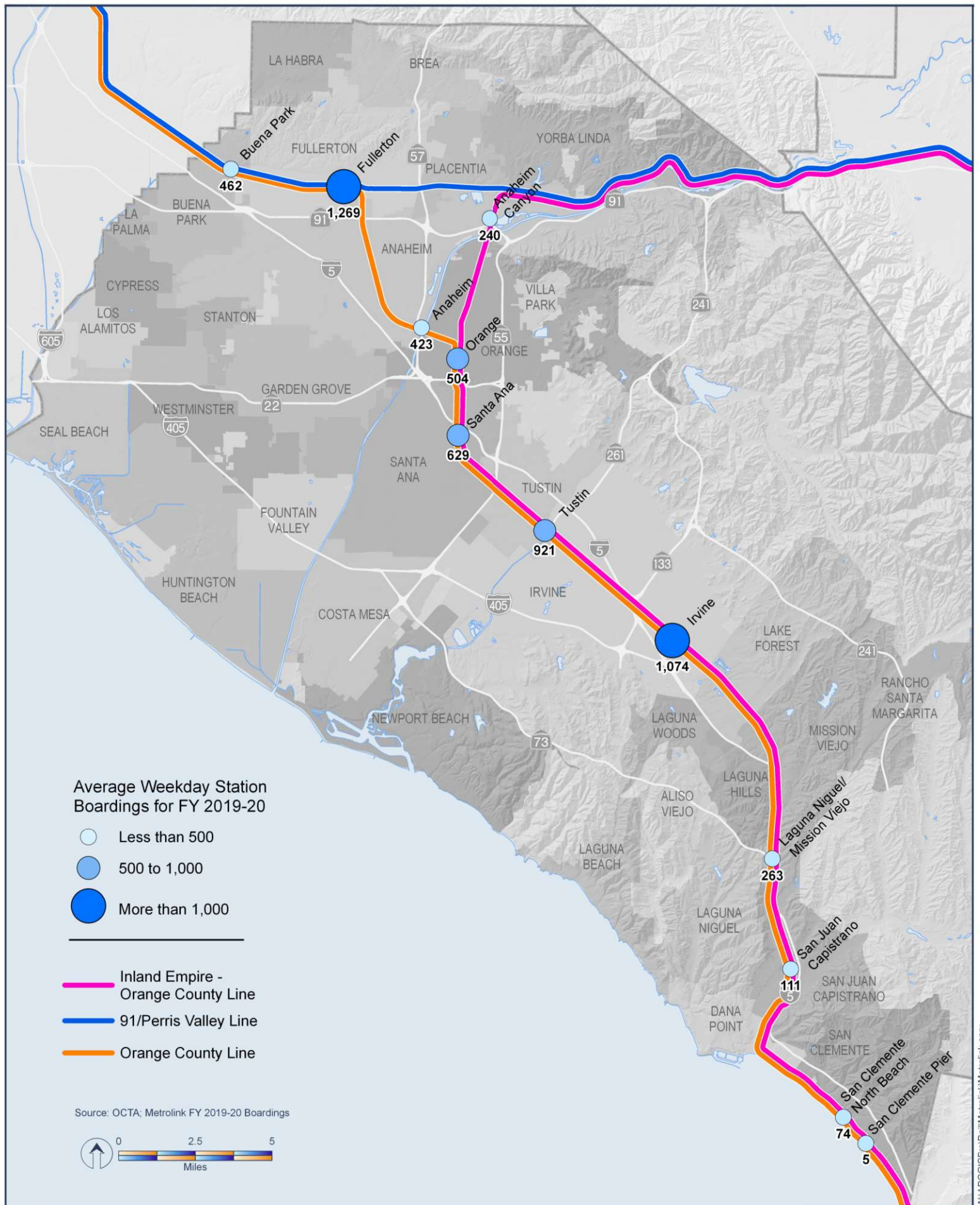
## On-Time Performance

Figure 3: FY2019-20 On-Time Performance





## Metrolink Average Weekday Station Boardings (FY2019-20)







## COMMITTEE TRANSMITTAL

**October 12, 2020**

**To:** Members of the Board of Directors

**From:** *Lu*  
Laurena Weinert, Clerk of the Board

**Subject:** Bus Operations Performance Measurements Report for the Fourth Quarter of Fiscal Year 2019-20

Transit Committee Meeting of October 8, 2020

**Present:** Directors Davies, Do, Jones, Pulido, Shaw, and Sidhu  
**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.





**October 8, 2020**

**To:** Transit Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Bus Operations Performance Measurements Report for the Fourth Quarter of Fiscal Year 2019-20

### **Overview**

The Orange County Transportation Authority operates fixed-route bus and demand-response paratransit service throughout Orange County and into neighboring counties. The established measures of performance for these services assess the safety, courtesy, reliability, and overall quality of the services. This report highlights proposed changes to the method for counting passengers, measuring on-time performance, and summarizes the year-to-date performance of the fixed-route and paratransit services through the fourth quarter of fiscal year 2019-20.

### **Recommendation**

Receive and file as an information item.

### **Background**

The Orange County Transportation Authority (OCTA) operates a countywide network of 60 routes, including local, community, rail connector, and express bus routes serving over 5,000 bus stops. Fixed-route bus (OC Bus) service operates in a 798-square mile area, serving more than three million residents in 34 cities and unincorporated areas, with connections to transit services in Orange, Los Angeles, and Riverside counties. OCTA provides these services through both directly operated fixed-route (DOFR) and contracted fixed-route (CFR) service. OCTA also provides OC ACCESS, a federally-mandated paratransit service, which is a shared-ride program available for people unable to use the OC Bus service because of functional limitations. Performance measures for both OC Bus and OC ACCESS services are summarized and reported quarterly (Attachment A).



### ***Discussion***

This report provides an update on the performance of the OC Bus and OC ACCESS services through the fourth quarter, including the months of April, May, and June of fiscal year (FY) 2019-20 by presenting the current trends and comparisons with OCTA-established performance standards for transit system safety, courtesy, and reliability. OCTA counts preventable vehicle accidents to evaluate system safety, customer complaints to assess courtesy, and uses both on-time performance (OTP) and miles between road calls (MBRC) to measure service reliability. This report also discusses proposed changes to the method for counting passengers and the calculation and goal for OTP.

The performance trends identified for the fourth quarter reflect the impact of the coronavirus (COVID-19) pandemic, and subsequent national guidelines and state order put in place to reduce the spread. The state's "stay-at-home" order and the guidelines for social distancing significantly impacted travel patterns, leading to the need to reduce service and implement other safety measures, including rear-door boarding and capacity limits on buses.

- Safety – DOFR OC Bus and OC ACCESS services both remain below the accident frequency standard of one preventable accident per 100,000 service miles. DOFR remained below standard, between April and June, as the number of preventable accidents was approximately the same compared to last quarter and the same time last year, with less miles operated due to COVID-19. OCTA Operations staff continues to focus on and stress the importance of safety, conduct safety-related campaigns, and promote the safe driving award program. In particular, trend analysis indicates right side clearance has been an issue and recent safety campaigns have focused on preventing this type of accident. For OC ACCESS service, the number of preventable accidents reported between April and June was six. This represents an 81 percent decrease from the 33 accidents reported the previous quarter and an 86 percent increase in miles between preventable accidents compared to the third quarter. This yielded a slight improvement in the year-to-date average of 3.6 percent, but still below the standard. CFR OC Bus service continued to perform above standard.
- Customer Service – Customer service is measured by evaluating the number of valid customer complaints received compared to boardings. Through the fourth quarter, all modes of service performed above the respective standards.



- Reliability – Cumulative OTP for OC Bus and OC ACCESS for the FY remained below target. However, for the fourth quarter, April through June, OC Bus OTP averaged 88.1 percent, with DOFR and CFR averaging 89 percent and 86.1 percent, respectively. OTP for OC ACCESS was 0.1 percent higher than last quarter, and 0.6 percent lower than the 93.1 percent reported during the same period last year.

The MBRC for all modes of service exceeded the standard through the reporting period. OCTA staff will continue to monitor performance in this area and work with the contractor to sustain or improve overall performance.

The report also includes:

- An assessment of the efficiency of OCTA transit operations based on industry standards for ridership, productivity, farebox recovery, and cost per revenue vehicle hour;
- A review of contractor performance for CFR and OC ACCESS services;
- A route-level performance evaluation that includes subsidy per boarding, revenue per boarding, and resource allocation (buses);
- A status on the initiatives implemented under the OC Bus 360° Program, including OC Flex and the College Pass Program; and
- Updates regarding the use of automated passenger counters for the collection of ridership data and a modification to the metric for OTP beginning with the new FY.

In an effort to more effectively measure and assess the performance of OC Bus and OC ACCESS services both during the pandemic and in a post-COVID-19 environment, staff has thoroughly evaluated the manner in which passengers are counted and OTP is calculated. As a result of this evaluation, staff is proposing an adjustment to both the method for counting passengers and OTP, which will bring OCTA closer to standard industry practice with respect to data collection, and performance measurement and reporting as described below and more thoroughly discussed in Attachment A.

#### **Passenger Counts – Automatic Passenger Counters (APC)**

OCTA has historically utilized the farebox as the method for reporting and recording boarding data, or passenger counts. In response to COVID-19 and efforts to minimize non-essential contact, passengers were diverted from the front, where the farebox is located, to the rear door for boarding. APCs are located at both the front and rear doors of all OCTA buses and capture boarding data automatically. OCTA has been evaluating the expanded use of APCs over



the past few years; this data has been helpful for planning purposes as you can determine passenger loads at various points along a route. With the change in the boarding process in early April, staff began utilizing the APC data to capture all boarding information since the farebox would not be able to capture the rear door boarding. Utilizing the APCs has a proven and effective method for capturing boarding data, and staff is proposing to utilize the APCs as the primary data source moving forward.

## **OTP**

The current methodology used for tracking and reporting OTP accounts for the late departures from scheduled time points on a route as printed in the bus route schedule. After evaluating similar data collected and reported by peer agencies and through OCTA's participation in the American Bus Benchmarking Group (ABBG) collaborative, staff proposes to modify OCTA's current OTP methodology to include early departures from scheduled time points in addition to late trips in the calculation of OTP. An early departure is one in which the bus leaves an established timepoint more than 59 seconds ahead of the posted schedule. Including the early departures will provide for a more thorough overall measure of OTP.

In connection with this proposed change, staff is also recommending an adjustment to the OTP standard of 85 percent to 80 percent. In considering this adjustment, staff reviewed OTP data from ABBG for 23 other transit properties. It should be noted that only six of 23 agencies included in the ABBG collaborative have been able to meet an OTP of 85 percent, while 11 of the 23 agencies were able to achieve an OTP standard of 80 percent. In evaluating the historical trend of OTP for both DOFR and CFR, recent performance trends have been below the current standard of 85 percent, primarily driven by traffic impacts and construction-related activities. Adjusting the standard to 80 percent is consistent with performance of the ABBG collaborative. Staff will continue to monitor OTP and report quarterly, including any recommendations to further adjust the OTP standard.



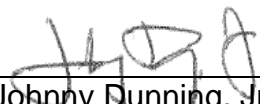
***Summary***

Through the fourth quarter of FY 2019-20, the performance of OC Bus and OC ACCESS services exceeded performance in the areas of courtesy and reliability (MBRC) but was below the standard for safety (except CFR) and OTP. OCTA staff continues to focus on continuous quality improvement in safety and reliability as detailed in the report. In addition to tracking the established key performance indicators, staff will continue to manage the service contracts pursuant to contract requirements and work to identify other strategies to improve overall system performance.

***Attachment***

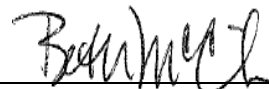
- A. Bus Operations Performance Measurements Report, Fourth Quarter, Fiscal Year 2019-20

**Prepared by:**

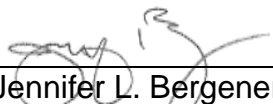


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# Bus Operations Performance Measurements Report



Fourth Quarter  
Fiscal Year 2019-20



# About This Report

The Orange County Transportation Authority (OCTA) operates a countywide bus transportation network of 60 routes including local, community, rail connector, and express bus routes serving over 5,000 bus stops known as OC Bus. OCTA also operates demand-responsive paratransit service (OC ACCESS), a shared-ride program available for people unable to use the standard OC Bus service because of functional limitations. OC Bus service is provided through both direct operations by OCTA referred to as directly-operated fixed-route (DOFR) and contracted operations referred to as contracted fixed-route (CFR). The OC ACCESS service is a contract-operated demand-response service required by the Americans with Disabilities Act that is complementary to the fixed-route service and predominately accounts for the overall paratransit services operated by OCTA. These services make up the bus transit system in Orange County and are evaluated by the performance measurements summarized in this report.

This report tracks bus system safety, as measured by vehicle accidents, courtesy, as measured by customer complaints, and reliability, as measured by on-time performance (OTP) and miles between road calls (MBRC). Along with these metrics, industry-standard measurements are tracked to assess OCTA bus operations; these measurements include ridership, productivity, farebox recovery ratio (FRR), and cost per revenue vehicle hour (RVH). Graphs accompany the details of each indicator showing the standards or goals and the values for the current reporting period. The following sections provide performance information for OC Bus service, DOFR and CFR, and OC ACCESS service.

It is important to note that OCTA implemented a reduced service schedule for OC Bus on March 23, 2020 in response to the coronavirus (COVID-19) pandemic. The impact that COVID-19 has had on both OC Bus and OC ACCESS has been significant as reflected in the performance to be discussed in this report.

## **FY2019-20 Q4 SUMMARY**

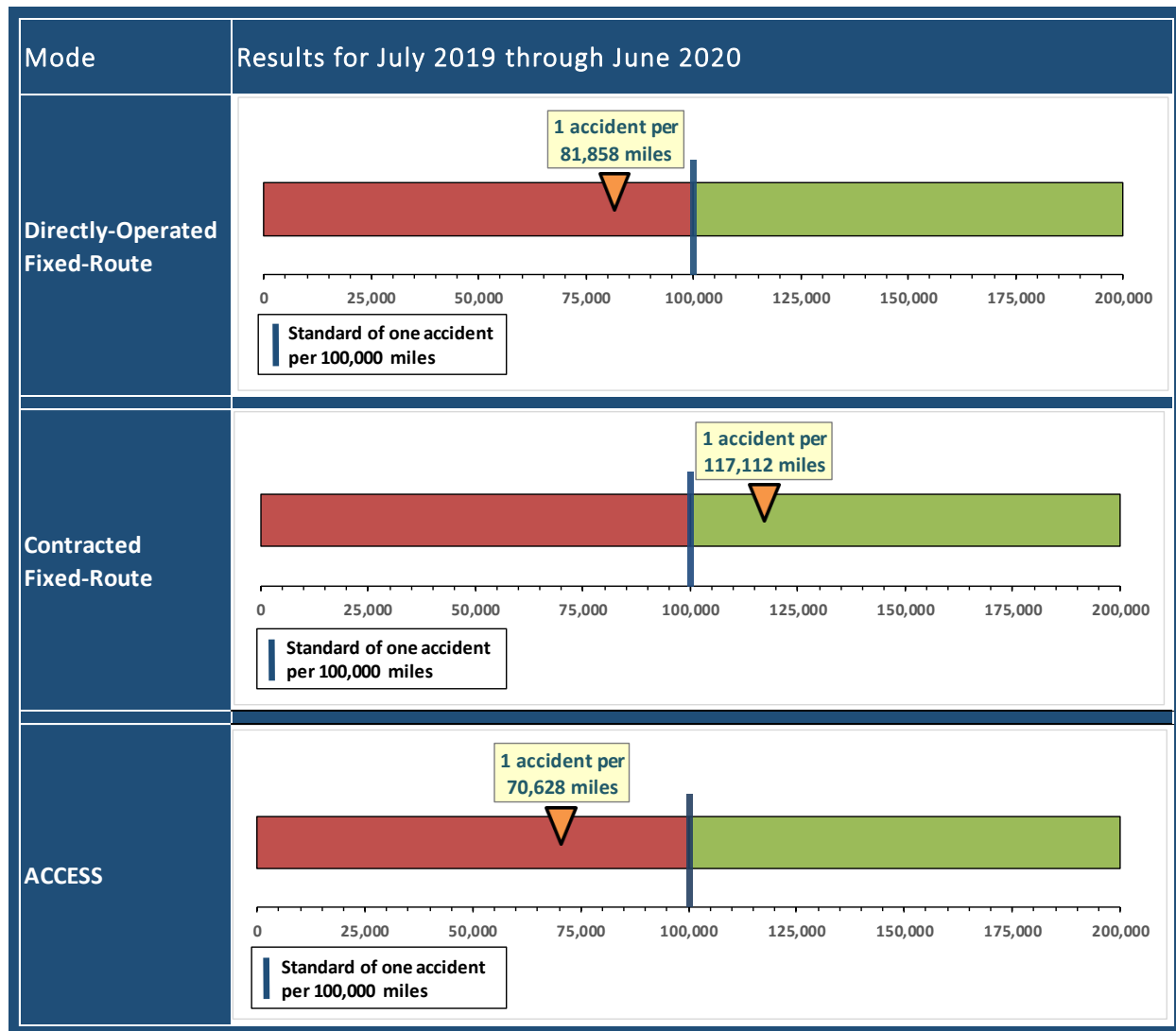
- **Safety:**
  - DOFR - ▼
  - CFR - ▲
  - OC ACCESS - ▼
- **Courtesy:**
  - DOFR - ▲
  - CFR - ▲
  - OC ACCESS - ▲
- **On-Time Performance (OTP):**
  - DOFR - ▼
  - CFR - ▼
  - OC ACCESS - ▼
- **Miles Between Road Calls (MBRC):**
  - DOFR - ▲
  - CFR - ▲
  - OC ACCESS - ▲



## Safety: Preventable Vehicle Accidents

OCTA is committed to the safe delivery of the OC Bus service. The safety standard for DOFR, CFR, and OC ACCESS services is no more than one vehicle accident per 100,000 miles. Preventable vehicle accidents are defined as incidents when physical contact occurs between vehicles used for public transit and other vehicles, objects, or pedestrians, and where a coach operator failed to do everything reasonable to prevent the accident.

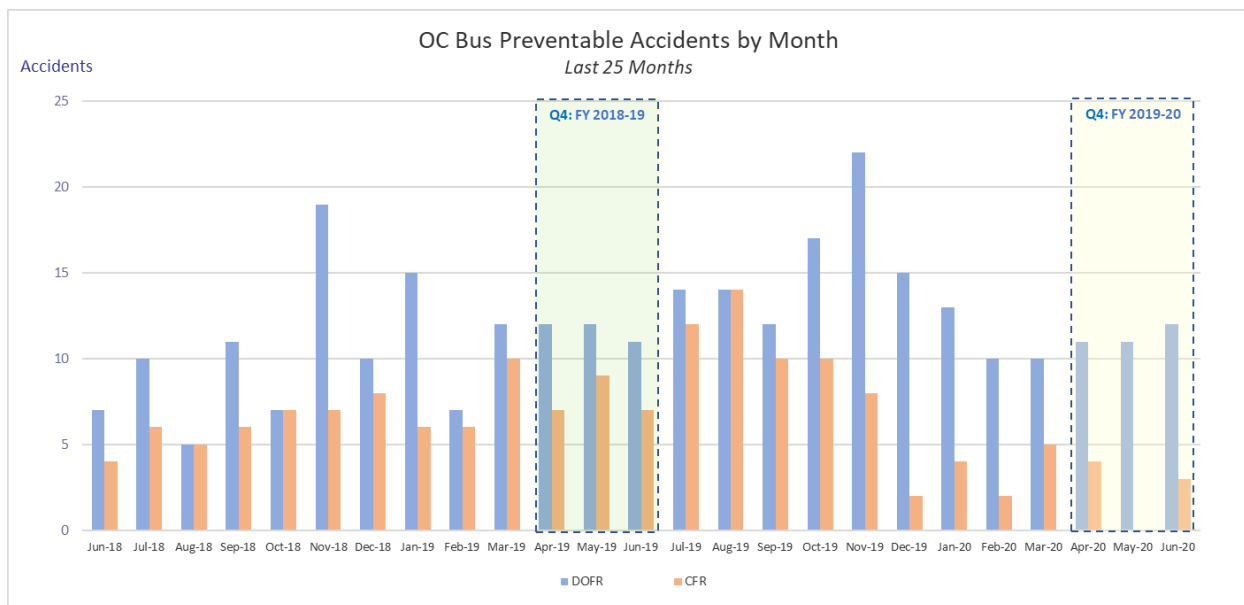
Through the fourth quarter of fiscal year (FY) 2019-20, both DOFR and OC ACCESS performed below the safety standard, operating less than 100,000 miles between preventable accidents. CFR exceeded the standard through the fourth quarter.



DOFR OC Bus and OC ACCESS services both remain below the accident frequency standard, as the number of preventable accidents recorded for each mode exceeded one preventable accident per 100,000 service miles for the year-to-date numbers. During the fourth quarter, April through June, the number of preventable accidents for DOFR was approximately the same compared to last quarter and the same time



last year. However, due to the reduced service associated with COVID-19, fewer miles were operated during this period. This resulted in a reduction in the miles between preventable accidents of over 23.6 percent for a year-to-date average of 81,858. To sustain this trend, OCTA Operations staff will continue to focus on and stress the importance of safety, conduct safety-related campaigns, and promote the safe driving award program. The following chart shows the trend of preventable accidents for fixed-route service over the last two years.



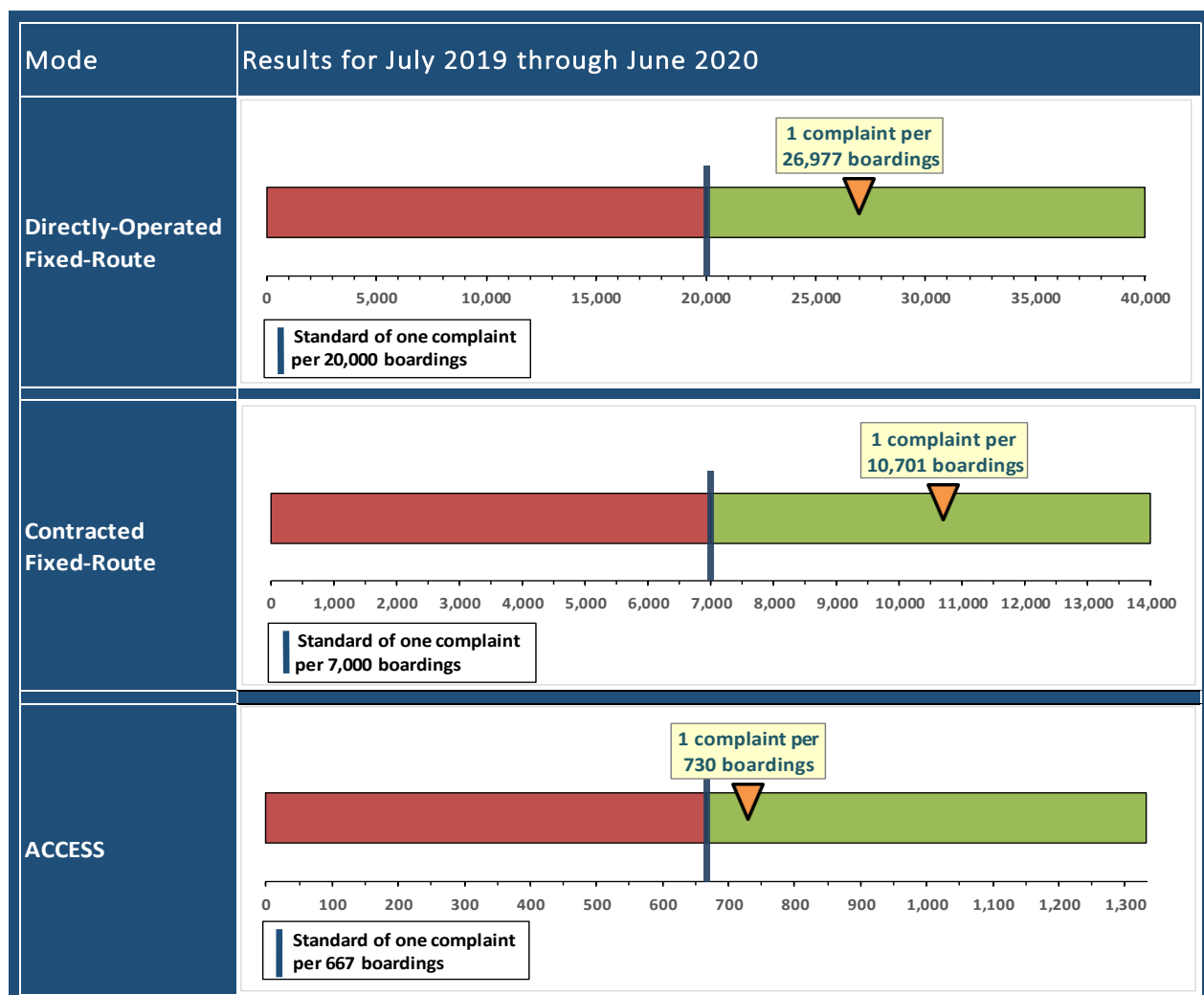
For OC ACCESS, the number of preventable accidents reported during the fourth quarter was six. This represents an 81.8 percent decrease from 33 accidents reported the previous quarter. This resulted in an 86.3 percent increase in miles between preventable accidents compared to the third quarter, which yielded a slight improvement in the year-to-date average of 3.6 percent. This improvement is likely the result of the onsite presence of the Regional Director of Safety for Southern California early last spring.



## Courtesy: Customer Complaints

OCTA strives to achieve a high level of customer satisfaction in the delivery of OC Bus services. The performance standard for customer satisfaction is courtesy as measured by the number of valid complaints received. Customer complaints are the count of incidents when a rider reports dissatisfaction with the service. The standard adopted by OCTA for DOFR OC Bus is no more than one customer complaint per 20,000 boardings, the standard for CFR OC Bus service is no more than one complaint per 7,000 boardings, and the contractual standard for OC ACCESS is no more than one complaint per 667 boardings.

Through the fourth quarter of FY 2019-20, all modes of service continue to perform well, exceeding the courtesy standard with less than one valid complaint per 20,000, 7,000, and 667 boardings, respectively.

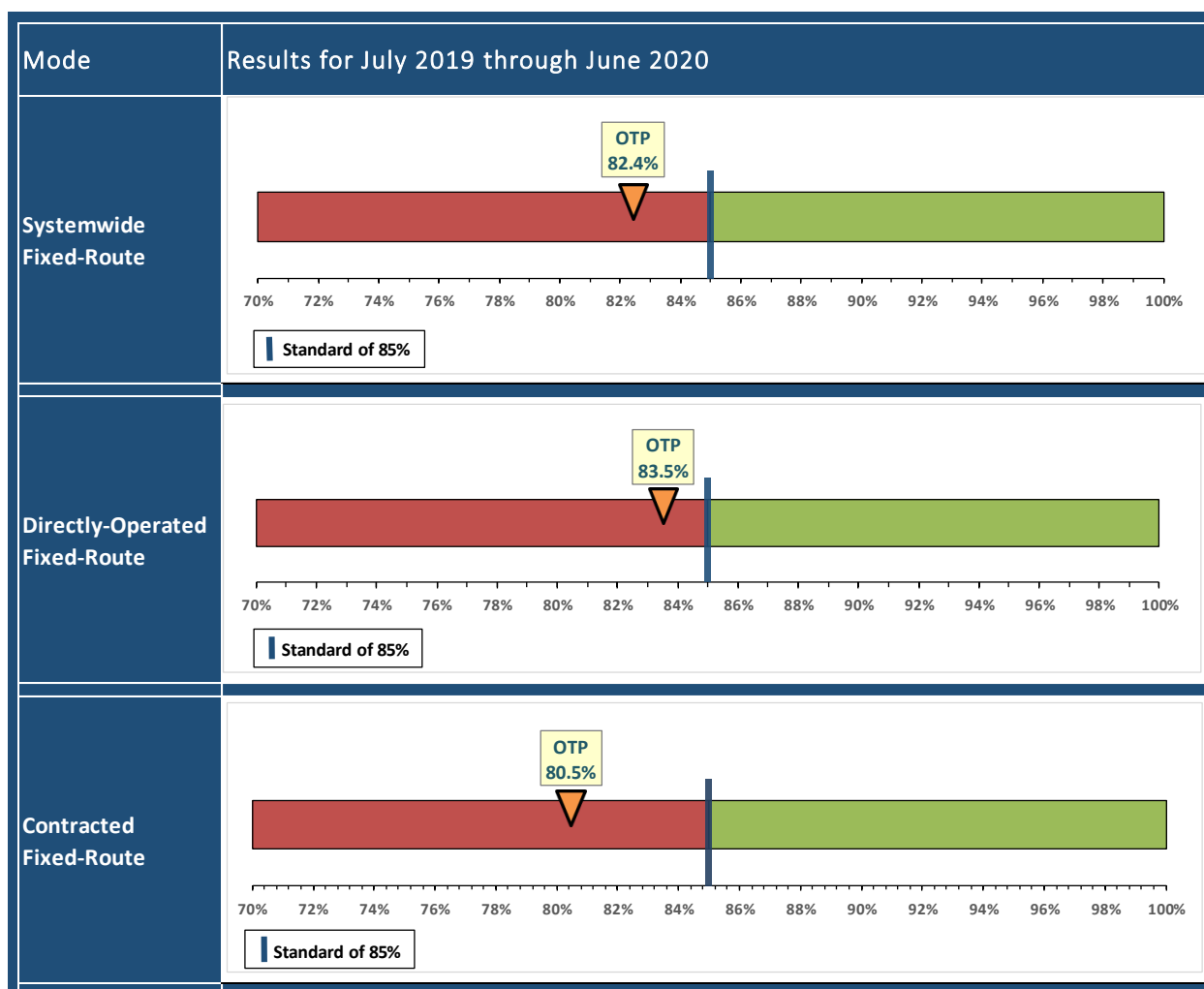




## Reliability: On-Time Performance

Reliability is vital to a successful transportation network. Reliability for OCTA is measured in part by OTP. OTP is a measure of performance which evaluates the schedule adherence of a bus operating in revenue service according to a published schedule. Schedule adherence is tracked by monitoring the departure of vehicles from time points, which are designated locations on a route used to control vehicle spacing as shown in the published schedule. For OC Bus service, a trip is considered on-time if it departs the time point no more than five minutes late. OCTA's fixed-route system standard for OTP is 85 percent. For OC ACCESS service, OTP is a measure of performance evaluating a revenue vehicle's adherence to a scheduled pick-up time for transportation on a demand response trip. A trip is considered on-time if the vehicle arrives within a 30-minute window. The OC ACCESS OTP standard is 94 percent.

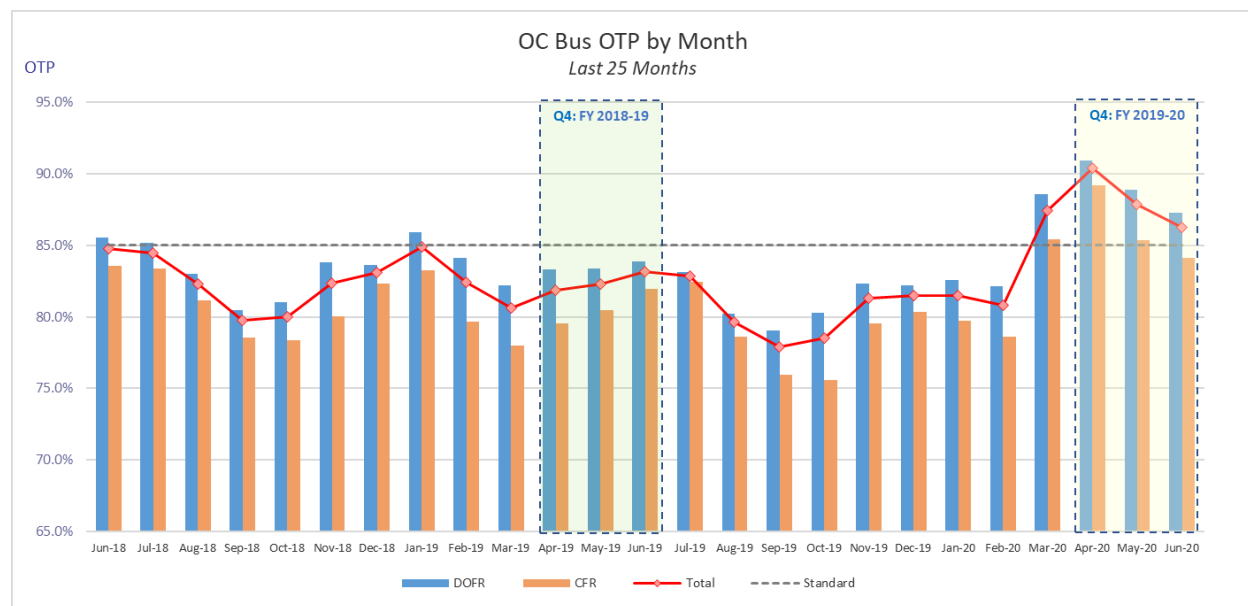
OTP for OC Bus and OC ACCESS remain below target but showed improvement during the fourth quarter, April through June, attaining OTP rates of 82.4 percent and 92.5 percent, respectively, for the FY, up from 81.2 percent and 92.4 in the third quarter.





OTP for the DOFR OC Bus service through the fourth quarter was at 83.5 percent, a 1.3 percent increase from last quarter and two tenths of a percent higher than the same time last year. The OTP for the CFR OC Bus service through the fourth quarter showed improvement, reaching 80.5 percent, a one percent increase from last quarter.

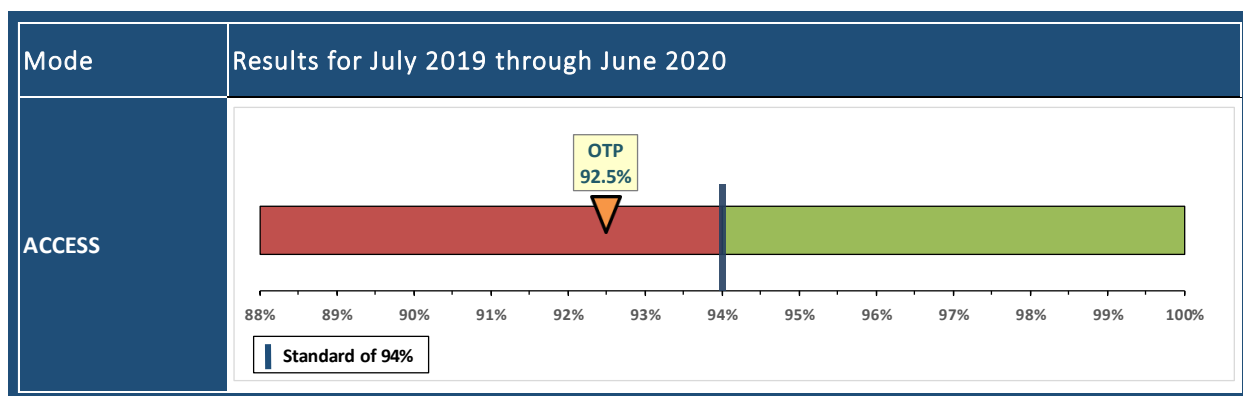
The cumulative improvement in OTP during the fourth quarter is largely a result of the changes in travel patterns due to COVID-19. During the fourth quarter, April through June, OTP for fixed-route services was 88.1 percent, with DOFR and CFR services performing at 89 percent and 86.1 percent, respectively.



In the near term, OCTA Operations staff will continue to monitor the dynamic traffic conditions as travel restrictions are lifted to ensure the current overall OTP is maintained and monitor the need for bus running time adjustments needed to reflect traffic associated with ongoing construction projects. The contractor management team continues to focus on coach operator behavior, performing route-level checks, and coaching and counseling as appropriate.

Prior to COVID-19, traffic had been a primary factor impacting OTP. Over the next year, staff will be monitoring traffic and the impacts on OTP. As necessary, adjustments to route schedules will be considered to improve OTP. In addition to schedule adjustments, staff is also able to drill down into the OTP to see if there are trends related to coach operators. Issues related to coach operator schedule adherence are also being addressed as necessary for both DOFR and CFR.

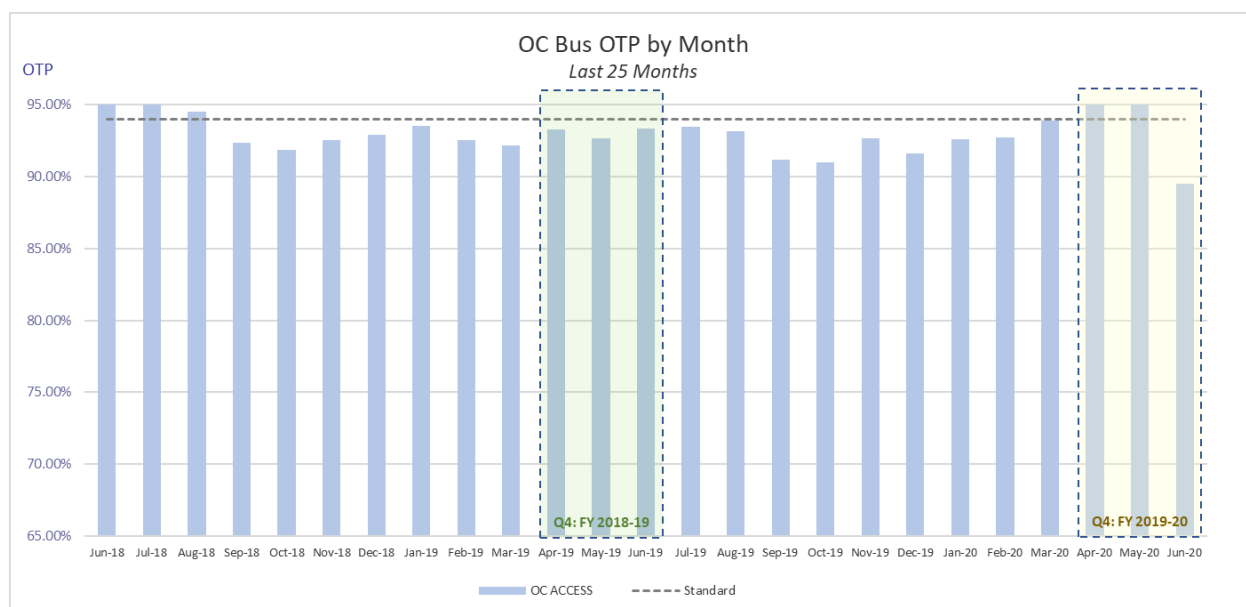




OTP for OC ACCESS service (primary service and supplemental taxi) through the fourth quarter was 92.5 percent, 1.5 percent below the standard, 0.1 percent higher than last quarter, and 0.6 percent lower than the 93.1 percent reported during the same period last year. The following chart shows the OTP trend for OC ACCESS service over the last two years. The decreasing trend during the fourth quarter from May to June is likely due to the closure of Yellow Cab of Greater Orange County (Yellow Cab). In a subcontracting role, Yellow Cab provided overflow capacity allowing for better schedule adherence.

The contractor continued their work, making modifications to subscription trip routing/scheduling for individuals traveling to adult day programs. These changes were implemented in early-March 2020 but did not have the level of impact that was expected as a result of COVID-19.

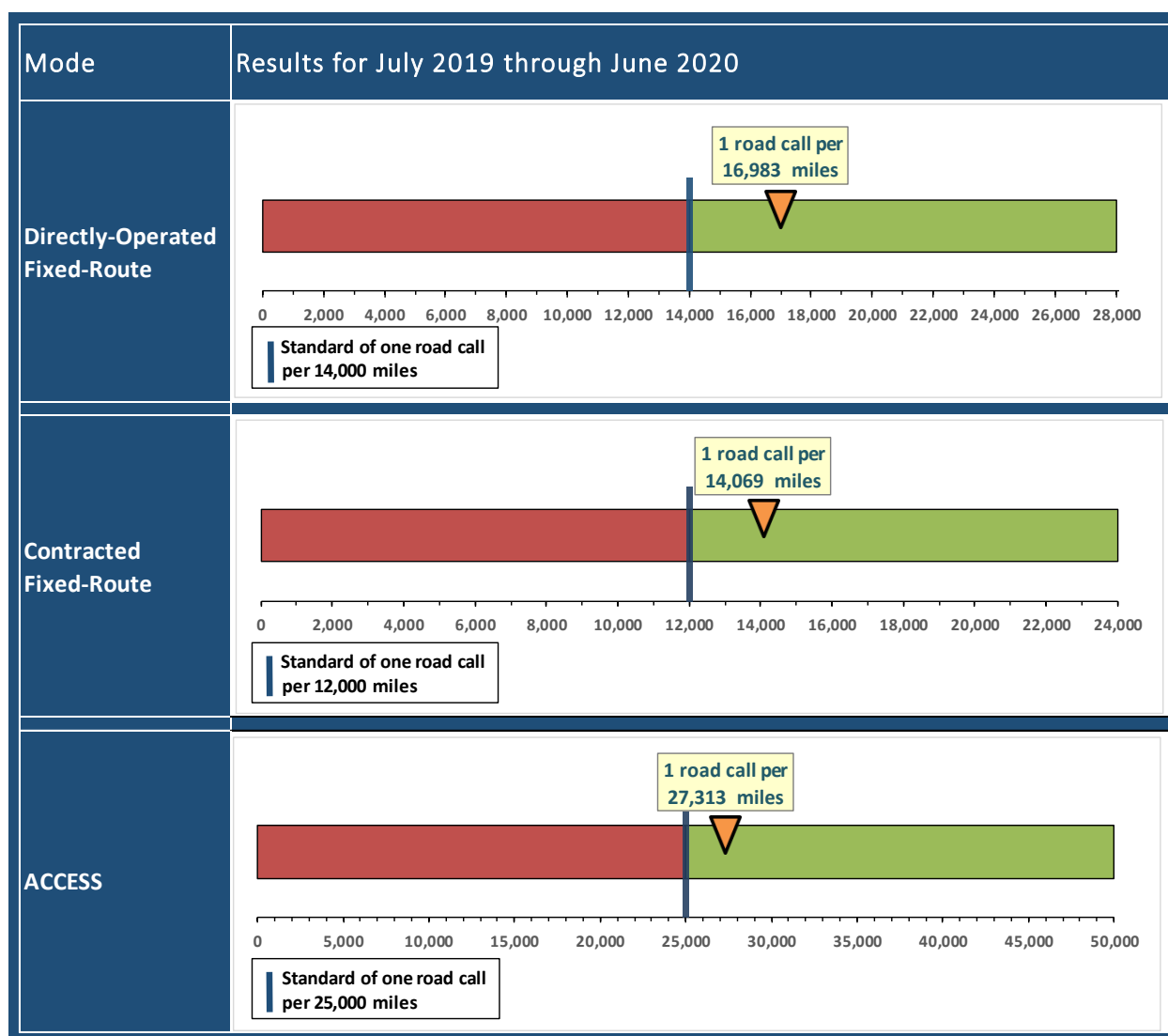
OCTA staff will be working closely with the contractor to ensure plans are in place to meet performance standards during and after stay-at-home orders are lifted.





## Reliability: Miles Between Road Calls

MBRC is a vehicle reliability performance indicator that measures the average distance in miles that a transit vehicle travels without failure of a vital component forces removal of the vehicle from service. OCTA has adopted standards for the MBRC for DOFR, CFR, and OC ACCESS services. These standards vary to align with the specific type of service being provided and account for the variability inherent to each of these services including the vehicles assigned. The specific standards as adopted by OCTA are 14,000 MBRC for DOFR OC Bus service, 12,000 MBRC for CFR OC Bus service, and 25,000 MBRC for OC ACCESS.



Through the fourth quarter of FY 2019-20, OC Bus services performed above standard across all modes.

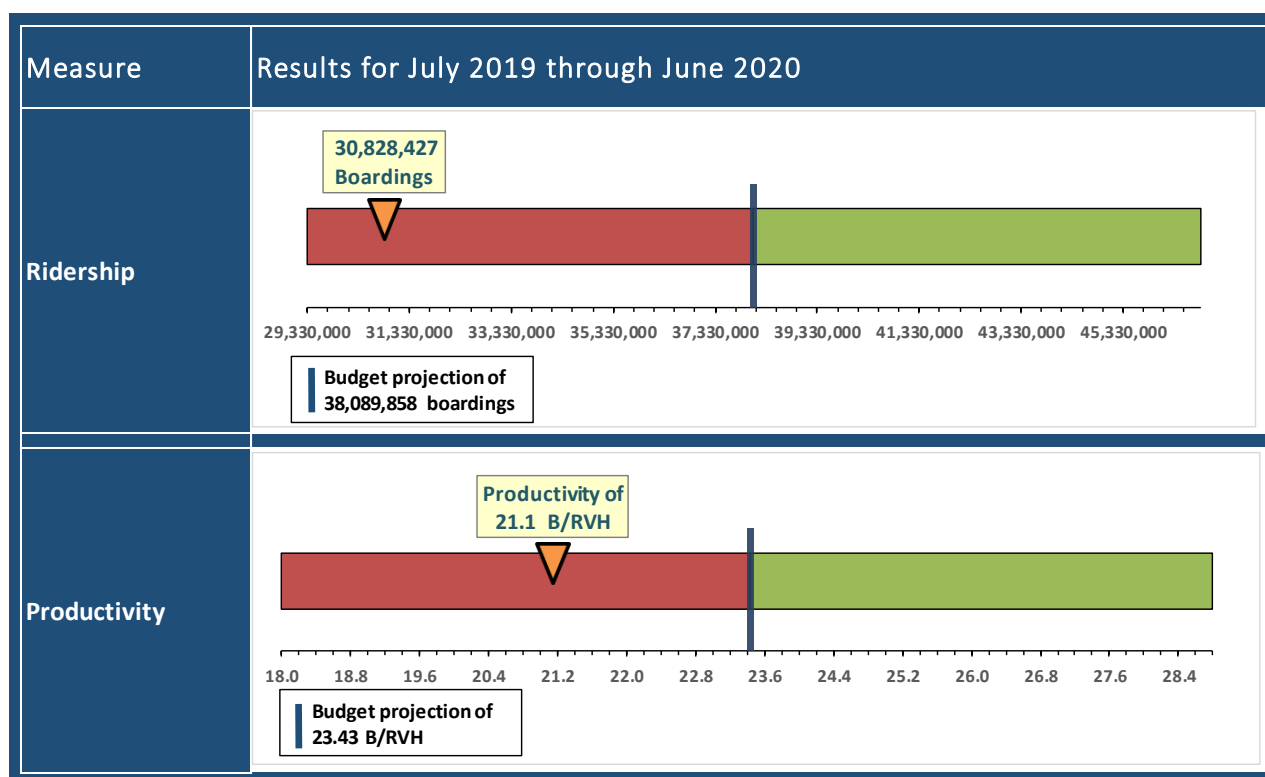
OCTA staff will continue to monitor performance in this area and work with the contractor to sustain or improve overall performance.



## Ridership and Productivity – OC Bus

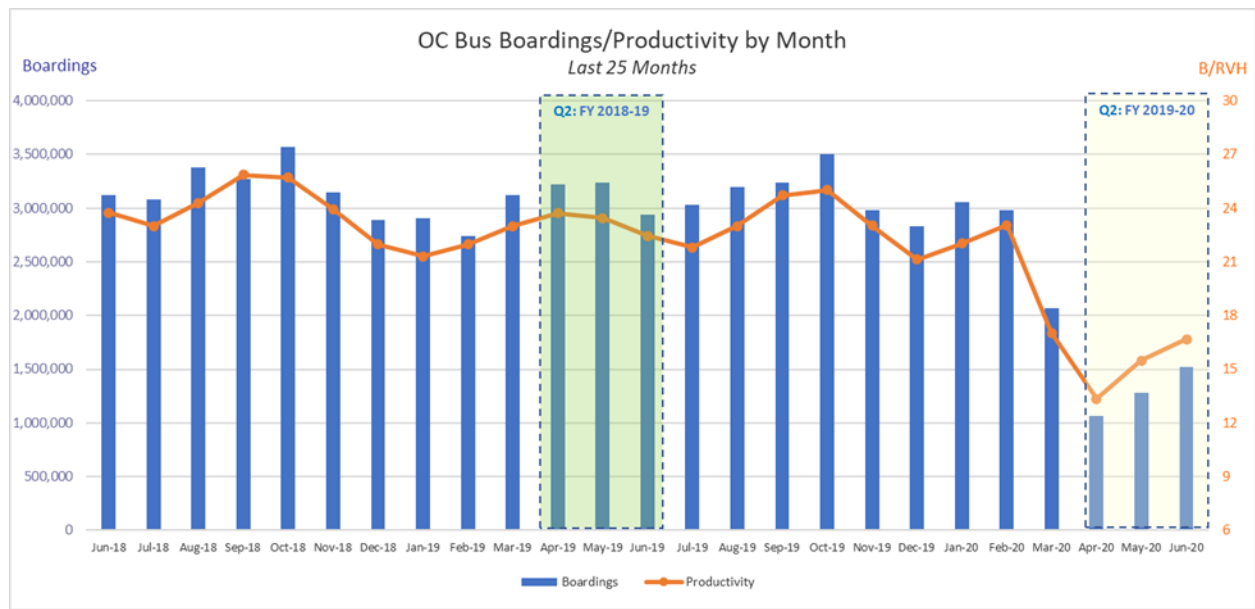
Ridership (or boardings) is the number of rides taken by passengers using public transit and is influenced by the level of service provided, weather, economy, and seasonal variations in demand. Productivity is an industry measure that counts the average number of boardings for each RVH that is operated. RVH is any 60-minute increment of time that a vehicle is available for passengers within the scheduled hours of service, excluding deadhead (a non-revenue movement of a transit vehicle to position it for service). Boardings per RVH (B/RVH) is calculated by taking the boardings and dividing it by the number of RVH operated.

Through the fourth quarter of FY 2019-20, both ridership and productivity for OC Bus service were lower than budgeted projections, with ridership down more significantly.



The ridership and productivity for the fourth quarter, as shown on the following chart, reflects the significant impact of COVID-19. The pandemic brought on significant changes to travel patterns, and coupled with the national and state-level orders related to COVID-19, caused a substantial drop in ridership and productivity. Average weekday ridership at the close of the FY was approximately 57,000, nearly 50 percent of the average weekday ridership before the “stay-at-home” orders went into effect. Ridership and productivity levels, down by 19.1 percent and 9.9 percent, respectively, are expected to remain below pre-COVID-19 levels until well after the travel restrictions are lifted.



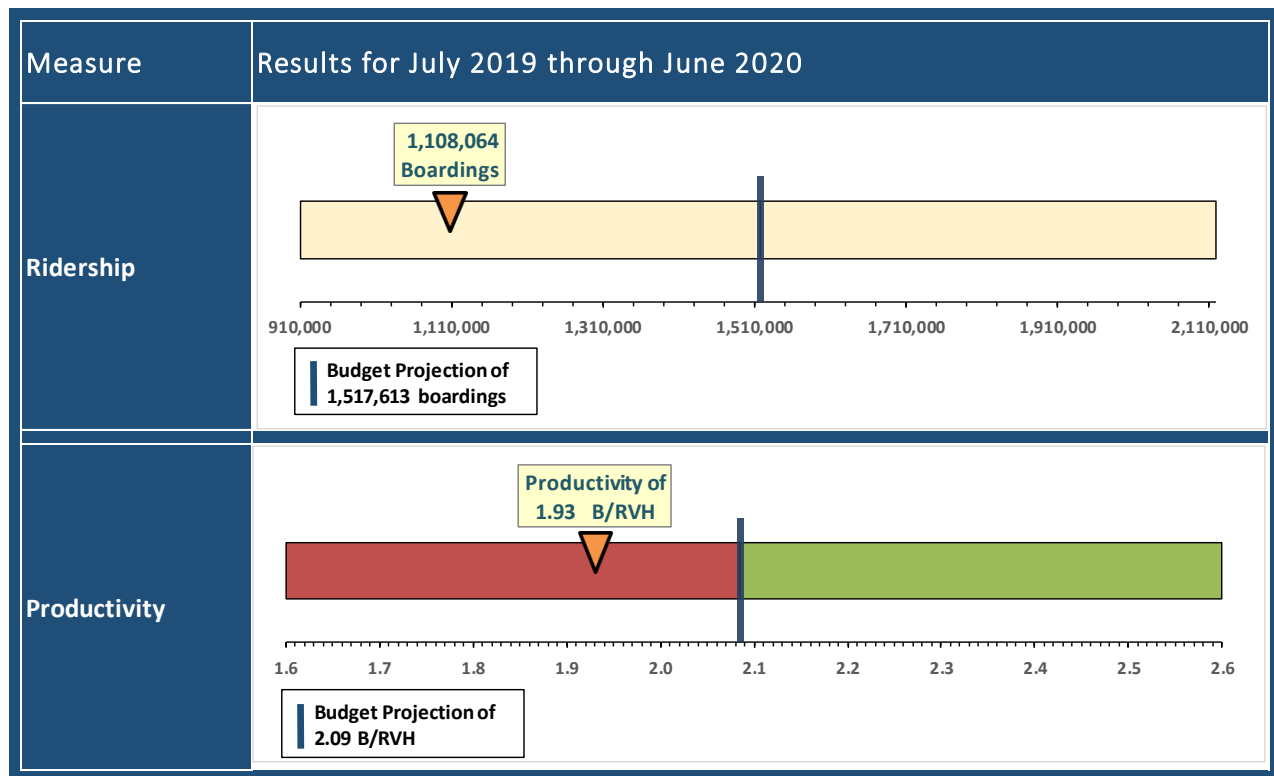




## Ridership and Productivity – OC ACCESS

(Primary Service Provider and Supplemental Taxi)

Through the fourth quarter of FY 2019-20, the ridership and productivity for OC ACCESS are trending below budgeted projections by 27 percent and 7.7 percent, respectively. As with the fixed-route service, ridership and productivity for OC ACCESS was impacted by the initial stages of COVID-19. With recommendations in place that persons 65 years or older or having underlying health issues stay home, many individuals who typically use OC ACCESS service made fewer trips, causing a drop in average daily ridership of 90 percent. Additionally, productivity has been impacted by the requirement for social distancing on OC ACCESS vehicles, as shared rides have been limited.





## Contractor Performance: Fixed-Route

Per Agreement No. C-4-1737 between OCTA and First Transit, Inc. (First Transit), additional measures are tracked to ensure the CFR OC Bus service meets specified standards for safety, customer service, and reliability. When the contractor's monthly performance exceeds the standard as set forth in the agreement, financial incentives are paid to the contractor; conversely, when the monthly performance of the contractor is below the standard as set forth in the agreement, penalties are assessed and are paid to OCTA by the contractor.

Through the fourth quarter of FY 2019-20, the overall performance of the contracted OC Bus service as determined by the performance categories outlined in the contract was below standard for an unreported accident and missed trips.

Table 1 provides the penalties and incentives assessed to the contractor by quarter for FY 2019-20. The incentives paid in the fourth quarter relate to OTP, courtesy, and accident frequency, which totaled \$15,100. This brings the year-to-date total up to \$67,200. The total penalties assessed to the contractor during the quarter total \$23,000 resulting in a year-to-date total of \$588,989.

<b>Table 1: Performance Categories</b>		<b>FY20 Q1</b>	<b>FY20 Q2</b>	<b>FY20 Q3</b>	<b>FY20 Q4</b>	<b>FYTD 20</b>
<b>Penalties</b>	On-Time Performance	\$ (6,000)	\$ (12,000)	\$ (7,000)	\$ -	\$ (25,000)
	Valid Complaints: Per 7,000 boardings	\$ -	\$ -	\$ -	\$ -	\$ -
	Unreported Accident	\$ (85,000)	\$ (20,000)	\$ (30,000)	\$ (10,000)	\$ (145,000)
	Accident Frequency Ratio	\$ (20,000)	\$ -	\$ -	\$ -	\$ (20,000)
	Key Positions	\$ -	\$ -	\$ -	\$ -	\$ -
	CHP Terminal Inspections	\$ -	\$ -	\$ -	\$ -	\$ -
	Reports	\$ -	\$ -	\$ -	\$ -	\$ -
	Preventive Maintenance	\$ -	\$ (382)	\$ (1,207)	\$ -	\$ (1,589)
	Road Calls	\$ (1,400)	\$ -	\$ -	\$ -	\$ (1,400)
	Vehicle Damage: Per vehicle per day	\$ -	\$ -	\$ -	\$ -	\$ -
	Missed Trips	\$ (166,000)	\$ (98,000)	\$ (119,000)	\$ (13,000)	\$ (396,000)
	<b>Total</b>	<b>\$ (278,400)</b>	<b>\$ (130,382)</b>	<b>\$ (157,207)</b>	<b>\$ (23,000)</b>	<b>\$ (588,989)</b>
<b>Incentives</b>	On-Time Performance	\$ -	\$ -	\$ -	\$ 3,000	\$ 3,000
	Valid Complaints: Per 7,000 boardings	\$ 14,500	\$ 7,400	\$ 15,200	\$ 7,100	\$ 44,200
	Accident Frequency Ratio	\$ -	\$ 5,000	\$ 10,000	\$ 5,000	\$ 20,000
	<b>Total</b>	<b>\$ 14,500</b>	<b>\$ 12,400</b>	<b>\$ 25,200</b>	<b>\$ 15,100</b>	<b>\$ 67,200</b>
<b>Prior Periods Adjustment</b>	Accident Frequency Ratio	\$ -	\$ (5,000)	\$ -	\$ -	\$ (5,000)
	Complaints	\$ -	\$ -	\$ 1,500	\$ -	\$ 1,500
	Missed Trips	\$ -	\$ -	\$ -	\$ 9,000	\$ 9,000
	<b>Total</b>	<b>\$ -</b>	<b>\$ (5,000)</b>	<b>\$ 1,500</b>	<b>\$ 9,000</b>	<b>\$ 5,500</b>
<b>All</b>	<b>Total</b>	<b>\$ (263,900)</b>	<b>\$ (122,982)</b>	<b>\$ (130,507)</b>	<b>\$ 1,100</b>	<b>\$ (516,289)</b>



## Contractor Performance: OC ACCESS

(Primary Service Provider and Supplemental Taxi)

Per Agreement No. C-2-1865 between OCTA and MV Transportation, Inc., additional measures are tracked to ensure OC ACCESS meets the standards for safety, customer service, and reliability. When the contractor's monthly performance exceeds the standard as set forth in the agreement, financial incentives are paid to the contractor; conversely, when the monthly performance of the contractor is below the standard as set forth in the agreement, penalties are assessed and must be paid to OCTA by the contractor.

As presented in this report, the overall performance of the contractor providing OC ACCESS service through the fourth quarter of FY 2019-20 is above standard with respect to courtesy, while below standard for safety and on-time performance. Table 2 below lists, by quarter, the penalties and incentives assessed to the OC ACCESS contractor as established in the agreement. Through the fourth quarter, there were no incentives awarded to the contractor, but \$99,100 in penalties were assessed. Most of the penalties waived in the fourth quarter were related to the inability to meet performance standards as the result of the reduced level of service and ridership occurring in response to the COVID-19 pandemic. With the need to keep passenger loads low to allow social distancing and the lower level of revenue vehicles hours operated, productivity was severely impacted. This brings the gross year-to-date total for penalties to \$371,107. Penalties assessed to the contractor were related to performance for passenger productivity, OTP, excessively late trips, missed trips, and customer comments.

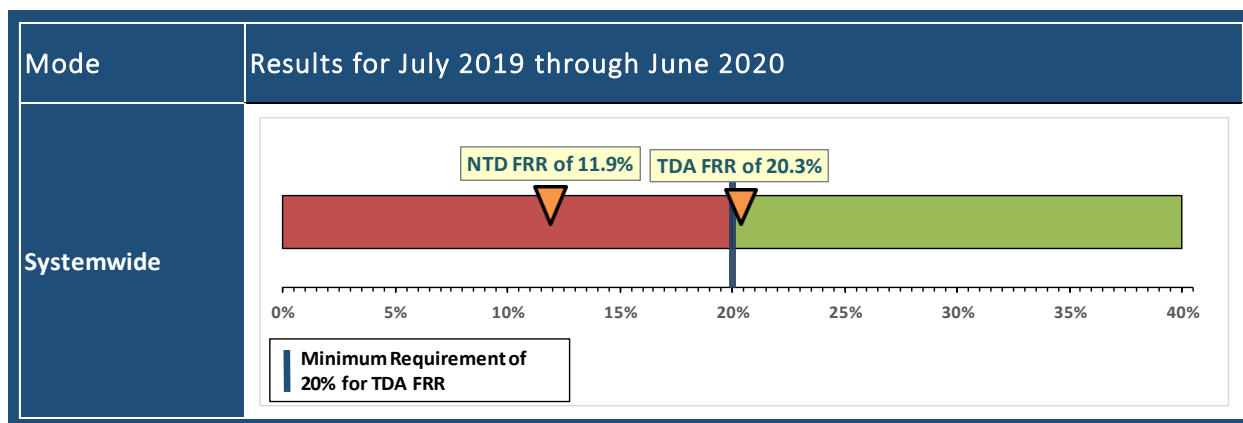
Table 2: Performance Categories		FY20 Q1	FY20 Q2	FY20 Q3	FY20 Q4	FYTD 20
Penalties	Passenger Productivity	\$ (10,000)	\$ (20,000)	\$ (30,000)	\$ (30,000)	\$ (90,000)
	On-Time Performance	\$ (15,000)	\$ (30,000)	\$ (10,000)	\$ (20,000)	\$ (75,000)
	Customer Comments	\$ (2,800)	\$ (3,000)	\$ -	\$ (7,400)	\$ (13,200)
	Call Center Hold Times	\$ (5,000)	\$ -	\$ -	\$ (11,000)	\$ (16,000)
	Excessively Late Trips	\$ (20,000)	\$ (30,000)	\$ (30,000)	\$ (15,000)	\$ (95,000)
	Missed Trips	\$ (5,000)	\$ (30,000)	\$ (15,000)	\$ (15,000)	\$ (65,000)
	Unreported Accident	\$ (5,000)	\$ (5,000)	\$ (5,000)	\$ -	\$ (15,000)
	Preventive Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -
	Road calls	\$ (700)	\$ -	\$ -	\$ (700)	\$ (1,400)
	Reports	\$ -	\$ -	\$ -	\$ -	\$ -
	Key Positions	\$ -	\$ -	\$ -	\$ -	\$ -
	CHP Terminal Inspections	\$ -	\$ -	\$ -	\$ -	\$ -
	Vehicle Damage	\$ -	\$ -	\$ -	\$ -	\$ -
	Fare Variance	\$ -	\$ (507)	\$ -	\$ -	\$ (507)
	<b>Total</b>	<b>\$ (63,500)</b>	<b>\$ (118,507)</b>	<b>\$ (90,000)</b>	<b>\$ (99,100)</b>	<b>\$ (371,107)</b>
Incentives	Passenger Productivity	\$ -	\$ -	\$ -	\$ -	\$ -
	On-Time Performance	\$ -	\$ -	\$ -	\$ -	\$ -
	Excessively Late Trips	\$ -	\$ -	\$ -	\$ -	\$ -
	Missed Trips	\$ -	\$ -	\$ -	\$ -	\$ -
	<b>Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
Prior Periods Adjustment	Unreported Accident	\$ 10,000	\$ -	\$ -	\$ -	\$ 10,000
	Waived	\$ -	\$ 5,000	\$ 60,000	\$ 62,000	\$ 127,000
	<b>Total</b>	<b>\$ 10,000</b>	<b>\$ 5,000</b>	<b>\$ 60,000</b>	<b>\$ 62,000</b>	<b>\$ 137,000</b>
<b>All</b>	<b>Total</b>	<b>\$ (53,500)</b>	<b>\$ (113,507)</b>	<b>\$ (30,000)</b>	<b>\$ (37,100)</b>	<b>\$ (234,107)</b>



## Farebox Recovery Ratio

FRR is a measure of the proportion of operating costs recovered by passenger fares, calculated by dividing the farebox revenue by total operating expenses. A minimum FRR of 20 percent for all service is required by the Transportation Development Act in order for transit agencies to receive the state sales tax available for public transit purposes. In an effort to normalize seasonal fluctuations, data shown below reflects actuals over the last 12 months from July 2019 through June 2020.

FRR, based on the National Transit Database (NTD) definition in which only passenger fares are included under revenue, did not meet the 20 percent goal. However, as a result of the passage of SB 508 (Chapter 716, Statutes of 2015), OCTA was able to adjust the FRR to include local funds. SB 508 states, “If fare revenues are insufficient to meet the applicable ratio of fare revenues to operating cost required by this article, an operator may satisfy that requirement by supplementing its fare revenues with local funds. As used in this section, “local funds” are any non-federal or non-state grant funds or other revenue generated by, earned by, or distributed to an operator.” After incorporating property tax revenue, advertising revenue, and Measure M fare stabilization, the adjusted FRR was 20.3 percent, an increase of 0.3 percent from the previous quarter and a 3.4 percent drop from the same quarter last year.

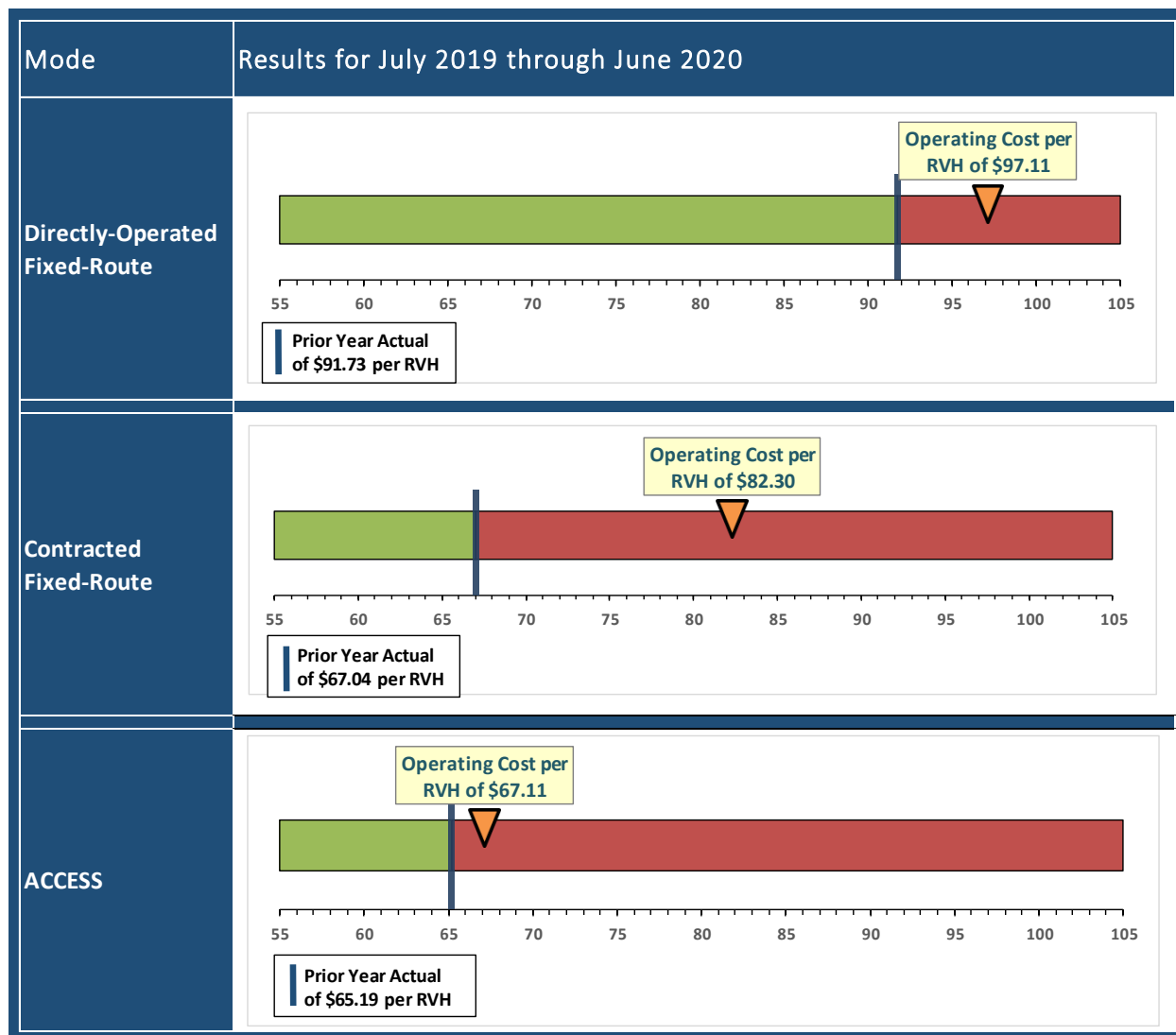




## Operating Cost per Revenue Vehicle Hour

Cost per RVH is one of the industry standards used to measure the cost efficiency of transit service. It is derived by dividing operating expenses by RVH. In order to provide a more comparable illustration, all metrics below are calculated based on direct operating cost, which excludes capital, general administrative, and other overhead costs.

Similar to the FRR, the statistics below depict actuals over the last 12 months. All modes operated at a higher cost per RVH than the same 12-month period last year due to a decrease in service levels provided in response to COVID-19. CFR cost per RVH increased significantly because the contractor earned far less penalties in FY 2019-20 compared to those earned for missed trips in FY 2018-19, accruals of \$1.7M in June for COVID-19 expenses, and contract rate increase from Amendment No. 9. The difference in cost per RVH from the prior FY was a 5.9 percent increase in DOFR, 22.8 percent increase in CFR, and 2.9 percent increase in OC ACCESS.





## Performance Evaluation by Route

Continuing efforts are underway to better understand, evaluate, and improve route performance. Performance evaluation is important because it provides:

- A better understanding of where resources are being applied;
- A measure of how well services are being delivered;
- A measure of how well these services are used; and
- An objective basis for decisions regarding future service changes and service deployment.

The tables on the following pages summarize route-level performance through the fourth quarter. The first three tables present the route-level performance sorted by routes with the highest net subsidy per boarding to routes with a lower net subsidy per boarding, and the remaining three tables present the same information sorted by routes that have the highest boardings to routes with a lower level of boardings.

A route guide listing all of the routes and their points of origins and destinations is provided after the route-level performance tables. Route types are grouped by route numbers as follows:

- **Routes 1 to 99** - Local routes include two sub-categories:
  - **Major:** These routes operate as frequent as every 15 minutes during peak times. Major routes operate seven days a week throughout the day. Together, the Major routes form a grid on arterial streets throughout the highest transit propensity portions of the OC Bus service area, primarily in northern parts of the county.
  - **Local:** These routes operate on arterials within the grid created by the Major routes, but at lower frequencies. Local routes also operate in parts of Orange County with lower transit demand. Most Local routes operate seven days per week, however some operate on weekdays only.
- **Routes 100 to 199:** Community routes to connect pockets of transit demand with major destinations and offer local circulation. Routes tend to be less direct than Local routes, serving neighborhoods and destinations off the arterial grid. Approximately half of Community routes operate seven days per week.
- **Routes 200 to 299:** Intracounty express routes operate on weekdays only at peak times and connect riders over long distances to destinations within Orange County, using freeways to access destinations.
- **Routes 400 to 499:** Stationlink routes are rail feeder services designed to connect Metrolink stations to nearby employment destinations. These routes have relatively short alignments, with schedules tied to Metrolink arrivals and departures. They operate during weekday peak hours only, in the peak direction, from the station to destinations in the morning and the reverse in the evening.
- **Routes 500 to 599:** Bravo! routes are limited-stop services operated with branded vehicles.
- **Routes 600 to 699:** *Seasonal or Temporary routes (these are not included on the following charts)* such as the OC Fair Express.
- **Routes 700 to 799:** Intercounty express routes that operate on weekdays only at peak times and connects riders over long distances to destinations outside of Orange County, often using freeways to access destinations.





**OCTA Operating Statistics By Route for Local and Community Services (Sorted by Subsidy per Boarding)**  
Fiscal Year 2019-20 Through Q4

Route	Zone	Farebox	Subsidy per Boarding	Direct Subsidy	Indirect Subsidy	"Capital Subsidy" Per Boarding	Revenue per Boarding	Boardings	CostVSH	Direct CostVSH	CostVSM	BoardVSH	VSH	Bus Count		
														40 FT	32 FT	60 FT
862	C	3.7%	\$ 22.84	\$ 14.63	\$ 7.41	\$ 0.80	\$ 0.84	45,106	\$ 162.80	\$ 94.31	\$ 19.85	7.12	6,339	2	-	-
123	N	4.6%	22.33	11.28	7.64	3.41	0.92	21,017	156.99	101.36	11.92	7.91	2,655	4	-	-
153	N	5.2%	14.80	8.60	5.83	0.37	1.05	96,317	130.13	83.16	10.65	8.54	11,272	2	-	-
085	S	7.1%	14.45	8.12	5.64	0.69	1.05	52,237	123.93	82.72	10.01	8.37	6,241	2	-	-
001	S	5.7%	13.96	8.12	5.45	0.39	0.83	458,294	162.74	99.52	10.12	11.30	40,549	10	-	-
087	S	7.4%	12.58	7.03	4.87	0.68	0.95	52,530	126.06	83.79	9.81	5.353	2	-	-	-
178	C	7.6%	12.29	6.99	4.74	0.56	0.97	63,504	122.56	82.40	9.86	9.65	6,578	2	-	-
076	C	7.9%	11.53	6.55	4.40	0.58	0.94	62,249	144.01	88.49	12.37	12.12	5,136	2	-	-
529	C	7.5%	11.44	6.40	4.30	0.74	0.87	243,868	153.02	93.15	13.38	13.24	18,420	10	-	-
177	S	9.8%	10.67	5.86	3.97	0.84	1.07	63,909	123.70	82.50	9.65	11.34	5,634	3	-	-
083	C	7.9%	10.49	6.07	4.08	0.34	0.87	473,504	165.32	101.13	8.69	15.00	31,558	9	-	-
091	S	9.9%	10.30	5.81	4.03	0.46	1.08	315,205	130.58	83.43	9.14	11.96	26,349	8	-	-
129	N	9.2%	9.78	5.63	3.82	0.33	0.96	160,748	131.87	83.58	11.20	12.67	12,688	3	-	-
143	N	8.5%	9.55	5.48	3.72	0.35	0.85	155,708	129.42	81.90	11.34	12.88	12,089	3	-	-
086	C	9.7%	9.52	5.31	3.69	0.52	0.97	103,736	122.42	82.56	9.46	12.28	8,448	3	-	-
090	S	11.0%	9.02	4.98	3.46	0.58	1.04	248,979	128.35	81.35	8.49	13.54	18,394	8	-	-
167	C	10.4%	8.93	4.96	3.36	0.61	0.96	147,237	124.92	82.83	10.11	13.45	10,946	5	-	-
079	C	10.1%	8.51	4.84	3.36	0.31	0.92	343,734	125.25	80.20	11.07	13.74	25,011	6	-	-
056	N	9.3%	8.26	4.78	3.21	0.27	0.82	337,349	157.23	94.44	14.53	17.84	18,915	5	-	-
059	C	11.3%	7.55	4.29	2.97	0.29	0.92	437,567	126.89	80.34	11.75	15.51	28,217	7	-	-
025	N	10.9%	7.52	4.33	3.01	0.18	0.90	299,911	127.89	81.43	10.60	15.53	19,315	3	-	-
089	S	12.3%	7.23	4.08	2.83	0.32	0.97	282,565	125.64	80.53	9.99	15.94	17,730	5	-	-
055	C	12.2%	7.19	4.17	2.80	0.22	0.97	1,065,394	157.04	94.49	14.13	19.76	53,903	13	-	-
026	N	11.1%	7.16	4.04	2.81	0.31	0.86	350,972	124.56	79.49	12.32	16.16	21,717	6	-	-
050	N	10.2%	7.05	4.08	2.74	0.23	0.77	1,081,157	159.14	96.11	13.94	20.95	50,662	5	-	6
071	N	11.7%	7.03	3.99	2.77	0.27	0.90	588,274	127.99	81.71	10.16	16.73	35,164	9	-	-
082	S	15.1%	6.81	3.66	2.54	0.61	1.10	58,415	134.04	83.90	9.33	18.35	3,183	2	-	-
029	N	11.3%	6.81	3.97	2.66	0.18	0.84	1,522,420	167.00	100.65	14.03	22.35	68,122	5	-	7
072	C	11.8%	6.76	3.92	2.63	0.21	0.88	413,271	152.14	91.94	12.12	20.47	20,188	4	1	-
037	N	12.1%	6.51	3.71	2.49	0.31	0.86	888,177	161.41	97.90	13.05	22.89	37,928	15	-	-
054	N	12.2%	6.48	3.70	2.49	0.29	0.86	977,610	154.12	93.11	13.75	21.87	44,705	16	-	-
057	C	12.0%	6.46	3.74	2.51	0.21	0.85	1,730,735	182.72	109.91	16.84	25.71	67,315	4	-	11
560	C	12.9%	6.41	3.57	2.40	0.44	0.89	533,867	147.85	90.06	12.91	21.57	24,746	13	-	-
070	C	13.1%	6.15	3.49	2.42	0.24	0.89	732,855	132.10	83.09	11.12	19.44	37,690	10	-	-
150	C	15.4%	6.14	3.33	2.25	0.56	1.02	126,949	115.54	73.72	11.45	17.50	7,253	4	-	-
543	N	12.7%	6.00	3.44	2.31	0.25	0.84	726,602	158.07	95.22	14.39	24.01	30,262	10	-	-
035	N	12.5%	5.85	3.29	2.28	0.28	0.80	647,987	129.14	81.54	11.16	20.29	31,934	10	-	-
047	C	14.2%	5.79	3.34	2.25	0.20	0.93	1,723,659	157.62	95.04	13.91	24.18	71,273	19	-	-
033	N	12.7%	5.70	3.19	2.21	0.30	0.78	294,234	122.54	79.37	9.79	19.82	14,843	5	-	-
030	N	12.9%	5.68	3.22	2.23	0.23	0.80	555,483	125.46	80.59	9.76	20.05	27,710	7	-	-
060	C	12.6%	5.66	3.31	2.22	0.13	0.79	1,647,095	164.68	99.13	14.04	26.03	63,269	12	-	-
038	N	13.3%	5.66	3.16	2.19	0.31	0.82	821,807	134.45	83.48	10.85	21.75	37,783	14	-	-
046	N	14.0%	5.60	3.14	2.18	0.28	0.87	509,693	127.18	81.25	11.08	20.56	24,789	8	-	-
053	C	13.2%	5.52	3.21	2.16	0.15	0.82	1,230,116	171.78	103.13	18.10	27.74	44,342	10	-	-
043	N	15.5%	4.88	2.85	1.92	0.11	0.87	1,781,035	157.45	94.58	15.56	27.92	63,796	11	-	-
042	N	14.2%	4.81	2.73	1.90	0.18	0.77	1,261,278	132.50	82.91	11.83	24.55	51,369	13	-	-
064	C	15.1%	4.56	2.65	1.78	0.13	0.79	1,349,122	169.37	101.50	17.17	32.49	41,528	10	-	-
066	C	17.0%	4.51	2.62	1.76	0.13	0.90	1,698,471	160.83	96.70	16.06	30.49	55,700	12	-	-
053X	C	20.3%	3.82	2.17	1.46	0.19	0.92	483,523	130.57	79.09	12.62	28.73	16,832	5	-	-
057X	C	22.4%	3.53	1.95	1.31	0.27	0.94	775,154	130.86	79.39	11.99	31.09	24,931	3	-	6
064X	C	24.2%	2.87	1.62	1.09	0.16	0.87	435,532	130.63	79.18	12.46	36.46	11,947	4	-	-

(1) Total bus count (429) is based on PM weekday equipment requirements.

(2) Bus count for routes 53X, 57X and 64X are estimated based on total route 53, 57 and 64 equipment requirements.

(3) C under Zone is Central County, N is North County and S is South County.





**OCTA Operating Statistics By Route for Express Service (Sorted by Subsidy per Boarding)**  
Fiscal Year 2019-20 Through Q4

Route	Zone	Farebox	Subsidy per Boarding	Direct Subsidy	Indirect Subsidy	"Capital Subsidy" Per Boarding	Revenue per Boarding	Boardings	CostVSH	Direct CostVSH	CostVSM	BoardVSH	VSH	Bus Count		
														40 FT	32 FT	60 FT
213	N	2.5%	\$ 48.68	\$ 22.98	\$ 14.04	\$ 11.66	\$ 0.96	7,691	\$ 148.74	\$ 88.06	\$ 7.43	3.92	1,963	5	-	-
721	N	4.7%	43.31	24.44	15.34	3.53	1.97	15,223	229.05	143.76	8.85	5.49	2,775	3	-	-
701	C	9.9%	26.69	14.61	9.17	2.91	2.62	18,464	263.84	165.17	11.02	10.00	1,847	3	-	-
206	C	6.6%	23.16	9.36	5.72	8.08	1.06	8,881	146.16	84.93	7.44	9.05	981	4	-	-
794	C	22.5%	20.80	11.89	7.26	1.65	5.57	21,681	183.99	119.02	6.89	7.44	2,913	2	-	-

(1) Total bus count (429) is based on PM weekday equipment requirements.

(2) C under Zone is Central County, N is North County and S is South County.



**OCTA Operating Statistics By Route for Stationlink Service (Sorted by Subsidy per Boarding)**  
Fiscal Year 2019-20 Through Q4

Route	Zone	Farebox	Subsidy per Boarding	Direct Subsidy	Indirect Subsidy	"Capital Subsidy" Per Boarding	Revenue per Boarding	Boardings	CostVSH	Direct CostVSH	CostVSM	BoardVSH	VSH	Bus Count		
														40 FT	32 FT	60 FT
463	C	2.2%	\$ 42.67	\$ 23.08	\$ 15.56	\$ 4.03	\$ 0.89	13,360	\$ 178.19	\$ 99.97	\$ 16.59	4.51	2,963	3	-	-
480	C	5.4%	19.24	9.71	6.55	2.98	0.93	18,021	176.74	99.74	15.44	10.28	1,752	3	-	-
472	C	6.4%	15.72	7.93	5.35	2.44	0.91	22,001	164.75	96.93	14.40	11.61	1,895	3	-	-
453	N	4.8%	15.02	8.05	5.42	1.55	0.68	23,201	177.03	99.22	29.48	12.51	1,854	2	-	-
473	C	9.1%	11.18	5.69	3.84	1.65	0.96	32,665	187.90	100.55	16.39	17.92	1,822	3	-	-

(1) Total bus count (429) is based on PM weekday equipment requirements.

(2) C under Zone is Central County, N is North County and S is South County.





**OCTA Operating Statistics By Route for Local and Community Services (Sorted by Boardings)**  
Fiscal Year 2019-20 Through Q4

Route	Zone	Farebox	Subsidy per Boarding	Direct Subsidy	Indirect Subsidy	"Capital Subsidy" Per Boarding	Revenue per Boarding	Boardings	CostVSH	Direct CostVSH	CostVSM	BoardVSH	VSH	Bus Count		
														40 FT	32 FT	60 FT
043	N	15.5%	\$ 4.88	\$ 2.85	\$ 1.92	\$ 0.11	\$ 0.87	1,781,035	\$ 157.45	\$ 94.58	\$ 15.56	27.92	63,796	11	-	-
057	C	12.0%	6.46	3.74	2.51	0.21	0.85	1,730,735	182.72	109.91	16.84	25.71	67,315	4	-	11
047	C	14.2%	5.79	3.34	2.25	0.20	0.93	1,723,659	157.62	95.04	13.91	24.18	71,273	19	-	-
066	C	17.0%	4.51	2.62	1.76	0.13	0.90	1,698,471	160.83	96.70	16.06	30.49	55,700	12	-	-
060	C	12.6%	5.66	3.31	2.22	0.13	0.79	1,647,095	164.68	99.13	14.04	26.03	63,269	12	-	-
029	N	11.3%	6.81	3.97	2.66	0.18	0.84	1,522,420	167.00	100.65	14.03	22.35	68,122	5	-	7
064	C	15.1%	4.56	2.65	1.78	0.13	0.79	1,349,122	169.37	101.50	17.17	32.49	41,528	10	-	-
042	N	14.2%	4.81	2.73	1.90	0.18	0.77	1,261,278	132.50	82.91	11.83	24.55	51,369	13	-	-
053	C	13.2%	5.52	3.21	2.16	0.15	0.82	1,230,116	171.78	103.13	18.10	27.74	44,342	10	-	-
055	C	12.2%	7.19	4.17	2.80	0.22	0.97	1,065,394	157.04	94.49	14.13	19.76	53,903	13	-	-
050	N	10.2%	7.05	4.08	2.74	0.23	0.77	1,061,157	159.14	96.11	13.94	20.95	50,662	5	-	6
054	N	12.2%	6.48	3.70	2.49	0.29	0.86	977,610	154.12	93.11	13.75	21.87	44,705	16	-	-
037	N	12.1%	6.51	3.71	2.49	0.31	0.86	868,177	161.41	97.90	13.05	22.89	37,928	15	-	-
038	N	13.3%	5.66	3.16	2.19	0.21	0.82	821,807	134.45	83.48	10.85	21.75	37,783	14	-	-
057X	C	22.4%	3.53	1.95	1.31	0.27	0.94	775,154	130.86	79.39	11.99	31.09	24,931	3	-	6
070	C	13.1%	6.15	3.49	2.42	0.24	0.89	732,855	132.10	83.09	11.12	19.44	37,690	10	-	-
543	N	12.7%	6.00	3.44	2.31	0.25	0.84	726,602	158.07	95.22	14.39	24.01	30,262	10	-	-
035	N	12.5%	5.85	3.29	2.28	0.28	0.80	647,987	129.14	81.54	11.16	20.29	31,934	10	-	-
071	N	11.7%	7.03	3.99	2.77	0.27	0.90	588,274	127.99	81.71	10.16	16.73	35,164	9	-	-
030	N	12.9%	5.68	3.22	2.23	0.23	0.80	555,483	125.46	80.59	9.76	20.05	27,710	7	-	-
560	C	12.9%	6.41	3.57	2.40	0.28	0.89	533,867	147.85	90.06	12.91	21.57	24,746	13	-	-
046	N	14.0%	5.60	3.14	2.18	0.24	0.87	509,693	127.18	81.25	11.08	20.56	24,789	8	-	-
053X	C	20.3%	3.82	2.17	1.46	0.19	0.92	483,523	130.57	79.09	12.62	28.73	16,832	5	-	-
083	C	7.9%	10.49	6.07	4.08	0.34	0.87	473,504	165.32	101.13	8.69	15.00	31,558	9	-	-
001	S	5.7%	13.96	8.12	5.45	0.39	0.83	458,294	162.74	99.52	10.12	11.30	40,549	10	-	-
059	C	11.3%	7.55	4.29	2.97	0.29	0.92	437,567	126.89	80.34	11.75	15.51	28,217	7	-	-
064X	C	24.2%	2.87	1.62	1.09	0.16	0.87	435,532	130.63	79.18	12.46	36.46	11,947	4	-	-
072	C	11.8%	6.76	3.92	2.63	0.21	0.88	413,271	152.14	91.94	12.12	20.47	20,188	4	1	-
026	N	11.1%	7.16	4.04	2.81	0.31	0.86	350,972	124.56	79.49	12.32	16.16	21,717	6	-	-
079	C	10.1%	8.51	4.84	3.36	0.31	0.92	343,734	125.25	80.20	11.07	13.74	25,011	6	-	-
056	N	9.3%	8.26	4.78	3.21	0.27	0.82	337,349	157.23	94.44	14.53	17.84	18,915	5	-	-
091	S	9.9%	10.30	5.81	4.03	0.46	1.08	315,205	130.58	83.43	9.14	11.96	26,349	8	-	-
025	N	10.9%	7.52	4.33	3.01	0.18	0.90	299,911	127.89	81.43	10.60	15.53	19,315	3	-	-
033	N	12.7%	5.70	3.19	2.21	0.30	0.78	294,234	122.54	79.37	9.79	19.82	14,843	5	-	-
089	S	12.3%	7.23	4.08	2.83	0.32	0.97	282,565	125.64	80.53	9.99	15.94	17,730	5	-	-
090	S	11.0%	9.02	4.98	3.46	0.58	1.04	248,979	128.35	81.35	8.49	13.54	18,394	8	-	-
529	C	7.5%	11.44	6.40	4.30	0.74	0.87	243,868	153.02	93.15	13.38	13.24	18,420	10	-	-
129	N	9.2%	9.78	5.63	3.82	0.33	0.96	160,748	131.87	83.58	11.20	12.67	12,688	3	-	-
143	N	8.5%	9.55	5.48	3.72	0.35	0.85	155,708	129.42	81.90	11.34	12.88	12,089	3	-	-
167	C	10.4%	8.93	4.96	3.36	0.61	0.86	147,237	124.92	82.83	10.11	13.45	10,946	5	-	-
150	C	15.4%	6.14	3.33	2.25	0.56	1.02	126,941	115.54	73.72	11.45	17.50	7,253	4	-	-
086	C	9.7%	9.52	5.31	3.69	0.52	0.97	103,736	122.42	82.56	9.46	12.28	8,448	3	-	-
153	N	5.2%	14.80	8.60	5.83	0.37	0.80	96,317	130.13	83.16	10.65	8.54	11,272	2	-	-
177	S	9.8%	10.67	5.86	3.97	0.84	1.07	63,909	123.70	82.50	9.65	11.34	5,634	3	-	-
178	C	7.6%	12.29	6.99	4.74	0.56	0.97	63,504	122.56	82.40	9.86	9.65	6,578	2	-	-
076	C	7.9%	11.53	6.55	4.40	0.58	0.94	62,249	144.01	88.49	12.37	12.12	5,136	2	-	-
082	S	15.1%	6.81	3.66	2.54	0.61	1.10	58,415	134.04	83.90	9.33	18.35	3,183	2	-	-
087	S	7.4%	12.58	7.03	4.87	0.68	0.95	52,530	126.06	83.79	8.43	9.81	5,353	2	-	-
085	S	7.1%	14.45	8.12	5.64	0.69	1.05	52,237	123.93	82.72	10.01	8.37	6,241	2	-	-
862	C	3.7%	22.84	14.63	7.41	0.80	0.84	45,106	162.80	94.31	19.85	7.12	6,339	2	-	-
123	N	4.6%	22.33	11.28	7.64	3.41	0.92	21,017	156.99	101.36	11.92	7.91	2,655	4	-	-

(1) Total bus count (429) is based on PM weekday equipment requirements.

(2) Bus count for routes 53X, 57X and 64X are estimated based on total route 53, 57 and 64 equipment requirements.

(3) C under Zone is Central County, N is North County and S is South County.





**OCTA Operating Statistics By Route for Express Service (Sorted by Boardings)**  
Fiscal Year 2019-20 Through Q4

Route	Zone	Farebox	Subsidy per Boarding	Direct Subsidy	Indirect Subsidy	"Capital Subsidy" Per Boarding	Revenue per Boarding	Boardings	CostVSH	Direct CostVSH	CostVSM	BoardVSH	VSH	Bus Count		
														40 FT	32 FT	60 FT
794	C	22.5%	\$ 20.80	\$ 11.89	\$ 7.26	\$ 1.65	\$ 5.57	21,681	\$ 183.99	\$ 119.02	\$ 6.89	7.44	2,913	2	-	-
701	C	9.9%	26.69	14.61	9.17	2.91	2.62	18,464	263.84	165.17	11.02	10.00	1,847	3	-	-
721	N	4.7%	43.31	24.44	15.34	3.53	1.97	15,223	229.05	143.76	8.85	5.49	2,775	3	-	-
206	C	6.6%	23.16	9.36	5.72	8.08	1.06	8,881	146.16	84.93	7.44	9.05	981	4	-	-
213	N	2.5%	48.68	22.98	14.04	11.66	0.96	7,691	148.74	88.06	7.43	3.92	1,963	5	-	-

(1) Total bus count (429) is based on PM weekday equipment requirements.

(2) C under Zone is Central County, N is North County and S is South County.



**OCTA Operating Statistics By Route for Stationlink Service (Sorted by Boardings)**  
Fiscal Year 2019-20 Through Q4

Route	Zone	Farebox	Subsidy per Boarding	Direct Subsidy	Indirect Subsidy	"Capital Subsidy" Per Boarding	Revenue per Boarding	Boardings	CostVSH	Direct CostVSH	CostVSM	BoardVSH	VSH	Bus Count		
														40 FT	32 FT	60 FT
473	C	9.1%	\$ 11.18	\$ 5.69	\$ 3.84	\$ 1.65	\$ 0.96	32,665	\$ 187.90	\$ 100.55	\$ 16.39	17.92	1,822	3	-	-
453	N	4.8%	15.02	8.05	5.42	1.55	0.68	23,201	177.03	99.22	29.48	12.51	1,854	2	-	-
472	C	6.4%	15.72	7.93	5.35	2.44	0.91	22,001	164.75	96.93	14.40	11.61	1,895	3	-	-
480	C	5.4%	19.24	9.71	6.55	2.98	0.93	18,021	176.74	99.74	15.44	10.28	1,752	3	-	-
463	C	2.2%	42.67	23.08	15.56	4.03	0.89	13,360	178.19	99.97	16.59	4.51	2,963	3	-	-

(1) Total bus count (429) is based on PM weekday equipment requirements.

(2) C under Zone is Central County, N is North County and S is South County.



## Route Reference Table

Route	Route Description	Main Street	Route Category
1	Long Beach - San Clemente	via Pacific Coast Hwy	LOCAL
25	Fullerton - Huntington Beach	via Knott Ave/ Goldenwest St	LOCAL
26	Fullerton - Placentia	via Commonwealth Ave/ Yorba Linda Blvd	LOCAL
29	La Habra - Huntington Beach	via Beach Blvd	LOCAL
30	Cerritos - Anaheim	via Orangethorpe Ave	LOCAL
33	Fullerton - Huntington Beach	via Magnolia St	LOCAL
35	Fullerton - Costa Mesa	via Brookhurst St	LOCAL
37	La Habra - Fountain Valley	via Euclid St	LOCAL
38	Lakewood - Anaheim Hills	via Del Amo Blvd/ La Palma Ave	LOCAL
42	Seal Beach - Orange	via Seal Beach Blvd/ Los Alamitos Blvd/ Lincoln Ave	LOCAL
43	Fullerton - Costa Mesa	via Harbor Blvd	LOCAL
46	Long Beach - Orange	via Ball Road/ Taft Ave	LOCAL
47	Fullerton - Balboa	via Anaheim Blvd/ Fairview St	LOCAL
50	Long Beach - Orange	via Katella Ave	LOCAL
53/53X	Anaheim - Irvine	via Main St	LOCAL
54	Garden Grove - Orange	via Chapman Ave	LOCAL
55	Santa Ana - Newport Beach	via Standard Ave/ Bristol St/ Fairview St/ 17th St	LOCAL
56	Garden Grove - Orange	via Garden Grove Blvd	LOCAL
57/57X	Brea - Newport Beach	via State College Blvd/ Bristol St	LOCAL
59	Anaheim - Irvine	via Kraemer Blvd/ Glassell St/ Grand Ave/ Von Karman Ave	LOCAL
60	Long Beach - Tustin	via Westminster Ave/ 17th St	LOCAL
64/64X	Huntington Beach - Tustin	via Bolsa Ave/ 1st St	LOCAL
66	Huntington Beach - Irvine	via McFadden Ave/ Walnut Ave	LOCAL
70	Sunset Beach - Tustin	via Edinger Ave	LOCAL
71	Yorba Linda - Newport Beach	via Tustin Ave/ Red Hill Ave/ Newport Blvd	LOCAL
72	Sunset Beach - Tustin	via Warner Ave	LOCAL
76	Huntington Beach - John Wayne Airport	via Talbert Ave/ MacArthur Blvd	LOCAL
79	Tustin - Newport Beach	via Bryan Ave/ Culver Dr/ University Ave	LOCAL
82	Foothill Ranch - Rancho Santa Margarita	via Portola Pkwy/ Santa Margarita Pkwy	LOCAL
83	Anaheim - Laguna Hills	via 5 Fwy/ Main St	LOCAL
85	Mission Viejo - Laguna Niguel	via Marguerite Pkwy/ Crown Valley Pkwy	LOCAL
86	Costa Mesa - Mission Viejo	via Alton Pkwy/ Jeronimo Rd	LOCAL
87	Rancho Santa Margarita - Laguna Niguel	via Alicia Pkwy	LOCAL
89	Mission Viejo - Laguna Beach	via El Toro Rd/ Laguna Canyon Rd	LOCAL
90	Tustin - Dana Point	via Irvine Center Dr/ Moulton Pkwy/ Golden Lantern St	LOCAL
91	Laguna Hills - San Clemente	via Paseo de Valencia/ Camino Capistrano/ Del Obispo St	LOCAL
123	Anaheim - Huntington Beach	via Malvern Ave/ Valley View / Bolsa Chica	COMMUNITY
129	La Habra - Anaheim	via La Habra Blvd/ Brea Blvd/ Birch St/ Kraemer Blvd	COMMUNITY
143	La Habra - Brea	via Whittier Blvd/ Harbor Blvd/ Brea Blvd/ Birch St	COMMUNITY
150	Santa Ana - Costa Mesa	via Fairview St/ Flower St	COMMUNITY
153	Brea - Anaheim	via Placentia Ave	COMMUNITY
167	Orange - Irvine	via Irvine Ave/ Hewes St/ Jeffrey Rd	COMMUNITY
177	Foothill Ranch - Laguna Hills	via Lake Forest Dr/ Muirlands Blvd/ Los Alisos Blvd	COMMUNITY
178	Huntington Beach - Irvine	via Adams Ave/ Birch St/ Campus Dr	COMMUNITY
206	Santa Ana - Lake Forest Express	via 5 Fwy	EXPRESS BUS
213	Brea - Irvine Express	via 55 Fwy	EXPRESS BUS
453	Orange Transportation Center - St. Joseph's Hospital	via Chapman Ave/ Main St/ La Veta Ave	STATIONLINK
463	Santa Ana Regional transportation Center - Hutton Centre	via Grand Ave	STATIONLINK
472	Tustin Metrolink Station - Irvine Business Complex	via Edinger Ave/ Red Hill Ave/ Campus Dr/ Jamboree Rd	STATIONLINK
473	Tustin Metrolink Station - U.C.I.	via Edinger Ave/ Harvard Ave	STATIONLINK
480	Irvine Metrolink Station - Lake Forest	via Alton Pkwy/ Bake Pkwy/ Lake Forest Dr	STATIONLINK
529	Fullerton - Huntington Beach	via Beach Blvd	BRAVO
543	Fullerton Transportation Center - Santa Ana	via Harbor Blvd	BRAVO
560	Santa Ana - Long Beach	via 17th St/ Westminster Blvd	BRAVO
701	Huntington Beach - Los Angeles Express	via 405 Fwy/ 605 Fwy/ 105 Fwy/ 110 Fwy	EXPRESS BUS
721	Fullerton - Los Angeles Express	via 110 Fwy/ 91 Fwy	EXPRESS BUS
794	Riverside / Corona - South Coast Metro Express	via 91 Fwy/ 55 Fwy	EXPRESS BUS
862	Downtown Santa Ana Shuttle	via Civic Center Dr	COMMUNITY



## Highlights for FY 2020-21

As OCTA reimagines mobility during the current pandemic and into a post-COVID-19 environment, there are two initiatives related to data collection and reporting that will move forward during this FY. These initiatives include an adjustment to both the method for counting passengers and OTP, which will bring OCTA closer to standard industry practice with respect to data collection and performance measurement and reporting.

### **Certification of Automatic Passenger Counters (APC) for Reporting**

OCTA buses are equipped with both fareboxes and automatic passenger counters to count the passengers boarding OC Bus vehicles. Fareboxes on buses are located at the front entrance and are accurate, as long as passengers pass through and pay the fare to board or swipe their pass at the farebox. This has traditionally been the method OCTA has used for reporting boarding data. With the onset of COVID-19, passengers were diverted to boarding through the rear door of the bus as a health and safety measure for OC Bus coach operators. APCs are installed at both front and rear doors and capture boarding and alighting information automatically. OCTA has been evaluating the expanded use of APCs over the past few years; this data has been helpful for planning purposes as you can determine passenger loads at various points along a route. With the change in the boarding process in early April, staff began utilizing the APC data to capture all boarding information since the farebox would not be able to capture the rear door boarding.

The use of APCs is an acceptable process for counting boardings per the Federal Transit Administration and is widely used throughout the industry.

In addition, OCTA is in the process of receiving certification for using APC data for official NTD reporting. Since using APCs provide a more accurate count for boardings data than using farebox data, OCTA intends to use this method for counting boardings going forward, even after front-door boarding is reinstated. The OCTA Board of Directors (Board) will be notified if staff changes this methodology in the future. In addition to counting boardings, APCs also count alightings (disembarkation), which provides the additional benefit of knowing the actual number of passengers on a bus at any given time.

### **OTP Reporting Methodology**

OTP for OC Bus service is tracked daily and reported to the Board on a quarterly basis. The current methodology used for tracking and reporting OTP only accounts for the late departures from scheduled time points on a route as printed in the bus route schedule. After evaluating similar data collected by peer agencies and through OCTA's participation in the American Bus Benchmarking Group (ABBG) collaborative, staff proposes to modify OCTA's current OTP methodology to include early departures from scheduled time points in addition to late trips in the calculation of OTP. An early departure is one in which the bus leaves an established timepoint more than 59 seconds ahead of the posted schedule. Including the early departures will provide for a more thorough overall measure of OTP.

ABBG was established in 2011 to provide a confidential forum for mid-sized bus organizations in the United States to learn from each other by comparing performance, sharing experiences, and identifying best practices. OCTA joined ABBG in May 2019 and has been an active participant in both the fixed-route and paratransit groups. Utilizing the data provided through ABBG, OCTA has been able to evaluate



performance with peer agencies and identify areas of high performance and those requiring additional review and action.

In connection with this proposed change, staff is also recommending an adjustment to the OTP standard of 85 percent to 80 percent. In considering this adjustment, staff reviewed OTP data from ABBG for 23 other transit properties. It should be noted that only six of 23 agencies included in the ABBG collaborative have been able to meet an OTP of 85 percent, while 11 of the 23 agencies were able to achieve an OTP standard of 80 percent. In evaluating the historical trend of OTP for both DOFR and CFR, recent performance trends have been below the current standard of 85 percent, primarily driven by traffic impacts and construction-related activities. As restrictions are lifted and more business, jobs, schools, and other establishments reopen, traffic patterns will continue to change. Adjusting the standard also provides an opportunity to account for these dynamic changes and allow staff to continue to evaluate the performance and OCTA's desired result for service reliability. Additionally, adjusting the standard to 80 percent is consistent with performance of the ABBG collaborative. Staff will continue to monitor OTP and report quarterly, including any recommendations to further adjust the OTP standard through the COVID-19 recovery period.



# OC Bus 360° Initiatives

## OC Flex Pilot Program

OC Flex service launched in October 2018 in two zones under a one-year pilot program. The Board approved five primary goals and performance metrics to evaluate the pilot program. Upon approval of the pilot program, the Board directed staff to provide updates on the performance metrics as part of quarterly Bus Operations Performance Measurements Report.

For the fourth quarter of FY 2019-20, ridership experienced a severe decrease due to the impacts associated with COVID-19. At the onset of the pandemic, the OC Flex service in the Blue Zone, serving parts of Huntington Beach and Westminster, was suspended on March 23, 2020, due to low demand. Service in the Orange Zone was sustained, but at a lower level – two vehicles all day. Staff is developing options for the near and long-term options for the OC Flex service post-COVID-19 and will return to the Board with recommendations.

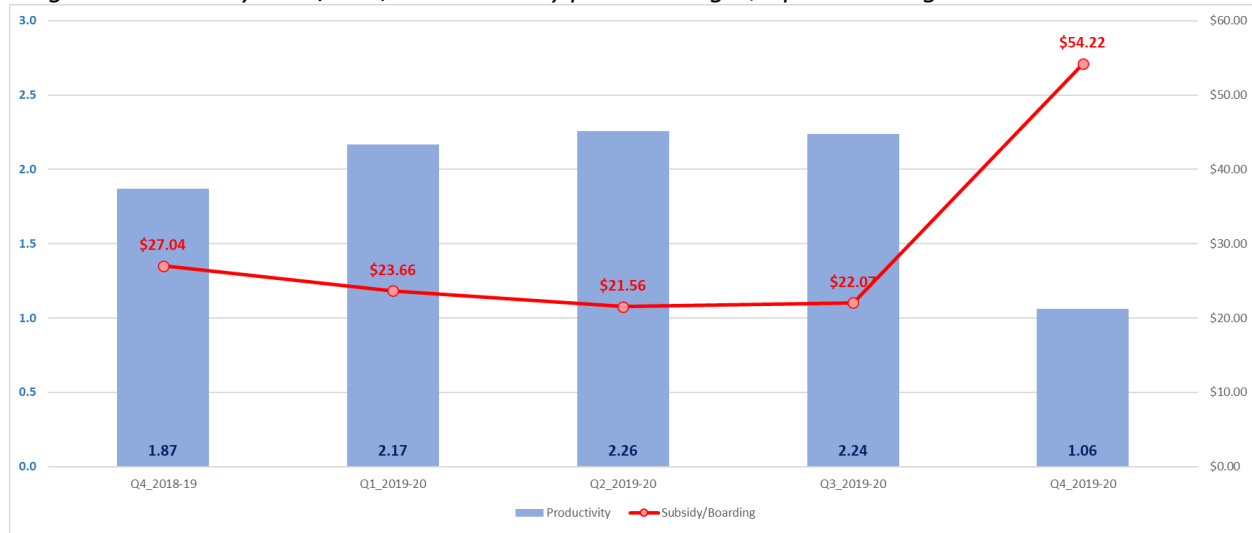
### OC Flex Ridership – Through Q4-FY2019-20





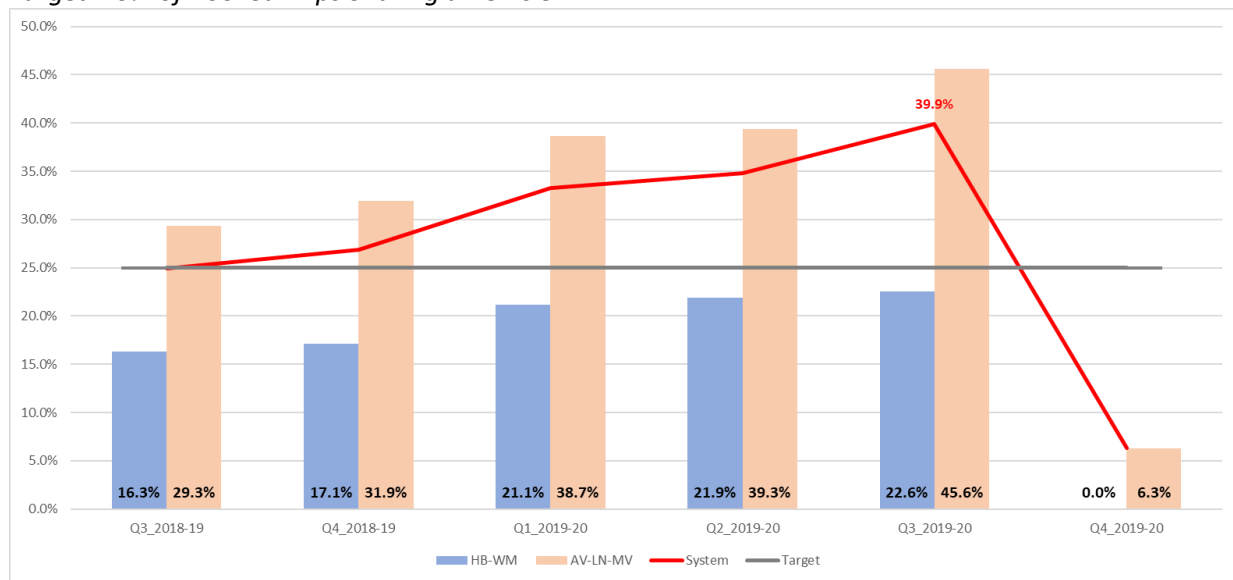
### OC Flex Productivity (B/RVH) and Direct Subsidy per Boarding – Through Q4-FY2019-20

Targets: Productivity – 6 B/RVH; Direct Subsidy per Boarding - \$9 per Boarding



### OC Flex Shared Trips – Through Q4-FY2019-20

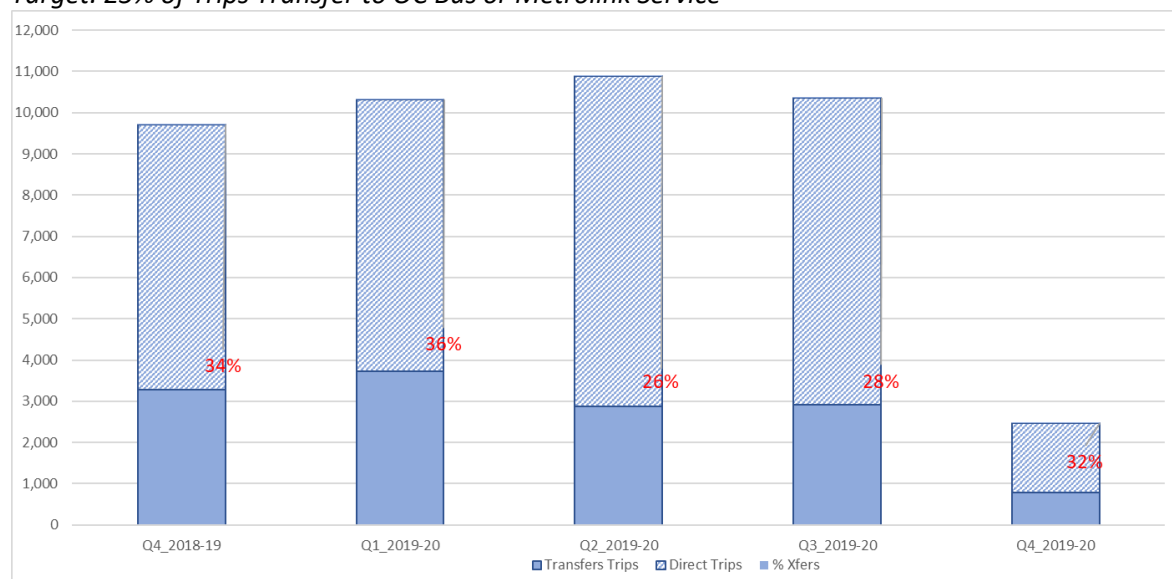
Target: 25% of Booked Trips Sharing a Vehicle





### OC Flex Connecting Trips (Transfers) – Through Q4-FY2019-20

Target: 25% of Trips Transfer to OC Bus or Metrolink Service



### College Pass Program

The College Pass Program started in August 2017 with students from Santa Ana College and continuing education students from Santa Ana College and Santiago Canyon College.

In August 2018, the program expanded to include all students from Santiago Canyon College. In Fall 2019, both Golden West and Fullerton colleges joined the College Pass Program.

The College Pass Program has been very successful and popular among students and colleges. Even with the then-possibility of remote instruction in the fall 2020 term, interest to join the program remained high.

During this quarter, staff worked with the Rancho Santiago Community College District to continue the College Pass Program as both Santa Ana College and the district's School of Continuing Education approached the end of their three-year long pilot programs. Staff also worked to prepare for addition of Saddleback College to the College Pass Program in fall 2020.

OCTA continues to work with other interested colleges to expand the College Pass program with college-provided funding or student fees and available Low Carbon Transit Operations Program grant funds.





## COMMITTEE TRANSMITTAL

**October 12, 2020**

**To:** Members of the Board of Directors

**From:** *Lu*  
Laurena Weinert, Clerk of the Board

**Subject:** Agreement for the Procurement of 40-Foot Plug-In  
Battery-Electric Buses

Transit Committee Meeting of October 8, 2020

**Present:** Directors Davies, Do, Jones, Pulido, Shaw, and Sidhu  
**Absent:** None

### **Committee Vote**

Following the roll call vote, this item was declared passed 5-0 by the Members present.

Director Pulido was not present to vote on this item.

### **Committee Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2165 between the Orange County Transportation Authority and New Flyer of America, Inc., in the amount of \$10,373,230, for the purchase of up to ten 40-foot plug-in battery-electric buses.





**October 8, 2020**

**To:** Transit Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Agreement for the Procurement of 40-Foot Plug-In Battery-Electric Buses

### **Overview**

On April 27, 2020, the Orange County Transportation Authority Board of Directors approved the release of a request for quotes for the purchase of up to ten, 40-foot plug-in battery-electric buses. As a result, quotes from qualified vendors under the California Statewide Contract for Zero-Emission Transit Buses issued by the California Department of General Services have been evaluated. Board of Directors' approval is requested to award an agreement for the purchase of these buses.

### **Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2165 between the Orange County Transportation Authority and New Flyer of America, Inc., in the amount of \$10,373,230, for the purchase of up to ten 40-foot plug-in battery-electric buses.

### **Discussion**

The California Air Resources Board (CARB) passed the Innovative Clean Transit (ICT) rule in 2018, requiring all public transit agencies to transition their bus fleets to zero-emission technologies by year 2040. The ICT rule also requires that a percentage of new bus purchases be zero-emission buses (ZEB) beginning with 25 percent in 2023 and increasing to 50 percent in 2026. Starting in 2029, bus purchases must be 100 percent ZEBs with the goal of a complete transition to ZEBs by 2040. CARB defines a ZEB as a bus with zero tailpipe emissions and is either a battery-electric bus or a fuel-cell electric bus.

The Orange County Transportation Authority (OCTA) has initiated a pilot program to test ZEBs in order to determine which technology best meets OCTA's service requirements. The pilot was initiated with the introduction of ten hydrogen



fuel-cell electric buses, which were placed into service in early 2020. Adding ten, 40-foot plug-in battery-electric buses to the pilot program will enable OCTA to gain necessary operational and technological experience for each ZEB type available in order to shape and define the fleet mix required to meet the service demands of Orange County when utilizing ZEBs.

The ZEBs currently in the market are experiencing challenges associated with vehicle operating range, charging times, cost, and infrastructure demands. Plug-in battery-electric buses require charging stations that are expected to exceed the current available electric capacity at OCTA bus facilities. In addition, battery charging times will need to be coordinated to meet bus service demands to maximize the operating range and cost effectiveness. Working through these operational and infrastructure challenges during a pilot will allow staff to compare and evaluate the operational effectiveness and limitations of this technology for large-scale deployment.

The new buses will be equipped with all OCTA-required equipment and branding requirements, which includes BRAVO! exterior paint branding for five buses and OC Bus branding for five buses for use regular service. In addition, these buses will include an on-board video surveillance system equipped with reverse-motion and interior 360-degree cameras, fire and methane detection systems, driver barriers, three-position bicycle racks, 12-inch and 15-inch awareness monitors/displays, provisions to mount devices at the front and rear doors for electronic fare transactions, tire pressure monitoring system, upgraded radio communication system (voice over internet protocol), as well as all other systems and components required for a full integration of these buses into the OCTA fleet.

The ten plug-in battery-electric buses will operate out of the Garden Grove base with in-depot charging during the evening hours. The battery storage systems can store 438 kWh of energy, providing an estimated 200 miles of range. Available seating capacity is similar to our existing fleet with 39 seated and 37 standees. Additionally, the manufacturer is providing an "Extended Warranty Propulsion System 4 years/200K miles (total of 6 years/300K miles)." Five of the ten, 40-foot plug-in battery-electric buses will be grant-funded through the California Transportation Commission Solutions for Congested Corridors Program (SCCP) under SB 1 (Chapter 5, Statutes of 2017) and the Low Carbon Transit Operations Program (LCTOP), administered by the California Department of Transportation. These buses will mark the introduction of OCTA's newest Bravo! route, Bravo! Main Street, providing rapid bus service between the Anaheim Regional Transportation Intermodal Center and South Coast Metro via Main Street. The remaining five buses will operate throughout Orange County and will be funded through LCTOP, SB 1 State of Good Repair (SGR), and



potentially the Volkswagen Environmental Mitigation Trust for California (VW Mitigation Trust), California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Program (HVIP), and federal funds, if available.

### ***Procurement Approach***

The OCTA Board of Directors (Board)-approved procurement policies and procedures allow for two options to purchase new vehicles. OCTA can either issue a request for proposals (RFP) or partner with another public agency and use its existing bus agreement. Using the first option, OCTA issues an RFP containing detailed vehicle specifications. The advantage of this procurement method is that OCTA can specify exactly the type of bus desired. The challenge of this procurement option is the timeline, which may take up to 18 months from when an RFP is issued to the time when the first article is received, and then an additional 12 months to receive the remaining vehicles.

Using the second option, OCTA identifies an existing contract with another agency for the type of buses desired, containing an assignability clause, and issues a request for quotes (RFQ) to the participating firms. The advantage of this procurement method is a shortened timeline, and OCTA can begin receiving buses in a much shorter time. In some cases, this could reduce the vehicle delivery for the entire bus order by as much as six months. In addition to the base configuration of the vehicles under the existing contract, OCTA can include standard fire detection and suppression systems, and radio hardware consistent with OCTA's existing fleet.

Based on the timeframes included in the ICT rule and the need to evaluate ZEBs prior to any large-scale future fleet purchases, staff determined that the cooperative contract procurement option is the most advantageous to OCTA due to the shortened procurement and vehicle delivery time. It was determined that the California Department of General Services (DGS) completed a cooperative procurement that specified vehicles with similar specifications to OCTA's requirements. The procurement allows for any city, county, district, or other governmental body to utilize this cooperative procurement.

On April 27, 2020, OCTA issued RFQ 0-2165 to both California DGS-awarded participants, New Flyer of America, Inc. (New Flyer), and Proterra, Inc. (Proterra), to provide pricing for specific features that meet OCTA's bus requirements. On July 10, 2020, two quotes were received. Both quotes were reviewed by staff from the Contracts Administration and Materials Management and Transit Technical Services departments.



On July 30, 2020, OCTA requested clarification on some cost items submitted with the initial quote. Based on the submitted quote, the evaluation committee is recommending that New Flyer be selected to provide the vehicles. The total cost to purchase ten, 40-foot plug-in battery-electric buses from New Flyer is \$10,373,230, or \$1,037,323 per bus, which includes all OCTA required equipment.

The Federal Transit Administration (FTA) requires completion of a pre-award Buy America audit for purchases using FTA funds for rolling stock. The audit is to verify the requirement that 70 percent of the parts content of the vehicle to be purchased are made in the United States. A recipient purchasing revenue-service rolling stock with FTA funds must ensure that a pre-award audit is complete before the recipient enters into a formal contract for purchase. This purchase is contingent upon completion of the pre-award Buy America audit that will be performed by OCTA's Internal Audit Department.

#### **Fiscal Impact**

Funding for the procurement of ten, 40-foot plug-in battery-electric buses is included in the OCTA Fiscal Year 2020-21 Budget, under Account No. 2114-9024-D2116-0UU, and funded through LCTOP, SB 1 SCCP, SB 1 SGR, VW Mitigation Trust, and HVIP. Due to insufficient funding capacity throughout the state, HVIP funds may not be available. If it is determined that additional funds are needed to replace HVIP funds, staff will return with a recommendation to use Federal Congestion Mitigation and Air Quality Improvement Program funds to meet the funding need. HVIP support was estimated at \$1,205,000.

#### **Summary**

Based on the information provided, staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2165 between the Orange County Transportation Authority and New Flyer of America, Inc., in the amount of \$10,373,230, for the purchase of up to ten, 40-foot plug-in battery-electric buses.



**Attachment**

A. 40-Foot Plug-In Battery-Electric Bus Procurement Price Comparison

**Prepared by:**



Dayle Withers  
Department Manager, Maintenance  
(714) 560-5538

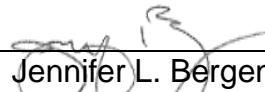
**Approved by:**



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**40-Foot Plug-In Battery-Electric Bus Procurement Price Comparison**

Summary Price Calculation	NEW FLYER 40' Xcelsior Charge (438kWh)	PROTERRA 40' Catalyst E2 (440kWh)
Base Vehicle Price	\$771,673	\$796,908
ADA Equipment (Non-Taxable)	\$37,850	\$14,653
Options Total includes all OCTA requirements	\$140,114	\$151,926
Documentation Preparation Fee	\$0.00	\$0.00
Vehicle Sub-Total	\$949,637	\$963,487
<b><i>Sales Tax</i></b>	\$70,663	\$73,535
California Tire Fee	\$12	\$12
Extended Warranty Propulsion System 4 yrs/200K miles (total of 6 yrs/300K miles)	\$17,011	\$20,816
<b><i>Vehicle Total – (Each) Delivered</i></b>	<b>\$1,037,323</b>	<b>\$1,057,850</b>
<b><i>Grand Total – 10 Buses</i></b>	<b>\$10,373,230</b>	<b>\$10,578,500</b>

Acronyms

ADA – Americans with Disabilities Act

OCTA – Orange County Transportation Authority





## COMMITTEE TRANSMITTAL

**October 12, 2020**

**To:** Members of the Board of Directors

**From:** *Lu*  
Laurena Weinert, Clerk of the Board

**Subject:** Agreement for the Procurement of 40-Foot Compressed Natural Gas-Powered Buses

Transit Committee Meeting of October 8, 2020

**Present:** Directors Davies, Do, Jones, Pulido, Shaw, and Sidhu

**Absent:** None

### **Committee Vote**

Following the roll call vote, this item was declared passed 5-0 by the Members present.

Director Pulido was not present to vote on this item.

### **Committee Recommendations**

- A. Approve the selection of GILLIG LLC as the firm to provide up to 165, 40-foot compressed natural gas-powered buses, with an option to purchase up to 134 additional buses.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1836 between the Orange County Transportation Authority and GILLIG LLC, in the amount of \$100,371,600, for the purchase of up to 165, 40-foot compressed natural gas-powered buses, with an option to purchase up to 134 additional buses.





**October 8, 2020**

**To:** Transit Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Agreement for the Procurement of 40-Foot Compressed Natural Gas-Powered Buses

### **Overview**

On March 23, 2020, the Orange County Transportation Authority Board of Directors approved the release of a request for proposals for the purchase of up to 299, 40-foot compressed natural gas-powered buses. Board of Directors' approval is requested to award an agreement for the purchase of 165 buses.

### **Recommendations**

- A. Approve the selection of GILLIG LLC as the firm to provide up to 165, 40-foot compressed natural gas-powered buses, with an option to purchase up to 134 additional buses.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1836 between the Orange County Transportation Authority and GILLIG LLC, in the amount of \$100,371,600, for the purchase of up to 165, 40-foot compressed natural gas-powered buses, with an option to purchase up to 134 additional buses.

### **Discussion**

The Orange County Transportation Authority (OCTA) currently has a fleet of 462, 40-foot compressed natural gas (CNG)-powered buses used to deliver both directly operated and contract operated fixed-route service. Of the 462, 40-foot CNG-powered buses, 299 were delivered and deployed into revenue service in years 2007 and 2008. The Federal Transit Administration (FTA) defines the minimum useful life of these buses as 12 years or 500,000 miles. Consistent with the OCTA Fleet Plan, the 299 CNG-powered buses will be replaced at 16, 17, and 18 years of service.



The coronavirus pandemic has had a significant impact on ridership and OC Bus System service levels. As a result, staff has reviewed and adjusted the ridership projections and corresponding revenue vehicle hours, resulting in a reduced requirement for the number of replacement buses. To align with the reduced number of buses required at this time, the request for proposals (RFP) was amended to adjust the quantity needed from 299, 40-foot CNG-powered buses to up to 165, 40-foot CNG-powered buses, with an option to purchase up to 134 additional buses, to be exercised no later than December 31, 2022.

The new buses will be equipped with all OCTA-required equipment and branding requirements, which includes BRAVO! exterior paint branding (up to 20 buses), Express configured buses, (up to 30 buses) and OC Bus branding for regular fixed-route service. In addition, these buses will include an on-board video surveillance system equipped with reverse-motion and interior 360-degree cameras, fire and methane detection systems, driver barriers, three-position bicycle racks, 12-inch and 15-inch awareness monitors/displays, provisions to mount devices at the front and rear doors for electronic fare transactions, tire pressure monitoring system, upgraded radio communication system (voice over internet protocol) as well as all other systems and components, required for a full integration of these buses into the OCTA fleet.

### ***Procurement Approach***

This procurement was handled in accordance with OCTA Board of Directors (Board)-approved procedures for goods and services. Award is recommended to the firm offering the most comprehensive overall proposal, considering factors such as the approach to comply with bus technical specifications and requirements, qualifications, related experience of the firm, as well as cost and price.

On March 23, 2020, the Board authorized the release of RFP 9-1836 to select a firm to provide 40-foot CNG-powered buses. The RFP was issued electronically on CAMM NET. The project was advertised in a newspaper of general circulation on March 23 and 30, 2020. A pre-proposal conference was held on April 7, 2020, with 19 attendees representing eight firms. Five addenda were issued to post the pre-proposal conference registration sheets, respond to questions related to the RFP, and to provide clarification to firms.

On June 23, 2020, three proposals were received. An evaluation committee consisting of OCTA staff from Contracts Administration and Materials Management, Transit Technical Services, Health, Safety and Environmental Compliance, Bus Operations, and Maintenance departments met to review the submitted proposals.



The proposals were evaluated based on the following Board-approved evaluation criteria and weightings:

- Technical Specifications 50 percent
- Qualifications, Related Experience, and Project Management 20 percent
- Cost and Price 30 percent

Technical specifications was assigned the highest level of importance, 50 percent, to ensure proposals addressed each section of the technical specifications in sufficient detail to demonstrate a clear understanding of the scope of work, as the approach to comply with the bus specifications and requirements, capability to deliver a non-defective bus, and provide quality assurance and warranty are critical elements to the successful manufacturing of the buses. In addition, proposals must include evidence of sufficient planning to show that work will be accomplished as required with suggestions intended to improve the technical and operational aspects of the buses. Proposals must also demonstrate compliance with performance requirements. Firms must provide information regarding engineering, manufacturing, program and quality controls, plans for the coordination of major suppliers and subcontractors, as well as a schedule for the production of both the pilot and production buses.

Qualifications of the firm was assigned a 20 percent weighting and includes the history of the firm and information regarding the firm's manufacturing capabilities in producing the same or similar vehicles, with an emphasis on experience in producing CNG-powered vehicles. Under this criterion, proposals must provide federal and non-federal certifications, warranty and service center locations, maintenance information, financial documentation, past performance of vehicles, and references. The overall reputation of the firm was assessed through the review of any judgements, liens, fleet defect history, and/or warranty claims, and the steps each firm took to resolve these matters.

Cost and price was assigned 30 percent, as each firm must demonstrate competitiveness in pricing with supporting data to carry out the required services.

On July 13, 2020, the evaluation committee reviewed all proposals based on the evaluation criteria and short-listed the two most qualified firms listed in alphabetical order as follows:



Firm and Location

GILLIG LLC (Gillig)  
Livermore, California

New Flyer of America, Inc. (New Flyer)  
St. Cloud, Minnesota

On July 21, 2020, the evaluation committee interviewed both firms to assess their project understanding and approach to the scope of work. Each firm had an opportunity to present its qualifications, the proposed bus platform, and respond to evaluation committee questions. The evaluation committee asked specific clarification questions related to each firm's proposal relative to OCTA's 40-foot CNG-powered bus technical requirements.

The individual criteria scores for both short-listed firms were reviewed after the interviews; however, the overall ranking of the firms did not change.

On July 30, 2020, both firms were requested to review recently-approved bus configuration component changes, as well as to confirm compliance with OCTA's requirements that were not clearly defined in each firm's proposal, and submit revised pricing on associated items, if needed.

Based on the evaluation of written proposals, the information obtained from interviews and clarifications, the evaluation committee is recommending Gillig for consideration of award. Following is a brief summary of the proposal evaluation results.

**Technical Specifications**

Both short-listed firms are established companies with demonstrated ability to manufacture and deliver a 40-foot CNG-powered bus that meets OCTA's specifications.

Both proposed buses are "Altoona tested" and have an FTA-defined useful life of 12 years or 500,000 miles. Altoona testing evaluates new transit bus models for safety, reliability, performance, maintainability, noise, fuel economy and emissions.

OCTA specified minimum manufacturer warranties on the complete bus, including body and chassis structure, propulsion system, and major subcomponents such as the fire suppression system, brake system, fuel storage system and the heating, ventilation, and air conditioning system.



Both firms proposed to provide basic manufacturer warranties; however, Gillig proposed extended coverage for the manufacturer's base warranty to either meet or exceed OCTA's requested warranties, where New Flyer proposed to meet some of the requested warranties by adding an additional cost per warranty to each bus. Further, the bus body structural and integrity corrosion warranties offered by Gillig are for 14 years or 600,000 miles, whichever comes first, exceeding the commonly offered warranties for transit buses by two years and 100,000 miles. The longer warranties will provide support to OCTA's current Board policy that requires transit buses to be operated for 18 years, regardless of mileage.

Gillig proposed a stainless-steel structural layout and chassis designed to increase longevity and minimize corrosion. The chassis contains no welding on the low floor structure and is sprayed with aluminum-filled epoxy corrosion protection throughout the vertical sidewall body structure from the lower edges to above the midrail extrusion to aid in minimizing corrosion. Bus weight is always an area of concern due to the State of California's weight regulations. The proposed rear axle weight is lighter than other proposed buses, thus decreasing the curb weight by approximately 600 pounds. Gillig's bus utilizes five CNG tanks and has a recorded range of approximately 442 miles. In addition, Gillig uses industry standard parts with minimal proprietary components to ensure aftermarket part competition.

New Flyer proposed a hybrid structure composed of carbon steel/ferritic stainless steel, coated in a polyurethane primer, said to be an improvement over earlier bus builds in terms of corrosion protection; critical areas are coated with the primer including the chassis, curbside, and street side structural walls. The curb weight of the proposed bus falls within regulation limits. New Flyer's bus utilizes six CNG tanks and is designed for a 350 to 400-mile range; OCTA's requirement is a minimum 400-mile range.

#### **Qualifications, Related Experience, and Project Management**

In recent years, OCTA has done business with both New Flyer and Gillig and currently has buses on order with Gillig. Both firms presented experienced key staff, demonstrated strong relationships with suppliers and proposed a manufacturing schedule that fits within OCTA's delivery timeline.

Gillig, founded in 1890, is a 100 percent United States owned-and-operated manufacturing company, with one location in Livermore, California. Gillig has been manufacturing heavy-duty buses since 1978 and began manufacturing CNG-powered buses in 2010. Gillig has 14 quality control inspectors that verify and document compliance with bus specifications during the manufacturing of



each bus and guarantees on-time delivery of each bus. Gillig plans to have two field service representatives living in Orange County to handle all warranty-related activities and coordinate with component suppliers, once the buses start arriving in Orange County and are delivered to OCTA. In addition, Gillig will secure off-site properties for the correction of any Gillig bus discrepancies that may be noted by OCTA, if necessary.

New Flyer, founded in 1930, is a subsidiary of NFI Group, Inc., operating more than 50 facilities across ten countries, with three manufacturing facilities in the United States. New Flyer began manufacturing heavy-duty buses in 1988 and CNG-powered buses in 1994. OCTA currently has both CNG-powered and hydrogen fuel-cell buses built by New Flyer in the fleet. New Flyer buses are manufactured on four linear continuous flow production lines, three in the United States and one in Canada. The proposed bus will be manufactured in St. Cloud, Minnesota. Before manufacturing, New Flyer creates a virtual bus, allowing for a cross-functional internal design review that carries through to post-production of the bus. The assembly structure of components contained within the virtual bus is intended to match the released production bill of materials, enhancing pre-production, production and aftermarket processes. In addition, a five-member team is used to perform validation testing throughout the manufacturing process. New Flyer has a service center in Ontario, California to provide support to OCTA.

#### **Cost and Price**

The proposed price was based on a firm-fixed-price per bus, including training, manuals, diagnostic equipment, and training simulators. Pricing scores were based on a formula, which assigned the highest score to the lowest proposed price and scored the remaining firms' prices based on their relation to the lowest price. Gillig received the highest score based on the initial and option pricing. Contract award is for the initial order only. The optional purchase will be exercised with Board approval at a future date.

Following is a breakdown of the per bus cost for each bus configuration:

<b>Bus Configuration</b>	<b>GILLIG LLC</b>	<b>New Flyer of America, Inc.</b>
Regular	\$607,974	\$621,760
BRAVO!	\$609,026	\$622,460
Express	\$618,092	\$622,410



The FTA requires completion of a pre-award Buy America audit for purchases using FTA funds for rolling stock. The audit is to verify the requirement that 70 percent of the parts content of the vehicle to be purchased are made in the United States. A recipient purchasing revenue-service rolling stock with FTA funds must ensure that a pre-award audit is complete before the recipient enters into a formal contract for purchase. This purchase is contingent upon completion of the pre-award Buy America audit that will be performed by OCTA's Internal Audit Department.

#### **Fiscal Impact**

Funds for the procurement of 40-foot CNG-powered buses are included in OCTA's Fiscal Year 2020-21 Budget, Transit Technical Services, accounts 2114-9024-D2108-00Q and 2114-7752-D2116-00G intended for training, specialized tools, and diagnostic equipment, funded with FTA Section 5307 Congestion Mitigation and Air Quality Improvement Program funds.

#### **Summary**

Based on the information provided, staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1836 between the Orange County Transportation Authority and GILLIG LLC, in the amount of \$100,371,600, for the purchase of up to 165, 40-foot compressed natural gas-powered buses, with an option to purchase up to 134 additional buses.



***Attachments***

- A. Review of Proposals, RFP 9-1836 40-Foot Compressed Natural Gas-Powered Buses
- B. Proposal Evaluation Criteria Matrix ("Short-Listed Firms"), RFP 9-1836 40-Foot Compressed Natural Gas-Powered Buses
- C. Contract History for the Past Two Years, RFP 9-1836 40-Foot Compressed Natural Gas-Powered Buses

**Prepared by:**



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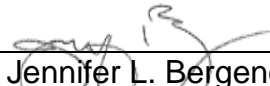
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**Review of Proposals**  
**RFP 9-1836 40-Foot Compressed Natural Gas-Powered Buses**  
PRESENTED TO THE TRANSIT COMMITTEE - OCTOBER 8, 2020  
**3 proposals were received, 2 firms were interviewed, 1 firm is being recommended**

Overall Ranking	Proposal Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	Total Price Initial Purchase
1	89	GILLIG LLC Livermore, California	None	Highest-ranked firm overall Experienced project team Meets or exceeds the Orange County Transportation Authority's minimum warranty requirements Providing field service representatives to assist in bus delivery and acceptance In business 130 years Positive responses from references Proposed lowest price	\$100,371,600
2	86	New Flyer of America, Inc. St. Cloud, Minnesota	None	Second-ranked firm Experienced project team Could meet all minimum warranty requirements with extra cost on some Has service center in Ontario, California In business 90 years and has many subsidiary locations globally Positive responses from references OCTA's existing heavy-duty bus fleet is made up of New Flyer buses	\$102,597,189

**Evaluation Panel:**

Contracts Administration and Materials Management (1)  
Transit Technical Services (1)  
Health, Safety and Environmental Compliance (1)  
Maintenance (1)  
Bus Operations (1)

**Proposal Criteria**

Technical Specifications  
Qualifications, Related Experience and Project Management  
Cost and Price

**Weight Factors**

50%  
20%  
30%



**PROPOSAL EVALUATION CRITERIA MATRIX ("SHORT-LISTED FIRMS")**  
**RFP 9-1836 40-Foot Compressed Natural Gas-Powered Buses**

<b>FIRM: GILLIG LLC</b>						<b>Weights</b>	<b>Overall Score</b>
<b>Evaluator Number</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>		
Technical Requirements	4.5	4.5	4.0	4.5	4.0	10	43.0
Qualifications, Related Experience and Project Management	4.0	4.0	4.0	4.0	4.0	4	16.0
Cost and Price	5.0	5.0	5.0	5.0	5.0	6	30.0
<b>Overall Score</b>	<b>91.0</b>	<b>91.0</b>	<b>86.0</b>	<b>91.0</b>	<b>86.0</b>		<b>89</b>
<b>FIRM: New Flyer of America, Inc.</b>						<b>Weights</b>	<b>Overall Score</b>
<b>Evaluator Number</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>		
Technical Requirements	4.0	4.0	4.0	4.0	4.0	10	40.0
Qualifications, Related Experience and Project Management	4.0	4.0	4.5	4.5	4.0	4	16.8
Cost and Price	4.9	4.9	4.9	4.9	4.9	6	29.4
<b>Overall Score</b>	<b>85.4</b>	<b>85.4</b>	<b>87.4</b>	<b>87.4</b>	<b>85.4</b>		<b>86</b>

Score for the Non-Short-Listed Firm Was 66.



**CONTRACT HISTORY FOR THE PAST TWO YEARS**

**RFP 9-1836 40-Foot Compressed Natural Gas-Powered Buses**

Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
<b>GILLIG LLC</b> Contract Type: Firm-Fixed Price Subconsultants: None	C-9-1001	Purchase up to 12, 30-foot compressed	October 30, 2019	November 1, 2022		\$ 6,756,220
		natural gas-powered heavy-duty buses				
		with an option to purchase five additional				
		buses				
<b>Sub Total</b>						<b>\$6,756,220</b>
<b>New Flyer of America, Inc.</b> Contract Type: Firm-Fixed Price Subconsultants: None	C-7-1701	Purchase ten, 40-foot hydrogen fuel cell	February 6, 2018	September 30, 2020		\$ 12,978,382
		electric buses				
Contract Type: Firm-Fixed Price Subconsultants: None	C-4-1605	Purchase 16, 60-foot compressed natural	June 22, 2015	July 31, 2020		\$ 14,784,585
		gas-powered articulated buses				
Contract Type: Firm-Fixed Price Subconsultants: None	C-4-1280	Purchase 163, 40-foot compressed natural	December 30, 2014	December 30, 2019		\$ 95,172,988
		gas-powered buses with an option to purchase				
		39 buses				
<b>Sub Total</b>						<b>\$122,935,955</b>





## COMMITTEE TRANSMITTAL

**October 12, 2020**

**To:** Members of the Board of Directors

**From:** Laurena Weinert,  Clerk of the Board

**Subject:** Cooperative Agreement with the California Department of Transportation for the State Route 91 Improvement Project Between State Route 57 and State Route 55 and Authority to Acquire Right-of-Way

### Regional Planning and Highways Committee Meeting of October 5, 2020

**Present:** Directors Bartlett, Chaffee, Delgleize, Muller, M. Murphy, and R. Murphy

**Absent:** Director Pulido

### **Committee Vote**

Following the roll call vote, this item was declared passed 6-0 by the Members present.

### **Committee Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-0-2583 between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$970,000, to perform right-of-way support services for the State Route 91 Improvement Project between State Route 57 and State Route 55.
- B. Authorize the use of up to \$39.602 million in State Route 91 Express Lanes excess revenue funding for right-of-way capital and right-of-way support services for the following projects:
- State Route 91 from State Route 55 to Lakeview Avenue (Segment 1) - \$5.926 million
  - State Route 91 from La Palma Avenue to State Route 55 (Segment 2) - \$28.166 million
  - State Route 91 from Acacia Street to La Palma Avenue (Segment 3) - \$5.510 million





**Committee Recommendations (Continued)**

- 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.
- D. Authorize the Chief Executive Officer to initiate discussions with property owners and utility owners, make offers, and execute agreements for the acquisition of all necessary real property interests and necessary utility relocations.





**October 5, 2020**

**To:** Regional Planning and Highways Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Cooperative Agreement with the California Department of Transportation for the State Route 91 Improvement Project Between State Route 57 and State Route 55 and Authority to Acquire Right-of-Way

### **Overview**

The Orange County Transportation Authority proposes to enter into a cooperative agreement with the California Department of Transportation to define roles, responsibilities, and funding obligations for right-of-way support services, right-of-way engineering, right-of-way acquisition, and utility relocation for the State Route 91 Improvement Project between State Route 57 and State Route 55.

### **Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-0-2583 between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$970,000, to perform right-of-way support services for the State Route 91 Improvement Project between State Route 57 and State Route 55.
- B. Authorize the use of up to \$39.602 million in State Route 91 Express Lanes excess revenue funding for right-of-way capital and right-of-way support services for the following projects:
  - State Route 91 from State Route 55 to Lakeview Avenue (Segment 1)
    - \$5.926 million
  - State Route 91 from La Palma Avenue to State Route 55 (Segment 2)
    - \$28.166 million
  - State Route 91 from Acacia Street to La Palma Avenue (Segment 3)
    - \$5.510 million



- 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.
- D. Authorize the Chief Executive Officer to initiate discussions with property owners and utility owners, make offers, and execute agreements for the acquisition of all necessary real property interests and necessary utility relocations.

### ***Discussion***

State Route 91 (SR-91) improvements between State Route 57 (SR-57) and State Route 55 (SR-55) (Project) are part of Project I in the Measure M2 (M2) freeway program. In the updated Next 10 Delivery Plan, adopted by the Orange County Transportation Authority (OCTA) Board of Directors (Board) in November 2019, the Project is listed as one of the M2 freeway projects to be cleared through the environmental process and to move into design using 91 Express Lanes (EL) excess revenue.

The Project will add a general purpose lane in the eastbound direction between La Palma Avenue and SR-55, and provide westbound operational improvements between Acacia Street and La Palma Avenue and between SR-55 and Lakeview Avenue.

On June 10, 2019, the Board authorized Cooperative Agreement No. C-9-1274 with the California Department of Transportation (Caltrans) to provide oversight of the plans, specifications, and estimate, and to advertise and award the construction contracts for the Project. An additional cooperative agreement with Caltrans is now needed to initiate the Project's right-of-way (ROW) phase.

The final environmental document, approved in June 2020, identifies the build alternative as the preferred alternative to be implemented. Therefore, the Project is ready to proceed into the final design phase. The Project is being developed as three separate design and construction projects to enhance the participation and competitive bidding of consultants and contractors, with the following Project limits:

- Segment 1 extends from SR-55 to Lakeview Avenue
- Segment 2 extends from La Palma Avenue to SR-55
- Segment 3 extends from Acacia Street to La Palma Avenue



OCTA proposes to enter into a cooperative agreement with Caltrans to define the roles and responsibilities of both agencies. OCTA will be the lead agency implementing ROW activities, which shall include property acquisitions, relocation assistance for displacees if necessary, and coordination of utility relocations for the Project. OCTA will also be the lead agency for eminent domain proceedings, which shall include OCTA Board resolutions of necessity if needed. Caltrans will be the lead agency for ROW engineering activities for segments 1 and 2, which shall include mapping, surveying and monumentation as directly reimbursed work, and oversight of ROW activities for all three segments, at no cost to OCTA. Caltrans' work will be funded by 91 EL excess revenue, in the amount of \$970,000. ROW engineering activities for Segment 3 will be done by OCTA's consultant team.

ROW activities are anticipated to commence in spring 2021 upon completion of 65 percent design and determination of final ROW requirements. The Project is estimated to impact a total of 16 properties, both privately and publicly-owned properties, and 28 utility conflicts. The current list of impacted properties has land uses, which include vacant, commercial/industrial, multifamily residential, residential, and public (Attachment A). The real property requirements are comprised of a combination of partial fee acquisitions, permanent easements, utility easements, and temporary construction easements. There are no anticipated full fee acquisitions. The needed property rights are required to implement the Project scope as defined in the final environmental document. Consistent with Recommendation D above and the Project schedule, the Chief Executive Officer (CEO) will initiate conversation with property owners and utility owners upon Board approval of this item.

OCTA shall follow the Caltrans *Right of Way Manual* (RWM) and the OCTA *Real Property Policies and Procedures Manual* (RPPPM) to properly handle the acquisition of property rights in compliance with requirements set by the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act). The Uniform Act was enacted by the federal government to ensure real property is acquired, and that displacees are relocated in an equitable, consistent, and equal manner. The Caltrans RWM and OCTA RPPPM also incorporate State of California laws and regulations enacted to provide benefits and safeguards to property owners. Statutory offers for the purchase of property will be made for an amount established as just compensation, which shall be determined through an independent appraisal process. Efforts will be made to reach a negotiated settlement with property owners or businesses; however, when an impasse is reached, as an act of last resort, staff, through a separate Board action, may request the Board to adopt a resolution of necessity to initiate eminent domain proceedings to obtain the necessary interests in real property.



**Cooperative Agreement with the California Department of Transportation for the State Route 91 Improvement Project Between State Route 57 and State Route 55 and Authority to Acquire Right-of-Way**

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The Project does not intend to require the permanent relocation or displacement of any residences or businesses as a result of property acquisitions. In the event of a need to displace any individual or business as a result of the Project, relocation assistance will be provided in accordance with the Caltrans RWM and OCTA RPPPM.

OCTA and Caltrans staff will continue to evaluate the need for property through the design phase. If any modifications to the ROW requirements are necessary, OCTA staff will appropriately justify and document the need to secure such property to construct the Project in accordance with procedural requirements. Any need for additional ROW requirements will be addressed within the parameters of the California Environmental Quality Act and National Environmental Policy Act.

**Fiscal Impact**

As part of this cooperative agreement, funding for Caltrans services for ROW support is included in OCTA's Fiscal Year (FY) 2020-2021 Budget, and will be proposed for FY 2021-22 and FY 2022-23 budgets, Capital Programs Division, accounts 0017-7514-FI106-10Q and 0017-7514-FI105-10R, and will be funded through 91 EL excess revenue.

While the cooperative agreement with Caltrans represents a portion of the ROW cost, OCTA is requesting Board approval to program funds for ROW based on the current estimated cost for ROW capital and support. The 91 EL excess revenue funds for Project I will be drawn from the Board-approved 91 EL Capital Reserve fund. Project I is consistent with the SR-91 Implementation Plan to reinvest net revenues in the SR-91 corridor to improve regional mobility. The Capital Programming Policy, which is the guiding document OCTA uses for programming federal, state, and local funds, currently does not have a policy regarding 91 EL excess revenue funds. An update to reflect the usage of these funds will be presented to the Board at a later date. Meanwhile, these projects will be added into the Capital Funding Program which depicts funding for OCTA projects, and is provided as Attachment B.



**Cooperative Agreement with the California Department of  
Transportation for the State Route 91 Improvement Project  
Between State Route 57 and State Route 55 and Authority to  
Acquire Right-of-Way**

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***Summary***

Staff requests Board approval for the CEO to negotiate and execute Cooperative Agreement No. C-0-2583 with Caltrans, in the amount of \$970,000, to provide oversight at no cost, perform a portion of ROW support services, and certify the ROW for the Project. In addition, staff requests approval to use up to \$39.602 million in 91 EL excess revenue for the ROW phase for Project I. Finally, staff requests the Board authorize the CEO to make offers and execute agreements with property owners and utility owners for the acquisition of all necessary interests in real property and necessary utility relocations for the Project.

***Attachments***

- A. State Route 91 Improvement Project Between State Route 57 and State Route 55 Right-of-Way
- B. Capital Funding Program Report

**Prepared by:**



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**Approved by:**



James G. Beil, P.E.  
Executive Director, Capital Programs  
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## State Route 91 Improvement Project Between State Route 57 and State Route 55 Right-of-Way

Build Alternative										
No. of Parcels	Segment	Assessor Parcel No.	City	Location	Owner Name	ROW Impacts	Permanent (SF)	TCE (SF)	Permanent Easement (SF)	Land Use
1	3	073-132-11	Anaheim	1415 N Burton Pl	CJNC Holdings LLC	TCE	0	40	0	Industrial
2	3	073-132-12	Anaheim	1400 N Baxter St	Baxter Street Properties LLC	TCE	0	198	0	Industrial
3	3	268-313-01	Anaheim	2701 E La Palma Ave	The Elizabeth E Scott Survivors Trust	TCE	0	3,010	0	Multifamily Residential
4	3	338-191-27	Anaheim	1431 N Daly St	Hunter William E	Partial Fee/TCE	307	475	0	Industrial
5	3	338-192-05	Anaheim	1461 N Daly St	Danish & Danyal Investment LLC	TCE	0	553	0	Industrial
6	3	344-394-23	Anaheim	Anaheim, CA	EMS Real Estate Consortium, CCGS Holdings LLC	TCE	0	419	0	Vacant
7	3	344-401-18	Anaheim	2761 E White Star Ave	Taormina Industries Inc	TCE	0	298	0	Industrial
8	2	345-111-03 345-111-04	Anaheim	3154 E La Palma Ave 3158 E La Palma Ave	Sator Karl TR	TCE	0	3,413	0	Industrial
9	1	359-011-83	Anaheim	4540 E Riverdale Ave	Alston Commu	Partial Fee/TCE	3,381	6,160	0	Residential
10	1	359-084-13	Anaheim	Anaheim, CA	State of California Dept of Public Works	TCE/Permanet Easement	850	1,963	1,451	Vacant
11	2	360-071-14 360-071-24 360-071-28	Anaheim	3200 E Frontera St	SA Recycling LLC	TCE/Permanent Easement	0	11,532	14,398	Industrial
12	2	360-211-01 360-211-02	Anaheim	Anaheim, CA	Orange County Water District	Partial Fee/TCE	205	15,264	0	Vacant
13	2	360-212-01	Anaheim	Anaheim, CA	Orange County Water District	TCE	0	55,331	0	Vacant
14	2	360-212-06	Anaheim	950 N Tustin Ave	950 S & E LLC	TCE	0	18,600	0	Commercial
15	1	361-243-05	Anaheim	Anaheim, CA	Secret Luther E TR Brandon Chase Trust	Partial Fee/TCE	332	929	0	Vacant *
16	2	360-184-01	Anaheim	Anaheim, CA	Orange County Flood Control District	TCE	0	95,569	0	Vacant

Note: \* The record search from the environmental phase shows "agricultural" as property type and "commercial" as present use. As a result, the ROW data sheet counted as "Commercial" but it is a vacant lot.

Acronyms:  
ROW - right-of-way  
SF - square feet  
TCE - temporary construction easement





# Capital Funding Program Report

Pending Board of Directors (Board) Approval - October 5, 2020

State Highway Project												
Project Title	M Code	Total Funding	Federal Funds			State Funds			Local Funds			
			STBG/CMAQ	FTA	Other Fed.	STIP	SB1	Other State	M1	M2	Other Local	
I-5 from SR-55 to SR-57, add one HOV lane each direction	A	\$41,500	\$36,191							\$5,309		
I-5 widening, I-405 to Yale Avenue (Segment 1)	B	\$219,903	\$52,357			\$95,338	\$44,791			\$27,417		
I-5 widening, Yale Avenue to SR-55 (Segment 2)	B	\$17,425	\$15,027							\$2,398		
I-5 widening, Alicia Parkway to El Toro Road (Segment 3)	C	\$181,327	\$49,897		\$4,728		\$9,388			\$117,314		
I-5 widening, Oso Parkway to Alicia Parkway (Segment 2)	C	\$205,695	\$47,676		\$7,921					\$150,098		
I-5 widening, SR-73 to Oso Parkway (Segment 1)	C	\$213,267	\$28,167		\$6,433	\$91,977		\$29,832		\$56,858		
I-5, SR-73 to El Toro Road landscaping/replacement planting	C	\$12,365				\$6,000				\$6,365		
I-5/El Toro Interchange	D	\$4,400	\$4,400									
SR-55 (I-5 to SR-91)	F	\$13,921	\$5,000							\$8,921		
SR-55 widening between I-405 and I-5	F	\$410,932	\$103,805		\$46,800	\$80,000	\$70,000			\$110,327		
SR-57 Orangewood Avenue to Katella Avenue	G	\$7,277	\$2,500							\$4,777		
SR-91, Acacia Avenue to La Palma Avenue (Segment 3) <sup>1</sup>	I	\$16,201	\$1,770							\$30	\$14,401	
SR-91, La Palma Avenue to SR-55 (Segment 2) <sup>1</sup>	I	\$46,314	\$3,460							\$40	\$42,814	
SR-91, SR-55 to Lakeview Avenue (Segment 1) <sup>1</sup>	I	\$15,779	\$1,770							\$30	\$13,979	
SR-91, SR-241 to I-15	J	\$41,800									\$41,800	
I-405 improvements, SR-73 to I-605	K	\$1,900,000	\$35,000		\$10,648			\$89,771		\$1,135,651	\$628,930	
I-405 (I-5 to SR-55)	L	\$8,000	\$8,000									
I-405 s/b aux lane - University to Sand Canyon and Sand Canyon to SR-133	L	\$2,328				\$2,328						
I-605/ Katella Avenue interchange	M	\$4,824								\$4,824		
241/91 Express Lanes (HOT) Connector		\$182,298	\$50								\$182,248	
I-5 HOV Lane Extension from Avenida Pico to San Diego County Line (PSR/PDS)		\$6,071	\$6,071									
SR-74 widening, Calle Entradero-City/County line		\$16,653				\$14,053		\$250		\$1,950	\$400	
SR-74 widening, City/County line to Antonio Parkway		\$40,905	\$5,285			\$10,000				\$25,620		
		\$3,609,185	\$406,426		\$76,530	\$299,696	\$124,179	\$119,853		\$1,632,309	\$950,192	
State Highway Project Totals												
Federal Funding Total		\$482,956										
State Funding Total		\$543,728										
Local Funding Total		\$2,582,501										
Total Funding (000's)		\$3,609,185										

## State Highway Project Completed

Project Title	M Code	Total Funding	Federal Funds			State Funds			Local Funds			
			STBG/CMAQ	FTA	Other Fed.	STIP	SB1	Other State	M1	M2	Other Local	
I-5 HOV lane each direction s/o PCH to San Juan Creek Road	C	\$74,300	\$11,326					\$20,789		\$42,185		
I-5 HOV lanes from s/o Avenida Vista Hermosa to s/o PCH	C	\$75,300	\$12,065			\$46,779				\$16,456		
I-5 HOV lanes: s/o Avenida Pico to s/o Vista Hermosa	C	\$83,500	\$26,867		\$1,600	\$43,735				\$11,298		
I-5/SR-74 interchange improvements	D	\$80,300				\$48,683		\$24,109	\$2,500		\$5,008	





# Capital Funding Program Report

Pending Board of Directors (Board) Approval - October 5, 2020

State Highway Project Completed												
Project Title	M Code	Total Funding	Federal Funds			State Funds			Local Funds			
			STBG/CMAQ	FTA	Other Fed.	STIP	SB1	Other State	M1	M2	Other Local	
I-5/SR-74 interchange landscaping/replacement planting	D	\$1,440			\$752	\$688						
SR- 57 n/b widening, Katella Avenue to Lincoln Avenue - landscaping	G	\$2,172								\$2,172		
SR- 57 n/b widening, SR-91 to Yorba Linda Boulevard - landscaping	G	\$946								\$946		
SR-57 n/b widening, Katella Avenue to Lincoln Avenue	G	\$35,827						\$24,127		\$11,700		
SR-57 n/b widening, SR-91 to Yorba Linda Boulevard	G	\$51,354						\$39,475		\$11,879		
SR-57 n/b widening, Yorba Linda to Lambert Road	G	\$52,871						\$41,250		\$11,621		
SR-57 n/b widening, Yorba Linda to Lambert Road - landscaping	G	\$1,193								\$1,193		
SR-91 w/b connect existing aux lanes, I-5 to SR-57	H	\$62,977						\$27,227		\$35,750		
SR-91 w/b connecting existing aux lanes, I-5 to SR-57 - landscaping	H	\$2,290								\$2,290		
SR-91 w/b (SR-55 - Tustin interchange) improvements	I	\$43,753				\$15,753		\$14,000		\$14,000		
SR-91 e/b widening, SR-241 to SR-71	J	\$57,773			\$45,911					\$6,942	\$4,920	
SR-91 w/b Routes 91/55 - e/o Weir replacement planting	J	\$2,898				\$2,898						
SR-91 widening, SR-55 to Gypsum Canyon (Weir/SR-241)	J	\$76,993				\$22,250		\$54,045		\$698		
I-405/SR-22/I-605 HOV connector - landscaping		\$4,600	\$4,600									
HOV connectors from I-405 and I-605	M1	\$173,091	\$14,787					\$135,430	\$16,200		\$6,674	
HOV connectors from SR-22 to I-405	M1	\$115,878	\$64,375		\$49,625				\$1,878			
		\$999,456	\$134,020		\$97,888	\$180,786		\$380,452	\$20,578	\$169,130	\$16,602	
State Highway Project Completed Totals												
Federal Funding Total		\$231,908										
State Funding Total		\$561,238										
Local Funding Total		\$206,310										
Total Funding (000's)		\$999,456										





# Capital Funding Program Report

## Pending Board of Directors (Board) Approval - October 5, 2020

Board Actions:

- 1. Authorize the use of up to \$39.602 million in State Route 91 Express Lanes excess revenue funding for right-of-way capital and right-of-way support services for the following projects:
  - State Route 91 from State Route 55 to Lakeview Avenue (Segment 1) - \$5.926 million
  - State Route 91 from La Palma Avenue to State Route 55 (Segment 2) - \$28.166 million
  - State Route 91 from Acacia Street to La Palma Avenue (Segment 3) - \$5.510 million

Acronyms:

- Aux - Auxiliary
- CMAQ - Congestion Mitigation Air Quality Improvement Program
- FTA - Federal Transit Administration
- FY - Fiscal Year
- HOT - High-Occupancy Toll
- HOV - High-Occupancy Vehicle
- Hwy - Highway
- I-405 - Interstate 405
- I-5 - Interstate 5
- I-605 - Interstate 605
- LA - Los Angeles
- M Code - Project Codes in Measure M1 and M2
- M1 - Measure M1
- M2 - Measure M2
- N/B - Northbound
- OC - Orange County
- OCTA - Orange County Transportation Authority
- PCH - Pacific Coast Highway
- RSTP - Regional Surface Transportation Program
- S/B - Southbound
- S/O - South of
- SR-133 - State Route 133
- SR-241 - State Route 241
- SR-55 - State Route 55
- SR-57 - State Route 57
- SR-71 - State Route 71
- SR-73 - State Route 73
- SR-90 - State Route 90
- SR-91 - State Route 91
- SS - Southside
- STBG - Surface Transportation Block Grant
- STIP - State Transportation Improvement Program
- W/B - Westbound





## COMMITTEE TRANSMITTAL

**October 12, 2020**

**To:** Members of the Board of Directors

**From:** Laurena Weinert,  Clerk of the Board

**Subject:** Amendment to Cooperative Agreement with the City of Fountain Valley for the Interstate 405 Improvement Project

Regional Planning and Highways Committee Meeting of October 5, 2020

**Present:** Directors Bartlett, Chaffee, Delgleize, Muller, M. Murphy, and R. Murphy

**Absent:** Director Pulido

### **Committee Vote**

Following the roll call vote, this item was declared passed 6-0 by the Members present.

### **Committee Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Cooperative Agreement No. C-5-3613 between the Orange County Transportation Authority and the City of Fountain Valley, in the amount of \$374,000, for the procurement and installation of emergency vehicle preemption at 28 proposed signal locations, as part of the Interstate 405 Improvement Project. This will increase the maximum obligation of the cooperative agreement to a total value of \$5,023,708.





**October 5, 2020**

**To:** Regional Planning and Highways Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Amendment to Cooperative Agreement with the City of Fountain Valley for the Interstate 405 Improvement Project

### **Overview**

On March 14, 2016, the Orange County Transportation Authority Board of Directors approved Cooperative Agreement No. C-5-3613 with the City of Fountain Valley for city services required during the design-build implementation of the Interstate 405 Improvement Project. An amendment to the cooperative agreement is needed for the procurement and installation of emergency vehicle preemption at key signal locations within the City of Fountain Valley.

### **Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Cooperative Agreement No. C-5-3613 between the Orange County Transportation Authority and the City of Fountain Valley, in the amount of \$374,000, for the procurement and installation of emergency vehicle preemption at 28 proposed signal locations, as part of the Interstate 405 Improvement Project. This will increase the maximum obligation of the cooperative agreement to a total value of \$5,023,708.

### **Discussion**

The Orange County Transportation Authority (OCTA), in cooperation with the California Department of Transportation and the cities of Costa Mesa, Fountain Valley, Huntington 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 from Euclid Street to I-605, consistent with Measure M2 Project K, and will add an additional lane in each direction that would combine with the existing high-occupancy vehicle lane to provide dual express lanes in each direction on I-405 from SR-73 to I-605. The Project includes improvements to city-owned and operated streets, and city traffic facilities impacted by the Project.



## **Amendment to Cooperative Agreement with the City of Fountain Valley for the Interstate 405 Improvement Project**

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On March 14, 2016, the OCTA Board of Directors approved a cooperative agreement with the City of Fountain Valley (City) for city services to be provided during the design-build implementation of the Project. The reimbursement to the City includes costs for review and approval of plans, specifications, and reports, and oversight of construction inspection services for city facilities, review and acceptance of the transportation management plan, traffic engineering, and police services during design and construction of the Project (Attachment A).

The City has agreed to critical schedule mitigation measures to construct the Warner Avenue bridge in a single stage and to start construction of the Brookhurst Street bridge earlier than planned, immediately after Bushard Street is fully open to traffic, but before the Talbert Avenue bridge is open to traffic. A traffic analysis was performed and identified various city intersections affected by the schedule mitigation measures. To mitigate the impacts to these intersections during construction, OCTA will coordinate with the City to adjust the signal timing and other improvements at these intersections and will continue to monitor traffic operations to determine if any additional adjustments are necessary. Additionally, OCTA will mitigate the impacts to emergency vehicle response times at key intersections during construction by reimbursing the City a lump sum amount of \$374,000 in order for the City to procure and install emergency vehicle preemption at 28 proposed signal locations. This will supplement the City's existing emergency vehicle preemption network as shown in Attachment B to minimize impacts to emergency response times during construction.

Attachment C to this report depicts the revised reimbursement amount for the City. The proposed amendment will be funded from the Project contingency and is not anticipated to increase the total project estimate of \$1.9 billion.

### **Fiscal Impact**

Funding for this amendment is included in OCTA's Fiscal Year 2020-21 Budget, Capital Programs Division, accounts 0017-9084-FK101-0I2 and 0037-9017-A9510-0I2, and is funded with a combination of federal, state, and local funds.



**Amendment to Cooperative Agreement with the City of Fountain Valley for the Interstate 405 Improvement Project** **Page 3**

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***Summary***

Staff requests Board of Directors' approval for the Chief Executive Officer to negotiate and execute Amendment No. 5 to Cooperative Agreement No. C-5-3613 with the City of Fountain Valley, in the amount of \$374,000, for the procurement and installation of emergency vehicle preemption at 28 proposed signal locations within the City of Fountain Valley, as part of the Interstate 405 Improvement Project.

***Attachments***

- A. City of Fountain Valley, Cooperative Agreement No. C-5-3613 Fact Sheet
- B. City of Fountain Valley Emergency Vehicle Preemption Map
- C. Revised Schedule A, Reimbursement/Contribution Schedule for Combined City Services, City of Fountain Valley

**Prepared by:**



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Senior Program Manager  
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Pia Veasapen  
Interim Director, Contracts Administration  
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**Approved by:**



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



**City of Fountain Valley  
Cooperative Agreement No. C-5-3613 Fact Sheet**

1. March 14, 2016, Cooperative Agreement No. C-5-3613, \$975,700, approved by the Board of Directors (Board).
  - To provide City of Fountain Valley (City) services, including plan review and approval of plans, specifications, reports, and traffic management plan, and oversight of construction and detour inspection services; traffic engineering and police services; and for repairs to city street pavements impacted by signed, long-term freeway detours for the Interstate 405 Improvement Project (Project).
2. November 12, 2018, Amendment No. 1 to Cooperative Agreement No. C-5-3613, \$657,008, approved by the Board.
  - To include costs for repairs to city street pavements impacted by signed, long-term freeway detours during construction of the Project that were not accounted for in the original cooperative agreement.
3. December 18, 2018, Amendment No. 2 to Cooperative Agreement No. C-5-3613, \$750,000, approved by the Board.
  - To include reimbursement costs (City's cost share), in the amount of \$750,000, from the City to pay for the relocation of city water lines into bridges.
4. April 8, 2019, Amendment No. 3 to Cooperative Agreement No. C-5-3613, \$1,985,000, approved by the Board.
  - To provide additional city services, including plan review and approval of plans, specifications, reports; oversight construction and detour inspection services; review and acceptance of the traffic management plan, traffic engineering, and police services.
5. March 9, 2020, Amendment No. 4 to Cooperative Agreement No. C-5-3613, \$282,000, approved by the Board.
  - To provide design, construction, and construction for the replacement of a new eight-inch waterline along the freeway between Mt. Baldy Circle and Euclid Street in the City.
6. October 12, 2020, Amendment No. 5 to Cooperative Agreement No. C-5-3613, \$374,000, pending Board approval.



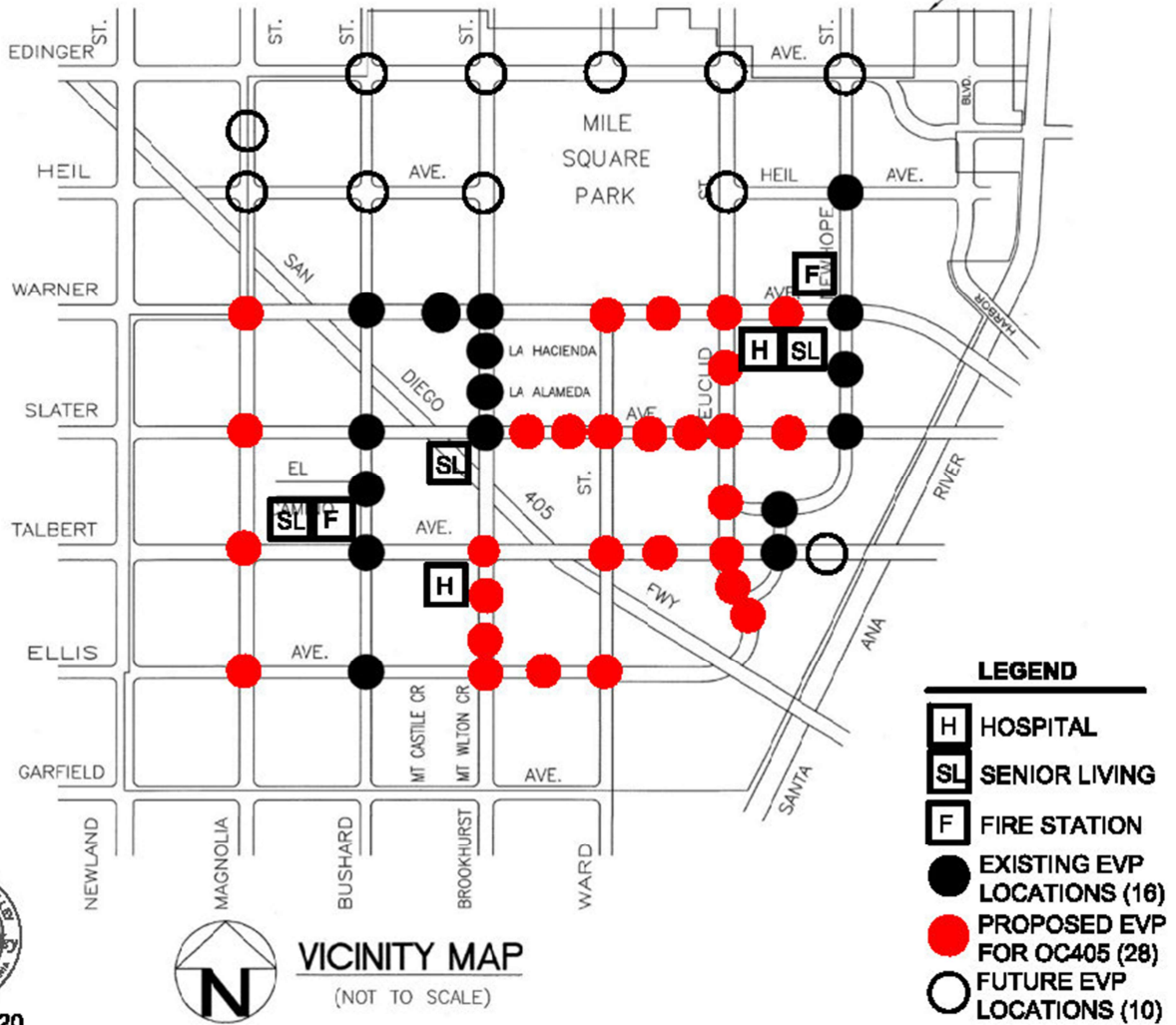
- To procure and install emergency vehicle preemptions at the 28 proposed signal locations within the City.

Total cooperative agreement amount, including \$750,000 reimbursement from the City, after approval of Amendment No. 5 to Cooperative Agreement No. C-5-3613: \$5,023,708.



**CITY OF FOUNTAIN VALLEY EMERGENCY VEHICLE PREEMPTION MAP**

CITY BOUNDARY



DATE: 7-7-20



**REVISED SCHEDULE A****REIMBURSEMENT/CONTRIBUTION SCHEDULE FOR COMBINED CITY SERVICES****CITY OF FOUNTAIN VALLEY**

<b><i>Item No.</i></b>	<b><i>Description of City Services</i></b>	<b><i>Maximum Reimbursement Amount by AUTHORITY<sup>1</sup></i></b>	<b><i>Maximum Contribution Amount by CITY</i></b>
1	Review and approval of plans, specifications, plans, and other pertinent engineering plans and reports, Traffic Management Plan review and concurrence, and construction oversight inspection services related to CITY FACILITIES.	\$2,138,500	
2	Traffic engineering and detour oversight inspection.	\$642,000	
3	Police services (including overtime costs).	\$180,200	
4	Pavement mitigation.	\$657,008	
5	Replacement of Water Line between Mt. Baldy Circle and Euclid Street.	\$282,000	
6	Procurement and installation of the emergency vehicle preemptions at twenty-eight (28) proposed signal locations.	\$374,000	
	<b>TOTAL MAXIMUM REIMBURSEMENT BY AUTHORITY</b>	<b>\$4,273,708</b>	
7	Relocation of CITY water lines into bridges		\$750,000
	<b>TOTAL MAXIMUM CONTRIBUTIONS BY CITY</b>		<b>\$750,000</b>
<b>TOTAL AGREEMENT AMOUNT (AUTHORITY AND CITY)</b>		<b>\$5,023,708</b>	

- (1) Revised Schedule A shows estimated reimbursement amounts for each CITY SERVICES item of work. During the term of this agreement, the CITY may redistribute funds for items of work as needed; however, the total amount for CITY SERVICES shall not exceed the Total Maximum Reimbursement amount shown herein.





## COMMITTEE TRANSMITTAL

**October 12, 2020**

**To:** Members of the Board of Directors

**From:** Laurena Weinert,  Clerk of the Board

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

### Regional Planning and Highways Committee Meeting of October 5, 2020

**Present:** Directors Bartlett, Chaffee, Delgleize, Muller, M. Murphy, and R. Murphy

**Absent:** Director Pulido

### **Committee Vote**

Following the roll call vote, this item was declared passed 6-0 by the Members present.

### **Committee Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 3.2 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$2,200,000, to provide additional extra maintenance work.
- B. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 78 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$537,436, to provide parking lot improvements at the United States Postal Service property.
- C. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 79 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$270,528, to provide an extension of the third westbound lane on Talbert Avenue to Cashew Street.





**Committee Recommendations (Continued)**

- D. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 80 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$579,604, to provide a temporary bypass waterline for the Goldenwest Street overcrossing bridge.





**October 5, 2020**

**To:** Regional Planning and Highways Committee

**From:** Darrell E. Johnson, Chief Executive Officer

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

**Overview**

On November 14, 2016, the Orange County Transportation Authority Board of Directors approved Agreement No. C-5-3843 with OC 405 Partners, a joint venture, for the design and construction of the Interstate 405 Improvement Project from State Route 73 to Interstate 605. Contract change orders are needed at this time to compensate OC 405 Partners for additional design and construction efforts related to additional extra maintenance work, United States Postal Service parking lot improvements, extension of a westbound Talbert Avenue third lane, and to provide a temporary bypass waterline at the Goldenwest Street overcrossing bridge.

**Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 3.2 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$2,200,000, to provide additional extra maintenance work.
- B. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 78 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$537,436, to provide parking lot improvements at the United States Postal Service property.
- C. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 79 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$270,528, to provide an extension of the third westbound lane on Talbert Avenue to Cashew Street.



- D. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 80 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$579,604, to provide a temporary bypass waterline for the Goldenwest Street overcrossing bridge.

### ***Discussion***

The Orange County Transportation Authority (OCTA), in cooperation with the California Department of Transportation (Caltrans), is implementing the Interstate 405 (I-405) Improvement Project from State Route 73 (SR-73) to Interstate 605 (I-605) (Project). The Project will add one general purpose lane from Euclid Street to I-605, consistent with Measure M2 (M2) Project K, and will add an additional lane in each direction that would combine with the existing high-occupancy vehicle lane to provide dual express lanes in each direction on 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) approved Agreement No. C-5-3843 with OC 405 Partners (OC405), a joint venture, for the design and construction of the Project. The contract was executed, and Notice to Proceed (NTP) No. 1 was issued to OC405 on January 31, 2017. NTP No. 2, for the full design and construction of the Project, was issued to OC405 on July 27, 2017.

### **Extra Maintenance Work**

Under the Project's cooperative agreement between OCTA and Caltrans, OCTA is responsible for maintenance of the freeway facilities within the Project limits while OCTA is administering the Project. In accordance with the contract documents and in compliance with the encroachment permit issued by Caltrans, OC405 is required to perform extra maintenance work as directed by OCTA. The contract provides that OC405 is responsible for all freeway maintenance from NTP No. 2 until final project acceptance. The contract distinguishes between routine maintenance work that is covered by the lump sum contract, and extra maintenance work beyond the control of OC405 that is paid by OCTA through a contract change order (CCO).

Routine maintenance work that is covered by the lump sum contract includes sweeping, weed abatement, trash/litter removal, maintaining existing pavement markings, right-of-way fencing, lighting, signals, landscaping, and irrigation systems. The extra maintenance work that will be paid by OCTA includes repairs and replacements due to damage from crashes and other actions caused by the traveling public and/or third parties. Examples of extra maintenance work



include: maintaining existing pavement and structures, repairing shoulder drop-offs, replacing and repairing existing asphalt shoulders, repairing and replacing existing overhead and roadside signs, replacing damaged guardrails and barriers, repairing and replacing impact attenuators and crash cushions, removing graffiti, repairing crash damage to permanent structures, repairing crash damage to lighting and lighting standards, performing extraordinary and emergency maintenance, and repairing damage due to force majeure events such as earthquakes.

CCO Nos. 3 and 3.1, in the amounts of \$200,000 and \$1,300,000 respectively, were previously issued for the extra maintenance work. Since then, costs for extra maintenance work have exceeded the original estimates, particularly for graffiti removal and the repair of guardrails and crash cushions damaged by traffic accidents. OCTA staff developed an independent cost estimate for the anticipated extra maintenance work, in the amount of \$2,200,000, based on the level of extra maintenance required over the last 24 months. Therefore, staff is now requesting Board approval of supplemental CCO No. 3.2, in the amount of \$2,200,000, which brings the total for CCO No. 3 to \$3,700,000. Costs and expenses for extra maintenance will be tracked, reviewed, and paid on a time-and-materials basis.

#### **United States Postal Service (USPS) Parking Lot Improvements**

In accordance with the contract documents, OC405 is required to widen the freeway in the northbound direction adjacent to the USPS property (California Department of Transportation Parcel No. 103126) near Bolsa Avenue in the City of Westminster. A partial property acquisition is required from USPS, which caused parking and circulation impacts to the property. OCTA and USPS agreed to mitigations to provide additional parking, which requires additional paving, lighting, striping, and fencing at the property. These mitigations resulted in OCTA obtaining possession of the needed property, which enabled OC405 to maintain the schedule on construction activities adjacent to the USPS property. This CCO includes the design and construction of the USPS parking lot improvements agreed to as mitigation.

The additional improvements were not anticipated in the original scope of work (SOW) and a CCO is now needed, in the amount of \$537,436, for OC405 to comply with this directive.

#### **Talbert Avenue Third Lane Extension**

In accordance with the contract documents, OC405 is required to extend a third westbound lane on Talbert Avenue through the intersection with Brookhurst Avenue. The City of Fountain Valley expressed concerns regarding traffic safety during the design review of the roadway plans. OCTA agreed with



the concerns, and, as a result, OC405 was directed to develop a design to extend the lane approximately 200 feet to the Cashew Street intersection.

The additional lane extension was not anticipated in the original SOW and a CCO is now needed, in the amount of \$270,528, for OC405 to comply with this directive.

#### **Temporary Bypass Waterline at Goldenwest Street Overcrossing Bridge**

In accordance with the contract documents, OC405 is required to reconstruct the Goldenwest Street overcrossing bridge and relocate an existing waterline that previously resided in the old bridge into the new bridge. OC405 is also required to reconstruct the Bolsa Avenue overcrossing bridge and relocate an existing waterline that previously went under the freeway into the new bridge. OC405 is further required to maintain service in at least one of these two waterlines at all times. Each bridge is being constructed in two phases and both are under construction at the same time. The underground waterline at the Bolsa Avenue overcrossing bridge is currently out of service while the first half of the new bridge is being constructed. The Bolsa Avenue overcrossing bridge has encountered several delays related to unforeseen conditions during construction. In order to eliminate any schedule impacts on the Goldenwest Street overcrossing bridge, OC405 was directed to develop a design to incorporate a temporary bypass waterline allowing the second half of Goldenwest Street overcrossing bridge to be demolished on schedule and prior to completion of the first half of Bolsa Avenue overcrossing bridge. This allows construction at Goldenwest Street to continue without pause and eliminates several months of Project delay.

The temporary waterline was not anticipated in the original SOW and a CCO is now needed, in the amount of \$579,604, for OC405 to comply with this directive.

#### ***Procurement Approach***

The procurement was handled in accordance with the best-value selection process authorized by AB 401 (Chapter 586, Statutes of 2013) for design-build (DB) projects, and with OCTA's Board-approved procedures for public works projects, which conform to both federal and state requirements. On November 14, 2016, OCTA approved Agreement No. C-5-3843 with OC405 for the design and construction of the Project through a DB contract.

Proposed supplemental CCO No. 3.2, in combination with the previously approved CCO Nos. 3 and 3.1, in the amount of \$1,500,000, for a total of \$3,700,000, will give OCTA staff the ability to timely direct extra maintenance work on an as-needed basis without impacting the Project schedule.



## **Contract Change Orders for the Interstate 405 Improvement Project from State Route 73 to Interstate 605** **Page 5**

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Proposed CCO No. 78, in the amount of \$537,436, will provide compensation to OC405 for the additional design and construction necessary to mitigate impacts to the USPS property.

Proposed CCO No. 79, in the amount of \$270,528, will provide compensation to OC405 for the additional design and construction necessary to extend the third through-lane on Talbert Avenue.

Proposed CCO No. 80, in the amount of \$579,604, will provide compensation to OC405 for the additional design and construction to install a temporary bypass waterline at Goldenwest Street overcrossing bridge.

Attachment A lists the CCOs that have been executed to date, and the CCOs that are pending execution with OC405.

### **Fiscal Impact**

Funding for this work was approved in OCTA's Fiscal Year 2020-21 Budget, Capital Programs Division, accounts 0017-9084-FK101-0GM and 0037-9017-A9510-0GM, and is funded with a combination of federal, state, and local funds. M2 funds will be used for improvements specific to M2 Project K, and non-M2 funds will be used for improvements specific to the 405 Express Lanes. The costs of CCO Nos. 3.2, 78, 79, and 80 are funded from the Project contingency and are not anticipated to increase the total Project estimate of \$1.9 billion.

### **Summary**

Staff recommends Board authorization for the Chief Executive Officer to negotiate and execute with OC405, to Agreement No. C-5-3843, CCO No. 3.2, in the amount of \$2,200,000; CCO No. 78, in the amount of \$537,436; CCO No. 79, in the amount of \$270,528; and CCO No. 80, in the amount of \$579,604.



***Attachment***

A. OC 405 Partners, Agreement No. C-5-3843, Contract Change Order Log

**Prepared by:**



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Senior Program Manager  
(714) 560-5925



Pia Veasapen  
Interim Director, Contracts Administration  
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**Approved by:**



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



**OC 405 Partners  
Agreement No. C-5-3843  
Contract Change Order Log**

<b>Contract Change Order (CCO) No.</b>	<b>Title</b>	<b>Status</b>	<b>Date Executed</b>	<b>Cost</b>
001	Technical Provisions – Execution Version	Approved	06/14/2017	\$0.00
002	Notice to Proceed No. 1 Payment Cap Increase and Substantial Completion Deadline Modifications	Approved	6/21/2017	\$0.00
003	Extra Maintenance Work (Provisional Sum)	Approved	7/28/2017	\$200,000.00
003.1	Amendment to Change Order to Add Additional Funds for Extra Maintenance Work	Approved	10/2/2018	\$200,000.00
003.1.1	Provisional Sum for Extra Maintenance Work-Unilateral	Approved	10/10/2019	\$400,000.00
003.1.2	Supplemental Extra Maintenance Work	Approved	1/16/2020	\$350,000.00
003.1.3	Supplemental Extra Maintenance Work	Approved	8/4/2020	\$350,000.00
003.2	Additional Extra Maintenance Work	Pending		\$2,200,000.00
004	Design-Builder Personnel Changes (Appendices 7 and 23)	Approved	12/20/2017	\$0.00
005	Dispute Review Board (Provisional Sum)	Approved	9/13/2017	\$50,000.00
005.1	Increase in Provisional Sum per Contract Section 19.4 Disputes Board	Approved	7/1/2019	\$50,000.00
006	Partnering (Provisional Sum)	Approved	9/13/2017	\$50,000.00
006.1	Partnering per Contract Section 19.1	Approved	7/1/2019	\$50,000.00
007	Implementation of California Department of Transportation (Caltrans) Guidance on Six-Inch Wide Longitudinal Traffic Lines and Non-Reflective Raised Pavement Markers	Approved	3/15/2018	\$0.00
008	Collection and Disposal of Unknown Hazardous Materials (Provisional Sum)	Approved	9/13/2018	\$100,000.00
008.1	Supplemental Unknown Hazardous Materials	Approved	9/11/2019	\$100,000.00
008.2	Supplemental Unknown Hazardous Materials	Approved	11/25/2019	\$250,000.00
008.2.1	Supplemental Unknown Hazardous Materials	Approved	3/11/2020	\$150,000.00
008.3	Supplemental Unknown Hazardous Materials	Approved	5/4/2020	\$500,000.00
009	Repair of Caltrans' Fiber Optic Line	Approved	5/16/2018	\$31,753.69



<b>Contract Change Order (CCO) No.</b>	<b>Title</b>	<b>Status</b>	<b>Date Executed</b>	<b>Cost</b>
<b>010</b>	<b>Five Project Funding Identification Signs (Provisional Sum)</b>	<b>Approved</b>	<b>7/2/2018</b>	<b>\$32,644.25</b>
<b>011</b>	<b>Revised Right-of-Way (ROW) Availability Date of Caltrans Parcel No. 102919 Used By Mike Thompson's RV Super Store</b>	<b>Approved</b>	<b>6/28/2018</b>	<b>\$0.00</b>
<b>012</b>	<b>Credit to OCTA for Elimination of the Street Widening Improvements Along Eastbound Edinger Avenue</b>	<b>Approved</b>	<b>9/13/2018</b>	<b>-\$237,982.39</b>
<b>013</b>	<b>Additional Design and Construction Cost Compensation Related to: City Bridge Width; Construction Changes to Minimize ROW Impacts; Revised Design Concept at Ellis Avenue On-Ramp to Southbound I-405; State Route 73 Overhead Sign Structures; Sendero Apartments Left-Turn Pocket on Magnolia Street; Newland Street Waterline Extension; and Signal Improvements at Ellis Avenue/ Bushard Street</b>	<b>Approved</b>	<b>2/25/2019</b>	<b>\$8,560,556.00</b>
<b>013.1</b>	<b>Permanent Traffic Signal at the intersection of Warner Avenue and Greenleaf Street</b>	<b>Approved</b>	<b>12/5/2019</b>	<b>\$460,327.00</b>
<b>014</b>	<b>Thrust Blocks for the City of Fountain Valley Water Lines</b>	<b>Approved</b>	<b>10/29/2018</b>	<b>\$88,021.00</b>
<b>015</b>	<b>Slater Bridge Construction Shuttle Services</b>	<b>Approved</b>	<b>12/4/2018</b>	<b>\$175,000.00</b>
<b>016</b>	<b>Construction Zone Speed Reduction</b>	<b>Approved</b>	<b>12/3/2018</b>	<b>\$70,000.00</b>
<b>016.1</b>	<b>Additional Speed Reduction Signs</b>	<b>Approved</b>	<b>12/31/2019</b>	<b>\$4,512.00</b>
<b>017</b>	<b>Relocation of Water Lines for the City of Fountain Valley</b>	<b>Approved</b>	<b>3/8/2019</b>	<b>\$800,000.00</b>
<b>018</b>	<b>Enhanced Gawk Screen at Bolsa Chica Road</b>	<b>Approved</b>	<b>1/25/2019</b>	<b>\$56,395.00</b>
<b>019</b>	<b>Brookhurst Street Overhead Sign Location Redesign</b>	<b>Approved</b>	<b>1/25/2019</b>	<b>\$11,484.00</b>
<b>020</b>	<b>Differing Site Conditions - Pavement Thickness at Magnolia</b>	<b>Approved</b>	<b>1/29/2019</b>	<b>\$4,095.00</b>
<b>021</b>	<b>Polymer Fibers in All Concrete Bridge Decks</b>	<b>Approved</b>	<b>3/19/2019</b>	<b>\$1,463,020.00</b>
<b>022</b>	<b>Temporary Construction Easement Reduction at La Quinta</b>	<b>Approved</b>	<b>3/19/2019</b>	<b>\$85,573.00</b>
<b>023</b>	<b>Updated FasTrak Logos (Unilateral)</b>	<b>Approved</b>	<b>2/21/2019</b>	<b>\$20,532.00</b>
<b>024</b>	<b>Express Lanes Channelizers</b>	<b>Approved</b>	<b>3/12/2019</b>	<b>\$122,778.00</b>
<b>025</b>	<b>Stainless Steel Inserts at Fairview Road Overcrossing</b>	<b>Approved</b>	<b>3/12/2019</b>	<b>-\$9,293.00</b>



<b>Contract Change Order (CCO) No.</b>	<b>Title</b>	<b>Status</b>	<b>Date Executed</b>	<b>Cost</b>
<b>026</b>	<b>OCTA PlanGrid Software Licenses</b>	<b>Approved</b>	<b>3/28/2019</b>	<b>\$35,994.00</b>
<b>026.1</b>	<b>Supplemental for OCTA PlanGrid Software Licenses</b>	<b>Approved</b>	<b>9/11/2019</b>	<b>\$8,570.00</b>
<b>027</b>	<b>Utility potholing on Milton Ave</b>	<b>Approved</b>	<b>9/12/2019</b>	<b>\$61,731.87</b>
<b>027.1</b>	<b>Electrical Infrastructure Work at Milton Avenue</b>	<b>Approved</b>	<b>1/16/2020</b>	<b>\$278,282.28</b>
<b>028</b>	<b>Mesa Water District 12-inch Water Line (CN-1127)</b>	<b>Approved</b>	<b>5/7/2019</b>	<b>\$208,600.00</b>
<b>029</b>	<b>Magnolia Loop Ramp CMS Deletion</b>	<b>Approved</b>	<b>05/15/19</b>	<b>-\$74,319.00</b>
<b>030</b>	<b>Motel 6 Sound Wall (SW-791) Elimination</b>	<b>Approved</b>	<b>05/15/19</b>	<b>-\$130,000.00</b>
<b>031</b>	<b>Sound Wall 956 Reduction</b>	<b>Approved</b>	<b>05/22/19</b>	<b>-\$30,000.00</b>
<b>033</b>	<b>Edinger Channel Pavement Rehabilitation</b>	<b>Approved</b>	<b>07/30/19</b>	<b>\$176,465.00</b>
<b>034</b>	<b>Chevron and Crimson Utility Relocation at Goldenwest Crossing</b>	<b>Approved</b>	<b>8/2/2019</b>	<b>\$75,000.00</b>
<b>034.1</b>	<b>Chevron and Crimson Utility Relocation Support</b>	<b>Approved</b>	<b>12/31/2019</b>	<b>\$12,018.00</b>
<b>034.2</b>	<b>Chevron and Crimson Goldenwest Relocation Assistance</b>	<b>Approved</b>	<b>02/18/2020</b>	<b>\$110,000.00</b>
<b>034.3</b>	<b>Chevron and Crimson Goldenwest Relocation Assistance</b>	<b>Approved</b>	<b>8/4/2020</b>	<b>\$10,982.00</b>
<b>034.4</b>	<b>Chevron and Crimson Goldenwest Relocation Assistance</b>	<b>Pending</b>		<b>\$300,000.00</b>
<b>035</b>	<b>Incompatible Specifications - Adjacent to CRCP Pavement</b>	<b>Approved</b>	<b>06/26/19</b>	<b>\$2,900,557.00</b>
<b>036</b>	<b>Minor Construction Support for Dry Utilities</b>	<b>Approved</b>	<b>5/11/2020</b>	<b>\$100,000.00</b>
<b>037</b>	<b>Sound Wall 375 Protect in Place</b>	<b>Approved</b>	<b>06/04/19</b>	<b>\$200,000.00</b>
<b>040</b>	<b>HDPE in Lieu of RCP</b>	<b>Approved</b>	<b>7/9/2019</b>	<b>-\$7,418.68</b>
<b>041</b>	<b>Emergency Vehicle Preemption Devices at Fairview</b>	<b>Approved</b>	<b>7/9/2019</b>	<b>\$44,147.00</b>
<b>042</b>	<b>Executed Utility Agreements (Unilateral)</b>	<b>Approved</b>	<b>11/4/2019</b>	<b>\$0.00</b>
<b>043</b>	<b>Early Partial Removal of Sound Wall 328</b>	<b>Approved</b>	<b>9/16/2019</b>	<b>\$14,414.18</b>
<b>044</b>	<b>Field survey for Frontier at Westminster</b>	<b>Approved</b>	<b>1/7/2020</b>	<b>\$12,908.42</b>
<b>045</b>	<b>Water Line Betterments (CN 1012 &amp; 6044) at Warner Avenue</b>	<b>Approved</b>	<b>10/12/2019</b>	<b>\$256,244.00</b>



<b>Contract Change Order (CCO) No.</b>	<b>Title</b>	<b>Status</b>	<b>Date Executed</b>	<b>Cost</b>
046	Additional Water Lines at Brookhurst Street and Talbert Avenue in the City of Fountain Valley	Approved	12/5/2019	\$389,878.00
047	Additional Water Line Valves for the City of Fountain Valley	Approved	12/5/2019	\$266,828.00
048	Temporary Construction Easement Reduction at Sit n' Sleep (CPN 103026)	Approved	10/17/2019	\$129,243.00
049	Beach Blvd Lane Widths Reduction (Necessary Basic Configuration Change)	Approved	10/17/2019	\$160,000.00
050	Vibration Sensitive Receptors (McFadden OC Abutment 3)	Approved	10/17/2019	\$59,383.87
051	Exercising Water Valves for the City of Fountain Valley	Approved	1/16/2020	\$50,000.00
052	McFadden Avenue Interconnect Between Beach Boulevard and Sugar Drive	Approved	11/14/2019	\$0.00
053	Traffic Signal Modification at Beach and McFadden	Approved	11/14/2019	-\$128,118.00
054	DSC Pavement Against Median K-Rail	Approved	12/31/2019	\$11,133.00
055	LA Fitness at Retaining Wall 717	Approved	12/31/2019	\$8,428.29
056	Additional Speed Reduction Signs and Radar Packages	Approved	12/31/2019	\$148,397.00
057	Archeological Treatment Plan	Approved	6/4/2020	\$200,000.00
057.1	Archaeological Treatment Plan	Approved	7/9/2020	\$500,000.00
057.1.1	Archaeological and Native American Monitors at Goldenwest Street and Bolsa Avenue (Supplemental)	Approved	8/27/2020	\$500,000.00
058	Biological Monitoring Naval Weapons Station (Unilateral)	Approved	6/29/2020	\$50,000.00
059	Pavement Limits for Beach Boulevard and Edinger Avenue	Approved	02/18/2020	\$33,573.00
060	Heil Pedestrian Overcrossing and Switchback Ramp (Unilateral)	Approved	2/25/20	\$1,044,927.00
061	Plant Establishment Period	Approved	02/26/2020	\$1,600,000.00
062	Senate Bill 1: Diesel Fuel Sales Tax Rate Increase	Approved	3/9/2020	\$1,764,164.64
063	Bracing for Southern California Edison Power Poles at CN 2012	Approved	03/05/2020	\$169,770.00
064	City Sales and Use Tax Increases (Unilateral)	Approved	4/22/2020	\$28,657.00
065	Traffic Studies to Analyze Schedule Mitigation	Approved	4/22/2020	\$70,854.00
066	Combined Authority-accepted Extra Work	Approved	5/14/2020	\$18,826.00



<b>Contract Change Order (CCO) No.</b>	<b>Title</b>	<b>Status</b>	<b>Date Executed</b>	<b>Cost</b>
067	SCE Conduit at Heil Avenue	Approved	5/14/2020	\$109,219.00
068	Archaeological Monitoring for all Ground disturbing activities at Naval Weapons Station	Approved	8/27/2020	\$100,000.00
069	Drainage System 757 Access	Approved	5/14/2020	\$60,374.00
070	Amendments to Contract Sections 19.3.4 and 19.5.2 No Cost	Approved	5/19/2020	\$0.00
071	UPRR Flagging Costs	Approved	6/13/2020	\$200,000.00
072	SCE and Frontier Electrical Infrastructure Work at Almond Avenue	Approved	5/19/2020	\$1,843,329.00
073	Shadow Striping for Temporary Pavement Delineation for North End of Project.	Pending		\$200,000.00
074	Combined Authority Accepted Extra Work (PCOs 169 and 122G)	Approved	7/7/2020	\$6,965.39
075	Bushard Pile Conflict with Existing Piles	Approved	7/21/2020	\$28,867.00
076	Combined Authority Accepted Extra Work (PCOs 180, and 183)	Pending		\$12,668.80
077	Toll Rate Changeable Message Signs (CMS)	Approved	9/8/2020	\$146,031.00
078	Parking Lot Improvements at United States Postal Service Property	Pending		\$537,436.00
079	Extension of the Third Westbound Lane on Talbert Avenue to Cashew Street.	Pending		\$270,528.00
080	Temporary Bypass Waterline for the Goldenwest Street bridge.	Pending		\$579,604.00

<b>Original Contract Price</b>	<b>\$1,217,065,000.00</b>
<b>Contingency Fund</b>	<b><u>\$98,935,000.00</u></b>
<b>Total Contract Allotment</b>	<b>\$1,316,000,000.00</b>
<b>Subtotal Approved CCO</b>	<b>\$28,374,321.81</b>
<b>Subtotal Pending CCOs</b>	<b><u>\$4,100,238.80</u></b>
<b>Total CCOs</b>	<b>\$32,474,560.61</b>
<b>Proposed Revised Contract Price</b>	<b>\$1,249,539,560.61</b>
<b>Remaining Contingency Fund</b>	<b>\$66,460,439.39</b>





## COMMITTEE TRANSMITTAL

**October 12, 2020**

**To:** Members of the Board of Directors

**From:** Laurena Weinert,  Clerk of the Board

**Subject:** Consultant Selection for the Preparation of Project Report and Environmental Document for the Interstate 5 Improvement Project from San Diego County Line to Avenida Pico

### Regional Planning and Highways Committee Meeting of October 5, 2020

**Present:** Directors Bartlett, Chaffee, Delgleize, Muller, M. Murphy, and R. Murphy

**Absent:** Director Pulido

### **Committee Vote**

Following the roll call vote, this item was declared passed 6-0 by the Members present.

### **Committee Recommendations**

- A. Approve the selection of Advanced Civil Technologies as the firm to prepare the project report and environmental document for the Interstate 5 improvement project from the San Diego County Line to Avenida Pico.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2335 between the Orange County Transportation Authority and Advanced Civil Technologies to prepare the project report and environmental document for the Interstate 5 improvement project from the San Diego County Line to Avenida Pico.





**October 5, 2020**

**To:** Regional Planning and Highways Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Consultant Selection for the Preparation of Project Report and Environmental Document for the Interstate 5 Improvement Project from San Diego County Line to Avenida Pico

### **Overview**

On June 22, 2020, the Orange County Transportation Authority Board of Directors approved the release of a request for proposals for the preparation of the project report and environmental document for the Interstate 5 improvement project from the San Diego County Line to Avenida Pico. Board of Directors' approval is requested for the selection of a firm to perform the required work.

### **Recommendations**

- A. Approve the selection of Advanced Civil Technologies as the firm to prepare the project report and environmental document for the Interstate 5 improvement project from the San Diego County Line to Avenida Pico.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2335 between the Orange County Transportation Authority and Advanced Civil Technologies to prepare the project report and environmental document for the Interstate 5 improvement project from the San Diego County Line to Avenida Pico.

### **Discussion**

The Transportation Corridor Agencies (TCA) and the California Department of Transportation (Caltrans) are concluding efforts on the South County Traffic Relief Effort (SCTRE). Based on technical work, public feedback, and policy direction, three alternatives are proposed to move forward into project development. On March 12, 2020, the TCA Board of Directors approved recommendations to proceed with project development of a non-tolled extension of Los Patrones Parkway, widening of Ortega Highway between



Calle Entradero and Reata Road, and the extension of high-occupancy vehicle (HOV) lane improvements on Interstate 5 (I-5) from the San Diego County Line to Avenida Pico. On April 13, 2020, the Orange County Transportation Authority (OCTA) Board of Directors (Board) also approved recommendations to proceed with these projects. Caltrans and TCA will provide a final project report for SCTRE that will formalize these recommendations.

The I-5 improvement project from San Diego County Line to Avenida Pico (Project) would complete the HOV lane network in Orange County and complement the I-5 HOV improvements that were recently completed as part of Project C in the Measure M2 freeway program. The Project proposes to construct one HOV lane in each direction on I-5 from the San Diego County Line to Avenida Pico, reestablish existing auxiliary lanes, and modify interchange ramps.

### ***Procurement Approach***

This procurement was handled in accordance with OCTA's Board-approved procedures for architectural and engineering (A&E) services that conform to both state and federal laws. Proposals are evaluated and ranked in accordance with the staffing and project organization, workplan approach, and the qualifications of the firm. As this is an A&E procurement, price is not an evaluation criterion pursuant to state and federal laws. An evaluation of the proposals was conducted based on overall qualifications to develop a competitive range of offerors. The highest-ranked firm is requested to submit a cost proposal, and the final agreement is negotiated. Should negotiations fail with the highest-ranked firm, a cost proposal will be solicited from the second-ranked firm in accordance with Board-approved procurement policies.

On June 22, 2020, the Board authorized the release of Request for Proposals (RFP) 0-2335, which was electronically issued on CAMM NET. The Project was advertised on June 22 and June 29, 2020, in a newspaper of general circulation. A pre-proposal conference was held on June 25, 2020, with 35 attendees representing 22 firms. Three addenda were issued to make available the pre-proposal conference registration sheets, provide responses to questions received, and handle administrative issues related to the RFP.

On July 22, 2020, five proposals were received. An evaluation committee consisting of members from OCTA's Contracts Administration and Materials Management, Highway Programs, and Planning departments, as well as external representatives from Caltrans and the City of San Clemente, met to



review all submitted proposals. The proposals were evaluated utilizing the following Board-approved evaluation criteria and weightings:

- |                                     |            |
|-------------------------------------|------------|
| • Qualifications of the Firm        | 25 percent |
| • Staffing and Project Organization | 40 percent |
| • Work Plan                         | 35 percent |

The evaluation criteria are consistent with the weighting developed for similar A&E procurements. The qualifications of the firm evaluated the firm's experience in performing work of similar scope and size. The greatest importance was assigned to staffing and project organization of the firm, as the qualifications of the project manager (PM) and other key personnel are very important to the successful and timely delivery of the Project. Similarly, high importance was given to the work plan criterion to emphasize the importance of the team's understanding of the Project, its challenges, and its approach to implementing the various elements of the scope of work. The technical approach to the Project is critical to the successful performance of the Project.

The evaluation committee reviewed all proposals based on the evaluation criteria and found three firms most qualified to perform the required services. The three most qualified firms are listed below in alphabetical order:

Firm and Location

Advanced Civil Technologies (ACT)  
Santa Ana, California

Parsons Transportation Group, Inc. (Parsons)  
Irvine, California

WSP USA, Inc. (WSP)  
Orange, California

On August 18, 2020, the evaluation committee interviewed the three firms. The interviews consisted of a presentation allowing each team to present its qualifications, highlight its proposal, and respond to evaluation committee questions. Each firm also discussed its staffing plan, work plan, and perceived Project challenges. Each firm was asked general questions related to qualifications, relevant experience, project organization, and approach to the work plan. All firms were also asked questions specific to its proposals regarding its team's approach to the requirements of the scope of work, management of the Project, coordination with various agencies, experience with similar projects, and the proposed solutions toward achieving the Project goals. After considering



responses to the questions asked during the interviews, the evaluation committee adjusted the preliminary scores for each firm; however, ACT remained as the top-ranked firm with the highest cumulative score.

Based on the evaluation of written proposals and information obtained during the interviews, staff recommends ACT as the top-ranked firm to prepare the project report and environmental document (PR/ED) for the Project. This firm ranked highest among proposing firms because of its experience with similar projects and familiarity with Caltrans requirements. ACT's proposed team consists of qualified key personnel that have specific, relevant experience with PR/ED projects and knowledge of the Project corridor. The firm demonstrated an understanding of the Project requirements and presented a comprehensive work plan addressing key issues that are critical to meeting the Project schedule. The following is a brief summary of the proposal evaluation results.

#### Qualifications of the Firm

All short-listed firms are well established with recent and relevant experience and are qualified to perform the services.

ACT has provided professional transportation engineering services for state and local government agencies since 1996, including OCTA, Caltrans, TCA, Riverside County Transportation Commission (RCTC), and the Los Angeles County Metropolitan Transportation Authority (LA Metro). The firm's corporate headquarters is located in the City of Santa Ana. ACT recently completed similar projects, which include: PR/ED for the I-5 widening project from State Route 73 (SR-73) to El Toro Road, PR/ED for the I-5 HOV lane extension, PR/ED for the southbound Interstate 405 (I-405) auxiliary lane project from State Route 133 to University Drive, and the plans, specifications, and estimates for the I-5/El Camino Real ramp modifications and soundwall implementation. ACT proposed to utilize nine subconsultants with a wide range of disciplines to provide services required by the scope of work, and all have prior working experience with ACT on past projects.

WSP was founded in 1885 and provides services in the areas of highway and structural planning and design, transportation engineering, traffic analysis and modeling, and environmental clearance. The firm has 108 offices in the United States and four offices in Southern California located in the cities of Los Angeles, Orange, San Bernardino, and San Diego. Recent relevant firm experience includes the PR/ED for the State Route 57 (SR-57) improvement project from Orangewood Avenue to Katella Avenue, as well as the project report for the State Route 241/Oso Parkway Bridge and Los Patrones Parkway, and the PR/ED for the State Route 91 Corridor improvement project for RCTC. The



team also has prior working relationships with eight of the ten proposed subconsultants, and demonstrated experience working together on projects of similar size and scope.

Founded in 1944, Parsons is a full-service engineering and construction firm that offers a wide range of services in infrastructure, defense, and intelligence. Parsons has offices in 34 states, including six in Southern California, operates in 25 countries, and has over 16,000 personnel worldwide, with 500 members located within Southern California. Parsons is familiar with Caltrans' processes and requirements and have worked on similar PR/ED projects, including the PR/ED for the I-405 improvement project from SR-73 to Interstate 605 (I-605) and the PR/ED for the I-405 improvement project from I-5 to State Route 55 (SR-55). In addition to these completed projects, Parsons is currently working on the I-605 Corridor improvement project for LA Metro with an expected completion date of 2021. Parsons proposed to utilize 11 subconsultants in which all but one firm have worked with Parsons on past projects.

#### Staffing and Project Organization

All firms proposed qualified PMs, key personnel, and subconsultants with relevant PR/ED experience in interchange and freeway widening projects.

ACT proposed a qualified project team with relevant experience and comprehensive understanding of the Project issues, risks, and challenges. The team is proficient in various disciplines required for the Project and has extensive recent OCTA and Caltrans experience. The team has demonstrated experience working on projects within the Project corridor and are familiar with the local constraints and stakeholder concerns. The proposed PM has over 33 years of experience, of which 11 years were spent at Caltrans, and has delivered over 20 projects in the PR/ED phase, including the I-5 widening project from SR-73 to El Toro Road and the I-5 HOV lane extension project from Avenida Pico to San Juan Creek Road. The deputy PM/project engineer has 15 years of experience managing infrastructure projects throughout Southern California and has demonstrated the ability to successfully coordinate with agencies and stakeholders to deliver projects on schedule. The proposed environmental lead has 35 years of experience in environmental compliance pursuant to National Environmental Policy Act and California Environmental Quality Act (CEQA) requirements and recently worked on the I-5 widening project from I-405 to SR-55 for both OCTA and Caltrans. The ACT team includes subconsultants T.Y. Lin International that prepared the project study report-project development study (PSR-PDS) for the Project, as well as Kittelson and Associates that provided traffic analysis services.



WSP proposed a qualified project team with relevant experience and demonstrated understanding of the Project issues, risks, and challenges. The team is proficient and has recent OCTA and Caltrans experience. The proposed PM has 31 years of experience planning, environmentally clearing, and designing freeway improvements, including the delivery of 13 PR/ED projects within Orange County. The PM led the completion of the PR/ED for the SR-57 improvement project from Orangewood Avenue to Katella Avenue and the I-5 improvements in the cities of Irvine and Tustin. The proposed engineering lead has 37 years of experience in transportation planning and design and has completed seven PR/EDs for HOV-managed lanes. The proposed environmental lead has 26 years of experience preparing environmental documents and specializes in transportation projects involving Caltrans, including the delivery of environmental documents for over 100 projects. The proposed staffing plan demonstrated a clear understanding of the local community issues, as well as familiarity with the Project area from its previous work on the SCTRE PSR-PDS.

Parsons proposed a project team and key personnel with relevant experience in PR/ED projects in Southern California. The proposed PM has 20 years of experience with technical expertise on highway projects with an emphasis on PR/ED projects, and is familiar with Caltrans' requirements as a former Caltrans employee. The proposed PM's depth of experience in serving in the PM role was limited to the current I-605 Corridor improvement project for LA Metro. The proposed engineering lead has 19 years of experience with a strong technical background in developing and designing highway transportation projects. The team's recent relevant experience includes the PR/ED for the I-405 improvement project from SR-73 to I-605 and the PR/ED for the I-405 improvement project from I-5 to SR-55. The proposed staffing plan clearly demonstrated an effective coordination approach to ensure environmental permits were obtained on time as staff were specifically designated to work with the California Coastal Commission.

#### Work Plan

All short-listed firms met the requirements of the RFP, and each firm adequately discussed its approach to the Project.

ACT presented a comprehensive work plan that addressed all the requirements in the scope of work and discussed all required tasks to complete the Project. The Project is on an expedited 32-month schedule, and the firm has proposed an accelerated schedule of 27 months for completing the PR/ED. The work plan also included opportunities to maximize the benefits of the Project, which include alternative enhancements, traffic management plan circulation during



construction, and stakeholder involvement. The plan proposed detailed recommendations and solutions on environmental issues to ensure efficient delivery of the environmental impact report/environmental assessment to allow for streamlined approvals in future phases. The plan also identified considerations for mainline enhancements that would improve safety while avoiding impacts to improvements that were recently constructed in the area. Compliance with SB 743 was also addressed and will be performed by staff currently participating in the development of the approach and methodology for CEQA transportation analysis. The plan outlined several alternatives to replacing the Concordia pedestrian overcrossing, including the use of a precast bridge to minimize traffic impacts, and provided a detailed analysis of how each alternative would benefit the Project.

The overall approach to Project execution described in the work plan and presented during the interview included a thorough discussion of disciplines that are critical for successful PR/ED performance, including environmental expertise and coordination with coastal agencies and compliance with newly implemented SB 743 guidelines. The interview confirmed the technical knowledge and expertise of the ACT team and its comprehensive understanding of Project challenges, risks, and requirements. The ACT team demonstrated in-depth knowledge of its proposed approach to the scope of work by providing detailed, Project-specific responses to all interview questions.

WSP presented its approach to completing the Project by discussing in its work plan the necessary tasks that would be completed. The firm demonstrated its understanding of the Project by addressing the general work activities that would be undertaken and proposed an accelerated Project schedule with a 90-day plan that includes immediate tasks requiring Caltrans approval. WSP proposed to eliminate the Avenida San Luis Rey Bridge replacement entirely, potentially saving months from the schedule and saving construction costs; however, it did not identify the existing constraints within this area. WSP also identified parcels of land that could be acquired and resold, which would minimize the right-of-way impacts for the Concordia pedestrian overcrossing while still providing a pedestrian overcrossing that is compliant with the requirements of the Americans with Disabilities Act and provides savings in construction costs.

The overall approach to Project execution described in the work plan and presented during the interview demonstrated an understanding of the scope of work, challenges, risks, and Project requirements. The WSP team provided detailed responses to all interview questions.



Parsons presented a work plan identifying issues, recommendations, challenges, and potential solutions that demonstrated an understanding of the scope of work, challenges, and risks associated with the Project. The plan included general discussions on early stakeholder coordination and proposed geometric enhancements to increase weaving distance between southbound Avenida Presidio on-ramp and southbound El Camino Real off-ramp to improve safety. The plan discussed visual engineering enhancements to address local community concerns regarding impacted coastal views and clearly correlated the engineering data that would be needed for the completion of the ED.

The overall approach to Project execution described in the work plan and presented during the interview demonstrated the firm's knowledge of the scope of work, objectives, challenges, and risks associated with the Project. The PM provided thorough responses to the interview questions.

#### **Procurement Summary**

Based on the evaluation of the written proposals, team qualifications, and information obtained during the interviews, the evaluation committee recommends the selection of ACT as the top-ranked firm to prepare the PR/ED for the Project.

#### **Fiscal Impact**

The Project is included in OCTA's Fiscal Year 2020-21 Budget, Capital Programs Division, Account 0001-7519-A9160-F01, and will be funded through federal Surface Transportation Block Grant funding.

#### **Summary**

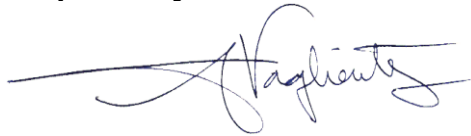
Staff requests Board of Directors' approval for the Chief Executive Officer to negotiate and execute Agreement No. C-0-2335 with Advanced Civil Technologies as the firm to prepare the project report and environmental document for the Interstate 5 improvement project from the San Diego County Line to Avenida Pico.



***Attachments***

- A. Review of Proposals, RFP 0-2335 Consultant Services to Prepare the Project Report and Environmental Document for the Interstate 5 Improvement Project from San Diego County Line to Avenida Pico
- B. Proposal Evaluation Criteria Matrix (Short-Listed), RFP 0-2335 Consultant Services to Prepare the Project Report and Environmental Document for the Interstate 5 Improvement Project from San Diego County Line to Avenida Pico
- C. Contract History for the Past Two Years, RFP 0-2335 Consultant Services to Prepare the Project Report and Environmental Document for the Interstate 5 Improvement Project from San Diego County Line to Avenida Pico

**Prepared by:**



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**Approved by:**



James G. Beil, P.E.  
Executive Director, Capital Programs  
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**Review of Proposals**  
**RFP 0-2335 Consultant Services to Prepare the Project Report and Environmental Document for the Interstate 5 Improvement Project from San Diego County Line to Avenida Pico**  
Presented to RP&H Committee - October 5, 2020

5 proposals were received, 3 firms were interviewed, 1 firm is being recommended

Overall Ranking	Overall Score	Firm & Location	Subcontractors	Evaluation Committee Comments
1	91	Advanced Civil Technologies Santa Ana, California	T. Y. Lin International LSA Associates, Inc. AECOM  Kittelson & Associates, Inc. Leighton Consulting, Inc. Mark Thomas & Company, Inc. Psomas TranSystems Corporation Value Management Strategies, Inc.	Highest-ranked firm overall. Firm has recent relevant experience managing and delivering design transportation projects of similar size and scope. Qualified team, including project manager, key personnel, technical staff, and subconsultants with experience working together on recent project approval and environmental document (PA/ED) projects on Interstate 5. Project manager has comprehensive experience, which includes California Department of Transportation experience and has demonstrated experience working on similar projects. Comprehensive work plan identifying key issues, providing sound recommendations, and viable solutions. Proposed a 27-month expedited project schedule. <b>Comprehensive team presentation and interview with project specific responses to all questions</b>
2	83	WSP USA, Inc. Orange, California	ICF Jones & Stokes, Inc. Fehr & Peers AYCE, Inc. Epic Land Solutions, Inc. FPL and Associates, Inc. Guida Surveying, Inc. Lynn Capouya, Inc. Leighton Group, Inc. Value Management Strategies, Inc. VCS Environmental	Firm has relevant experience performing PA/ED and other similar projects. Qualified team, including project manager, key personnel, and subconsultants with experience working together on recent PA/ED projects. Project Manager is qualified with relevant experience planning, managing, and successfully delivering transportation projects. Work plan proposed modifications and innovative solutions to reduce construction costs and minimize right-of-way impacts. Detailed presentation and interview with thorough responses to all interview questions.
3	81	Parsons Transportation Group, Inc. Irvine, California	Arellano Associates Earth Mechanics, Inc. GPA Consulting Guida Surveying, Inc. Iteris Kleinfelder Overland, Pacific & Cutler, Inc. Q4 Transportation Solutions Sommer Engineering, Inc. Terry A. Hayes Associates, Inc. Value Management Strategies, Inc.	Firm has recent and relevant experience managing and delivering design transportation projects of similar size and scope. Qualified team, including project manager, discipline leads, key and technical staff, and subconsultants with proven experience working together on recent PA/ED projects. Project manager and key staff have experience in performing work of a similar scope. Work plan demonstrated a general understanding of the project requirements and potential issues. Thorough team presentation and interview with detail project-specific responses to all interview questions.

**Evaluation Panel: 6 Members**

Internal:

Contracts Administration and Materials Management (1)

Highway Programs (1)

Planning (1)

External:

California Department of Transportation (2)

City of San Clemente (1)

**Evaluation Criteria:**

Qualifications of the Firm

Staffing and Project Organization

Work Plan

**Weight Factors**

25%

40%

35%



**PROPOSAL EVALUATION CRITERIA MATRIX (Short-Listed)**  
**RFP 0-2335 Consultant Services to Prepare the Project Report and Environmental Document for the**  
**Interstate 5 Improvement Project from San Diego County Line to Avenida Pico**

<b>Advanced Civil Technologies</b>								
Evaluator Number	1	2	3	4	5	6	Weights	Criteria Score
Qualifications of Firm	4.00	4.50	4.50	4.50	5.00	4.00	5	22.1
Staffing/Project Organization	4.50	5.00	4.50	5.00	5.00	4.50	8	38.0
Work Plan	4.50	4.50	4.00	4.50	4.50	4.50	7	30.9
Overall Score	<b>88</b>	<b>94</b>	<b>87</b>	<b>94</b>	<b>97</b>	<b>88</b>		<b>91</b>

<b>WSP USA, Inc.</b>								
Evaluator Number	1	2	3	4	5	6	Weights	Criteria Score
Qualifications of Firm	4.50	4.00	4.00	4.00	4.00	4.50	5	20.8
Staffing/Project Organization	4.50	4.00	4.00	4.50	4.00	4.00	8	33.3
Work Plan	4.50	4.00	4.00	4.00	4.00	4.50	7	29.2
Overall Score	<b>90</b>	<b>80</b>	<b>80</b>	<b>84</b>	<b>80</b>	<b>86</b>		<b>83</b>

<b>Parsons Transportation Group, Inc.</b>								
Evaluator Number	1	2	3	4	5	6	Weights	Criteria Score
Qualifications of Firm	4.50	4.50	4.50	4.00	4.50	3.50	5	21.3
Staffing/Project Organization	4.50	3.50	4.00	4.00	4.50	3.50	8	32.0
Work Plan	4.00	3.50	4.00	4.00	4.50	4.00	7	28.0
Overall Score	<b>87</b>	<b>75</b>	<b>83</b>	<b>80</b>	<b>90</b>	<b>74</b>		<b>81</b>

The range of scores for the non-short-listed firms was 68-71.



**CONTRACT HISTORY FOR THE PAST TWO YEARS**

**RFP 0-2335 Consultant Services to Prepare the Project Report and Environmental Document for the  
Interstate 5 Improvement Project from San Diego County Line to Avenida Pico**

Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
<b>Advanced Civil Technologies</b>						
Contract Type: Firm-Fixed-Price	C-9-1658	Design Alternatives Analysis for State Route 91 (SR-91) between State Route 241 and State Route 71	May 5, 2020	October 31, 2021		\$ 599,809
Subconsultants:	None					
				<b>Subtotal</b>		<b>\$ 599,809</b>
<b>WSP USA, Inc.</b>						
Contract Type: Contract Task Order	C-8-1465	On-call Consulting Services for the 91 Express Lanes	June 21, 2018	March 31, 2023		\$ -
Subconsultants:	None					
Contract Type: Firm-Fixed-Price	C-8-2072	Orange County Rail Infrastructure Defense Against Climate Change Plan	September 3, 2019	March 31, 2021		\$ 549,953
Subconsultants:	Arellano Associates, LLC, LLC				\$ 67,517.00	
	Fehr & Peers				\$ 29,842.00	
	Watearth, Inc.				\$ 26,448.00	
Contract Type: Firm-Fixed-Price	C-8-1629	Bristol Street Transit Corridor Study	October 24, 2018	January 31, 2021		\$ 538,158
Subconsultants:						
	Arellano Associates, LLC				\$ 53,084.00	
	Kal Krishnan Consulting Services, Inc.				\$ 20,000.00	
	STV, Inc.				\$ 170,854.00	
Contract Type: Contract Task Order	C-5-3273	On-call Planning Services for Commuter and Intercity Rail Support	February 1, 2016	January 31, 2020		\$ -
Subconsultants:						
	Cogstone Resource Management, Inc.					
	Epic Land Solutions, Inc., Inc.					
	IBI Group, Inc.					
	Kal Krishnan Consulting Services, Inc.					
	Michael Kodoma Planning					
	MLM & Associates Engineering, Inc.					
	SMA Rail Consulting + IT, Corp.					
				<b>Subtotal</b>		<b>\$ 1,088,111</b>



Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
<b>Parsons Transportation Group, Inc.</b>						
Contract Type: Firm-Fixed-Price	C-9-1160	Consultant Services to Prepare the Plans, Specifications, and Estimates for the SR-91 Project from State Route 55 (SR-55) to Lakeview Avenue	March 30, 2020	April 30, 2028		\$ 6,798,503
Subconsultants:						
Earth Mechanics, Inc.					\$ 353,302.59	
Kleinfelder					\$ 338,092.73	
Paleo Solutions, Inc.					\$ 10,782.08	
Psomas					\$ 623,368.29	
Contract Type: Time and Expense	C-2-1513	Program Management Consultant Services for the Interstate 405 (I-405) Improvement Project from Euclid Street to Interstate 605	March 3, 2014	May 31, 2023		\$ 132,796,531
Subconsultants:						
Coast Surveying, Inc.						
CTI Environmental, Inc.						
Delcan Corporation						
Falcon Engineering Services						
GCAP Services, Inc.						
Group Delta Consultants, Inc.						
HNTB Corporation						
MARRS Services, Inc.						
McLean & Schultz						
Overland, Pacific & Cutler, LLC						
Panacea, Inc.						
Progressive Transport Solutions, LLC						
Psomas						
Rosendin Electric, Inc.						
SPEC Services, Inc.						
The Alliance Group Enterprise, Inc.						
Contract Type: Contract Task Order	C-8-1462	On-call Consulting Services for the 91 Express Lanes	June 21, 2018	March 31, 2023		\$ -
Subconsultants:						
None						
Contract Type: Firm-Fixed-Price	C-8-2107	Consultant Services to Prepare the Plans, Specifications, and Estimates for the 91 Express Lanes Gantry Project	June 12, 2019	June 30, 2021		\$ 420,270
Subconsultants:						
Earth Mechanics, Inc.					\$ 47,685.00	
Psomas					\$ 17,696.00	
Contract Type: Time and Expense	C-9-0809	Construction Program Management Support Services for Grade Separation Projects	July 30, 2010	March 31, 2020		\$ 9,407,991
Subconsultants:						
Nossaman, LLP						
Padilla & Associates, Inc.						



Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
Contract Type: Firm-Fixed-Price	C-0-1864	Consultant Services to Prepare the Plans, Specifications, and Estimates for Segment 1 of the Interstate 5 (I-5) High-Occupancy Vehicle Project between San Juan Creek and Avenida Pico	June 8, 2011	December 31, 2019		\$ 7,308,519
Subconsultants:						
Earth Mechanics, Inc.					\$ 444,696.00	
FPL & Associates, Inc.					\$ 667,661.00	
Group Delta Consultants, Inc.					\$ 29,767.37	
Lynn Capouya, Inc.					\$ 196,804.00	
Psomas					\$ 265,670.65	
WKE, Inc.					\$ 45,020.00	
Contract Type: Firm-Fixed-Price	C-3-2190	Consultant Services to Prepare the Project Report and Environmental Document for the I-405 Improvement Project from I-5 to SR-55	December 10, 2014	December 31, 2018		\$ 6,119,865
Subconsultants:						
Advanced Civil Technologies					\$ 242,787.00	
Earth Mechanics, Inc.					\$ 107,926.00	
Ileris, Inc.					\$ 127,952.00	
MARRS Services, Inc.					\$ 159,269.00	
Psomas					\$ 377,151.00	
Terry A. Hayes Associates, Inc.					\$ 147,440.00	
Transystems Corporation					\$ 865,221.08	
Value Management Strategies, Inc.					\$ 42,791.00	
Sub Total						\$162,851,679





## COMMITTEE TRANSMITTAL

**October 12, 2020**

**To:** Members of the Board of Directors

**From:** *RW*  
Laurena Weinert, Clerk of the Board

**Subject:** Measure M2 Senior Mobility Program Temporary Guideline Exceptions

### Executive Committee Meeting of October 5, 2020

**Present:** Chairman Jones, Vice Chairman Do, and Directors Davies, Hennessey, M. Murphy, and Shaw

**Absent:** None

### **Committee Vote**

Following the discussion, this item was declared passed 6-0 by the Members present.

### **Committee Recommendations**

- A. Approve a temporary exception of the Senior Mobility Program guideline requirements related to service guidelines and service plan amendments, allowing agencies to use funds to provide the delivery of meals to seniors who had previously used city-provided transportation to travel to nutrition programs, from March 4, 2020 until Governor Newsom lifts the State of Emergency.
- B. Approve a temporary exception to the Senior Mobility Program guideline requirement related to funding distribution to suspend and hold allocations in reserve for agencies with suspended services until the State of Emergency is lifted or transportation services resume, whichever happens first.





**October 5, 2020**

**To:** Executive Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Measure M2 Senior Mobility Program Temporary Guideline Exceptions

### **Overview**

The Measure M2 Senior Mobility Program provides funding to eligible jurisdictions to provide transit services that best meet the needs of their senior communities. Due to the impacts of the coronavirus pandemic, some jurisdictions have suspended operation of their Senior Mobility Program, and some have modified their services to continue to meet the needs of their senior communities in different ways, such as providing home-delivered meals in lieu of transporting the seniors to their nutrition programs. Staff recommends temporary exceptions to the Senior Mobility Program Guidelines to assist local jurisdictions in continuing to meet the needs of their senior communities through these unprecedented times. Board of Directors' approval of the proposed temporary guideline modifications is requested.

### **Recommendations**

- A. Approve a temporary exception of the Senior Mobility Program guideline requirements related to service guidelines and service plan amendments, allowing agencies to use funds to provide the delivery of meals to seniors who had previously used city-provided transportation to travel to nutrition programs, from March 4, 2020 until Governor Newsom lifts the State of Emergency.
- B. Approve a temporary exception to the Senior Mobility Program guideline requirement related to funding distribution to suspend and hold allocations in reserve for agencies with suspended services until the State of Emergency is lifted or transportation services resume, whichever happens first.



***Background***

The Measure M2 (M2) Project U – Senior Mobility Program (SMP) provides funding to support local, community-based transportation services 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 as determined from the most recent census. One percent of M2 net revenue is used to fund the SMP. Consistent with prior Board actions, there are currently three non-profit agencies included in the SMP. These non-profits are funded with non-M2 local funds but are managed according to the M2 SMP Guidelines to promote consistency. Participating cities and eligible non-profit agencies (collectively referred to as “agencies”) must provide a minimum 20 percent local match of the total annual program expenditures.

To ensure compliance with the M2 Ordinance No. 3 (M2 Ordinance), 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. The Guidelines (Attachment A) are updated as needed, with the latest revision adopted by the Board on November 26, 2018. On May 22, 2020, the Board approved a temporary suspension to the competitive procurement requirement in Section 6.0 of the Guidelines to provide relief after a transportation company ceased providing services in Orange County on short notice, affecting several SMPs’ ability to contract for replacement providers.

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 have more limited transportation options.

***Discussion***

On March 4, 2020, Governor Newsom proclaimed a State of Emergency to exist in California as a result of the threat of the coronavirus (COVID-19). As Orange County residents heeded public health directives, transit ridership experienced a sharp decline. Community programs for seniors have also been impacted because the senior population is considered to be particularly vulnerable to COVID-19. At its core, the intent of this M2 element is to provide transportation services for seniors, but the services have been altered or suspended due to the current State of Emergency.



In compliance with Governor Newsom's Executive Order, agencies have closed their senior centers. Some agencies have modified their SMP service to deliver meals to seniors, as they are unable to attend nutrition programs at the senior center. In particular, Section 6.0 of the Guidelines details the types of senior transportation trips that are eligible for funding through the SMP. Section 7.0 of the Guidelines also requires that each agency formally adopt a service plan and amend the service plan if there are any revisions. Staff recommends a temporary exception to the Guidelines to allow meal delivery in lieu of transportation to the senior center, and to accept a letter from the city manager or the non-profit official representative outlining the temporary use of SMP funds for meal delivery until Governor Newsom lifts the State of Emergency.

In addition, the M2 Ordinance requires that M2 net revenues be expended within three years of receipt. OCTA may grant an extension to the three-year limit, but an extension shall not be granted beyond a total of five years from the date of allocation. To provide relief to agencies that have suspended their SMP services, staff recommends that OCTA suspend distribution of SMP funds to agencies with suspended services and to hold the funds in reserve for the agencies with suspended services until Governor Newsom lifts the State of Emergency or when the agency notifies OCTA that they have reinitiated SMP services, whichever occurs first. This change will temporarily modify Section 4.0 of the Guidelines. OCTA will send letters to agencies with suspended services to notify them of fund distribution suspension. To release the reserved funds, the agency will be required to send a letter from the city manager or the non-profit official representative to notify OCTA of service resumption. OCTA will send the reserve balance to the agency within 14 days. The three-year expenditure timely-use of funds will be based on when the funds were released to the agency. If SMP services do not resume within 30 days of Governor Newsom lifting the State of Emergency, the reserved funds will be returned to the program and distributed to the Fare Stabilization Program per the Board-approved Guidelines.

### ***Summary***

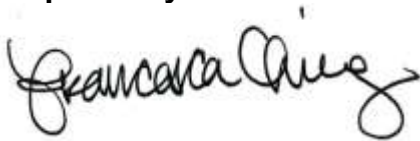
To provide flexibility and relief to agencies during the coronavirus pandemic, staff recommends the Board authorize the Chief Executive Officer to grant temporary exceptions to the Guidelines until Governor Newsom lifts the State of Emergency. The exceptions will allow for meal delivery to seniors who are unable to attend nutrition programs at senior centers and preserve SMP funds for agencies.



***Attachment***

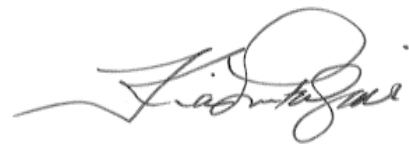
- A. Senior Mobility Program, Project U Funding and Policy Guidelines

**Prepared By**



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Section Manager,  
M2 Program Management Office  
(714) 560-5625

**Approved by:**



Kia Mortazavi  
Executive Director, Planning  
(714) 560-5741



**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 SMP Funding and Policy Guidelines (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 the Orange County Transportation Authority (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.<sup>1</sup> 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.

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<sup>1</sup> OCTA Ordinance No. 3, Attachment B, Section III



# **Senior Mobility Program Project U Funding and Policy Guidelines November 2018**

## **4.0 Funding Allocation Method and Distribution**

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 United States Census Bureau.

Funding allocations are based on actual sales tax receipts. Funding will be distributed on a bimonthly 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 bimonthly allocations equal to the difference between the amount of Measure M funds actually spent and the amount of Measure M funds actually matched.



**Senior Mobility Program  
Project U Funding and Policy Guidelines  
November 2018**

***Example:***

Total Program Expenditures	\$100,000
Total M2 Funding Allocation	\$ 80,000
20 Percent 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 ten 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.



**Senior Mobility Program  
Project U Funding and Policy Guidelines  
November 2018**

Participating cities and eligible agencies will perform, or ensure that a contractor performs, maintenance of all vehicles used in the SMP. 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 (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 (Board). 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 SMP 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.



**Senior Mobility Program  
Project U Funding and Policy Guidelines  
November 2018**

**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 SMP 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 ten 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.



**Senior Mobility Program  
Project U Funding and Policy Guidelines  
November 2018**

**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,
- Operational reports are due 30 days after the end of the service month,
- Vehicle service miles.

B. Financial Reports

- Program cost detail by expense category and percent of total operating cost,
- Fares, fees, and other operating revenue,
- Participating city and eligible agency total contribution and source,
- Participating city and eligible agency share as percent of total operating cost,
- Cumulative participating city and eligible agency share to date,
- OCTA contribution,
- OCTA contribution as percent 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.



**Senior Mobility Program  
Project U Funding and Policy Guidelines  
November 2018**

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 Board.

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 Board 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)*

☐

Directly-Operated

☐

Subsidized Taxi Program

☐

Contract Service Provider

☐

Other (Please Describe)

☐

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:



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

**October 12, 2020**

**To:** Members of the Board of Directors

**From:** Laurena Weinert,  Clerk of the Board

**Subject:** 2020 Project X - Environmental Cleanup Program Tier 1 Call for Projects - Programming Recommendations

Regional Planning and Highways Committee Meeting of October 5, 2020

**Present:** Directors Bartlett, Chaffee, Delgleize, Muller, M. Murphy, and R. Murphy

**Absent:** Director Pulido

### **Committee Vote**

Following the roll call vote, this item was declared passed 6-0 by the Members present.

### **Committee Recommendation**


Approve 12 projects, in the amount of \$2,800,000, for the 2020 Tier 1 Environmental Cleanup Program Tier 1 call for projects.





**October 5, 2020**

**To:** Regional Planning and Highways Committee

**From:** Darrell E. Johnson, Chief Executive Officer 

**Subject:** 2020 Project X – Environmental Cleanup Program Tier 1 Call for Projects – Programming Recommendations

### **Overview**

The Orange County Transportation Authority's Environmental Cleanup Program provides Measure M2 funding for water quality improvement projects to address transportation-related pollution. The fiscal year 2020-21 Tier 1 Grant Program call for projects was issued on March 9, 2020. Evaluations are now complete, and a list of projects and recommended funding allocations are presented for review and approval.

### **Recommendation**

Approve 12 projects, in the amount of \$2,800,000, for the 2020 Tier 1 Environmental Cleanup Program Tier 1 call for projects.

### **Background**

In May 2010, the Orange County Transportation Authority (OCTA) Board of Directors (Board) approved a two-tiered approach to fund the Measure M2 (M2) Project X Environmental Cleanup Program (ECP). The Tier 1 Grant Program is designed to mitigate the more visible forms of pollutants, such as litter and debris, which collect on roadways and in catch basins (i.e., storm drains) prior to being deposited in waterways and the ocean. The Tier 2 Grant Program provides funding for larger (i.e., treating catchment areas of 50 acres or greater) potentially multijurisdictional, capital-intensive structural treatment best management practice (BMP) types of projects.

Tier 1 funds are made available through a call for projects (call) to Orange County local governments to purchase equipment and provide upgrades to existing catch basins and other related BMPs that supplement current requirements. Examples include screens, filters, and inserts for catch basins, as well as other devices designed to remove the above-mentioned pollutants.



Proposed projects must demonstrate a direct nexus to the reduction of transportation-related pollution, as developed and defined by the OCTA Environmental Cleanup Allocation Committee (ECAC).

To date, the Board has approved funding for 177 Tier 1 projects, totaling approximately \$25 million. It is estimated that nearly 33 million gallons of trash have been captured since inception of the ECP in 2011. On March 9, 2020, the Board approved issuance of the current fiscal year 2020-21 ECP Tier 1 call, making available up to \$2.8 million to support a tenth call.

### ***Discussion***

The initial deadline for the ECP Tier 1 call applications was May 7, 2020. However, due to the coronavirus (COVID-19) pandemic and Governor Newsom's statewide stay-at-home order (issued during the call), the application deadline was extended to June 25, 2020. As of that date, 13 applications were submitted from 13 local agencies. Subsequently, the City of Lake Forest elected to withdraw their application due to anticipated budget uncertainties resulting from impacts of COVID-19. The applications were reviewed and evaluated by an application review committee consisting of OCTA staff, the ECAC Chairman, and an additional member of the ECAC. Project applications were evaluated based on key Board-approved criteria for project applications, which included the following:

- Effectiveness at removing trash and debris;
- Cost/benefit analyses;
- Pollution reducing benefits;
- Project readiness;
- Adequacy of proposed operations and maintenance plans; and
- Submission of clear and detailed work plans with specific implementation timing documented.

The ECAC met on September 10, 2020, and at that meeting the ECAC approved recommending to the Board that 12 projects be awarded ECP Tier 1 funds, in an amount equaling \$2,800,000. The projects that are recommended for funding primarily consist of catch basin debris screen devices, including 1,346 connector pipe screens (CPS), 963 automatic retractable screens (ARS) devices, 32 catch basin inlet filters, one trash interceptor, one debris separating baffle box, and one continuous deflection separator.

All 12 projects met overall program objectives and satisfied key Board-approved criteria for project applications (listed above).



A brief overview of the project types that are recommended for funding is provided below. Attachment A includes project-specific information, final scores, and recommended award amount.

- Catch basin debris screen devices: These devices prevent trash and debris from entering storm drain systems through catch basins and primarily consist of CPS and/or ARS types of devices.
- Catch basin inserts consist of filters inserted into storm drains and/or catch basins, which filter and remove trash and debris from storm water flowing through them.
- A trash interceptor (also referred to as a trash wheel) includes a floating boom system that captures trash and directs it toward a conveyor system that is powered by stream flow and solar power. Trash is lifted by a conveyor system and then dropped into a haul-off container, which is then collected and emptied as part of regular maintenance and operations.
- A debris-separating baffle box is an advanced storm water treatment system utilizing a non-clogging screen technology and hydrodynamic separation to capture pollutants. The non-clogging screening system stores trash and debris in a dry state, suspended above sedimentation chambers, thereby allowing for easier maintenance.
- A continuous deflection separator device, which allows storm water to be conveyed through 5mm-diameter perforated metal sheets while trapping trash, debris, and solids for subsequent maintenance and removal.

As part of this program, local agencies agree to contribute a minimum cash match of 20 percent of total project costs. All recommended projects meet this requirement and are recommended for programming approval.

#### **Next Steps**

If these programming recommendations are approved by the OCTA Board, each funded agency will be required to execute a letter amendment to the Comprehensive Transportation Funding Programs (CTFP) Master Agreement prior to project implementation. OCTA will then monitor project status and implementation through the CTFP semi-annual review process.

#### **Summary**

In order to assist local agencies in delivering projects that support water quality improvements related to transportation infrastructure, staff is seeking Board approval to program \$2,800,000 in ECP funds to 12 local agency projects.



***Attachment***

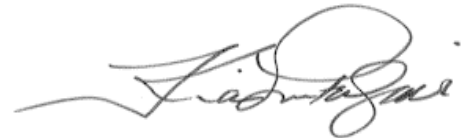
A. Project X 2020 Tier 1 Call for Projects, Programming Recommendations

**Prepared by:**



Alfonso Hernandez  
Senior Transportation Funding Specialist  
(714) 560-5363

**Approved by:**



Kia Mortazavi  
Executive Director, Planning  
(714) 560-5741



**Project X 2020 Tier 1 Call for Projects  
Programming Recommendations**

<b>Projects Recommended for Funding</b>					
<b>Agency</b>	<b>Project</b>	<b>Project Description</b>	<b>Score</b>	<b>Funding</b>	<b>Cumulative</b>
San Clemente	San Clemente Eastern Pico Corridor Runoff Treatment Project	Install 100 CPS units and 244 ARS devices	86.33	\$ 220,000	\$ 220,000
Mission Viejo	Mission Viejo Trash and Runoff Abatement Project – Central City Area	Install 60 CPS units and 184 ARS devices	84.17	\$ 160,000	\$ 380,000
Placentia	Catch Basin Insert Project - Phase 6	Install 108 CPS units and 116 ARS devices	83.50	\$ 160,000	\$ 540,000
Fullerton	Installation of Full Capture Trash Devices in Catch Basins - 2020	Install 100 CPS units	83.33	\$ 95,244	\$ 635,244
Laguna Hills	Laguna Hills CPS-Mod and ARS-CL Screen Project Phase IX	Install 109 CPS units and 237 ARS devices	81.83	\$ 200,000	\$ 835,244
Anaheim	Storm Drain Full Capture Catch Screen Project	Install 625 CPS units	81.50	\$ 499,552	\$ 1,334,796
Newport Beach	Newport Bay Trash Interceptor Project	One trash interceptor	79.67	\$ 500,000	\$ 1,834,796
Yorba Linda	Yorba Linda Arterial Roadway Automatic Retractable Screens Retrofit Project	Install 182 ARS devices	77.83	\$ 160,000	\$ 1,994,796
Irvine	Irvine Citywide Catch Basin Connector Pipe Screen Installation Phase 1 Project	Install 223 CPS units	75.73	\$ 113,819	\$ 2,108,615
City of Orange	DSBB and CPS BMP Installation - 2020	Install 13 CPS units and one DSBB device	72.17	\$ 308,803	\$ 2,417,418
Laguna Woods	City-Maintained Catch Basins Full Capture Systems Retrofit Project	Eight CPS units and 32 catch basin inlet filters	63.67	\$ 31,641	\$ 2,449,059
Costa Mesa	Placentia Avenue Stormwater Quality Improvement Project	Install one continuous deflection separator	62.17	\$ 350,941	\$ 2,800,000

CPS - Connector Pipe Screen  
ARS - Automatic Retractable Screen  
BMP - Best Management Practice  
DSBB - Debris Separating Baffle Box





**October 12, 2020**

**To:** Members of the Board of Directors

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Approval to Release Request for Proposals for Freeway Service Patrol Services

### **Overview**

The Orange County Transportation Authority provides freeway service patrol services using contracted service providers covering ten service areas. Staff is requesting Board of Directors' approval to release a request for proposals for freeway service patrol services for six service areas, consisting of six all-day beats, 12 peak-hour beats, three weekend beats, and one construction support beat.

### **Recommendations**

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2574 for freeway service patrol services.
- B. Approve the release of Request for Proposals 0-2574 for freeway service patrol services for four service areas effective October 2, 2021 through October 2, 2027, and two service areas effective December 4, 2021 through October 2, 2027.

### **Discussion**

The Orange County Freeway Service Patrol (FSP) program is a traffic management and motorist aid program designed to mitigate traffic congestion by providing timely response to collisions and other incidents such as blocked lanes due to a disabled vehicle or debris on the freeway. The FSP trucks patrol an assigned segment of the freeway referred to as a beat, scanning for motorists whose vehicles have become disabled. Service is provided during peak hours on all Orange County freeways with midday and weekend service provided in specific interchanges and high-traffic segments. Multiple adjacent beats are grouped into service areas for procurement, contract, and service management purposes.



The Orange County Transportation Authority (OCTA) contracts with private tow companies to provide FSP services that comply with standard operating guidelines developed by the California Highway Patrol and OCTA. Through these contracts, the tow companies provide all tow trucks as well as all personnel, uniforms, equipment, and fuel for assisting motorists. The private tow truck contractors retain the title and physical ownership of the tow trucks purchased at the inception of the contract. OCTA pays a flat vehicle service hour (VSH) rate during actual hours of FSP service. The VSH rate includes, but is not limited to, FSP operator initial training and certification, daily vehicle inspections, travel time to and from the beats, required safety meetings, required quarterly training, and vehicle maintenance.

The FSP tow contracts are competitively bid following OCTA procurement guidelines. Currently there are six FSP agreements in the OCTA program awarded to three different tow company providers. Solicitations for new agreements are completed for roughly half of the service areas every three years. The overall number of service areas and agreements change over time to reflect changes in the program and actual contract awards. At present, there are ten service areas operated through six agreements, with agreements expiring in October and December 2021, and in December 2023.

Since FSP service is significantly different than typical towing services, contractors that have never operated FSP service are limited to one service area, comprised of no more than four beats in the initial award. If the contractor is in good standing, the contractor will then be eligible to be awarded additional service areas when subsequent procurements are released.

In February 2020, the Board of Directors approved a ten-month extension to two FSP agreements to realign procurement dates and allow staff to more effectively group and distribute work among the FSP agreements. Current procurement recommendations include the reconfiguration of existing beat boundaries and the creation of all-day roving beats that patrol across beat boundaries to provide coverage when an operator is on break or busy assisting a motorist, expand the provision of midday service throughout the County, and allow for additional early morning and later evening sweeps through specific service areas. All-day roving patrols will be accomplished through a combination of service beat realignments and funds that are available through the SB 1 (Chapter 5, Statutes of 2017), which added funding through Chapter 2, Section 2032d of the California Streets and Highway Code. Although the recommended reconfiguration provides increased service levels during certain hours of the day, the net result is an 11 percent reduction in weekday FSP hours. Staff intends to continue to reconfigure service beats in a similar manner in future procurements as we



continue to monitor the effects of the coronavirus pandemic and other factors that impact traffic in Orange County.

Request for Proposals (RFP) 0-2574 is for FSP services for six service areas, consisting of six all-day beats, 12 peak-hour beats, three weekend beats, and one construction support beat. These services are currently being provided under separate agreements that expire on October 2, 2021 and December 3, 2021. Attachment A lists the FSP beats for this procurement.

### ***Procurement Approach***

OCTA Board-approved procurement policies and procedures require that the Board approve all RFPs 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 weightings, which will be used to evaluate proposals received in response to the RFP.

The proposed evaluation criteria and weightings for FSP services are as follows:

- |   |                                   |            |
|---|-----------------------------------|------------|
| • | Qualifications of the Firm        | 30 percent |
| • | Staffing and Project Organization | 30 percent |
| • | Work Plan                         | 15 percent |
| • | Cost and Price                    | 25 percent |

Several factors were considered in developing the evaluation criteria weightings. FSP contractors must meet stringent state and local guidelines in order to operate as an FSP provider. To ensure these standards are met, qualifications of the firm is weighted at 30 percent. Staffing and project organization is also assigned 30 percent because the service patrol operator's ability to comply with state and local guidelines and remain in good standing is critical to successfully fulfilling the requirements set forth for the FSP program. The service being sought is so highly regulated by the California Department of Transportation and the California Highway Patrol that there is no ability for an FSP provider to deviate from the scope of services. As a result, the work plan has been assigned the lowest weight at 15 percent. Cost and price is weighted at 25 percent to ensure that OCTA receives value for the services provided by obtaining competitive pricing to accomplish the requested services.

It is anticipated that this procurement will result in multiple agreements on a per-service area basis.

These services are currently being provided under separate agreements that expire on October 2, 2021 and December 3, 2021. Therefore, four of the service



areas will result in six-year agreements and two service areas will result in five-year and ten-month agreements, with an estimated cost of \$28,575,552, for FSP service through October 2, 2027.

This RFP will be released upon Board approval of these recommendations.

#### **Fiscal Impact**

The project is included in the OCTA Fiscal Year 2020-21 Budget, Motorist Services Department - Service Authority for Freeway Emergencies Fund, Account No. 0013-7629-S1002-AVX, and is funded through the State Highway Account and Road Repair and Recovery Act of 2017 Account, with at least a 25 percent match provided by OCTA through local Service Authority for Freeway Emergencies and Measure M2 funding. Future year funding will be included in each year operating budget.

#### **Summary**

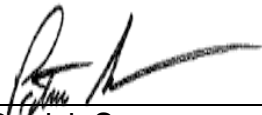
Board of Directors approval is requested to release Request for Proposals 0-2574 for freeway service patrol services in six service areas and of the proposed evaluation criteria and weightings.



***Attachments***

- A. Orange County Freeway Service Patrol Service Areas
- B. Draft Request for Proposals (RFP) 0-2574 Freeway Service Patrol Services

**Prepared by:**



---

Patrick Sampson  
Manager, Motorist Services  
714-560-5425

**Approved by:**



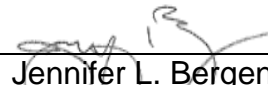
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Cliff Thorne  
Director, Maintenance and Motorist  
Services  
714-560-5975



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Pia Veasaper  
Interim Director, Contracts  
Administration and Materials  
Management  
714-560-5619



---

Jennifer L. Bergener  
Chief Operating Officer, Operations/  
Deputy Chief Executive Officer  
714-560-5462



# Orange County Freeway Service Patrol Service Areas

**ATTACHMENT A**

Effective 10/2/2021

Provider / Contract #	Service Area	Beat #	Location	Tow	Backup	Hours of Operation
State Route 91 (SR-91)						
Service Starts 10/2/21 through 10/2/2027	1	910	Carmenita Road - SR-57 (SB1 Rover) W/ Patrols through I-5 and SR-57 Interchange	1	1	5:30 to 19:30 Mon - Fri With Two 30 Minute Lunch Breaks
		911	Caemenita Road - Euclid Street	1	1	Peak Hour Service 6:00 to 10:00 and 15:00 to 19:00
		912	Euclid Street - Tustin Avenue	1		Monday through Friday
State Route 22 (SR-22)						
Service Starts 10/2/21 through 10/2/2027	3	220	Valley View Street - SR-55 (SB1 Rover) W/ Patrols through I-5 / SR-57 and SR-55 Interchanges	1	1	5:30 to 19:30 Mon - Fri With Two 30 Minute Lunch Breaks
		221	Valley View Street - Euclid Street	1	1	Peak Hour Service 6:00 to 10:00 and 15:00 to 19:00
		222	Euclid Street - SR-55	1		Monday through Friday
		225	SR-22 Through SR-57, I-5, & SR-55 Interchange Area	Existing Tow	Saturday and Sunday 10:30 to 19:00	
Interstate 405 (I-405)						
Service Starts 12/4/21 through 10/2/2027	5	408	Fairview Road - Bake Parkway W/ I-5 Interchange (Rover)	1	1	5:30 to 19:30 Mon - Fri With Two 30 Minute Lunch Breaks
		409	Fairview Road - Culver Road	1	1	Peak Hour Service 6:00 to 10:00 and 15:00 to 19:00
		410	Culver Road - Bake Parkway	1		Monday through Friday
		402*	I-605 to SR-73 (SB1 Construction Support) * * Service may be moved or discontinued at any time	Existing Tow	Construction Support Service Mon - Fri 20:00 to 00:00 Saturday and Sunday 10:30 to 19:00	
Interstate 5 (I-5)						
Service Starts 10/2/21 through 10/2/2027	6	500	Artesia Boulevard - 17th Street (SB1 Rover) W/ Patrols through SR-91 and SR-22 Interchange	1	1	5:30 to 19:30 Mon - Fri With Two 30 Minute Lunch Breaks
		501	Artesia Boulevard - Euclid Street	1	1	Peak Hour Service 6:00 to 10:00 and 15:00 to 19:00
		502	Euclid Street - 17th Street	1		Monday through Friday
Service Starts 12/4/21 through 10/2/2027	8	506	El Toro Road - Christianitos Road (Rover)	1	1	5:30 to 19:30 Mon - Fri With Two 30 Minute Lunch Breaks
		507	El Toro Road - Ortega Highway	1	1	Peak Hour Service 6:00 to 10:00 and 15:00 to 19:00
		508	Ortega Highway - Christianitos Road	1		Monday through Friday
		511 512	El Toro Road. - Ortega Highway Ortega Highway - Christianitos Road	Existing Tow Existing Tow	Saturday and Sunday 10:30 to 19:00	
State Route 55 (SR-55)						
Service Starts 10/2/21 through 10/2/2027	10	550	SR-55 From SR-91 - Mesa Drive (Rover)	1	1	5:30 to 19:30 Mon - Fri With Two 30 Minute Lunch Breaks
		551	SR-55 From SR-91 - 4th Street / Irvine Boulevard W/ Patrols through SR 22 Interchange	1	1	Peak Hour Service 6:00 to 10:00 and 15:00 to 19:00
		552	4th Street / Irvine Boulevard - Mesa Drive W/ Patrols through 405 and 73 Interchanges	1		Monday through Friday



**DRAFT**

**REQUEST FOR PROPOSALS (RFP) 0-2574**

# **FREEWAY SERVICE PATROL SERVICES**



**ORANGE COUNTY TRANSPORTATION AUTHORITY  
550 South Main Street  
P.O. Box 14184  
Orange, CA 92863-1584  
(714) 560-6282**

## **Key RFP Dates**

<b>Issue Date:</b>	<b>October 13, 2020</b>
<b>Pre-Proposal Conference Date:</b>	<b>October 28, 2020</b>
<b>Question Submittal Date:</b>	<b>November 3, 2020</b>
<b>Proposal Submittal Date:</b>	<b>November 18, 2020</b>
<b>Interview Date:</b>	<b>December 10, 2020</b>



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October 13, 2020

**NOTICE OF REQUEST FOR PROPOSALS**

**(RFP): 0-2574: "FREEWAY SERVICE PATROL SERVICES"**

**TO: ALL OFFERORS**

**FROM: ORANGE COUNTY TRANSPORTATION AUTHORITY**

The Orange County Transportation Authority (Authority) acting on behalf of the Service Authority for Freeway Emergencies, in cooperation with the California Highway Patrol and the California Department of Transportation, invites proposals from qualified towing operators to provide Freeway Service Patrol operations in Orange County.

The budget for this project is \$28,575,552 for an approximately six-year term.

**Proposals must be received in the Authority's office at or before 2:00 p.m. on November 18, 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: Sue Ding**

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: Sue Ding**

**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 0-2574, firms and subcontractor 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:

<u>Category:</u>	<u>Commodity:</u>
Buses; Maintenance and Services	Towing Services - Bus
Automotive; Maintenance and Services	Towing Services - Automotive

**\*IN-PERSON ATTENDANCE IS NOT AVAILABLE\***

A pre-proposal conference will be held on October 28, 2020, at 10:00 a.m. **via a Skype Teleconference Meeting.** All prospective Offerors are encouraged to join the pre-proposal conference by calling either of the following numbers:

(714) 558-5200, 820238# (1)	English (United States)
(714) 560-5666, 820238# (1)	English (United States)

Conference ID: 820238

Callers are requested to dial in and **mute the call.**

**For those who can access via a web browser, Authority will share its desktop and display the pre-proposal presentation online. For those who join by telephone, a copy of the pre-proposal conference presentation will be part of Addendum No. 1.**

All prospective Offerors are encouraged to attend the pre-proposal conference.



The Authority has established December 10, 2020, as the date to conduct interviews. All prospective Offerors will be asked to keep this date available.

This RFP will also consist of site visits. Details will be included in Addendum No. 1 to this RFP.

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 Services.



**SECTION I: INSTRUCTIONS TO OFFERORS**



## **SECTION I. INSTRUCTIONS TO OFFERORS**

### **A. PRE-PROPOSAL CONFERENCE**

#### **\*IN-PERSON ATTENDANCE IS NOT AVAILABLE\***

A pre-proposal conference will be held on October 28, 2020, at 10:00 a.m. **via a Skype Teleconference Meeting**. All prospective Offerors are encouraged to join the pre-proposal conference by calling either of the following numbers:

Join by phone

(714) 558-5200, 820238# (1)

English (United States)

(714) 560-5666, 820238# (1)

English (United States)

Conference ID: 820238

**Callers are requested to dial in and mute the call.**

**For those who can access via a web browser, Authority will share its desktop and display the pre-proposal presentation online. For those who join by telephone, a copy of the pre-proposal conference presentation will be part of Addendum No. 1.**

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:

Sue Ding  
Contracts Administration and Materials Management Department  
600 South Main Street  
P.O. Box 14184  
Orange, CA 92863-1584  
Phone: 714.560. 5631, Fax: 714.560.5792  
Email: [sding@octa.net](mailto:sding@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.

**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 via email to [sding@octa.net](mailto:sding@octa.net) no later than 5:00 p.m., on November 3, 2020.
- b. Requests for clarifications, questions and comments must be clearly labeled, "Written Questions" in the subject line of the email. The Authority is not responsible for failure to respond to a request that has not been labeled as such.



### 3. Authority Responses

Responses from the Authority will be posted on CAMM NET, no later than November 10, 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 Sue Ding .

To receive email notification of Authority responses when they are posted on CAMM NET, firms and subcontractor 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:

<u>Category:</u>	<u>Commodity:</u>
Buses; Maintenance and Services	Towing Services - Bus
Automotive; Maintenance and Services	Towing Services - Automotive

Inquiries received after 5:00 p.m. on November 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

Offeror is responsible for ensuring third-party deliveries arrive at the time and place as indicated in this RFP.

Proposals must be received in the Authority's office at or before 2:00 p.m. on November 18, 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: Sue Ding**



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: Sue Ding**

**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 5 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 or DVD, or flash drive.

All proposals **must include Exhibit B, Price Summary Sheet as a separate sealed package from the proposal.**

**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 fixed revenue vehicle hourly (RVH) rate to perform all work specified in Exhibit A, "Scope of Services," incorporating a maximum payment obligation for the Authority's Freeway Service Patrol operations. Any contract resulting from this RFP will be awarded on a per-service area basis.

**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 Services 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 Sue Ding, Senior 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; workload; 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. Describe experience in working with the various government agencies identified in this RFP.
- (4) Describe the firm's drug and alcohol policy.
- (5) Identify subcontractors by company name, address, contact person, telephone number, email, and project function. Describe Offeror's experience working with each subcontractor.
- (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.
- (7) Provide a certification that there are no criminal convictions of the firm's owners, officers, or key personnel that would disqualify the firm from participating in the Freeway Service Patrol program.
- (8) Provide a statement regarding whether or not the firm has ever been suspended and/or terminated from an FSP program or California Highway Patrol rotation tow. Include dates of suspension and/or termination, if applicable.



**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 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) Describe how your firm will select employees to provide the service for the project, ensure tow truck drivers are in compliance with log book requirements, ensure employees are properly paid, and any training your firm provides for the tow truck drivers.
- (4) Explain how and when your firm checks motor vehicle driving records for each driver.
- (5) Include a project organization chart, which clearly delineates communication/reporting relationships among the project staff and how this project fits within the organization.
- (6) 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 Services, 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 Services. 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. The work plan should include information on how vehicle/equipment will be maintained.

- (2) Furnish a project schedule for completing the phases associated with start-up, including acquisition of required vehicles, in terms of elapsed weeks from the project commencement date.
- (3) Identify methods the Offeror will utilize to ensure program safety, regulatory compliance with driver wage and hour requirements, compliance with log and seat time requirements, compliance with standard operating procedures, budget control, and schedule control for the project. Identify who will be responsible for each of these areas.
- (4) Provide a description (Make, Model, Body Type, Lift Type, etc.) of the vehicles that Offeror is proposing to utilize for the service. Please also provide a photo, drawing or diagram of the proposed vehicles in the attachment section of the proposal.
- (5) Identify any special issues or problems that are likely to be encountered in this project and how the Offeror proposes to address them.
- (6) Offeror is encouraged to propose enhancements or procedural or technical innovations to the Scope of Services 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 Services (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 Services (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, contractor, 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**

The Offeror must submit Exhibit B, Price Summary Sheet, **as a separate sealed package from the proposal.**

No information regarding price shall be mentioned anywhere in the proposal content.

The Offeror shall provide a firm-fixed rate specifying a price per revenue vehicle hour to perform all the work specified in the Scope of Services.

The proposal price shall be based on an hourly cost for supplying the required number of FSP vehicles and operators for the beat's hours of operation as described in Exhibit A, Scope of Services, as well as for furnishing all labor, materials, tools, equipment, operating costs, insurance, overhead and incidentals as defined in this Request for Proposals.

The proposal shall also take into consideration that operators are required and shall be paid by the contractor for attending mandatory training classes, and shall be required to respond to requests for service from Caltrans or CHP dispatchers and lend assistance to incidents encountered, whether or not it is at the end of operator's shift.

If a potential Offeror does not own the required vehicles, but plans to acquire the vehicles, a statement as to how these vehicles will be acquired and the timeline for acquisition shall be provided.

#### **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, subcontractor, 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 30%**

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 30%**

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 15%**

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 work; reasonableness of proposed schedule; utility of suggested technical or procedural innovations.
- 4. Cost and Price 25%**

Reasonableness of the firm-fixed hourly rate per revenue vehicle hour for each service area, for the services outlined in Exhibit A, Scope of Services included in this RFP; 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 some or all of the proposing firms. The Authority has established December 10, 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 eliminated from further discussion. The interview may consist of a short presentation by the 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 Regional Planning and Highway 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 Board 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 Regional Planning and Highway 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 SERVICES**



## SCOPE OF SERVICES FREEWAY SERVICE PATROL SERVICES

### Purpose

The Orange County Transportation Authority (OCTA) operates Freeway Service Patrol (FSP) services on Orange County freeways. The FSP project is to provide for the rapid clearing of traffic lanes blocked by disabled vehicles, minor accidents, and congestion causing debris. Project services shall also assist disabled vehicles on the shoulders and in the center divider. When necessary, assistance shall be provided to California Highway Patrol (CHP) as directed by the scene officer at any incident if within the limits of the FSP project.

FSP operator(s), who work for the Contractor(s), shall assist motorists involved in minor accidents and those with disabled vehicles. They shall be responsible for clearing the freeway of automobiles, small trucks (vehicles with a gross weight of 6,000 pounds or less), and small debris. When and where conditions warrant, service may be executed on the freeway shoulders. Where conditions do not warrant, FSP operators shall remove the vehicles from the freeway to provide service.

FSP operators shall be required to provide on-the-spot assistance to motorists, free of charge, and with no tip. An Operator may: jump start vehicles, change a flat tire, provide a gallon of gas, refill radiators, tape water hoses, or provide other quick fixes to mobilize the disabled vehicle. FSP operators should not spend more than 10 minutes per disablement in attempting to mobilize a vehicle.

If a vehicle cannot be mobilized within the ten (10)-minute time limit, the FSP operator shall tow the vehicle from the freeway to a designated drop location identified by the CHP. If the motorist desires alternate assistance, the motorist can request the FSP operator to take him/her to a nearby public phone if one is not available at the drop zone.

All Orange County FSP services shall be provided at no cost to the motorist. FSP operators shall not be allowed to accept gratuities (tips), perform secondary towing services, recommend secondary tows, or recommend repair/body shop businesses. FSP operators are prohibited to make referrals to specific tow companies, including their own tow company. FSP operators found not to be complying with Orange County FSP regulations may be suspended or disqualified from the FSP program and/or the Contractor may be penalized up to and including termination of the contract. Termination of the contract shall be at the discretion of OCTA, with recommendations from CHP.

There may be some instances where FSP operators may be requested to lend assistance to CHP officers in the field. FSP operators shall follow the instructions of the CHP officer at the scene of any incident within the scope of the Orange County FSP program. ***If a CHP officer should instruct an FSP operator to provide service that is outside of FSP guidelines, the FSP operator must clear such service with FSP dispatch prior to providing the service.***



## **Background**

The FSP program is a statewide program that is operated and funded through cooperative agreements with the participating agencies. OCTA has entered into a Memorandum of Understanding with the California Department of Transportation (Caltrans) and the CHP for the operation of FSP on freeways throughout Orange County.

The authority for FSP operations derives from (a) Section 2435(A) of the California Vehicle Code, which allows FSP trucks supervised by the CHP to stop on freeways for the purpose of rapid removal of impediments to traffic, and (b) Article 3, Section 91, of the Streets and Highways Code, which states that Caltrans is responsible for traffic management and removing impediments from the highways as well as improving and maintaining the state highways.

## **Basic Qualifications**

This Request for Proposals (RFP) is being issued by OCTA to select Contractor(s) for several FSP service areas outlined in Attachment A of this scope of services. Service areas may be awarded to a single Contractor, or may be awarded to multiple Contractors at the discretion of OCTA.

To be awarded a contract, a Contractor must have a tow facility within close proximity to the service area, have been in business a minimum of three years, and have a minimum of three years of tow business experience. CHP rotation tow, FSP program tow, or municipal tow experience (i.e. local law enforcement rotation tow program) may be beneficial, but is not required.

A Contractor with no prior Orange County FSP experience shall be considered *NEW* and may only be awarded one (1) service area (up to five (5) beats, including midday, weekend, and construction service beats). A Contractor that has been suspended or terminated for cause from any FSP Program or CHP rotation tow program within the State of California shall not be eligible to participate in the Orange County FSP program for five (5) years from the date of suspension or termination. A *NEW* Contractor, who remains in good standing, as determined by FSP Management, may be considered for additional service area awards in future procurements. For the purpose of this document, FSP Management includes both OCTA and CHP program supervisors.

An existing Contractor that is not in good standing, but has not been suspended or terminated from the program, as determined by information received by OCTA's FSP Project Manager at the time of their proposal submission shall be considered *NEW* and may only be awarded one service area.

**FSP Management Staff reserves the right to limit the number of service areas awarded to any one Contractor.**

Awarded Contractor(s) should anticipate a maximum of one hundred eighty (180) days to acquire the required equipment and have it inspected, hire and train drivers, and be fully operational. A successful Contractor will be expected to have all required equipment, inspections, hiring, and training completed at least ten (10) business days before the start of service. If the Contractor does not meet this operational requirement, the contract



may be terminated and the Contractor will be excluded from participating in the FSP program.

OCTA, Caltrans, and CHP jointly develop guidelines for the operation of the service. The CHP is responsible for driver's approval, background investigations, training, dispatching, vehicle inspections, supervising service performance, and ensuring that the Contractors abide by the terms of the contracts.

### **Locations and Hours of Service**

The Orange County FSP operates on selected freeway segments referred to as beats. Each beat will have specific turnaround locations and designated drop locations identified by the CHP. Attachment A provides a service area description, number of designated tow trucks, number of backup tow trucks, and daily hours of operation for each beat. Weekday service beats 910, 220, 408, 500, 506, and 550 will operate all day from 5:30 until 19:30 with 30-minute meal-period breaks from approximately 9:30 to 10:00 and 16:30 to 17:00. All other beats will operate during their designated AM Peak, PM Peak, Weekend, or Construction Support hours.

Midday service will be canceled up to five (5) times each year from 10:00 to 15:00, approximately quarterly, so that drivers may attend mandatory service training. Attachment B provides a tentative holiday schedule for FSP service, there will be no FSP service operated on designated holidays. OCTA reserves the right to add or delete holidays to the work schedule; these changes will be kept to a minimum. Contractors will be given at least 30-days' notice of any change to the holiday schedule. Travel time (deadhead) and costs to and from the service beat will be at the expense of the Contractor, and should be included in the overall revenue vehicle hourly rate. The Contractor's vehicle must be on the beat when advising dispatch that it is available for service. Vehicles that are not on the beat by the required start time will be docked revenue vehicle service hours and may be subject to other penalties outlined in the CHP Standard Operating Guidelines (SOG) (Attachment C). Please use these service hour guidelines when calculating estimated revenue vehicle hours and developing cost proposals.

OCTA reserves the right to adjust beat specifications to better accommodate demand for the service. These changes can occur during the course of the contract through written direction from OCTA, followed by a written change order within seventy-two (72) hours. Any changes, if necessary, are expected to be in beat configurations that would not have a significant impact on the number of service hours provided or amount of deadhead time.

### **Data Collection**

It is important that Contractors provide accurate information and data on the number and types of assists that are provided. Every attempt will be made to ensure that OCTA-provided equipment will be functional and capable of tracking the vehicle and providing a Wi-Fi signal for Contractor-provided tablet data devices. Contractors shall be required



to provide a new iPad tablet data device with the most current iOS Operating System and mounting hardware for each vehicle and backup vehicle, to collect assist data throughout the course of an FSP operator's shift. Contractors shall also be required to maintain and manage data devices in the same manner as any other piece of required equipment for their vehicle. Contractors should maintain at least one spare device, and should anticipate replacing all iPad devices at least once during the contract term. Vehicles without functional data collection devices will be placed out of service until another vehicle or device is provided. Each Contractor's FSP operator will be required to enter assist data into the data device as it is performed. In addition to inputting data into the data device, Contractor's FSP operators shall be required to maintain a manual log of all assists performed during the course of their shift.

Contractors shall be required to establish quality control processes that assure that all assist data is entered into the data collection system. This may include entering manually collected assist data from the assist log into the data system using a contractor data entry interface that is provided through the tracking application. Contractor is to manage the data entry and data collection process in a manner that ensures the timely and accurate collection of assist data. Manually collected assist data must be entered into the system within three (3) business days.

### **Payment, Pricing and Reporting**

OCTA shall pay a firm-fixed rate per revenue vehicle hour (RVH) to perform all work specified in this scope of services. A revenue vehicle hour is defined as the time that the vehicle starts service within its defined service area during scheduled hours until the vehicle completes its scheduled shift or the final service during the shift, whichever is later. RVH does not include dead-head and other travel time to and from the beat area.

Reimbursement shall be on an hourly basis for services rendered during hours of operation as recorded by the CHP on its monthly report that is provided to both OCTA and the Contractor. Overtime (additional time) at the standard firm-fixed rate shall be paid for time worked outside the normal hours of operation only upon approval by the CHP. Penalties, as described in the Penalties section, as determined and recorded by the CHP, shall be deducted from the monthly payment. Except as explicitly identified in this document, OCTA shall not reimburse the Contractor for any other costs or equipment.

Diesel and gasoline fuel for the FSP service shall be provided by the Contractor. Contractor will provide four RVH rates for a range of fuel prices. RVH rates will be paid according to the pricing for the current average fuel rate. Pricing will remain firm for three (3) months at a time, based on the previous quarter's average fuel price. No other changes will be allowed to the RVH rate.

OCTA's Project Manager will review the fuel prices every quarter. Average fuel prices shall be calculated using data from the Energy Information Administration's Official Energy Statistics from the U. S. Government which can be found at <http://www.eia.doe.gov>. At the beginning of each quarter (January, April, July, and October), the average fuel cost for the previous quarter will be calculated using the retail gasoline price for all grades in the State of California. That average cost shall be the basis for the RVH rate to be billed. OCTA's Project Manager shall notify the Contractor



in writing of the average fuel cost and RVH rate to be used for billing purposes during the quarter no later than twenty-one (21) days following the beginning of the quarter.

Each Contractor shall be required to provide the following reporting documents monthly as part of the Contractors invoice package:

- 1) Monthly Overtime Log – A monthly log of hours worked beyond the scheduled beat end time, which will be submitted to CHP for consideration. Overtime logs must be submitted within two (2) business days after the close of the month.
- 2) Service invoice indicating the company name, contract number, service month, the service area, beat numbers, scheduled revenue vehicle hours, monthly docks and overtime by beat, actual revenue vehicle hours operated, revenue vehicle hour rate, billable amount, contract maximum obligation, amount billed against the contract to date, remaining contract balance, any notable events impacting billing and an authorized company signature.
  - a) OCTA and CHP will provide a monthly hourly summary that the Contractor may utilize as their invoice after verifying the hourly summary information, calculating contract to date expenditures, and returning with the Contractor's signature and required reports.
- 3) Monthly Collision and Incident Log – A monthly accident and incident log, providing a recap of any Contractor- involved collisions or incidents occurring during the month. The monthly collision and incident log must include the date and time of the occurrence, location of the occurrence, beat assignment, vehicle number, FSP operator's name, a description of the event, if any party (including the FSP operator) required medical attention, and if any vehicle was towed from the scene. NOTE: If any party required medical attention or any vehicle was towed from the scene, a drug and alcohol test must be performed immediately (or as soon as practical if medical attention is required).

In addition to the monthly collision log, all collisions and incidents must be reported to CHP program supervisors and to the OCTA Project Manager via telephone and email immediately after the occurrence.

Examples of incidents include, but are not limited to, service complaints received through the Contractor, failed cursory inspections, employee or company adverse actions issued by CHP program administrators, etc. The log must include a description of the incident and outline what is being done to prevent future occurrences.

- 4) Current Operator List – A current operator list that includes driver's license number, medical card, and DL 64 certification expiration dates. The operator list must also identify any new operators and operators that are no longer participating in the program and their program start or end date.



- 5) Current Vehicle List – A current vehicle list that includes the vehicle make, model, year, type, license plate number, primary beat assignment (or backup) and end of month odometer reading (odometer reading after the last service shift of the month).
- 6) Missed Service Log – A log outlining the beat number, vehicle number, date, time, duration, and reason for any missed service (late vehicle, breakdown, etc.) The missed service log is to identify the root cause of the missed service and an action plan to prevent future occurrences.
- 7) Safety Meeting Minutes – Safety meeting minutes outlining safety meeting date, start time, end time, topics covered, and meeting attendees.
- 8) Operator Assist Logs – Contractors may be required to submit FSP operator assist logs upon request.

### **Term of Contract Operation**

FSP services awarded through this procurement shall begin in two (2) phases. Service areas 1, 3, 6, and 10 will begin on October 2, 2021, and shall continue in full force for six (6) years, through October 2, 2027, unless earlier terminated or extended. Service areas 5 and 8 will begin on December 4, 2021, and shall continue in full force for five (5) years and ten (10) months, through October 2, 2027, unless earlier terminated or extended.

Construction Service beat 402 may be terminated at any time, based on construction progress. At least thirty (30)-days' notice would be provided before terminating beat 402.

### **Vehicle Specifications**

If awarded a contract, the Contractor's service vehicles assigned to this contract must be dedicated to the FSP program and may not be used for any other purpose for the life of the contract. Service vehicles must be returned to Contractor's facilities when not providing FSP service. All vehicles are to be crew cab in design and provide for the transportation of up to four (4) passengers (including the front passenger seat).

### **Vehicle Identification/Decals**

If awarded a contract, a Contractor's trucks shall be in adherence with the vehicle-labeling requirements set forth in the following paragraphs. The purpose of the vehicle-labeling guidelines is to establish a standard that will improve public recognition of the FSP program as well as enhance the image of the FSP program.

#### **Base Vehicle Color**

FSP fleet vehicles shall be painted totally white, except for authorized and required markings. Descriptions of required markings are provided in this document.



Vehicle Letters/Numbers

Vehicle numbers (i.e. 134, 530, etc.) shall be applied on the left and right front quarter panel of each vehicle and shall be easily recognizable from a distance. Numbers also must be visible from the rear cab of the vehicle. See below for size and color requirements. If in the opinion of FSP Management they are not in an acceptable area, they must be re-applied. Contractors should contact FSP Management prior to application if there are any questions.

Contractor Information and Location on Vehicle

Contractor's name, address, telephone number, and Motor Carrier Permit number, as required by law, shall be labeled on the driver's and passenger's sides of the vehicle. The information shall be centered as much as possible (see below). Contractor information shall be placed in the lower rear bed section of the vehicle.

CONTRACTOR NAME  
Street Address  
City, State and Zip  
Code  
Telephone number with area  
code Motor Carrier Permit  
Number

Letter/Numbering for Contractor Information

Letter/number size shall be two (2) inches tall by two (2) inches wide. Vertical separation between lines shall not be greater than that font size.

Lettering on the FSP vehicles shall be parallel to the ground. Contractor name shall be in upper case letters. The remaining lines shall use upper case first letter and lower case string (except CA for California). The Motor Carrier Permit line should read "CA 12345" (sample). Lettering shall be standard black. No other color is acceptable. Metallic lettering is not acceptable. The color of the lettering shall not blend with the area in which they are placed. Shadowing is not acceptable.

Only block letter fonts shall be used for lettering or numbering on FSP vehicles. Italic or script fonts are not allowed. The following is the only acceptable block letter font:

**Arial Font**

Unallowable Items

No pin striping or underlining

No Contractor logos, non-FSP logos, symbols, pictures, markings, etc.



No hours of service, names, etc. on any part of the vehicle other than as specified herein

No lettering on booms, hoods, windows, and mud flaps, etc. other than as specified

No HSO numbers

No magnets (Other than CHP approved Not In Service signs)

No lettering in front or rear of vehicles, except what is required by this

#### RFP Exceptions

Any Contractor wishing to request a deviation from the lettering guideline must do so in writing and must receive approval in writing by the FSP Management prior to application. Any deviation from this guideline shall be cause for service suspension until corrected. Contract start-up inspections shall not be approved if the guidelines are not followed. Contractors shall not be allowed to begin service until the vehicle inspections are approved.

#### Light Bar Strip Label/ Bug Deflector

Light bars shall be mounted on a 4-inch (approximate) extended bracket (Contractor design). A strip metal panel shall be affixed to the bracket between the light bar and the cab roof section approximately 3-1/2 inches tall and 1/2 inch thick. The strip metal bar shall be labeled with "**Freeway Service Patrol**" on rear side (rear facing). The front face lettering shall be a mirror image on the Bug Deflector or if float truck front, it may be placed without the bug deflector, so that it can be read legibly through a motorist's rear view mirror. See sample below.

Front Facing Bug Deflector or flat truck surface:

lortaP ecivreS

yaweerF Rear Facing Light Bar:

Freeway Service

Patrol

#### Door Panels

The official FSP logo decal shall be placed on one door of each side (door closest to front of vehicle) of all FSP vehicles. OCTA shall provide the FSP logo decal, and the Contractor shall provide the FSP lettering.

#### Logo/Lettering on Booms (If Optional Boom Is Provided)

Contractor will be required to provide the following lettering on each side of the boom: **Freeway Service Patrol**. This lettering will adhere to specifications from the previous section.



### 511 Motorist Aid Decal

The official 511 Motorist Aid decal shall be placed on the rear and sides of all FSP vehicles, in a location that will be easy for motorists to see. Specific location is to be proposed by the Contractor, and approved by OCTA. OCTA shall provide the 11" by 14" 511 Motorist Aid decal for each vehicle.

### Not In Service Signs

Contractor shall provide magnetic "Not In Service" signs (2) that shall be placed over the FSP logos, covering the entire logo (approximately 18" x 18" square), while deadheading to and from the service beat, and during other vehicle movements where the vehicle is not in service (transport to maintenance vendor, etc.)

### OCTA/Contractor Furnished Material

OCTA will provide the Contractor with all FSP and 511 logos described in this RFP. The Contractor is required to furnish and install all of the material and requirements defined in these guidelines unless otherwise stated.

## **Equipment Requirements**

### **A. Tow Truck Requirements (Must Be Crew Cab)**

All vehicles must be exclusively dedicated to the Orange County FSP program. All maintenance activities shall be conducted during non-service hours.

The FSP will utilize at a minimum, Class A trucks with a minimum gross vehicle weight rating of 14,000 pounds, dual wheel chassis, and crew-cab cab configuration that will allow for the comfortable transport of up to four passengers (including the front passenger seat). All trucks proposed for use in the FSP program shall be less than one year old with a maximum of 25,000 miles at the start of service.

All tow truck bed assemblies shall either be new; or if used on a normal tow truck business, less than six (6) months old and re-certified by the manufacturer or assembler; or if used on an FSP beat, less than three years old and recertified by the manufacturer or assembler. The recertified certificate shall include a statement proving at a minimum:

1. Replacement of center pin, T-Bar, winch cable (if equipped with boom), sleeve, and wheel restraint straps; and
2. Crack inspection and new paint; and
3. Recertification of hydraulic lines and certification of no leaks.



**Self-certification will not be allowed.** Recertified beds must also pass CHP inspections. On all truck beds, the wheel lift assemblies shall have rust removed and be painted at least once a year.

Each tow truck shall be equipped in accordance with the CHP's Freeway Service Patrol Manual and Standard Operating Guidelines Manual and, at a minimum, shall include the following:

- (Required) Wheel lifts towing equipment, with a minimum lift rating of 3,000 pounds. All tow equipment shall include proper safety straps.
- (Optional) Boom with a minimum static rating of 8,000 pounds. A boom is not required as part of operating in the FSP program; however, a boom may be provided at the contractor's discretion in order to maintain vehicle resale value or for other purposes. If provided, the boom and all of its related components and equipment is expected to be operational, and will be subject to inspection and certification.
  - (Required only if boom provided) Winch Cable - 8,000 pound rating on the first layer of cable.
  - (Required only if boom provided) Winch Cable - 100 ft., 3/8-inch diameter, with a working limit of 3,500 pounds.
  - (Optional if boom is provided) Towing slings rated at 3,000 pounds minimum.
- (Required) Right-side and left-side drag light connectors that will allow operators to plug drag lights into either side based on the safest (traffic or non-traffic) side of the tow vehicle.<sup>1</sup>

**B. Tool, Equipment and Supply Requirements**

Attachment C provides Freeway SOG, which are reviewed, updated, and distributed annually to all tow Contractors and Contractors' personnel. Contractors must assure that all Contractor vehicles assigned to the FSP program are equipped with the tools, equipment, and supplies identified in the FSP SOG. Contractor may, at their discretion, equip vehicles with additional tools, equipment, and supplies that allow their operators to perform their work more efficiently or safely. Please refer to section 2.1.5 of the FSP SOG, Contractors Duties and Responsibilities - Tools, Equipment, and Supplies, for a complete list of required tools, equipment, and supplies.

**C. General Vehicle Requirements**

Prior to commencement of service, the CHP will inspect each vehicle designated for the FSP program to ensure that it meets the vehicle specifications and meets or exceeds safety requirements. **These inspections must be completed no later than ten (10) working days prior to the start of service.** Succeeding



inspections will occur at the discretion of CHP and at least annually at a location designated by CHP and at the expense of the Contractor.

The CHP may randomly inspect vehicles at any time during service. Any unsafe or poorly maintained vehicle(s) or improperly equipped vehicle(s) shall be removed from service or repaired as directed and the Contractor shall be fined in one-quarter hour increments at double the Contractor's hourly rate. Backup vehicles will be required to complete the shifts of vehicles removed from service. The Contractor shall be required to have a backup vehicle available for service at all times. All backup vehicles will meet the specified requirements.

Orange County FSP vehicles bearing the freeway service patrol title, logo, and vehicle identification number will be painted white. There will be no color requirements for the trim. If trim is used, it shall be no greater than four (4) inches on the front and sides of the vehicle. No other accessory equipment shall be mounted or installed without prior CHP approval. This includes, but is not limited to, brass, chrome wheel covers, or window tint.

**D. Pre-Operation Inspections**

The FSP operator shall be required to complete a pre-operation inspection of the vehicle as well as inventory the required equipment prior to the start of each shift. An inspection/inventory sheet shall be completed prior to the start of each shift. Any item missing must be replaced prior to the start of the shift. For FSP program purposes, the inspection sheets must be kept on file at the Contractor's office and available for CHP or OCTA inspection, upon request for, 60 days from the service date.

**E. Vehicle Identification**

All vehicle identification must adhere to the guidelines as previously outlined.

**Communications Equipment and Data**

**Collection Communications Equipment**

Each Orange County FSP vehicle will be equipped with a radio that will allow the FSP operator to communicate with the CHP Communication Center and Caltrans Traffic Operations, a Cradlepoint Router or other GPS and Wi-Fi hot spot device, a radio antenna, and GPS antenna. This communications equipment will be supplied, installed, and maintained by OCTA, to assure continued operation.

Contractor will be responsible for providing electrical connection points for OCTA-provided equipment (radio and router/controller). Contractor will be responsible for monitoring and supervising the installation of OCTA-provided equipment (radio, router/controller, radio antenna, GPS antenna, etc.) by OCTA-provided communications system installers, to assure that no FSP contractor equipment is damaged during the installation process. Contractors are encouraged to perform any necessary drilling that may be required for installation, under the direction of OCTA-provided communications equipment installers, to avoid any potential damage to Contractor equipment. Contractor



should not pre-drill holes for OCTA-provided communications equipment as antenna location and other issues must be determined and coordinated with OCTA communications system installers to assure effective communications for all systems.

Contractor will be responsible for ensuring that the equipment is contained in a secure environment and protected from theft or damage. Contractors will be responsible for any replacement or repair cost for OCTA provided equipment that is not considered normal wear and tear.

Contractor shall be responsible for maintaining the security of the vehicle communication equipment. The Contractor shall be liable for any damage, other than normal wear and tear, to OCTA-provided equipment. The Contractor shall also be liable for the full replacement value of the equipment installed in the trucks while in the care, custody, and control of the equipment. OCTA shall deduct repair fees as well as the full replacement cost of any OCTA equipment from the Contractor's payment for the month in which OCTA must replace or repair equipment, if possible. If not possible, OCTA shall deduct the repair fees and or replacement costs from any funds owing to the Contractor. OCTA supplied vehicle equipment shall be returned upon contract termination. The cost of any equipment not returned in good working order shall be deducted from the Contractor's final payment.

### **Data Collection**

It is important that Contractors provide accurate information and data on the number and types of assists that are provided. Contractor will be required to provide one iPad tablet computer (data device) with Wi-Fi internet capability and a modern web browser for each service vehicle and backup vehicle. Contractor will also be required to provide, install, and maintain Contractor selected in-vehicle mounting hardware for each data device. Contractor is to maintain and manage Contractor provided data devices in a manner that ensures the timely and accurate collection of assist data.

Contractor agrees to allow OCTA to install a Cradlepoint or other router / controller with GPS and Wi-Fi hot spot capabilities through the term of the agreement. Contractor-provided devices will connect to an OCTA-provided web or tablet application, through the OCTA installed controller, utilizing a wireless data account provided by OCTA.

Each FSP operator will be required to enter assist data into the reporting system, using the Contractor-provided data device, as it is performed. For data consistency, and to ensure the collection of service data, FSP operators may be required to maintain a manual log of all assists performed during the course of their shift in addition to entering the data into the system, or if for some reason assist data may not be entered into the system.

Contractors shall be required to establish quality control processes and sampling procedures that assure that the FSP operator enters all assist data into the system. This must include entering manually collected assist data from the assist log into the system, should there be a device failure or the driver otherwise does not enter assist data into the system. Manually collected assist data must be entered into the system within three business days.



## **Fuel**

As described in the Payment, Pricing and Reporting section of this scope of services; diesel and gasoline fuel for the FSP service shall be provided by the Contractor. Contractor will provide four RVH rates for a range of fuel prices. RVH rates will remain firm for three (3) months at a time. No other changes will be allowed to the RVH rate.

## **FSP Operators**

All potential FSP operators shall be required to have a safe driving record as specified by FSP guidelines, a current California Class C driver's license, a medical certificate (within two years of issuance), and be at least 20 years of age.

Potential FSP operators shall be subject to driving record and criminal background checks. The driving record and criminal background checks shall be performed by the CPH with the cost covered by the Contractor (See Standard Operating Guidelines). FSP operators will be required to submit to Livescan finger printing. FSP operators will not be eligible for the FSP program if they possess a felony or misdemeanor conviction as listed in Section 13377 of the Vehicle Code. Additionally, the CHP Standard Operating Guidelines Manual further outlines disqualifying violations which shall be applicable to this contract.

Potential FSP operators shall be sufficiently experienced in the tasks of tow truck operations and proficient with all required FSP equipment to provide safe and proper service. All potential FSP operators must be capable of demonstrating their tow operating abilities prior to going into service. Additionally, the FSP operators will be required to exercise good, sound judgment in carrying out their duties.

The Contractor, at its cost, shall be an active participant in the Department of Motor Vehicles' (DMV) Pull Notice Program.

## **FSP Safe Driver Guidelines**

FSP safe driver guidelines specify that when a driving record print out from the DMV computer system is evaluated by CHP Officers assigned to the FSP program, all convictions listed will have the same point value as determined by DMV. Point values for Vehicle Code Sections, other code sections, and city or county ordinances involving the operation of a motor vehicle or motorcycle are assigned by the DMV, for the purpose of evaluating a driving record. In addition to the sections listed by the DMV as having a point value, Vehicle Code Section 40508 may be included in the one point category. Operators with these violations will be evaluated by the FSP supervisory staff on a case by case basis. Collisions that do not have a not at fault disclaimer will also be evaluated on a case by case basis.

A Contractor's operator may be denied certification and eligibility for the FSP program for not meeting FSP Program safe driver or other guidelines. Prospective Contractors should refer to Attachment C, FSP SOG chapter 3, for FSP program and safe driver guidelines. FSP program guidelines, including safe driver guidelines, apply equally to all Contractors, key personnel, and FSP Operators. Contractors, key personnel, and FSP



Operators who fail to continually meet FSP safe driver and other guidelines will be disqualified from participation in the FSP program.

### **Operating Guidelines**

FSP operators shall be required to inform the CHP Communications Center at any time he/she leaves the assigned beat. This includes, but is not limited to, replenishing expendable items such as gasoline, fire extinguisher, etc., and removing a disabled vehicle to a location other than a CHP identified designated drop location, etc. The FSP operator shall be required to complete assist records for each incident.

All FSP operators, including backup operators, shall be required to complete the CHP/Caltrans training program, which costs \$50.00 per operator. The Contractor shall pay FSP operators for the time spent in the training class. No FSP operator will be allowed to begin patrolling without attending the mandatory training classes, subsequent proficiency tests, and required ride-alongs without prior approval of the CHP. Any FSP operator who is found on patrol without completing the mandatory training class shall be prohibited from further Freeway Service Patrol service and the Contractor's contract terminated immediately. These costs, including FSP operators' hours, are not reimbursable by OCTA.

Mandatory CHP/Caltrans refresher training classes shall be scheduled approximately quarterly. The required training shall occur for a **minimum of eight (8) hours per year**. Contractors shall pay all FSP operators and backup operators for attending the training. These costs, including FSP operators' hours, are not reimbursable by OCTA. Certified Contractor staff designated as key personnel in the contract who do not drive as part of their regular duties may be excused for up to one (1) training session each calendar year. Arrangements to be excused from training must be made with CHP program supervisors prior to the training date. The key personnel must also make arrangements to meet with CHP supervisors to cover the material presented at the training.

Mandatory training is scheduled from 12:00 pm until 2:00 pm approximately quarterly. Contractors will not operate midday service when scheduled for quarterly training. Quarterly training occurs during most operators meal period break. Program participants (Contractors and OCTA) alternate sponsoring the quarterly training lunch for up to 90 participants. Based on the current number of Contractors, each contractor should anticipate sponsoring a quarterly training lunch at least once each year.

Contractor shall designate a lead FSP operator for their FSP service. The lead FSP operator shall be approved by the CHP Field Supervisors. The lead FSP operator duties shall include distribution of materials and the communication of routine operational guidelines from the CHP to their FSP drivers. The lead FSP operator must have a cellular phone for communication with CHP supervisors during FSP operation at Contractor's expense.

### **Alcohol and Drug Policy**

The CHP, Caltrans, and OCTA maintain a **ZERO** tolerance drug and alcohol policy. Contractors must maintain at a minimum, OCTA's policy which is available upon request.



Contractors shall have an alcohol and drug program that includes at a minimum, a drug and alcohol free workplace policy, and an employee alcohol/drug-testing program. Any Orange County FSP operator found working with any amount of drugs or alcohol in his/her system, on his/her person, or in his/her vehicle will be disqualified immediately. The Contractor shall be responsible for finding a replacement operator for that vehicle.

### **Driver Uniforms and Equipment**

It shall be the responsibility of the Contractor to provide the FSP operator with specified uniforms, shoes, and other equipment as approved by CHP, OCTA, and Caltrans. The equipment includes navy blue coveralls or shirts and pants. If coveralls are worn, they shall have two-way zip front with heavy-duty brass zipper. Coveralls or shirtsleeves shall be half-raglan type or set-in sleeve with pleated-action back. Long sleeves may have plain barrel cuff or be equipped with snap or button closure on wrist. The length of the sleeve on short-sleeve coveralls/shirts shall come to within approximately 1 inch of the inside forearm when the wearer's arm is bent at a 90-degree angle.

The coveralls shall have shape holding sanforized waist banding with elastic inserts for trim fit. Legs shall be moderately tapered to avoid excessive fullness. Coveralls shall be H.D. Lee Company style No. 018-3041 (Navy Blue) or Commercial Uniform Co. style No. 201 (Navy Blue) or equal style. All main seams shall be at least double stitched with good quality thread.

Shirts or coveralls shall have one or two chest pockets. Single pocket coveralls/shirts shall have the chest pocket placed on the left.

The first initial of the first name and full last name shall be sewn above the left chest pocket so that it shall be clearly visible with the collar open. Letters shall not exceed ½ inch. A detachable metal or plastic nameplate may be worn in place of the embroidered name at the Contractor's option.

Reflective white stripes shall be sewn and worn around both leg cuffs of uniform pants. Uniforms shall be provided by the Contractor.

The CHP/FSP Field Supervisors will conduct random uniform inspections.

### **Safety Vests**

The Orange County FSP logo shall be sewn across the middle portion of the back of each vest. It shall be centered. The small Freeway Service Patrol logo shall be sewn on the left front panel. Vest shall be worn at all times during FSP hours of operations except during authorized breaks. FSP Patches large and small shall be provided by OCTA. Vest shall be supplied by the Contractor and must conform to ANSI Class 3 standards, must be neon green and include an identification card holder sewn onto the vest.

All FSP operators shall wear general duty black leather utility-type work boots with protective steel toe. This will be provided by the Contractor.

Tee shirts worn under the uniform shall be white or navy blue and not exceed the length of the uniform shirt. During cold weather, a navy blue sweater or sweatshirt, without a



hood, may be worn under the uniform shirt/jumpsuit. A navy blue jacket may replace the sweater or sweatshirt at the Contractor's option, if it meets all the uniform specifications. Jackets and sweatshirts shall be worn under the safety vest.

Rain gear shall be waterproofed material, yellow in color. Reflective white tape shall be applied to both sleeve cuffs, both leg cuffs, and across the upper back.

Hats shall be provided by OCTA. The words "Freeway Service Patrol", the initials "FSP", or the FSP logo shall be embroidered above the brim. The words or initials shall be centered. It shall be sewn in white. No other hats, logos/names shall be accepted or authorized.

## **Penalties**

**Mechanical Breakdown** - If a truck goes out of service for mechanical reasons, the Contractor will be penalized in fifteen(15)-minute increments at straight time up to forty-five (45) minutes, until such time that the truck either returns to service or a backup truck is deployed. If the repair takes longer than forty-five (45) minutes, the dock will be double the hourly rate. The start time for the dock will be the original time the Operator went out of service.

**Missed Service** - If an Operator arrives more than thirty (30) minutes late to the beat, or if a truck is unavailable other than due to a mechanical breakdown, or if an eligible operator is unavailable to work a shift, the Contractor will be penalized triple the hourly rate for each fifteen (15)-minute increment of missed service.

**Operator/Vehicle Removed from Service** - If an FSP operator or vehicle is removed from service due to any violation of the SOG or contract, the Contractor will be penalized double the hourly rate for each fifteen (15)-minute increment that the beat is not covered.

**Tardiness** - If an FSP operator arrives late to the beat, the Contractor will be penalized double the hourly rate for the first fifteen (15) minutes that the FSP operator is tardy. After the first thirty (30) minutes, the Contractor will be penalized as Missed Service from the beat start time, until the beat is covered.

**Non-Compliance with Driver Wage and Hour Requirements** - Contractors must comply with all federal, state and local wage and hour regulations, with specific emphasis on California Department of Industrial Relations Wage Order Nine, on-duty time, behind the wheel time, and rest time requirements. Contractors who fail to comply with commercial driver log book guidelines related to on duty, behind the wheel, and rest period requirements will be penalized \$100.00 for each employee occurrence.

A pattern of non-compliance, or non-compliance with other federal, state and local regulations, may result in contract actions up to and including termination of the agreement.



## **Local Office**

The Contractor shall provide a local office for contract administration purposes. This office shall be staffed by either the Contractor or a person who has the authority to conduct business and make decisions on behalf of the Contractor. The office shall have business hours coinciding with Contractor's beat(s) hours of operation. The office shall be located within close proximity to the service area, and within close proximity to the Contractor's beat(s).

The Contractor shall also provide a telephone service, an internet connection, and a recent model CPU, monitor, and printer for use by office and management personnel. OCTA will provide access to OCTA's web based FSP monitoring application for

Contractor monitoring purposes, and to allow Contractors to enter service data that was not entered through the in-vehicle data device.

During non-business hours, an answering machine provided at the Contractor's expense, shall be available to log calls, take complaints, etc. All persons who have authority to make FSP decisions shall be trained by CHP staff by attending the SOG class.

Records relating to company drug and alcohol program training, required drug and alcohol testing, safety training, payroll, and DMV pull notices must be available at the local office for inspection at any time during regular business hours, 0800 hrs to 1700 hrs, Monday through Friday.

## **Standard Operating Guidelines (SOG)**

The SOG is a living document supplied by FSP Management. This document contains the training and procedural guidelines for the FSP program as outlined in CVC 2435(B), 2438(A). All changes to the SOG will be generated by FSP Management and sent to the Contractor in electronic and paper form. Each Contractor must maintain a copy of the SOG in each FSP vehicle and at the office for the FSP operators to view. The SOG will be updated annually, and will be maintained by the CHP and OCTA. Contractor is required to consider all SOG guidelines as they develop their company policies and practices related to contractor employees working in the FSP program.

## **Vehicle Availability for Inspection, Service and Contract Transition**

Contractor will be expected to make vehicles available for inspection, communications equipment installation, communications equipment maintenance and service, and for other business purposes during non-FSP hours at no cost to OCTA. Every effort will be made to coordinate inspection and communications system service activities during the course of a regular business day, between 0800 hrs to 1700 hrs, Monday through Friday.

Because of the nature of the service hours, starting at 0530 hrs., ending at 1930 hrs., Monday through Friday, contract transition activities for contract start and contract end, and the transition of OCTA-provided communications equipment will need to occur outside of regular FSP hours. These activities will be conducted after the close of



business on the last contract day, before the start of business on the first contract day, or over the weekend (when available). Contractors will be expected to make vehicles available before or after hours, or on the weekend at no additional cost to OCTA for the purpose of installing or removing communications equipment at the start and end of a contract period.

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<sup>i</sup> Multiple drag light connector requirement added 8/12/2020 PLS



# Orange County Freeway Service Patrol Service Areas

**ATTACHMENT A**

Effective 10/2/2021

Provider / Contract #	Service Area	Beat #	Location	Tow	Backup	Hours of Operation
State Route 91 (SR-91)						
Service Starts 10/2/21 through 10/2/2027	1	910	Carmenita Road - SR-57 (SB1 Rover) W/ Patrols through I-5 and SR-57 Interchange	1	1	5:30 to 19:30 Mon - Fri With Two 30 Minute Lunch Breaks
		911	Caemenita Road - Euclid Street	1	1	Peak Hour Service 6:00 to 10:00 and 15:00 to 19:00
		912	Euclid Street - Tustin Avenue	1		Monday through Friday
State Route 22 (SR-22)						
Service Starts 10/2/21 through 10/2/2027	3	220	Valley View Street - SR-55 (SB1 Rover) W/ Patrols through I-5 / SR-57 and SR-55 Interchanges	1	1	5:30 to 19:30 Mon - Fri With Two 30 Minute Lunch Breaks
		221	Valley View Street - Euclid Street	1	1	Peak Hour Service 6:00 to 10:00 and 15:00 to 19:00
		222	Euclid Street - SR-55	1		Monday through Friday
		225	SR-22 Through SR-57, I-5, & SR-55 Interchange Area	Existing Tow		Saturday and Sunday 10:30 to 19:00
Interstate 405 (I-405)						
Service Starts 12/4/21 through 10/2/2027	5	408	Fairview Road - Bake Parkway W/ I-5 Interchange (Rover)	1	1	5:30 to 19:30 Mon - Fri With Two 30 Minute Lunch Breaks
		409	Fairview Road - Culver Road	1	1	Peak Hour Service 6:00 to 10:00 and 15:00 to 19:00
		410	Culver Road - Bake Parkway	1		Monday through Friday
		402*	I-605 to SR-73 (SB1 Construction Support) * * Service may be moved or discontinued at any time	Existing Tow		Construction Support Service Mon - Fri 20:00 to 00:00 Saturday and Sunday 10:30 to 19:00
Interstate 5 (I-5)						
Service Starts 10/2/21 through 10/2/2027	6	500	Artesia Boulevard - 17th Street (SB1 Rover) W/ Patrols through SR-91 and SR-22 Interchange	1	1	5:30 to 19:30 Mon - Fri With Two 30 Minute Lunch Breaks
		501	Artesia Boulevard - Euclid Street	1	1	Peak Hour Service 6:00 to 10:00 and 15:00 to 19:00
		502	Euclid Street - 17th Street	1		Monday through Friday
Service Starts 12/4/21 through 10/2/2027	8	506	El Toro Road - Christianitos Road (Rover)	1	1	5:30 to 19:30 Mon - Fri With Two 30 Minute Lunch Breaks
		507	El Toro Road - Ortega Highway	1	1	Peak Hour Service 6:00 to 10:00 and 15:00 to 19:00
		508	Ortega Highway - Christianitos Road	1		Monday through Friday
		511 512	El Toro Road. - Ortega Highway Ortega Highway - Christianitos Road	Existing Tow Existing Tow		Saturday and Sunday 10:30 to 19:00
State Route 55 (SR-55)						
Service Starts 10/2/21 through 10/2/2027	10	550	SR-55 From SR-91 - Mesa Drive (Rover)	1	1	5:30 to 19:30 Mon - Fri With Two 30 Minute Lunch Breaks
		551	SR-55 From SR-91 - 4th Street / Irvine Boulevard W/ Patrols through SR 22 Interchange	1	1	Peak Hour Service 6:00 to 10:00 and 15:00 to 19:00
		552	4th Street / Irvine Boulevard - Mesa Drive W/ Patrols through 405 and 73 Interchanges	1		Monday through Friday



**ORANGE COUNTY FREEWAY SERVICE PATROL**

**ANNUAL HOLIDAY LIST**

As Freeway Service Patrol (FSP) is principally a congestion-mitigation program, FSP service will not operate on the following holidays. Holidays and holiday hours may be added, removed, or modified annually with notice from the California Highway Patrol and OCTA. The designated holiday day may also be modified to the day before or after the holiday date if the holiday falls on a Saturday or Sunday.

New Year's Day  
Memorial Day  
Independence Day  
Labor Day  
Veterans Day  
Thanksgiving Day  
Day After Thanksgiving  
Holiday Break \* (Christmas Day through New Year's Day)

\*FULL FSP SERVICES RESUMES ON JANUARY 2

**NOTE:** Hours may be extended on the day before or after a holiday for getaway traffic.



Orange County

# Freeway Service Patrol

## STANDARD OPERATING GUIDELINES<sup>i</sup>



ORANGE COUNTY TRANSPORTATION AUTHORITY  
CALIFORNIA HIGHWAY PATROL  
CALIFORNIA DEPARTMENT OF TRANSPORTATION

*January 2021*  
*Issued 12/1/2020*



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**ORANGE COUNTY FREEWAY SERVICE PATROL  
STANDARD OPERATING GUIDELINES**

**ACKNOWLEDGEMENT OF RECEIPT OF SOG  
AND PERMISSION TO USE IMAGE**

I have received a copy of the Orange County Freeway Service Patrol Standard Operating Guidelines dated January 2021. I understand and acknowledge by my signature below that compliance with these guidelines is a condition of my participation as an Operator in the Freeway Service Patrol (FSP) Program. I understand that it is my responsibility to read, understand, and comply with these guidelines. I further understand that California Highway Patrol (CHP) and Orange County Transportation Authority (OCTA) Program Administrators may conduct inspections and searches of contractor owned vehicles to assure compliance with program policies and contract requirements at any time<sup>ii</sup>.

I hereby grant the OCTA, CHP, and the California Department of Transportation the irrevocable and unrestricted right to use, reproduce, and distribute photographs and/or video images taken of me during my association with the FSP program, and waive any right to compensation that may result from the use of the images<sup>iii</sup>.

\_\_\_\_\_  
Operator Name (Print)

\_\_\_\_\_  
Operator ID #

\_\_\_\_\_  
Operator's Signature

\_\_\_\_\_  
Date

**This form is to be removed, completed, and  
returned to CHP Management Staff no later  
than **January 15, 2021**.**<sup>iv</sup>







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## FOREWORD

Congratulations, and welcome to the Orange County Freeway Service Patrol (FSP) program; the premier program of its type in the country. The FSP program is a congestion-management program designed to quickly remove congestion-causing vehicles and debris from the roadway and assist congestion-causing motorists whose vehicles have become disabled on the side of the roadway. As an Orange County Freeway Service Patrol Operator, you are a member of an elite team of congestion-relief specialists. While, as the FSP Operator, you may be the first on-scene, you are not considered a first responder, are not trained by the program to perform advanced recovery work, fight fires, provide advanced medical aid, and are not required by the program to perform such actions. As an FSP Operator safety is your first priority! You are not to place yourself or the motorist public that you are assisting into a situation that may jeopardize your (or their) safety.

This Standard Operating Guideline (SOG)<sup>v</sup> is a living document that will be updated annually, to reflect the constantly changing environment in which we work. Changes from the previously issued SOG are identified in red throughout this document, so that you may easily identify areas that have been added or modified.

The purpose of this document is to provide guidance and service standards for provided service through the FSP program. It does not replace or override your employer/tow company policies, procedures, or safety practices. While FSP program managers provide training on program guidelines and will test for basic proficiency, you are to follow your company provided training, policies, procedures, and safety guidelines when providing service. When in doubt, refer to your tow company policies and practices, or check with a company supervisor or manager.

Not all service situations arising in on the FSP program can be covered in this document, therefore sound judgment on the part of the FSP Operator should always be used. If you have any questions regarding any area of the Freeway Service Patrol Program, program guidelines, please see your company manager or a CHP Officer Supervisor Unit (David Unit).

Take pride in your job! You are fighting on the front line in a constant war to reduce congestion for Orange County motorists. Your smile can make someone's day.



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## TECHNICAL DEFINITIONS

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<b>511 / Go 511</b>	Orange County Motorist Assistance and Traveler Information website, smart phone application, and interactive voice response (IVR) system where travelers may obtain traffic information, transit information, or reach the freeway call box call center for freeway roadside assistance. Motorists may reach the 511 IVR system by calling 511 from their cell phone. <sup>viii</sup>
<b>Callbox</b>	The bright yellow box located alongside the freeway, spaced about every two miles, used to contact a call center to request roadside assistance.
<b>Caltrans</b>	California Department of Transportation
<b>Center Divider Wall</b>	The wall in the center of the freeway that separates opposing directions of traffic.
<b>CHP</b>	California Highway Patrol
<b>Contract</b>	The legal document (of which this document is a part) between the Orange County Transportation Authority (OCTA) and your tow company owner.
<b>Contractor</b>	A tow company contracted to provide service for the Freeway Service Patrol program.
<b>Dispatch</b>	The CHP personnel assigned to dispatch the service vehicles for the Freeway Service Patrol program.
<b>Edge Line (Fog Line)</b>	The painted lines on the roadway surface used to delineate the edge of the roadway and provide a visual reference. Also known as a fog line.
<b>FSP / OC FSP</b>	Orange County Freeway Service Patrol Program
<b>HOV/Carpool Lane</b>	The lane to the left of the #1 lane. It generally requires vehicle occupancy of more than one person.
<b>IDT</b>	Initial Driver (Operator) Training
<b>Lane Numbering</b>	Traffic lanes are numbered from left to right starting with the number one, directly to the right of the HOV lane.
<b>Management</b>	Caltrans and CHP personnel assigned to supervise the FSP in the field (formally referred to as FSP Supervisors), and OCTA staff assigned to FSP program.



<b>Median/Center Divider</b>	The portion of a divided highway separating the roadway for traffic in the opposite direction.
<b>OCTA</b>	Orange County Transportation Authority
<b>Off Ramp</b>	The freeway exit lane.
<b>OJT</b>	On-the-Job Training
<b>On Ramp</b>	The freeway entrance lane.
<b>Operator</b>	A trained contractor employed tow truck driver certified to work in the FSP program.
<b>Overcrossing</b>	A bridge for a roadway crossing over the freeway.
<b>Redeployment</b>	The deployment of alternate FSP Contractor resources to fill a service gap.
<b>Service Truck</b>	A pick-up truck (OC FSP no longer utilizes service trucks)
<b>Service Vehicle</b>	A tow truck or pick-up truck equipped and assigned to work for the FSP program.
<b>Shoulder</b>	The portion of the highway to the right of the traffic lanes, used by stopped vehicles and emergency stops.
<b>SOG</b>	The FSP program's Standard Operating Guidelines.
<b>Tablet</b>	iPad or other Tablet computer that has been approved for use as a mobile data device for the OCTA provided tracking and data collection system.
<b>Disqualification<sup>ix</sup></b>	Removal from the FSP Program.
<b>Transition (Fly Over)</b>	A connector road that joins two freeways.
<b>Truck By-pass</b>	A by-pass lane designed for truck traffic (such as on the I-5 between Lake Forest and the I-405.)
<b>TMC</b>	Orange County Traffic Management Center
<b>Under Crossing</b>	A bridge for a roadway crossing under the freeway.



# ORANGE COUNTY FREEWAY SYSTEM





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PROCUREMENT DRAFT



# CHAPTER 1

## OVERVIEW OF ORANGE COUNTY'S FREEWAY SERVICE PATROL PROGRAM

---

### 1. WHY A FREEWAY SERVICE PATROL PROGRAM?

The purpose of the Freeway Service Patrol (FSP) is to provide congestion relief on the freeways, improve safety and air quality, and reduce fuel consumption by rapidly clearing incidents.

According to studies, over 50 percent of traffic congestion is the result of collisions and stalled vehicles. Prompt clearing of the roadway reduces the occurrence of additional collisions and slowing caused by curious onlookers and motorists trying to avoid the original incident. The keys to maintaining maximum capacity on the roadways are opening closed lanes and expediting the removal of disabled vehicles from the freeway.

### 2. SCOPE OF PROGRAM

FSP is a joint program of the Orange County Transportation Authority (OCTA), the California Highway Patrol (CHP), and the California Department of Transportation (Caltrans).

Tow companies enter into contractual agreements with OCTA to provide continuous patrol service during morning and evening commute hours on designated portions of Orange County's most congested freeways and highways. Additional limited service is provided during off-peak midday hours, weekends, and in specific construction areas.

Tow truck drivers, employees of the contracted tow company<sup>x</sup> (hereinafter called "Operators") provide on-the-spot assistance to motorists, free of charge, and with no tip. An Operator may: jump start vehicles, change a flat tire, provide a gallon of gas, refill radiators, tape water hoses, or provide other quick fixes to mobilize the disabled vehicle.

If an FSP Operator is unable to get a vehicle running within 10 minutes, the Operator should tow the vehicle to a designated drop location where additional assistance can be requested.

An FSP Operator may be called upon to provide assistance in removing vehicles involved in collisions, removing debris from roadways, or assisting with other incidents as directed by the CHP.



### 3. FSP MANAGEMENT ROLES AND RESPONSIBILITIES

While an FSP Operator is in the spotlight for all the services he/she (hereinafter “he”) provides, there are three organizations in the background that provide support and guidance. These organizations are the OCTA, the CHP and Caltrans, that combined are herein called “FSP Management.” OCTA, CHP, and Caltrans are equal partners in overseeing the FSP Program. Their responsibilities include:

#### OCTA

- Develop, advertise, award, and manage the contracts of the tow truck companies
- Manage FSP field and vehicle communications equipment
- Manage program funds
- Develop Program (system enhancements)
- Procure and distribute program supplies
- Process contract invoices
- Monitor contract-required insurance policies
- Monitor contract compliance including, but not limited to, driving record checks, drug and alcohol policy compliance, mandatory training, and record retention.
- Administer redeployment operations
- Evaluate Contractor and program performance
- Evaluate Contractor and program complaint investigations
- Collect assist information
- Perform random and planned tow facility inspections
- Coordinate Contractor invoice adjustments



**CHP**

- Provide initial and quarterly refresher FSP Program training/certification to all Operators (classroom and practical training)
- Provide program law enforcement services
- Provide field supervision<sup>xi</sup>
- Monitor Standard Operating Guideline (SOG) Compliance
- Perform cursory tow inspections
- Perform random and planned tow facility inspections
- Monitor Operator compliance with SOG
- Conduct Live Scan check of each applicant's fingerprints
- Monitor registration and Motor Carrier Permit status for program vehicles
- Conduct Operator complaint investigations
- Document SOG violations
- Dispatch FSP tow trucks
- Enforce Contract provisions
- Process monthly billing statements
- Coordinate Contractor invoice adjustments
- Monitor fleet of FSP tow trucks using the Automatic Vehicle Location (AVL) system, which monitors the precise location of all FSP trucks.

**CALTRANS**

- Coordinate construction support as it relates to FSP
- Prepare program quarterly report
- Review traffic patterns of existing and proposed beats
- Evaluate beat performance



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PROCUREMENT DRAFT



## CHAPTER 2

# CONTRACTOR DUTIES AND RESPONSIBILITIES

---

### 1. CONTRACT REQUIREMENTS

Compliance with the FSP vehicle requirements, vehicle maintenance, and Operator uniform standards are the responsibility of the Contractor, not the Operator. Each Contractor shall supply OCTA/CHP with a list of authorized agent(s)/manager(s).

To maintain the quality, safety, and professional standards of the FSP Program, Contractors shall at a minimum meet the following requirements:

1. All members of the contractors' management team identified as key personnel in the contract must attend OC FSP Initial Driver Training and must regularly attend quarterly training sessions to maintain a working knowledge of OC FSP program requirements, current issues, and program changes.<sup>xii</sup> At least one member of the contractors' management team identified as key personnel in the contract must maintain valid certification as an Orange County FSP Operator. Certified contractor staff designated as key personnel in the contract who do not drive as part of their regular duties may be excused for up to one (1) quarterly training session each calendar year, if necessary to manage the contractors' other operations. Arrangements to be excused from training must be arranged with CHP program supervisors prior to the training date. The staff member must also make arrangements to meet with CHP supervisors to cover the material presented at the training.<sup>xiii</sup>
2. Contractor is to assure that their employees/tow operators know, understand, and comply with all company policies, procedures, and safety guidelines. For operators working in the FSP program, company must reasonably assure that their employees/tow operators know, understand, and comply with FSP program service guidelines.
3. Pre-operation inspections shall be conducted on FSP trucks at the Contractor's facility prior to each shift. Exception – If the vehicle remains on the beat to work consecutive shifts (already in operation), the replacement operator shall perform a field vehicle check to assure that there is not vehicle damage and that all lights etc. are functional before continuing in service.
4. Contractor/agent/manager shall be on site during all pre-operation inspections and shall review and sign the pre-operation inspection sheet prior to the Operator beginning his work assignment. Additionally,



falsifying any pre-operation inspection form will result in suspension/disqualification of the involved individual(s) from the FSP Program.

#### 5. Tool, Equipment and Supply Requirements<sup>xiv</sup>

Contractor is to assure that each truck is equipped in accordance with the Freeway Service Patrol Manual and Standard Operating Guidelines and, at a minimum, include the following equipment and supplies listed below. Contractor may, at their discretion, equip vehicles with additional tools, equipment, and supplies that allow their operators to perform their work more efficiently or safely.

- Tow chains 3/8" alloy or Original Equipment Manufacturer ("OEM") specifications, J.T. hook assembly.
- Mounted spotlight capable of directing a beam both front and rear.
- Directional light bar system that will display four different patterns including right, left, split (center to outwards), and warning/flash, with on/off switch in cab.
- External speaker and public address system front and back, that will also broadcast FSP radio through a switchable direct connection between the public address system and the FSP radio external speaker port.
- Two (2) 12-volt 30 Amp protected circuit connection points for OCTA-provided communications equipment (two-way radio and Edge Controller). Connection points are to be connected through the vehicle ignition system so that the power to the components will be discontinued when the truck is turned off.
- One (1) 12-volt 30 Amp protected circuit connection point for OCTA-provided power timer. Connection point is to be connected to the vehicle battery power so that the power will be "hot" at all times. The connection will be utilized for a power timer that will allow the Edge Controller to remain active for approximately 60 minutes after the vehicle is turned off.
- iPad tablet data device capable of connecting efficiently to the FSP tracking and data application. Contractors must also provide appropriate power supplies for the devices, so that devices will have enough power to operate for the duration of their shift.



- Tablet device mounting hardware. Contractors may utilize whatever mounting hardware they deem appropriate, provided that the devices are securely affixed to the vehicle in some manner, and do not cause an obstruction for the safe operation of the vehicle.
- Power outlets (hot boxes), front and rear mounted, with outlets compatible to 12-volt booster cables.
- Heavy duty, 60+ amp battery.
- Radios with the ability to communicate with the Contractor's base office.
- Programmable scanners capable of scanning between the 42 and 47.24 frequencies used by both Caltrans and the CHP.
- Suitable cab lighting .
- Trailer hitches capable of handling a 1 7/8-in. ball and 2 in. ball.
- Rear work lights.
- A Thomas Brothers or other suitable Orange County map.
- Safety chain D-ring or eyelet mounted on rear of truck.

Each Orange County FSP truck will be required to have a toolbox with the following minimum number of tools/supplies. A tool kit for small equipment items is required. The list may be supplemented at the Contractor's option and expense.

- Screwdrivers - Standard-1/8", 3/16", 1/4", 5/16" (1 each, min.)

- Needle-Nose pliers (1)



- Adjustable Slip-Joint pliers, 2" minimum capacity (1)



- Tongue-and-Groove (Channel-lock) pliers 2" minimum capacity (1)<sup>xv</sup>





- Crescent wrench - 8" (1)



- Crescent wrench - 12" (1)



- 4 lb. hammer (1) 
- Rubber mallet (1)
- Electrical tape, complete roll (1)
- Duct tape, 20 yard roll (1)
- Tire pressure gauge (1)
- Mechanic's wire (complete spool) (1)
- Bolt cutters (1) 
- Seatbelt Cutter (1)  
(Must be seatbelt cutter, designed to protect vehicle occupants while in use, not a knife)

In addition to the above, each vehicle shall be required to have the following equipment to perform the Orange County FSP role. All equipment stored on top of the truck shall be secured to the truck.

- Unleaded gasoline in approved cans (red) (10 gallons)  
(2-5 gallon cans may be used)
- (Optional) Diesel fuel in approved cans (yellow) (5 gallons)  
(If provided, must be clearly marked "Diesel Fuel")
- Safety chains minimum 5 ft. (with positive locking device) (2)  
5/16" alloy or OEM specifications
- First aid kit (small 5" x 9") (1)
- Fire extinguisher aggregate rating  
of at least 10-B, C units (1)
- Fire extinguisher label affixed to the outside of truck (2)
- Pry bar - 36" or longer (1)
- Radiator water in plastic container (blue) (10 gallons)  
(2-5 gallon cans may be used)
- 4" x 6" x 12" wood blocks (2)



- 4" x 4" x 48" wooden cross beam (1)
- 4" x 4" x 60" wooden cross beam (1)
- 24" wide street broom (1)
- Square point shovel (1)
- Fuses (highway flares), 15 minute (36)
- Cones 28" (6)
- Hydraulic jack, 2-ton, floor (1)
- Four-way lug wrench (1 std.) (1)
- Four way lug wrench (1 metric) (1)
- Thin-Wall Deep Socket Set\* and Breaker Bar (1)  
\* Must include 17mm and 19mm sockets<sup>xvi</sup>
- Onboard air compressor with 100 psi capacity and 50ft air hose (1)
- Flashlight and spare batteries (1)
- Tail lights/brake lights, portable remote with extension cord (drag lights) (1 set)
- Booster cables, 25 ft. long minimum 3-gauge copper wire with heavy-duty clamps and one end adapted to trucks power outlets (1 set)
- Funnel, multi-purpose, flexible spout (1)
- Pop-up dolly, portable for removing otherwise un-towable vehicles\* (1)
- 2" Polyester Ratchet-Type Wheel Safety Straps with Flat Snap Hook (Minimum rating 2,000 lb.) (2)
- 5-gallon can with lid, filled with absorbent material (1)
- Lock out set (1)



- Trash can with lid (5 gallon) (1)
6. Contractor/agent/manager shall ensure that all deficient items identified on the pre-operation sheets are repaired **prior** to going into service and that trucks are not allowed into service until repairs are made.
  7. The Contractor shall keep the pre-operation inspection forms in the vehicle for the current week. After the one week period, the Contractor shall keep the forms on file at its facility for 60 calendar days.
  8. Contractor/agent/manager shall designate a Lead Operator or supervisor to assist in supervising the applicable FSP Beats. Contractors are required to provide the Lead Operator or supervisor a cellular device to conduct FSP related business.
  9. Contractors and/or their managerial agents are required to attend the Orange County FSP Quarterly Contractors Meeting.
  10. The Contractor shall provide OCTA and CHP with a list of authorized agents/managers. If an agent/manager leaves the company, the Contractor shall notify OCTA and CHP in writing. The Contractor shall not remove or replace key personnel as identified in the agreement between the Contractor and OCTA without prior written consent from OCTA.

## **2. MOTOR CARRIER PERMIT, REGISTRATION, AND INSURANCE**

Part of the Contractor's responsibility is to keep current on all laws and regulations associated with being a tow operator. Failure to maintain continuous permitting and coverage, as required, may result in suspension or termination of the FSP contract.

1. The Contractor shall maintain a current/valid Motor Carrier Permit and provide CHP Management with a current copy. Failure to maintain a valid copy will result in immediate suspension, and possible termination, of all activity on FSP beats until a valid Motor Carrier Permit is obtained.
2. The Contractor shall maintain current registration on all FSP service vehicles. Each Contractor must provide CHP Management with a copy of the valid registration for each vehicle in his/her fleet. Failure to maintain current registration on any FSP vehicle will result in removing the vehicle from FSP service until valid registration is obtained. The Contractor will be docked for any period that the vehicle is not providing service on the beat, unless a certified FSP back-up truck with current registration is available.



3. The Contractor shall maintain current/valid insurance for each FSP vehicle and provide OCTA with a current copy. Failure to maintain current/valid insurance will result in immediate suspension, and possible termination, of all activity on FSP beats until current/valid insurance is obtained.
  4. The Contractor shall be responsible for maintaining current copies of the vehicle's registration and insurance in the vehicle in accordance with California Vehicle Code.
- 3. ON-THE-JOB (OJT) & BEHIND-THE-WHEEL (BTW) TRAINING FOR NEW OPERATORS**
1. The goal of OJT and BTW training is to provide the FSP Operator Trainee with field experience relating to the daily operations of the FSP program. Contractor **shall** provide a new Operator without prior FSP experience at least 24 hours of on-the-job training (OJT), 16 hours of which must be behind the wheel (BTW) in an FSP tow truck during the morning or afternoon peak-hour FSP shift, accompanied by an experienced FSP Operator approved by FSP management. OJT and BTW training must begin after the FSP Operator Trainee completes the three-day Initial Driver Training (IDT) class and passes the towing proficiency test. OJT and BTW must be completed within 45 calendar days of successful completion of the IDT class.
  2. OJT and BTW Training is to consist of the following:
    - a. Driving Safety and Roadside Safety
    - b. Knowledge of Standard Operating Guidelines and Tow Procedures.
    - c. Knowledge of Beats and Beat Areas
    - d. Knowledge and location of authorized drop locations (Drop Zones)
    - e. Interacting with Motorists and CHP At the Incident Scene
    - f. Proper radio guidelines
    - g. Effective use of mobile data device (Tablet)
    - h. Proper completion of required forms
    - i. CHP David Unit Contacts and Inspections
    - j. Interaction with CHP dispatch



k. Operator Breaks, Lunches, Vehicle Exchange, and Driver Exchange

3. A Contractor new to the FSP program, who does not have an experienced FSP Operator as well as other special situations, shall be handled on a case-by-case basis.

Dispatch must be notified at the beginning of each shift when OJT is being provided. If OJT occurs on back-to-back shifts, the information will need to be repeated.

Trainers shall document that OJT has been provided to the Trainee using the OJT Checklist Form. (Attachment E)

OJT shall be monitored by FSP Management and shall be subject to random inspections.

**ALL ON THE JOB TRAINING MUST BE COMPLETED WITHIN 45 DAYS FOLLOWING THE LAST DAY OF THE INITIAL DRIVERS TRAINING CLASS.**

**4. REQUIRED SAFETY MEETINGS**

The Contractor shall hold monthly scheduled safety meetings in accordance with California law SB 198 (Chapter 369, Statutes of 1989). Ten days prior to the safety meeting, Contractor shall notify FSP Management of the date and time of the meeting. FSP Management at its discretion may attend any or all safety meetings. These meetings shall be used to discuss safety topics, disseminate information regarding the FSP Program, and to provide a forum where the Operator may express his concerns.

Each Contractor shall document the date, time, and location of the safety meetings, including names of attendees and subjects covered, and maintain the documentation for FSP Management's inspection upon request.

**5. FSP OPERATOR IDENTIFICATION CARD CHANGE CRITERIA**

An Operator who is changing FSP employers is required to obtain a new FSP identification card (ID) **prior to** assuming FSP duties for the new employer. It is the responsibility of the Contractor to make an appointment with FSP Management for the Operator to obtain the new ID card. A minimum of 24 hours' notice is required to schedule an ID appointment. A new FSP ID card will not be issued until the old FSP ID card has been turned into FSP Management. The Operator will remain active in the FSP program if the change of employer is completed within 30 calendar days from the Operator's



last day worked. After 30 calendar days, an Operator will be considered to have left the program and will need to be reinstated.

The following guidelines must be adhered to for the issuance of Operator ID cards. ID cards will be issued only by the CHP FSP Unit at the following address:

CHP - FSP Unit  
6681 Marine Way  
Irvine CA, 92618  
(949) 651-4542

1. Only Contractors can make appointment for Operator ID cards to be issued with a minimum of **24 hours notice**.
2. Contractors shall make appointments with CHP at (949) 651-4542.
3. Contractor shall notify CHP if an Operator cannot make his pre-scheduled appointment.
4. Due to space and time restrictions, only one (1) appointment can be made per hour. Exceptions may be made for multiple Operators from the same company, arriving in the same vehicle.
5. Operators must be on time for their appointment. Late arrivals will not be accepted and will need to be rescheduled.
6. Operators arriving for their appointments shall park in the Orange County Traffic Management Center (TMC) visitor parking lot located on Marine Way.
7. Upon arrival, Operators shall call the above number to arrange for an escort to the FSP Office or contact security for instructions.
8. Operators must bring all required paperwork to their scheduled appointment.
9. Operators' ID numbers will be given out **only** when the ID card is issued to the Operator. No ID numbers will be issued by telephone.
10. It is the Contractor's responsibility to make its Operators aware of the correct procedure to follow regarding the issuance of ID cards.

## 6. UTILIZING THE SERVICES OF AN OPERATOR FROM ANOTHER CONTRACTOR<sup>xvii</sup>



A contractor utilizing operators or providing service through another Orange County FSP contractor does not relieve the primary contractor of their obligation to deploy service and meet service requirements and does not relieve the primary contractor from missed service penalties.

A contractor, who wishes to temporarily utilize the services of an Operator from another Orange County FSP Contractor must do the following:

1. Contact the Orange County FSP Contractor who will be providing services on behalf of the primary contractor.
2. Negotiate a subcontract with the FSP Contractor that specifically outlines the subcontract terms including revenue vehicle rate the primary contractor will pay to the subcontractor for services performed on their behalf, service beat(s) and agreement/work term, work request notification requirements, and any other areas that the parties believe will mutually protect the parties.
  - a. FSP Management recommends that subcontract service be deployed on a weekly basis, as opposed to a day-to-day basis.
  - b. FSP Management recommends that requests and notifications be issued to the subcontractor and to the OCTA Project Manager by 12:00 noon on the Thursday before the week that replacement service is to be deployed.
3. The primary contractor shall notify the OCTA Project Manager and CHP Lead Officer (David 1) of the arrangement and coverage in writing before 12:00 noon, the business day before the coverage is to be provided.
  - a. For the purposes of this section a business day is 8:00 to 17:00, Monday through Friday.

## **7. TIP PROCEDURE**

Should a Contractor encounter a situation where an Operator is given a tip, the Contractor shall use the following procedure:

1. The Contractor shall maintain control of the tips, (money/items received) until the end of the calendar month in which the tip was received. The Contractor is required to turn in tips and Tip Logs to the CHP at the end of the month.
2. The Contractor shall maintain a Tip Log with the following information:
  - a. Date received



- b. Log Number
- c. Operator's ID number receiving the tip
- d. Amount of money/item received
- e. Running total of monetary tips received

## **8. FSP PROGRAM SUPPLIES**

Contractors shall maintain a sufficient quantity of FSP supplies such as brochures, business cards, parking tags, FSP abandoned vehicle markers (FSP 422), and forms described in Attachments A through H. Supplies can be obtained from OCTA by contacting the Motorist Services Manager. The forms in this SOG are examples only and should not be copied for use in operations.

## **9. ANNUAL VEHICLE INSPECTIONS**

All FSP contracted vehicles shall be inspected annually by FSP Management. Vehicles shall be required to comply with the vehicle inspection requirements defined in the latest bid solicitation requirements. CHP shall coordinate the scheduling of annual inspections.

## **10. DROP LOCATION BOOK AND SOG MANUAL**

The Contractor is responsible for ensuring that each FSP truck has a current drop location binder. The Contractor shall place a drop location binder in each FSP vehicle and post the drop location and SOG updates in a conspicuous location within the company's office as soon as they are received from FSP Management. This SOG shall be carried by the Operator in the FSP vehicle during FSP service hours. (FSP Management recommends that it be placed next to the "drop location" binder.)

## **11. DOCK INFORMATION**

1. Mechanical Breakdown  
An Operator going out of service for mechanical reasons shall be docked in 15-minute increments at straight time up to 45 minutes, until such time that the truck either returns to service or a backup truck is deployed. If the repair takes longer than 45 minutes, the dock will be double the hourly rate. The start time for the dock will be the original time the Operator went out of service.
2. Missed Service



If an Operator arrives more than 30 minutes late to the beat, or if a truck is unavailable other than due to a mechanical breakdown, or if an eligible operator<sup>xviii</sup> is unavailable to work a shift, the Contractor will be penalized triple the hourly rate for each 15-minute increment of missed service.

3. Operator/Vehicle Removed from Service

If an Operator or vehicle is removed from service due to any violation of the SOG or contract, the Contractor will be penalized double the hourly rate for each 15-minute increment that the beat is not covered.

4. Tardiness

If an Operator arrives late to the beat, the Contractor will be penalized double the hourly rate for the first 15 minutes that the Operator is tardy.

## 12. MAINTAINING FULLY-EQUIPPED BACKUP TRUCK AND OPERATOR

As identified in the Contract, the backup truck shall be outfitted with all the required equipment installed on regular FSP trucks and shall be ready to be placed into service during all shift hours. Contractors should consider using a backup Operator on occasion to keep them proficient in FSP policies and guidelines. Backup operators are required to work one, eight-hour shift every six months to maintain their FSP certification. Designated shop managers may conduct 12 hours of ride alongs with an FSP Operator every six months, instead of the required eight hours of driving.

## 13. FSP DEDICATED VEHICLE POLICY

All contracted FSP vehicles shall be dedicated to the FSP program. FSP vehicles must return to Contractor facilities when not providing FSP service. Non-Dedicated backup trucks are exempt from the dedicated vehicle requirement and may be used for non-FSP related service as described below.

1. Dedicated Vehicles at Approved Facility When Not in Service

All FSP dedicated trucks are required to be at their approved facility when not providing FSP service. Operators are not authorized to take vehicles to their residence, on errands, non-FSP related tows, or similar non-FSP related activities.

Contractors are allowed to take their dedicated FSP vehicles to dealers or other maintenance facilities as required to keep their vehicles properly maintained. FSP vehicles must have the “**Not In Service**” magnets displayed on the FSP vehicle, covering the FSP logo<sup>xix</sup>, whenever the vehicle(s) are undergoing non-FSP related activities.

2. Non-Dedicated Backup Vehicles



Contractors are required to have all backup trucks match the vehicle design guidelines required of all primary contracted vehicles. The Contractor is required to cover the FSP logo and all other markings referring to FSP at its own expense, whenever the non-dedicated backup vehicles are used for non-FSP service. The Contractor may not modify these design guidelines (i.e. put its logo, change color, etc.) on the backup truck. As of this printing no FSP contracts currently include non-dedicated backup trucks as part of their agreement.

#### **14. VEHICLE REFUELING**

No refueling of vehicles is allowed during any FSP shift. FSP vehicles shall only be fueled during non-FSP hours. Should it become necessary to fuel a service vehicle during an FSP shift, the Operator shall immediately notify CHP dispatch, to initiate a dock log. The Operator shall notify Dispatch when he is back in service, to finalize the dock and receive a log number. Contractors who are unable to fill a shift or any portion of a shift because of insufficient fuel shall be docked as an open shift for the period that the vehicle is not in service.<sup>xx</sup>

#### **15. EQUIPMENT TAMPERING**

Tampering with FSP communication or tracking equipment so that it does not function properly or is moved (without FSP Management authorization) from its original installed location is strictly prohibited. This includes but is not limited to breaking connection sealer on equipment connections, cutting wires or cable, moving mounted equipment (speakers, microphones, etc.), rerouting any wiring, disconnecting any connectors, or using the equipment for any other reason than it was intended.

If tampering is suspected, FSP Management will conduct an investigation to determine the party responsible for the damage.

##### Tampering Repairs

If tampering is verified, the vehicle will be taken out of service and remain out of service until the repair and documentation by FSP Management is completed.

##### Tampering Penalties

The Contractor will be responsible for any cost incurred by OCTA as a result of equipment tampering. Any cost incurred by OCTA will be deducted from the Contractor's monthly invoice. If it is determined that the Operator tampered with the equipment, the Operator may be disqualified from the FSP Program.

Violations of this nature will be handled on a case by case basis.

#### **16. DRUG & ALCOHOL**



Compliance

The Contractor is responsible for complying with all applicable federal, state, and local laws and regulations pertaining to a drug and alcohol free workplace. The Contractor is required to have a drug and alcohol policy in writing that is in compliance with the requirements of the contract and must be distributed and made easily accessible to all its employees.

Penalty

Failure to comply with the requirements of this document and the requirements set forth in the contract will be handled on a case by case basis and may result in suspension, and/or termination from the FSP program.

**17. DISCLOSURE OF ALL FSP PROGRAM VIOLATIONS**

Contractors are required to immediately report to FSP Management, any act, omission, or violation of the SOG by the Contractor, its staff, or their FSP Operators.

A Contractor having knowledge of and failing to immediately notify FSP Management of any program violations will be subject to disciplinary action including, but not limited to, beat suspension, contract termination, and criminal prosecution.

**18. FALSIFYING INFORMATION TO FSP MANAGEMENT**

Contractors providing false or misleading information to FSP Management shall be subject to disciplinary action and handled on a case by case basis based on the facts available.

**19. FSP HOLIDAY VEHICLE DEPLOYMENT POLICY**

FSP Holidays: Except as otherwise provided in the contract with OCTA, no service shall be provided during all recognized legal holidays\*, in accordance with contracts, as follows: New Year's Day, Memorial Day, Independence Day (July 4<sup>th</sup>), Labor Day, **Veterans Day**, Thanksgiving and the day after Thanksgiving (Thursday and Friday), and December 25<sup>th</sup> through January 1<sup>st</sup> \* Actual holiday date / days may be adjusted based on proximity to the weekend and other factors.

Exceptions: Holiday redeployment may be offered in special situations. Hours may be extended on the work day before the holiday for getaway traffic or on the day before the next work day



after a holiday. This may fall on any day during the week, including weekends.

PROCUREMENT DRAFT



## CHAPTER 3

# OPERATOR CERTIFICATION

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All FSP trucks shall only be driven and operated by a certified Operator. To become a certified Operator, all applicants must pass a background screening test, a 24-hour classroom training program, a towing proficiency test, and complete 24 hours of on-the-job training. An Operator placed into FSP service by an FSP Contractor without authorization from FSP Management may result in beat suspension and/or Contract termination.

All Operators and key personnel are required to attend the initial drivers training class. All applicants for certified Operator are required to be in class on time and attend all three training days or be disqualified. There must be a minimum of three applicants for the initial drivers training class to proceed. If there are more than 11 applicants, CHP may provide an additional training class.

### 1. OPERATOR QUALIFICATIONS

1. An Operator shall be at least 20 years of age.
2. Contractors shall ensure that the prospective FSP Operator is “qualified, experienced, competent,” and is trained and proficient in the use of the tow truck and related equipment prior to the towing proficiency test. “Qualified, experienced and competent” means that the Operator can properly and safely hook up a vehicle. The Operator must also be able to tow vehicles safely and efficiently without causing damage to the vehicle being towed. Additionally, the Operator must be able to perform minor repairs in a timely manner and be able to exercise good sound judgment in carrying out his duties.
3. Each Operator, including any backup operator, shall be required to complete the FSP Management’s three-day FSP Initial Driver Training (IDT) program. The Contractor shall reimburse each employee for the time spent in the IDT class. No operator will be allowed to participate<sup>xxi</sup> in FSP without successfully completing these mandatory classes unless he has prior approval from the CHP. Any operator who is found working as an FSP Operator without completing these mandatory classes shall be permanently prohibited from further Orange County FSP service and the Contractor will have their FSP contract terminated. The CHP shall certify any Operator who successfully completes the training.
4. A prospective FSP Operator, including any backup operator, shall be required to complete the FSP Management’s Operator Proficiency test. (Note that all beats shall require backup operators who must also be FSP



certified.) This test examines the technical knowledge and driving proficiency of each applicant and is overseen by experienced CHP Officers. The test is divided into five<sup>xxiii</sup> major sections: changing a tire, using the wheel lift and dolly guidelines (to be done on a vehicle with a flat rear tire), unlocking a vehicle, towing a vehicle, and demonstration of defensive driving techniques while in tow. Upon successful completion of this practical test, the prospective operator can continue with the next step of the training process.

5. The prospective FSP Operator must be able to read, write, and speak **English** and be able to communicate clearly on the radio. In emergency situations, it is critical that an Operator be able to clearly relay information to a Dispatcher so that the CHP can make a rapid assessment of what is needed at the scene. Whether this information is provided by voice radio or via text on computer screens, a CHP Dispatcher must be able to understand the Operator. In addition, the Operator must be able to read street signs to provide the CHP with accurate location information.
  - a. An Operator must be able to clearly communicate in English with the CHP Dispatch center.
  - b. An Operator must be able to read and write English well enough to be able to quickly read street signs while driving a vehicle and complete required documents and reports.

## 2. CERTIFICATION REQUIREMENTS

1. Background Screening and Certification:  
Before an individual begins the IDT, he will be subject to a background screening conducted by the CHP, which will include fingerprinting and a California Driver License check. Utilizing information and fingerprints, the CHP will check the status of each applicant's California Driver License and search for any outstanding wants or warrants; in addition, a general criminal history will be obtained. Information received in this background screening, including any outstanding warrants, may result in disqualification and/or possible legal action.

Each Operator is required to have the following items for background screening:

- a. Money order or company check for \$50
- b. Valid California Driver License
- c. FSP application, CHP 234D, Applicant Questionnaire, Live Scan Worksheet
- d. No disqualifying felony convictions within the last 10 years \*
- e. No disqualifying misdemeanor convictions within the last 5 years \*



\* Disqualifying convictions are identified in section 3.4 of the SOG and in CHP Manual section 100.47

The application fee is charged to perform a background check on the applicant. The amount charged is based on the approximate cost of a criminal background check through Live Scan fingerprinting and issuance of the initial DL64. A receipt shall be provided to the applicant for the amount of fee collected. The yellow copy of the DL64 (receipt) will be detached from the DL64 and given to the applicant. The yellow copy **is not** the tow truck certificate.

- The temporary tow truck certificate (page 2 of the DL64) shall not be issued unless the applicant meets and passes the established criteria.
- The application fee shall be collected at the time of the Live Scan fingerprinting. This fee is **non-refundable**, regardless of the applicant's approval or denial of a temporary clearance form.
- The fees collected shall be paid by money order or company check to "**CHP Accounting.**"

The CHP will issue a temporary DL64 during the Operator's initial operator training phase. Replacement certificates will be issued **only** at Department of Motor Vehicles (DMV) offices.

## 2. Background Screening Disqualifications

The following shall disqualify an applicant if found during the background screening phase:

- a. Three or more drug-related misdemeanor convictions within five years of an application for a DL64 certificate.
- b. Any drug-related felony conviction within five years of application for a DL64 certificate.

An applicant shall be disqualified for a conviction of the following if the violation occurred within the previous seven years:

- c. Gross vehicular manslaughter while intoxicated - 191.5 (F) PC
- d. Driving Under the Influence (DUI) causing injury/death - 23153 (a) VC



A proven history of convictions for driving under the influence of alcohol and/or drugs shall disqualify an applicant.

e. Two convictions of DUI within the previous two years - 23152 VC

f. Three DUI convictions within the previous seven years -23152 VC

The following criminal violations shall impose a ten-year limitation for felonies and a five-year limitation for misdemeanors before an applicant may be considered eligible to drive for the FSP Program.

- 1) Section 148 PC - Resisting/delaying a peace officer
- 2) Section 222 PC - Administering drugs with the intent to commit a felony
- 3) Section 273.5 PC - Infliction of injury to spouse, cohabitant, parent, or child
- 4) Section 261.5 PC - Statutory rape
- 5) Section 273a PC - Cruelty to a child
- 6) Section 273d PC - Infliction of corporal punishment on a child which results in traumatic conditions
- 7) Section 417 PC - Brandishing a firearm in a threatening manner
- 8) Section 450 PC - Arson
- 9) Section 453 PC - Possession of a firebomb
- 10) Section 459 PC - Burglary
- 11) Section 466 PC - Possession of burglary tools
- 12) Section 467 PC - Possession of deadly weapon with intent to commit assault
- 13) Section 470 PC - Forgery
- 14) Section 470a PC (M) - Reproduction or falsification of a driver license or ID card
- 15) Section 470b PC - Display or possession of a reproduced or falsified driver license or ID card



- 16) Section 477 PC - Counterfeiting money
- 17) Section 484e PC - Theft of an access card
- 18) Section 484f PC - Forgery of an access card signature
- 19) Section 484g PC - Fraudulent use of an access card
- 20) Sections 487 and 489 PC - Grand theft, including theft of firearm 487 PC (F); Grand theft of firearm, 489 PC
- 21) Section 496 PC - Receiving stolen property
- 22) Section 503 PC - Embezzlement
- 23) Section 538d PC - Fraudulent impersonation of peace officer
- 24) Section 2800 VC - Evading a peace officer
- 25) Section 10750 VC - Altering, defacing, or replacing vehicle identifying numbers from another vehicle
- 26) Section 10752 VC - Fraudulent acquisition or disposition of DMV or CHP issued Vehicle Identification Numbers (VIN)
- 27) Section 10851 VC - Vehicle theft
- 28) Section 20001 VC - Hit and run collision, causing injury or death

In addition to the preceding crimes, any tow DL64 certificate shall be revoked if the individual's driving privilege has been suspended or revoked in accordance with any provision of the California Vehicle Code. The most common reasons for such suspensions usually relate to arrest for driving under the influence, child services, multiple citations, or due to the designation as a "negligent driver." The affected individual may, however, reapply for the driver's tow certificate whenever the driving offenses/penalties are resolved, or the applicable felony or misdemeanor conviction is reversed or dismissed.

**THE ABOVE DISQUALIFICATIONS APPLY EQUALLY TO CONTRACTORS, KEY PERSONNEL, AND OPERATORS.**



### 3. REFRESHER TRAINING<sup>xxiii</sup>

A Contractor/Operator desiring to maintain his FSP certification must attend eight (8) hours of Refresher Training within each calendar year. It is important that all FSP operators meet ongoing training requirements so that they maintain their FSP certifications. It is also important that, to the extent possible, operators attend quarterly training sessions provided by CHP Officers assigned to the Orange County FSP program so that all FSP operators are up to date on current training topics and issues. The Orange County FSP program satisfies annual training requirements by providing required refresher training on a quarterly basis.

The Contractor shall pay the Operators and backup operators to attend scheduled quarterly refresher training. These costs are considered part of a contractors overhead, cost and are not reimbursable by FSP program.

A Contractor/Operator who fails to attend a quarterly Refresher Training Class without having previously made other acceptable arrangements to meet annual training requirements may be immediately suspended from participating in the Orange County FSP program until all training requirements have been met. Any request to miss and make-up required quarterly training must be prearranged with FSP Management prior to the quarterly training date.

All requests to be excused from a quarterly training session and requests to make other arrangements to meet annual training requirements (one request) must be submitted in writing/email to the OCTA Manager of Motorist Services at least 48-hours before the scheduled training.

Each request must include the following information:

- Scheduled Quarterly Training Date
- Operator First and Last Name
- Operator FSP ID Number
- Reason for Missing Required Training
- Proposed Alternate Training to Meet Annual Training Requirements
- Timeline for Completion of Proposed Alternate Training

The OCTA Manager of Motorist Services Manager will confirm the FSP operator's status and training history with CHP Program Supervisors and will provide a written/email response to the tow contractor within 24 hours of the scheduled training.

If an FSP Operator should call in ill and not work on a scheduled training day, the contractor must notify the OCTA Manager of Motorist Services as soon as possible before the training providing the same information



requested above. A written/email response will be provided to the tow contractor as soon as practical.

A Contractor/Operator failing to attend refresher training or approved make-up training within approved timelines may be immediately suspended from the FSP program. An Operator who misses a training day without justification may be subject to additional disciplinary action as deemed appropriate by the FSP Policy Committee.

#### **4. OPERATOR FROM FSP PROGRAM OUTSIDE OF ORANGE COUNTY**

If an Operator, who is current and active in another California FSP Program (e.g. Los Angeles County or Bay Area), wishes to work in the Orange County Freeway Service Patrol program, he must successfully complete a proficiency test and the IDT class. This is to ensure that the individual wishing to participate in FSP receives all the information that is applicable to the Orange County area. This is a precautionary measure in the event there is disparity between the various programs.

#### **5. OPERATOR CHANGING EMPLOYMENT TO ANOTHER FSP CONTRACTOR**

Prior to working any FSP shift with a new FSP Contractor (employer), the Operator shall notify FSP Management of the change in employer. The new employer shall submit a new 234F, Tow Operator Information, to FSP Management. An appointment with CHP will be required to obtain a new FSP ID card unless other arrangements have been made in advance with CHP. Failure to notify FSP Management about a change of employer shall result in the Operator being taken out of service.

The new employer is encouraged to contact CHP to determine if the Operator is in good standing prior to assigning to an FSP shift. The former employer shall contact FSP Management to return the Operator's FSP ID card, along with any other FSP related supplies.

#### **6. OPERATOR REINSTATEMENT**

For the purposes of this section, an Operator is determined to have left the program and in need of reinstatement if he has not been employed by a Contractor of the Orange County FSP Program as an FSP Operator for 31 calendar days or more.

The following conditions shall apply to an Operator in need of reinstatement:

- a. The Operator shall possess a valid DL64 (Tow Certificate).



- b. The Operator shall possess a valid DL51 (Med Card).
- c. If the period of absence is 31 calendar days to three (3) months, the former Operator may begin working in the FSP Program as soon as an updated FSP application and DMV check are completed and the results are acceptable. The Operator must also be current with the applicable Refresher Training.
- d. If the period of absence is more than three (3) months and less than six (6) months, a former Operator who was in good standing, may begin to work in the FSP Program as soon as an updated FSP application, Live Scan fingerprinting, and DMV check are completed, and the results are acceptable. The former Operator must also successfully pass a written test on the SOG and complete a proficiency test.
- e. If the period of absence is more than six (6) months and less than one (1) year, the former Operator may begin to work in the FSP Program as soon as an updated FSP application, Live Scan fingerprinting and DMV check are completed, and the results are acceptable. The former Operator must also successfully complete a proficiency test and attend the next available IDT Class.
- f. If one (1) year or more has passed, the former Operator shall complete the entire Operator Certification Process. This includes the background check, fingerprinting, proficiency, classroom training, and required ride along.
- g. An Operator having a valid DL64, but needing to be fingerprinted, will be required to pay a non-refundable processing fee. The cost of fingerprinting (Live Scan) will be equal to the current fees charged by the Department of Justice or Federal Bureau of Investigations (FBI) for a Criminal Background Check.

## 7. FSP SAFE DRIVER GUIDELINES<sup>xxiv</sup>

CHP driver record print outs\* from the DMV computer system will be evaluated by CHP Officers assigned to the FSP program. Point values are assigned by the DMV to Vehicle Code Sections, or other code sections, and city or county ordinances involving the operation of a motor vehicle or motorcycle for the purpose of evaluating a driving record. All convictions listed in the DMV printout will have the same point value as determined by the DMV and will be evaluated based on the violation date. In addition to the sections listed by the DMV as having a point value, Vehicle Code Section 40508 (failure to appear), collision reports with the determination that the operator was determined to be that party most at fault, and at-fault collisions occurring in an FSP vehicle may be included as a one point violation regardless of the DMV point designation. Operators



with these violations and collisions that do not have a not at fault disclaimer will be evaluated by FSP supervisory staff on a case by case basis.

\* The CHP DMV printout may include party most at fault determinations that are not available on a DMV K-4 printout or DMV Pull Notice report. If you have a question as to the possible assignment of points to a DMV-reported collision you should consult a CHP FSP Program Supervisor.

By applying the above point values, tow operators may be denied certification or continued eligibility for the FSP program under the following rules:<sup>xxv</sup>

1. In any 12-month period, initially from the date of application, an operator has accumulated a total count of three (3) or more points. Once qualified, the review will be based on a rolling 12-month period.
2. In any 24-month period, initially from the date of application, an operator has accumulated a total count of five (5) or more points. Once qualified, the review will be based on a rolling 24-month period.
3. In any 36-month period, initially from the date of application, an operator has accumulated a total count of seven (7) or more points. Once qualified, the review will be based on a rolling 36-month period.

Point count totals may be determined by the following:

1. Vehicle code violations points only
2. At fault collision points only
3. A combination of vehicle code violation and at fault collision points together. Commercial endorsement for Class A or B on a driver license does not change the point guidelines within the FSP program

**THE FSP PROGRAM DISQUALIFICATIONS APPLY EQUALLY TO CONTRACTORS, KEY PERSONNEL, AND OPERATORS.**



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PROCUREMENT DRAFT



## CHAPTER 4

# PROFESSIONALISM

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### 1. Demeanor/Courtesy

An FSP Operator is a professional who represents his employer as well as OCTA, Caltrans, and the CHP. An essential element of this public service is the Operator's demeanor. For this reason, an Operator shall conduct himself in a business-like manner and ensure all public contact is professional, courteous, and efficient. Members of the public should always be addressed and treated with respect.

- a. Use professional conduct whenever dealing with anyone while on FSP duty, including other tow operator(s). Upon contact with a motorist, the Operator shall explain the program and offer assistance. A motorist is not obligated to accept any assistance; however, refusal of FSP service shall be reported to CHP dispatch.
- b. To avoid being misunderstood or misquoted, and to facilitate the safe and timely removal of vehicles, the Operator shall avoid unnecessary conversation and should keep his conversations limited to the task of protecting the motorist from identifiable hazards and if necessary, removing his/her vehicle to a safe location.
- c. The Operator shall not attempt to solicit or initiate any personal conversation with motorists he assists. For example, asking a motorist if he/she is married or has a "significant other" is **inappropriate** conversation. The Operator shall not solicit addresses or telephone numbers for personal use. The Operator shall, however, attempt to answer any questions pertaining to the FSP program that are asked by the motorist.
- d. The Operator shall not use offensive language, smoke, chew tobacco, eat, drink, or have toothpicks or other items in his mouth while in contact with motorists.
- e. When stopping to help a motorist, FSP personnel shall initiate contact with the disabled vehicle's driver as soon as it is safe to proceed.
- f. The Operator should always remain calm. He will often be the first to encounter or respond to a traffic collision. The motorist will expect an Operator to initiate the request for proper emergency and police assistance. Knowledge of proper guidelines will enable an Operator to handle a collision scene calmly and efficiently.



- g. THE OPERATOR SHALL NOT REFER A MOTORIST TO ANY GARAGE, PRIVATE TOW SERVICE, SERVICE STATION, OR MECHANIC. The referral to, or recommendation of any private business shall result in **immediate disqualification** of the Operator from the FSP program and may jeopardize his Contractor's contract.
- h. THE OPERATOR SHALL NOT REFER ANY COLLISION VICTIM TO ANY LEGAL SERVICE OR MEDICAL FACILITY.
- i. The Orange County FSP program provides services to the public free of charge. The entire program is funded with public funds. **NO TIPS OR ANY OTHER GRATUITIES OF ANY KIND SHALL BE ACCEPTED.**

## 2. UNIFORM REQUIREMENTS

For public identification purposes, the Operator shall wear an authorized uniform while working for the FSP Program. Failure to meet uniform standards may result in the Operator being taken out of service and the Contractor being docked. Continued violations of the uniform requirements may result in the permanent dismissal of the Operator from the FSP program.

The Contractor shall supply each Operator with uniforms. The uniform shall either be a navy-blue jumpsuit or shirt and pants, with black steel toed boots and a Class III safety vest. Rain gear (optional) shall fit the individual Operator so as not to restrict his ability to move freely and must meet the FSP design requirements.

The uniform shall meet the following criteria described below:

- a. The basic uniform includes a shirt and pants or a jump suit. For safety reasons, legs shall be moderately tapered and not baggy. Uniforms shall not be worn unbuttoned or unzipped. If a two-piece uniform is worn, the shirt shall be tucked into the trousers. If an Operator cannot maintain a shirt that is tucked-in during the performance of his duties, a one piece jumpsuit shall be required to maintain a professional appearance. The length of the sleeve on the short sleeve jump suit and short sleeve shirt shall be approximately one inch above the inside forearm, when the wearers arm is bent at a 90-degree angle. Shirts or jump suits with long sleeves shall not be rolled up at any time. All uniform pant legs shall have reflective tape sewn around the bottom of the legs approximately (3) inches above the bottom hem.
- b. An Operator may wear a long or short sleeved navy-blue or white turtleneck/tee shirt/sweatshirt, **underneath** his long or short sleeve uniform shirts. If a short sleeve shirt is worn, a short sleeve tee shirt must



be worn (no “baseball” sleeves). Only navy-blue or white shirts can be worn underneath uniform shirts.

- c. A Class III safety vest shall be properly worn and zipped, along with a company issued blue uniform at all times while working FSP. The safety vest **may** be worn during an authorized break. The safety vest is not to be worn outside of FSP service.<sup>xxvi</sup>
- d. A plain (no wording or design) navy-blue jacket may be worn over the FSP uniform and under the FSP vest. The jacket must be waist length and fitted, not oversized, may not have contrasting stitching, and may not have a hood.
- e. An Operator shall wear black steel-toed boots that can accept polish and have an adequate amount of sole (tread) to ensure a sure grip on slippery surfaces. All laces and stitching must be black. No canvas type tennis shoes or boots are allowed.
- f. The following items are required to be in the possession of the Operator during FSP hours and are considered part of the standard uniform: a valid California Driver License, DL64 tow certificate, medical card, and Orange County FSP identification card.
- g. Accessories
  - 1) Belts - A solid navy or black belt shall be worn. The belt shall be free from wear and the buckle shall not exceed the width of the belt and be gold or silver in color. No emblems or verbiage will be allowed on the buckle. Velcro style belts are acceptable
  - 2) Name Tag - A metal or plastic name tag with Operator's first initial of the first name and full last name shall be clearly visible and attached above the left front pocket of the safety vest. Safety vest with the ID window sewn on shall have the Operator's ID card displayed to meet this requirement.
  - 3) Pins or Emblems – FSP authorized pins or emblems may be worn on the right chest pocket area of the FSP vest. No other pins or emblems are to be worn.
  - 4) Rain Gear - During inclement weather, rain gear may be worn. For safety reasons, the rain gear must be yellow, with reflective tape on the jacket and pants leg. If the approved FSP rain gear is worn, the FSP vest need not be worn.



- 5) Orange County FSP Issued Baseball Style Cap - The uniform cap is navy blue with the FSP logo. Uniform hats will be presented to each Operator when certification is completed and replaced on an as needed basis. No other caps are authorized while working for the FSP program.
- 6) Cold Weather Watch Cap – The uniform watch cap is navy blue or black in color and may be worn during cold or inclement weather. For the purposes of FSP, a watch cap is a knit cloth cap that covers the head to retain warmth. Watch cap is synonymous with Beanie. The watch cap shall not take the place of the uniform cap.

### 3. GROOMING AND PERSONAL APPEARANCE STANDARDS

#### 1. Grooming

Operators shall always maintain a well-groomed appearance and shall be clean at the beginning of each shift. Failure to meet the grooming standards may result in an Operator being taken out of service and the Contractor being docked. This includes both personal hygiene and uniform appearance and condition. Operators will be clean shaven or present neatly trimmed beards and/or mustaches prior to the start of their FSP shift<sup>xxvii</sup>. Operators shall not have facial hair more than one and one-half inches in length. Hair will be clean and neat. Hair that is dyed or colored in any unusual manner (multi-colors, nonstandard colors, e.g. green, yellow, purple, fluorescent, etc.) is forbidden. Long hair is discouraged. If hair is long, it shall be worn pulled back in a ponytail. Ponytails shall not be tied with multi-colored ribbons or ornamental ties (beads, elaborated leather ties, shells, etc.). Additionally, ponytails of such a length that hangs below the collar of the Operators hair shall be placed in clips and placed under the Operator's approved FSP hat. A hat alone would not preclude the hair from staying in place in the event the hat is blown off the head; therefore, the clips are a required item. Fingernails shall be kept short and clean. For safety reasons, Operators shall use work gloves when servicing vehicles.

#### 2. Tattoos

To ensure a professional appearance for all FSP Operators, all tattoos that are potentially offensive or disturbing to motorists must be concealed by Operators while working. For example, any tattoo that is satanic, racist, threatening, gang related, or sexually explicit will be deemed potentially offensive or disturbing to motorists. All FSP Operators will be required to conceal all tattoos of this nature with gloves, collars, long sleeves, or by other means acceptable to FSP Management. Facial tattoos of any variety are not permitted. If there are any questions regarding which



tattoos are potentially offensive, clarification/authorization may be obtained by contacting FSP Management.

3. Personal Accessories

It is policy to minimize the wearing of jewelry for safety reasons. Jewelry includes, but is not limited to, bracelets, necklaces, earrings, finger rings, and ear/nose/eyebrow rings/studs. An Operator shall not wear jewelry more than one watch and one finger ring. Jewelry displaying any affiliation with any satanic, racist, sexually explicit, gang-related, or other potentially offensive groups or beliefs shall not be worn while on FSP duty. An Operator may wear necessary medical alert bracelets.

4. **OCCURRENCE OF CRIMINAL CONDUCT ON/OFF DUTY**

Consistent with the established standards of initial qualification,<sup>xxviii</sup> off-duty Contractors/Operators who are arrested for a crime, which would otherwise preclude their qualification in the FSP Program, will be immediately suspended pending the outcome of their criminal case. This directive is consistent with California Vehicle Code Section 2430.3 Arrest or Conviction Notification and Section 13377(a) Denial or Revocation of a Tow Truck Certificate (DL64). Should a conviction occur, or there is enough probable cause for FSP Management to believe that the crime was committed by the Contractor/Operator, even though it resulted in a lesser conviction or no conviction, the Contractor/Operator shall immediately be disqualified from participation in the Program.

The following is a list of crimes that will permanently preclude an individual from serving as a Contractor/Operator:

1. Assault with the intent to commit mayhem, rape, sodomy, or oral copulation
2. Penal Code Section 261 or 264.1: Rape, or aiding and abetting a rape
3. Penal Code Section 267: Abducting person under 18 for prostitution
4. Penal Code Section 288: Lewd act with a child
5. Penal Code Section 289: Sexual assault
6. Any felony or combination of three misdemeanors that are crimes of violence



## **5. SUSPENDED OR REVOKED DRIVER LICENSE**

In addition to the preceding crimes, an Operator's tow certificate (DL64) shall be revoked if the individual's driving privilege has been suspended or revoked. The most common reason for such a suspension usually relates to an arrest for driving under the influence, child services, multiple citations, or being labeled as a "negligent" driver by DMV. Any Contractor or Operator who has knowledge of an action against an Operator's driving privilege is required to immediately notify CHP Management. The affected individual may reapply for the tow certificate whenever the driving offenses/penalties are resolved or the applicable felony or the misdemeanor conviction is either reversed or dismissed. Contractors or Operators in violation of this policy are subject to suspension or disqualification on a case by case basis.



## CHAPTER 5

### OPERATOR DUTIES AND RESPONSIBILITIES

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An Operator is expected to provide service to the motoring public only within the scope of his duties. The Operator is to refrain from any activities that exceed the scope of the program.

#### 1. LIABILITY

An Operator can be held civilly liable if he performs any acts that are outside the scope of his duties,<sup>xxix</sup> and may also be held liable for failing or neglecting to act as is required by these guidelines.

#### 2. NO PEACE OFFICER POWERS

An FSP Operator **does not** have any peace officer powers. An Operator's duty is to patrol freeways to relieve congestion, not police them. An Operator should be a good witness and should avoid personal involvement in disputes and criminal actions, including pursuits or apprehensions of suspected violators. Should an Operator be injured, or cause damage or injury to other persons or property while acting outside the scope of their company policy or this SOG,<sup>xxx</sup> the Operator may be personally held liable to remedy the damage or injury.

An FSP Operator **shall not** perform any of the following:

- a. Vehicle pursuit
- b. Traffic break (this includes slowing down a traffic lane)
- c. Traffic control after CHP arrives on scene of an incident unless directed to do so by a CHP officer
- d. Escort of any type
- e. Detention of motorists for a traffic-related offense
- f. Request a driver license from a motorist at a collision scene or hold said license
- g. Request insurance information from a motorist at a collision scene or hold said information
- h. Ask what happened at a collision scene
- i. Offer advice at a collision scene (do not suggest parties exchange info)<sup>xxxii</sup>
- j. Discuss the collision with involved person(s) at a collision scene
- k. Decide/discuss fault at a collision scene
- l. Take any type of enforcement action against a member of the public
- m. Interrogate/question any person regarding matters that might concern violations of law
- n. Drive on the right shoulder or center median unless specifically authorized to do so by a CHP Dispatcher or CHP Program Supervisor.<sup>xxxii</sup>



- o. Quote any tow fees
- p. Make referrals to businesses (auto body shop, law firm, etc.)

### 3. NO WEAPONS

An Operator shall not carry any weapons while on duty, such as knives, guns, etc., or any other item described in Section 16590 of the California Penal Code. An Operator wishing to carry “pepper spray” shall notify FSP Management in writing and receive approval prior to carrying said spray.

### 4. NOTIFYING DISPATCH OF CRIMINAL ACTIVITY

1. An Operator shall **immediately** advise Dispatch of any criminal activity encountered or observed and shall not stop at the location.
2. After reporting a possible intoxicated motorist, physical altercation, or illegal activity, whether moving or stationary, the Operator is to go 10-98.
3. Failure to advise Dispatch that an assignment is complete (10-98) will result in a disciplinary action.
4. Citizen arrest actions are strongly discouraged in the FSP Program. An Operator is to notify CHP of any situation warranting action outside the scope of FSP duties.<sup>xxxiii</sup>

**Do not become involved. An Operator is not trained to handle these types of situations.**

### 5. USE OF TOBACCO AND OTHER SIMILAR PRODUCTS

Using any tobacco product, controlled substance, e-cigarette or vaping product, or other product or device designed to replace or mimic smoking of any kind inside or near FSP vehicles is prohibited. This includes the use of tobacco or other identified products and devices by passengers who may ride in an FSP vehicle as part of providing FSP service. The passenger compartment of the FSP vehicle shall be free of foul odors, including odor from tobacco or tobacco replacement products and devices.<sup>xxxiv</sup>

### 6. USE OF ENTERTAINMENT DEVICE OR OTHER ELECTRONIC DEVICE<sup>xxxv</sup>

An Operator who wishes to listen to a public radio station, or use any music, entertainment device, or other electronic device, may do so during non-FSP hours and while on his authorized 15 minute break.

### 7. SLEEPING WHILE IN OR AROUND AN FSP SERVICE VEHICLE

An FSP Operator shall not sleep while on duty or in a vehicle displaying the FSP logo, whether on duty or not. This prohibition is applicable to rest breaks and lunch periods. Sleeping is not permitted at any time during a shift. If an



Operator is fatigued to the point of needing sleep during his work shift, he should not be working on the roadways. For the purpose of this section, sleeping is defined as actually sleeping or presenting the appearance that one is asleep.

## **8. HONESTY AND TRUTHFULNESS**

It is imperative that each FSP Operator be honest and truthful regarding all aspects of FSP operations. An Operator shall provide truthful information to FSP Management, Dispatch, and his Contractor whether it is through voice radio, Tablet, in person, or by written document. Any violation of this will be handled on a case by case basis based on the facts available.

## **9. BEAT LIMITS**

The beat limits are identified in the Contract. These limits include the turn-around points and must be followed. FSP Management understands that there will be times when it is necessary to drive beyond the limits, such as when an Operator observes a disabled vehicle ahead. However, this should not occur without notification and approval from Dispatch, as the additional driving time increases the response time to other incidents. If an Operator is at an incident that is beyond the limits of his beat, the Operator shall complete the call after obtaining approval from Dispatch. A second truck shall not stop even if it is the truck working that beat.

## **10. DAILY PRE-OPERATION VEHICLE INSPECTION**

- a. An Operator shall inspect his truck each day, prior to the beginning of each shift.
- b. Each truck must be inspected using an FSP Truck and Equipment Pre-Operational Inspection Form; no other inspection forms may be used.
- c. The Operator shall use an ink pen (not pencil) when completing the form. The symbol "X" shall be used for items in compliance and the symbol "O" shall be used for items not in compliance on the form.
- d. Contractor/agent/manager shall be on site during all pre-operation inspections and shall review and sign the pre-operation inspection sheet prior to the Operator beginning his work assignment.
- e. Any problem shall be fixed prior to the start of the operation of the vehicle in FSP service.
- f. Falsifying any pre-operation inspection forms will result in suspension/disqualification for the involved individual(s).
- g. A copy of the current weeks form shall be kept in the vehicle and presented to FSP Management upon request.
- h. Operators shall not pre-fill out inspection sheets for future shifts.



If a truck is determined to be non-compliant with the contract prior to the beginning of the shift, a fully equipped backup truck shall be deployed after notifying Dispatch with the appropriate changes in vehicles.

The backup truck is required to have a pre-operation inspection by the FSP Operator prior to going out on the beat.

Operators or Contractors failing to comply with the above requirements are subject to suspension/disqualification on a case by case basis.

## **11. MILEAGE LOG**

An Operator is required to keep a mileage log for his truck during the hours of FSP operation. The mileage information on page 2 of the Tow Truck and Equipment Pre-Operational Inspection Form will be completed by the Operator on a daily basis for each shift. Failure to maintain the log or providing inaccurate entries is a violation.

## **12. LOG BOOKS**

All FSP Operators are required to maintain log books (hours of service) including when operating a service truck or as a part-time or back-up operator. This is to maintain consistency throughout the program and in the event a service truck Operator is needed to work in a tow truck or a part-time operator is needed to become a full-time operator.

If an Operator works for more than one employer, one log book must be maintained to include employment activities from all employers. Hours worked by all employers must be included in the log book even if the other employment does not include driving.<sup>xxxvi</sup>

## **13. STAGING LOCATIONS**

Each Contractor shall have a pre-designated area/location where all the Operators shall meet prior to the shift. This location is known as a “staging location,” and is usually at the tow company yard. A staging location allows the Contractor/manager/agent the opportunity to see that all Operators are in full uniform, neatly groomed, and confirm their equipment is ready to go.

- a. Operators are required to report to the staging area prior to the beginning of each shift.
- b. All operators must report to the staging area before the start of the AM and PM shifts. Operators working consecutive shifts are required to report to the staging area prior to the start of their first shift. For example: Operators working both the AM and Midday shifts **must** report to the



staging area prior to starting the AM shift. Operators working the Midday and PM shifts **must** report to the staging area prior to starting the Midday shift.

- c. Operators are required to be on the beat and working at the start of the shift. Operators remaining at the pre-shift staging location<sup>xxxvii</sup> after the start of the shift without authorization will be in violation of FSP policy.
- d. If an FSP Operator arrives at the beat early, the Operator shall not stop on the shoulder to wait for the start of the shift. Additionally, Operators shall not apply/remove “Not in Service” signs on the shoulder of the freeway.

#### **14. SIGNING ON/OFF**

An Operator is required to log-on to the Tablet and set their status to roll out prior to leaving his company yard and change their status to on patrol (go 10-8) within their beat area at the beginning of their shift. An Operator is to go 10-10 and initiate a status of roll in on the beat at the end of the shift, and log-off the Tablet after returning to the company yard. All status changes except on assist are to be completed from a safe location off the freeway. Operators logging onto the Tablet or changing their status while driving will be considered to be in violation of this policy<sup>xxxviii</sup>.

In the event the Tablet is not functioning, the voice radio shall be used to go 10-8 and 10-10 from the beat. A Contractor or designee shall notify Dispatch immediately when a truck or Operator is not available at the beginning of a shift.

#### **15. LATE SIGN-ON/EARLY SIGN-OFF**

A late sign-on and early sign-off will result in a dock situation. An Operator anticipating this situation shall contact Dispatch immediately and advise of the situation. Dispatch will create and assign the Operator to a “Dock” log which will be provided to FSP Management for invoicing. An Operator shall make **radio** notification to Dispatch when going 10-8 (in service) on the beat. Failure to do so could result in additional dock time.

In the event an Operator is late for the FSP shift, a complete pre-operation inspection shall still be performed. Failure to perform the pre-operation inspection may result in disciplinary action against the Operator.

#### **16. DISPATCHED CALLS**

An Operator is required to handle all calls assigned that are received prior to the end of shift, even if that means working overtime. Overtime is used for the completion of an ongoing assist or as directed by Dispatch or FSP



Management. The Operator is required to request and receive authorization from Dispatch if the estimated amount of overtime needed to complete the assist will exceed **15** minutes.

## **17. OVERTIME**

The Contractor is paid for overtime at the hourly rate. To guarantee payment of overtime, the Operator shall document the date, the overtime log number, and the David Unit/Adam (Dispatch) approval number on the Daily Operators Incident Log Form. In addition, an Operator shall provide Dispatch with a complete description of the vehicle being serviced, including the license plate number, and the problem with the vehicle. Dispatch will approve overtime for up to 15 minutes and FSP Management will approve overtime greater than 15 minutes. This information is to be obtained from Dispatch at time of request. If an Operator refuses to work overtime, the Contractor shall be notified and the Operator subject to disqualification.

## **18. TEN-MINUTE MOBILIZATION PERIOD**

An Operator can spend no more than ten minutes attempting to mobilize a vehicle. If the necessary service or tire change takes longer, the Operator shall tow the vehicle off the freeway to an approved drop location and complete the service. If an Operator is going to be on a call for more than 30 minutes, he shall notify FSP dispatch and advise the reason for the delay.

## **19. PATROL PERIOD/SHIFT**

All trucks assigned to a beat shall be on the beat at the shift start time and remain on the beat until the shift end time. This provision does not allow an Operator to leave the Contractor's location at the shift start time or arrive at the shift end time. During the last 30 minutes of the shift, the Operator shall not focus patrol efforts adjacent to the freeway exit normally used to travel back to the shop. The Operator shall continuously patrol the **entire** beat until the end of the shift.



## LEAVING THE BEAT WITHOUT AUTHORIZATION

Operators are prohibited from leaving the beat without authorization during the shift.

There are four (4) occasions when an Operator would receive authorization from FSP Management to leave the beat during the shift. They are as follows:

- a. When the truck becomes disabled or the Operator becomes ill or incapacitated.
- b. FSP Management places the Operator out of service.
- c. Operator is directed by Dispatch to go to a specific location because of a problem with the FSP radio equipment (Tablet, AVL, etc.).
- d. The Operator needs to re-supply after servicing a motorist. Re-supplying the vehicle must be done within the beat boundary and adjacent to the freeway.

In all the above cases, the Operator shall notify and receive authorization from Dispatch prior to leaving the beat.

## 20. BREAKS

Because of the limited number of Operators and to project a positive public image, only one Operator at a time, on adjacent beats, shall be allowed to take a break. An Operator shall coordinate breaks with beat partners so that their breaks do not overlap. The use of the shop radio will enable Operators to coordinate their breaks.

All Operators working a 4-hour shift are entitled to a 15-minute break. Breaks should be taken off the freeway and directly adjacent to the assigned beat, **but not at a residence.**

An Operator shall not take a break during the first hour of the shift, and all breaks shall be **completed** before the last half-hour of the shift. Any Operator working a complete four hour or three and one half hour shift is entitled to one 15-minute break.

When working weekend hours, an Operator shall not take a lunch break (30 minutes) during the first hour of his shift, and the lunch shall be completed before the last hour of the shift. Any Operator working a complete eight-hour shift during weekend service is entitled to one 15-minute break, a 30-minute lunch, and another 15-minute break after lunch. The breaks shall be taken at least one hour apart from each other so that the breaks are not stacked together to form one large break. If an eight-hour weekend shift is split by more than one Operator, each Operator is entitled to one 15-minute break. No 30-minute



break is granted to either Operator unless one Operator works more than six consecutive hours. That Operator is then entitled to a 30-minute lunch.

Dispatch will not authorize break periods for missed breaks or breaks at the end of shift. In addition, an Operator who does not take a break, regardless of the reason, shall not return to the shop fifteen minutes early.

A restroom break, outside of the regular 15-minute break, is allowed only when necessary. If an Operator must take a restroom break, the Operator shall do so at a service station or other facility having a public restroom, directly adjacent to the beat, and complete the break as quickly as possible. An Operator shall not loiter at that location or use the break to purchase food or beverages. In no instance shall two trucks be at the same location at the same time on a restroom break.

Abuse of restroom breaks will be handled on a case by case basis.

Unauthorized breaks shall result in discipline and the Contractor being docked.

## **21. OPERATOR BECOMES SICK OR UNABLE TO WORK**

If, during a shift, an Operator becomes sick and feels unable to return to the beat, that Operator shall immediately notify Dispatch and the Contractor via the shop radio, so a backup Operator can be sent as a replacement.

## **22. MORE THAN ONE OPERATOR AT A SCENE<sup>xxxix</sup>**

It is prohibited for more than one FSP truck to be at the scene of an incident unless properly requested and approved by CHP Dispatch or an FSP Supervisor. This can be accomplished two ways:

- The Operator that is in need of assistance may request the assistance of another FSP truck through CHP Dispatch or,
- If an FSP Operator on routine patrol observes his beat partner with an incident that would benefit from additional assistance, the patrolling Operator may request approval from CHP Dispatch to assist.
- The requesting FSP Operator must briefly explain the reason for the request.

Under no circumstances should an Operator stop with another operator without CHP Dispatch or FSP Supervisor approval.



## **23. INOPERATIVE CALL BOXES**

When an Operator is informed of or encounters an inoperative call box, the Operator shall notify Dispatch of the call box number and reported problem.

## **24. PATROLLING IN THE HOV LANE**

An Operator will be allowed to access the High Occupancy Vehicle (HOV) lanes under certain conditions to render assistance to disabled vehicles or to remove traffic hazards. The following guidelines shall be followed to access the HOV lanes:

- When requested to do so by the CHP
- When assisting another Operator (advise Dispatch for authorization)
- When monitoring the CHP scanner for traffic hazards or traffic collisions that are within the HOV lane

The aforementioned only applies during hours of FSP operation and does not apply to the HOV lane on a freeway on-ramp, unless providing service on the on-ramp. All trucks providing service in an HOV lane must have FSP signs properly displayed.

## **25. PATROLLING TRANSITION ROADS**

Transition roads are **NOT** to be routinely patrolled by FSP vehicles, except during Midday shifts. If the Operator sees a disabled vehicle on a transition road, the Operator shall stop to provide service. If the disabled vehicle needs to be towed, or needs service for longer than ten minutes, the Operator shall tow the disabled vehicle off the freeway to a designated drop zone.

## **26. PERSONAL PHONE USAGE<sup>xl</sup>**

Operators are not permitted to use the telephone (a wireless communication device or land line) during a shift except while on an authorized 15-minute break. Wireless devices including Bluetooth devices shall be stored in the tunnel box or other secure portion of the vehicle, but not in the cab. If an emergency arises where an Operator must use a wireless communication device while working, the Operator shall immediately notify FSP Dispatch of the emergency and shall stop the truck off the freeway before using the wireless device.

Lead Operators are allowed a wireless device to conduct FSP related business. The device may only be used in a hands-free mode in compliance with the California Vehicle Code.



Contractors shall ensure there is a procedure in place in the event of an emergency. If an emergency occurs that requires an Operator be notified in the field, the Lead Operator shall be contacted by shop air or wireless device. The Lead Operator shall relay the information to the appropriate Operator and FSP Dispatch. This will ensure timely dissemination of information to the field and Dispatch.

There will be ZERO tolerance to violations of this policy. Any Operator, other than the Lead Operator, found using a wireless communication device while on duty shall be disqualified from the FSP Program. Operators using a wireless communications device while driving in any manner may also be subject to a traffic citation. A Lead Operator found using a wireless communication device without being in hands free mode shall be disqualified from the FSP Program and may be subject to a traffic citation.

The first violation regarding the storage of a wireless device will result in a ten-day working suspension from FSP Duties. A second violation shall result in disqualification from the FSP Program.

#### **27. NO EATING OR DRINKING WHILE OPERATING AN FSP VEHICLE**

There shall be no eating or drinking while driving an FSP vehicle, or while in the presence of a motorist. Operators are reminded to keep their cabs clean and remove all trash from public view. All food items shall be stored out of view while providing transportation for a motorist. A closed spill-proof beverage container may be kept in the cab of the vehicle for use only when the vehicle is not in motion or when motorists are not present in the vehicle.

#### **28. TOWING OF MOTORCYCLES PROHIBITED**

Towing of motorcycles is prohibited, because of the possibility of damage during the tow. However, an Operator shall offer other assistance such as gasoline, water, or air. If the motorcycle requires towing, contact Dispatch for a rotation tow to handle. A motorcycle down in lanes may be dragged from the lanes at the direction of a CHP Officer if the motorcycle is so damaged that it cannot be salvaged. The Operator shall obtain the CHP Officer's badge number and report to Dispatch after following the CHP Officer's order.

#### **29. NO REFERRALS**

Referrals to commercial tow companies or automotive repair facilities (including themselves), or providing secondary tow services are not allowed. When asked by a member of the public for a referral, the correct procedure for an Operator is to politely explain that referrals to other businesses are prohibited. Operators may suggest that the customer might initiate a google or other web search if the customer is in possession of a personal data device.



### **30. TIPS/GRATUITIES**

If a motorist offers an Operator a tip, the Operator shall inform the motorist that he is not allowed to accept tips. The Operator may further advise the motorist that while the gesture is certainly appreciated, the motorist can reward him by calling the phone number on the FSP Brochure and provide a positive comment about the Operator/Program.

Should an Operator encounter a situation where a motorist strongly insists that the tip be accepted, or the tip is discovered after the motorist has departed, the Operator is required to use the following procedure:

- a. Report the item or amount of the tip to Dispatch immediately.
- b. Receive a log number from Dispatch for the tip reported.
- c. Record the information on the Operators Daily Activity Log.
- d. Turn the tip in to the Contractor at the end of shift.

**The solicitation of tips or gratuities is strictly prohibited.**

### **31. PROVIDING FSP BROCHURE AND BUSINESS CARDS TO ALL MOTORISTS**

An Operator is required to give every motorist assisted or approached an FSP brochure explaining the Program, along with an Operator's business card. When dealing with an abandoned vehicle, the FSP brochure shall be placed on a conspicuous portion of the vehicle, such as under the windshield wiper arm. Failure to provide the above information will result in disciplinary action. Each time an FSP Brochure and business card are not given out will constitute a separate violation.

### **32. UNATTENDED FSP VEHICLE**

An Operator shall not leave the FSP truck unattended at any time other than on an authorized break. When leaving the truck unattended for any length of time, the engine shall be shut off, parking brake set, the keys removed, and the vehicle secured and locked.

### **33. DRIVER LICENSE/DL64 REQUIREMENTS**

An Operator is required to be in possession of a current valid California Driver License (CDL), DL64, and DL51 Medical Examiners Certificate<sup>xli</sup> during FSP hours. If an Operator is not in possession of or has an expired CDL and/or DL64, the Operator shall immediately be placed out of service and the Contractor docked. The Operator will not be allowed to resume FSP duties until the deficient items are made current.



If the CDL, DL64, Medical Card, or FSP identification card is mutilated, it is the responsibility of the Operator to obtain a replacement document within 10 calendar days. An operator without these documents in his possession is in violation of the California Vehicle Code and could be issued a citation.

#### **34. “NOT IN SERVICE” MAGNETS**

The Operator is responsible for placing “NOT IN SERVICE” magnets over the “Freeway Service Patrol” logo on the two front doors of an FSP vehicle when the vehicle is not providing FSP service. Signs shall be used:

- a. During the commute between the Contractor facility and the beat.
- b. During the commute to any scheduled service or equipment maintenance.
- c. When training prospective operators who have not yet passed the proficiency test.

Two magnets shall be carried by every FSP vehicle. The magnets shall be clean and in good condition. The magnets shall be placed to completely cover the FSP logo, so it is obvious that the vehicle is not in service.



## CHAPTER 6

### OPERATIONAL SITUATIONS AND POLICY

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This section covers how to handle special operational situations and circumstances that may occur during FSP service. <sup>xlii</sup>

#### 1. INTERACTION WITH PEACE OFFICERS

##### **AN OPERATOR MUST OBEY ALL LAWFUL PEACE OFFICER ORDERS.**

If a Peace Officer (any **sworn** member of a Law Enforcement Agency as defined in the California Penal Code) orders an Operator to complete a task, the Operator shall comply with the lawful order without complaint. Obeying the lawful order takes precedence over policies listed in this document.

When a Peace Officer directs an Operator to complete a task not consistent with FSP Policy, the Operator shall follow those directions provided the task can be accomplished safely. It is the Operator's responsibility to immediately notify Dispatch prior to performing the task.

Operator shall:

1. Advise the Officer that the task is not within FSP Policy prior to performing the task
2. Notify Dispatch of the incident and request notification to FSP Management
3. Obtain the Officer's: name, employing agency, and identification and/or badge number and place it on the Operator Daily Activity Log. The information collected shall be provided to CHP Dispatch as soon as possible.
  - a. If the Peace Officer is employed by the CHP, then only the identification number need be obtained.
  - b. If the Peace Officer is from an agency other than the CHP, and the request seems unreasonable per FSP Policy, the Operator shall contact Dispatch and obtain approval from CHP.
  - c. There will be three occasions when an Operator does not have to follow the direction of an Officer. They are when the request is either:
    1. Unsafe
    2. Unhealthy
    3. Illegal



## 2. DISABLED VEHICLES THAT ARE OCCUPIED

An Operator approaching a disabled vehicle, whether in the traffic lane, center median or on the right shoulder must always consider safety when determining FSP vehicle placement. Operators must follow their company policies as it relates to placing the FSP vehicle in front or behind a disabled vehicle, identifying and protecting your workspace, and working safely. If an operator has a question in any of these areas, the operator should consult their company manager or owner. <sup>xliii</sup>

At all times, an Operator shall look out for the safety of themselves and the motorist.

### 1. Disabled Vehicle in Traffic Lane

An Operator encountering a disabled vehicle in the traffic lane shall immediately determine the safest way to approach the situation rather than unduly risking collision or injury to remove the vehicle in a timely manner. Depending on visibility and the speed of traffic, the Operator shall consider two options.

- a. If visibility is good and traffic is moving slowly, the Operator shall hook up the vehicle and tow it to the closest out of lane position or authorized drop point where any necessary service can be completed.
- b. If visibility is poor and/or traffic is moving too fast, the Operator should position his truck on the right shoulder behind the location of the disabled vehicle and request a "traffic break" by a CHP Officer through Dispatch. **Under no circumstances is an Operator allowed to perform a traffic break!** Once a traffic break is accomplished, the disabled vehicle shall be removed by towing it, as quickly and as safely as possible. About speed and visibility, it is up to the Operator to make the proper decision as to which option should be employed.

The Operator will tow the vehicle off the freeway to an authorized drop point where further assistance may be provided or the motorist can make other necessary arrangements. Once arriving at a drop location, and upon the motorist's request, an Operator will request Dispatch to contact AAA, CHP rotation tow, or another towing service from a company of the motorist's choice.



## 2. Disabled Vehicle on the Right Shoulder

While servicing vehicles on the right shoulder is considerably safer than within traffic lanes, danger still exists. The following explains how this condition is to be handled:

- a. The motorist should be directed to sit in the right front seat of the tow truck or other place of safety. At no time is an Operator allowed to direct the motorist to stand or walk between vehicles.
- b. Tow truck hazard lights (emergency lights) and overhead lights should be off while the truck is parked safely on the right shoulder, unless there is an identifiably hazard that could be lessened using such lights (narrow shoulder, traffic side flat, fuel tank on traffic side, etc.). Operators utilizing hazard lights or overhead lights shall notify dispatch and provide a brief reason for using the lights (narrow shoulder, etc.).

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The appropriate use of the rear loading lights/working lights must be carefully considered as it pertains to the safety of traffic. Improper use can blind oncoming traffic and create an unnecessary safety hazard. It might be appropriate to use the lower work lights, but not the upper work lights.

- c. With safety always in mind, an Operator shall attempt to service the disabled vehicle as expeditiously as possible and not spend an excess of 10 minutes servicing the vehicle.
- d. Operators are encouraged to utilize company-provided jacks and tools that are known to be reliable and placed by the professional tow operator, unless otherwise directed by their tow company policies or procedures.<sup>xlv</sup>
- e. If the necessary repair or services are unsuccessful or too time consuming, the Operator shall offer to tow the motorist off the freeway to an authorized drop point where the motorist can make other necessary arrangements. Once arriving at a drop location, and upon the motorist's request, an Operator will request Dispatch to contact AAA, CHP rotation tow, or another towing service from a company of the motorist's choice.
- f. If the motorist refuses or declines service, an Operator shall notify Dispatch. For documentation and liability purposes, an Operator shall advise Dispatch of the vehicle description and license plate number, as well as the reason the motorist is declining service. The Operator shall place an FSP 422 tag on the vehicle.



- g. As soon as safely possible, the Operator shall complete the motorist assist information on the Tablet or Operators Daily Activity Log in the event of a tablet failure.
3. **Disabled Vehicles in the Center Divider**

A vehicle which becomes disabled within the center median (or divider) is faced with additional problems, as it is restricted to a smaller area with little or no room for escape, and where call boxes are not located. As a result, a motorist stranded in the center median might be tempted to run across the freeway lanes to get to a telephone or call box. After encountering a disabled vehicle in the center median, an Operator shall **never** leave the motorist, even if they refuse service. The Operator shall notify Dispatch and request that CHP respond. Once CHP arrives at the scene, the Operator may then leave if no longer needed. If the motorist already has help en route, at the very least, the vehicle should be moved to the right shoulder. If possible, the disabled vehicle should be moved to the drop location. The Operator should inform the motorist that they may be towed to a drop location which will place them off the freeway and out of danger from oncoming traffic. In addition, an Operator shall also advise Dispatch of the drop location where the motorist has been taken.
4. **Vehicles in Other Dangerous Locations**

In addition to the center median, an Operator shall never leave a motorist in a gore point, within a traffic lane or HOV lane, partially within a lane, on a narrow shoulder, or any other location that would hinder a motorist's ability to safely enter and exit his/her vehicle. Failure to adhere to this policy could place the Operator in a serious liability situation.

The State of California Vehicle Code Section 22651(f) allows a motorist to leave his/her vehicle on the freeway for four hours if it is not a danger to others or is not in a traffic lane. In this case, the Operator is to tag the vehicle with an FSP 422 and go 10-98; CHP need not be called.
5. **Passing of Disabled Vehicles**

An Operator shall not pass a disabled vehicle while on routine patrol. If an Operator is dispatched to an immediate traffic hazard, they may pass a disabled vehicle if it is safely located on the right shoulder. However, if an Operator observes a disabled vehicle while en route to another call, and the incident is not one of a higher priority than the one he is responding to, Dispatch shall be advised so a second truck can be dispatched.
6. **Disabled Vehicles on City Streets**

If a disabled vehicle is encountered blocking an intersection while the Operator is driving on city streets, the Operator shall not stop to assist. Immediately notify Dispatch so the appropriate agency can be contacted to handle the incident. If the incident is blocking vehicles exiting the freeway



and is causing a backup onto the freeway, the Operator shall notify dispatch for instructions.

7. Disabled FSP Vehicle

If the FSP vehicle becomes disabled or required equipment is discovered to be lost or missing, the Operator shall immediately notify Dispatch and the truck will be deemed out of service (10-6 Mechanical). The Operator may then contact his Contractor, so a backup truck or replacement equipment can be deployed. Once a Contractor has knowledge of the breakdown or missing equipment, they shall notify FSP Supervision immediately. Failure to notify Dispatch and an FSP Supervisor when the breakdown occurs shall result in adverse action being taken. Operators shall not advise dispatch that he is on a break prior to notifying dispatch the truck is broken down. When a truck breaks down, an Operator is not allowed to take a break to avoid the dock situation.

3. **ABANDONED VEHICLE GUIDELINES<sup>xlvi</sup>**

1) On the Right or Left Shoulder

An Operator is required to stop for abandoned vehicles parked on the shoulder only when an FSP 422 tag (yellow in color) cannot be seen. When stopping for an abandoned vehicle, the Operator shall leave an FSP 422 tag (blue and yellow in color) and an FSP brochure on the vehicle. The FSP 422 tag shall be placed in a visible location on the rear window and the brochure on the windshield. At no time should a CHP 422 tag or other decal be placed on the painted surface of any vehicle. If the vehicle is a motorcycle, a 422 tag may be looped on the handlebar or brake cable by exposing and attaching only the ends of the CHP 422 tag<sup>xlvii</sup>.

If a motorist returns to a vehicle with a CHP 422 or FSP 422 tag on it, the Operator should stop to see if additional assistance is necessary. The Operator shall also stop for motorists who are out on the freeway for any amount of time, even if a CHP 422 or FSP 422 is placed on the vehicle, in the event the motorist changes his/her mind and decides to utilize FSP services.

2) Abandoned Vehicle in the Traffic Lane

An Operator encountering an abandoned vehicle within a lane shall request that Dispatch contact a CHP Officer so that they may respond. Authorization to tow an abandoned vehicle from the traffic lane must be obtained from a CHP Officer or from Dispatch prior to towing the vehicle. A CHP Officer may direct the Operator to tow the vehicle to the right shoulder or off the freeway. The CHP Officer will then be responsible to request, for storage purposes, a rotation tow provider to remove the abandoned vehicle. The Operator shall



not accept a vehicle storage request in this instance or in any other situation while on FSP duty.

a) If Traffic Is Moving Fast

- i) The Operator should position the truck on the shoulder behind the abandoned vehicle allowing traffic to avoid the debris and tow truck.
- ii) During evening hours, the Operator should illuminate the abandoned vehicle utilizing the tow truck spotlight, providing it can be done in a manner that will not interfere with traffic.
- iii) Advise Dispatch of the location of the abandoned vehicle, including the affected traffic lane(s) and request that a CHP Officer respond.

b) If Traffic is Moving Slowly

- i) The Operator should position their truck in the traffic lane behind the abandoned vehicle, activate their overhead warning lights to provide a warning to motorists that there is a vehicle stopped in the traffic lane, and request that a CHP Officer respond.
- ii) If CHP is extended and/or cannot respond the Operator may request that CHP send a Rotation Tow Operator to remove the vehicle from the traffic lane or grant permission for a second FSP Operator to remove the vehicle from the traffic lane.

(1) If permission is granted the first (FSP) vehicle on scene should remain in the traffic lane behind the abandoned vehicle to provide a warning to motorists and provide protection for the second tow responder.

(a) FSP Program preference is that a Rotation Tow provider remove the abandoned vehicle from the traffic lane when possible as it would be the rotation tow vehicle that would tow the abandoned vehicle from the freeway if necessary. It would also allow the FSP Operator to resume their patrol sooner (because the Rotation Tow Operator will need wait for CHP).

(b) Operators shall document the badge number of the officer granting permission to tow the abandoned vehicle.

(2) After the abandoned vehicle is towed from the traffic lane to the shoulder the towing operator, whether FSP or Rotation Tow, the



towing vehicle must wait for an FSP David Unit or CHP Officer to respond to take possession of the vehicle.

- 3) Any Operator directed by CHP to remove an abandoned vehicle from the freeway shall obtain the CHP Officer's ID number and write it on the Operator's Daily Activity Log. If for any reason an Operator is not followed off the freeway by the directing Officer, the abandoned vehicle shall not be dropped. The Operator shall contact Dispatch and request CHP respond for a storage report and request a rotation tow to take possession of the abandoned vehicle. Additionally, the Operator should ensure that Dispatch has contacted FSP Management.

#### 4. TRAFFIC COLLISIONS

When an Operator encounters or responds to an incident and determines that the motorist(s) is involved in a collision, the following guidelines shall apply:

1. Collision investigation officers shall coordinate with the Operator for the expeditious removal of vehicles involved in property damage only (PDO) type collisions from the freeway lanes or shoulders to a location immediately off the freeway, e.g. adjacent surface street. (Established FSP drop locations shall not be used as the off-freeway parking location for collision-related incidents.)
2. **Prior** to leaving the collision scene, investigating officers shall coordinate the call out of either rotation or auto club tow services to respond to the off-freeway location. If these services were dispatched prior to CHP arrival, officers shall inform CHP dispatch of the new off-freeway location.
3. The motorist(s) and passenger(s) of non-operative vehicles should be transported to the off-freeway location by an Operator and/or CHP.
4. Any driver or registered owner of a vehicle involved in a PDO collision should ride in the tow truck with the Operator to accompany their vehicle to the off-freeway location. A motorist being transported by CHP or another FSP unit complies with this policy.
5. If involved vehicles are drivable, only officers shall determine the sobriety and/or injuries of involved motorists prior to requesting they drive their vehicles to the off-freeway location.
6. At the drop location, the CHP officer will determine if there are any safety concerns for the motorist(s). Such concerns may require that the FSP Operator transport the motorist(s) to a secondary location.



7. If a motorist desires to leave their vehicle at the off-freeway location, the FSP Operator shall advise the motorist of the potential for theft or vandalism to the vehicle and any local or state law parking restrictions.
8. If a CHP rotation tow is dispatched by the CHP and has arrived on scene, the Operator shall not stop. Towing responsibility shall be relinquished to the rotation tow company and the Operator shall continue FSP Patrol. To avoid confrontation, it is not the responsibility of the FSP Operator to request or demand a CHP log number from the rotation tow operator claiming if he/she was in fact dispatched.
9. If the Operator is involved in a traffic collision, the Operator shall immediately notify Dispatch. The Operator's Contractor can be notified after Dispatch has placed the truck and Operator out of service. Once the Contractor has knowledge of the collision, they shall notify an FSP Supervisor immediately. For this policy, a traffic collision shall include any event that results in damage or injury to the FSP Operator, truck, other party, or personal property. A report will be taken on all FSP involved collisions during the shift, no matter how minor.

## 5. WHEN TO REQUEST A ROTATION TOW

A rotation tow will be called any time a motorist needs more assistance than an Operator can provide. For instance, if a motorist desires to be towed to a residence, place of employment, service station, place of repair, or other location, and the motorist does not request a specific company (the motorist may not request the tow company currently providing the FSP assist), a rotation tow shall be requested via Dispatch. The Operator, however, should explain to the motorist the hazards that he/she may experience by remaining on the freeway, and the benefits of being towed to a safe drop location.

1. **When FSP and Rotation Tow are Present at the Same Scene**  
There may be occasions when a rotation tow is sent by Dispatch to assist a motorist during an FSP shift. This is usually done for liability reasons, as sometimes an Operator may be too busy to handle all the disabled vehicles within his beat. As a rule, the first tow truck on scene should handle the motorist from contact to conclusion, unless the motorist requests otherwise. An Operator who is aiding a motorist, who encounters a rotation tow at the same location, **shall not** have any type of confrontation with the rotation tow operator. Instead, the Operator is to immediately notify Dispatch, so any problems can be quickly resolved. The Operator may complete the assist; however, should the CHP rotation tow operator become disagreeable, the Operator is to advise Dispatch and go 10-98 IMMEDIATELY. The Operator should obtain all the necessary information and write it down on the Operator's Daily Activity Log.



2. Unusual Tow Situations

An Operator encountering situations beyond the scope of his FSP duties,<sup>xlviii</sup> such as an irate motorist/tow operator or perhaps a tow company soliciting on the freeway, shall adhere to the following:

- a. Immediately advise Dispatch of the situation.
- b. If possible and safe to do so, obtain the name(s) of the involved person(s) and/or company, phone number and addresses, vehicle description(s), and license plate number(s).
- c. Obtain the name(s) of any motorist that might be in the vicinity.
- d. Be a good witness and gather any pertinent information.
- e. Place all information on an Operators Daily Activity Log.
- f. After contacting Dispatch, go 10-98 as soon as possible.

**6. REMOVAL OF DEBRIS FROM THE ROADWAY**

1. If it is SAFE to do so

- a. Park the truck on the shoulder before the debris.
- b. If debris is in an adjacent lane or up ahead of the tow truck and traffic is stopped, the Operator may remove it with caution, always keeping an eye on traffic.
- c. Place debris on shoulder or center divider area.
- d. Advise Dispatch of the location of debris. (Dispatch knows who to notify to remove debris.)
- e. Do not take debris with you. This will result in a disciplinary action against the Operator.

2. When Traffic Is Moving

- a. Position the truck on the shoulder behind the debris allowing traffic to avoid the debris and tow truck. (Use caution, always keep your eyes on traffic, and be prepared to take evasive action.)
- b. During evening hours, the Operator should illuminate the debris utilizing the tow truck spotlight, providing it can be done in a manner that will not interfere with traffic.
- c. Advise Dispatch of the location of the debris, including the affected traffic lane(s) and request a traffic break from the CHP.
- d. When a traffic break is in place, move the debris to the right shoulder. If the CHP cannot respond to create a traffic break, the Operator is to



leave the location of the debris, so personnel can respond later to pick it up.

3. Live Animals

When dealing with animals on the freeway, assume that all are dangerous and may bite. Leave the capture and removal of these animals to those who know how to deal with them. Simply advise Dispatch of the situation so they may request the proper agency and continue patrolling the beat. An Operator should not stand by with, detain, or put the stray animal on or in his FSP truck.

4. Found Property on the Freeway (Including Shoulders and Ramps)

Property found on the freeway shall not be kept. Operators are to inform Dispatch of the location and item(s) found. Dispatch will contact the CHP and an officer working the beat will take possession of said item(s). Selling or keeping a found item(s) will result in disciplinary action.

**7. HAZARDOUS MATERIALS**

Taking a hazardous material incident too lightly can be deadly. Any unknown substance or object in any package (i.e. bags, boxes, barrels, etc.), or in any form (liquid, gas, or solid), should be considered a hazardous material. An Operator should be extremely careful when encountering unrecognizable, identifiable, or suspicious objects or substances. Exercise extreme caution. When in doubt, inquire with FSP Supervision or dispatch for direction

The use of flares vs. cones should be carefully considered. Traffic cones should be used instead of flares if there is a possibility or reason to believe that ignitable or flammable materials may be present. Do not request Caltrans cleanup crews or hazardous materials teams; this will be the responsibility of the CHP Incident Commander. Once CHP arrives on scene, the Operator should go 10-98.

Collision scenes involving big rig trucks may pose a hazard, since these vehicles often carry hazardous materials.

1. Hazardous Material Spills

In this type of situation, an Operator can never get too much information. Dispatch must be notified immediately and advised of any vehicle carrying an unknown substance is equipped with any placards. If so, that information should be conveyed to Dispatch.

Operators arriving at the scene of hazardous material spills or potential hazardous material spills are advised to stay as least 300 feet away from



the substance; uphill, upwind, and upstream. If there is a substance leaking, liquid, or powder, or if there are any flames, an Operator shall leave the area and should escort others nearby away from the scene. In addition, the Operator shall not step in or taste any unknown substance (what looks like sugar or salt could be hydrochloric acid). If possible, contact the driver of the vehicle carrying the material and obtain a description of the material. Notify Dispatch immediately of the description of the material and any other pertinent information.

## 2. Unknown or Hazardous Objects<sup>xlix</sup>

Operators need to be aware of the threat of encountering explosive devices or bombs on any portion of the freeways. Threats might include any structure along, over or under the freeways, overcrossings, undercrossings, transitions, etc. Operators must be diligent and observant when encountering any suspicious device or package, especially in a location that seems unusual. Explosive devices may be contained in a manner that does not make it immediately recognizable as an explosive device. Containers may include a box, a bag, a barrel, a brief case, or any other container. It might look like dynamite or a pipe bomb, might have loose wires, timing devices, or possibly a cellular telephone for remote activation. When in doubt, get away from it and keep others away from it.

Operators are to immediately distance themselves and encourage others to distance themselves at least 300 feet away from the object and move away from any structure or bridge that may be effected in the event of an explosion. Do not make any notification until at least 300 feet away from the object. Do not activate the FSP radio, shop radio, cellular telephone, or any electronic transmission device near the object. This is extremely important because some explosive devices have been known to detonate because of an electronic device transmission.

Once 300 feet or more away from the object and structures:

- a. Notify dispatch providing a description.
- b. Wait for direction from dispatch. You may be required to meet responding emergency personnel to direct them to the object and offer a statement.

## 8. JUMP START

Jump-starting a dead battery can be dangerous. If a vehicle has electrical problems on the freeway, it may be a bigger problem than the battery. Tow the



vehicle off the freeway to a designated drop location and then assess the problem.

**The Operator is not a mechanic and shall not work under the hood of vehicles.** However, if it can be determined that the battery was not the cause of the vehicle being disabled but the battery may have run down because of any switches (lights, hazards, ignition) left in the on position while the vehicle was disabled, the following diagram may be used as a guideline to assist the motorist. Caution and safety are more important than jump starting a dead battery and good judgment should always be used .

## Dangers Jump Starting a Dead Battery

The national Society to Prevent Blindness distributes a warning sticker with instructions on jump-starting vehicles with dead batteries. It includes this information:

### WARNING: BATTERIES PRODUCE EXPLOSIVE GASES

Keep sparks, flames and cigarettes away from batteries at all times. Wear eye protection. Don't lean over batteries during jump-starting. See owner's manual for instructions

### JUMP-START INSTRUCTIONS:

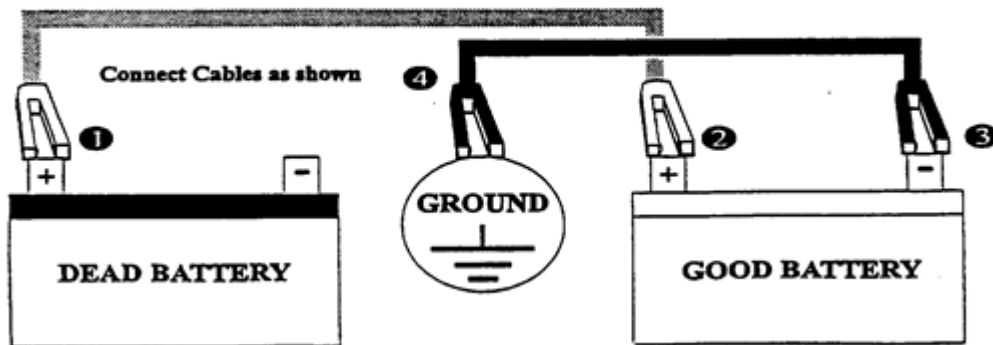
Be sure: vent caps are tight and level....damp cloth, if available, is placed over vent caps....vehicles are not touching....both electrical systems are the same voltage. Don't Jump-Start If Battery Fluid is Frozen!





## ATTACHING THE CABLES: (Do in order listed)

- ❶ Clamp one jumper cable to the positive (+) terminal of dead battery (wired to starter or solenoid). Do not allow positive cable clamps to touch any metal other than on battery.
- ❷ Connect other end of positive (+) cable to positive (+) terminal of good battery.
- ❸ Connect one end of the second cable negative (-) to other negative (-) terminal of the good battery.
- ❹ Make final connection on engine block of stalled engine (not to negative post) away from battery, carburetor, fuel line, any tubing or moving parts.
- ❺ Stand back from both vehicles. Start vehicle with good battery-then start the stalled vehicle.
- ❻ Remove cables in reverse order of connections beginning by first removing cable from engine block or metallic ground.





## 9. VEHICLE FIRES

### 1. Safety Precautions at the Scene of a Car Fire

At times, an Operator may encounter a car fire. Since an Operator is not adequately trained to deal with car fires, he should not become involved trying to put one out. In addition, an Operator should be aware that smoke inhalation is a dangerous health hazard, so always park upwind. The Operator's main objective should be to ensure the motorist's safety as well as his own. An Operator should keep himself and the motorist away from fire. Dispatch should be promptly notified so the fire department can be summoned.

### 2. Engine Fires

During an engine fire, opening the hood will only supply the fire with what it needs---oxygen. This, in turn, can cause a flare-up. Therefore, an Operator shall **never** open the hood if there is smoke coming from the engine area! In addition, battery fires are very dangerous as they emit toxic fumes and can explode.

### 3. Fire Extinguisher Use

As FSP Operators are not trained fire personnel, all Operators should refer to their company training and policies as to the use of fire extinguishers. Operators should seek direction from their company manager or owner if they have questions in this area.<sup>1</sup>

## 10. VEHICLE DAMAGE OR INJURY <sup>11</sup>

Operators shall visually inspect disabled vehicles for damage before and after providing assistance, to ensure there is no damage present. If in doubt, call an FSP Supervisor for assistance. If damage or injury should occur while providing assistance or while at the scene of an assist, regardless of fault, the Operator shall **immediately** report the damage or injury to Dispatch. When an Operator causes damage or injury while servicing or towing a vehicle, the Operator must also provide company contact information to the motorist. Damage or injury of any type must be reported, regardless of how minor it appears. Broken lug nuts, dents, and scratches are examples of damage. Any FSP Operator that fails to report damage to a motorist's vehicle while on the scene of the assist or fails to provide company contact information to the motorist the damage is caused by the Operator, will be in violation of FSP policy and this SOG. The Operator violating this policy will be subject to adverse action.

## 11. OVERHEATED VEHICLES

Operators shall only open the radiator cap and/or add water to a radiator when all the following guidelines are followed:



- a. The radiator is cool to the touch.
- b. The vehicle is not running.
- c. The motorist is a safe distance from the front of the vehicle.

If it is not possible to meet all the requirements listed above, the Operator shall tow the vehicle off the freeway to a designated drop location and have the motorist obtain professional assistance.

The Operator shall inform the motorist of the hazards of opening the radiator cap of an overheated vehicle, such as, the potential for serious injury to the face, hands, and other parts of the body from the hot water/radiator fluid.

## 12. PEDESTRIANS

**An Operator is prohibited from making contact with pedestrians.**

Unless a pedestrian is clearly with a disabled vehicle, an Operator shall not make contact. If a pedestrian is observed on the freeway, the Operator is to immediately advise Dispatch of the location and general description of the pedestrian and continue patrolling.

## 13. ASSISTING THE VULNERABLE MOTORIST

### 1. Vulnerable Motorist

An Operator must be particularly aware of his responsibility when assisting a vulnerable motorist (female, handicapped, etc.). Among the Operator's many considerations should be the time of day and location. For example, a drop location in a certain part of town could pose a greater safety risk to females during the hours of darkness than it might during daylight hours. An Operator encountering a potentially unsafe situation at a drop location may consider the use of an alternate approved drop location. If an alternate drop zone is not reasonably available, the operator shall (a) immediately notify Dispatch of the situation, (b) request that CHP respond to standby with the motorist and (c) request permission to remain on scene until CHP or other assistance has arrived.

### 2. Motorists with Children

Pregnant females and persons with infants or small children present additional challenges for an Operator. An Operator must consider whether a pregnant female is physically able to step up high enough to be seated in the tow truck. The possibility of a rough ride in a tow truck aggravating her already delicate condition is another consideration. Additionally, the requirement that the Operator obey all traffic laws demands that an



Operator be aware of child seat/restraint mandates when servicing parties with infants or small children.

**3. Notification of Vulnerable Motorist**

Occasionally, an Operator encounters a vulnerable motorist who declines the offer of FSP assistance because the motorist has private assistance en route. In addition to advising Dispatch of the refusal for service, an Operator should also advise that the party is a vulnerable motorist. A female alone on the shoulder of a freeway in or about a disabled vehicle could be considered vulnerable. Notifying Dispatch of the female motorist's presence is important so that CHP can monitor the arrival of assistance as well as the individual's overall safety.

An Operator must be prepared to encounter motorists with a variety of special circumstances and problems. A courier's vehicle, for example, could become disabled on the freeway carrying valuables such as jewelry. The courier, male or female, understandably might fear for his/her safety unless special measures are taken to ensure his/her well-being. In these situations, the Operator is expected to assess the situation and contact CHP for instructions.

**14. CLEARING INTERSECTIONS**

When driving on city streets, an Operator should watch for dangers at intersections. To avoid a collision, an Operator should use the three-second rule when clearing an intersection; wait three seconds after the signal turns green, look left, right, and left again before proceeding. An Operator should also be alert for pedestrians who could suddenly walk or run into the path of his moving truck.

**15. INCIDENT OFF OF THE FREEWAY**

FSP responsibility is limited to congestion relief on the freeway. Therefore, a disabled vehicle not found on the freeway by an Operator is not the responsibility of FSP. In the case of a collision or 11-25, notify Dispatch so the proper authority can be notified. Vehicles moved or directed off the freeway by CHP Officers for safety reasons are to be given service as if they were on the freeway.

**16. DRIVING ON THE RIGHT SHOULDER OR CENTER MEDIAN (CVC 21719)<sup>iii</sup>**

Effective January 1, 2016, Assembly Bill 198 adds vehicle code section 21719, which permits a tow truck driver to utilize the center median or right shoulder of the roadway if all the following conditions are met:

- (1) A peace officer employed by the investigating law enforcement agency is at the scene of the roadway obstruction and has determined that the



obstruction has caused an unnecessary delay to motorists using the roadway.

(2) A peace officer employed by the investigating law enforcement agency has determined that a tow truck can provide emergency roadside assistance by removing the disabled vehicle and gives explicit permission to the tow truck driver allowing the utilization of the center median or right shoulder of the roadway.

(3) The tow truck is not operated on the center median or right shoulder at a speed greater than what is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the roadway, and in no event at a speed that endangers the safety of persons or property.

(4) The tow truck displays flashing amber warning lamps to the front, rear, and both sides while driving in the center median or right shoulder of a roadway pursuant to this section.

For the purposes of the FSP program, operators may utilize the center median or right shoulder as outlined above **ONLY WHEN SPECIFICALLY INSTRUCTED TO DO SO** by a CHP Dispatcher or FSP Program Supervisor. Operators who are specifically authorized to utilize the center median or right shoulder must exercise extreme caution, operate at a speed that is reasonable and prudent, must display flashing amber warning lights, and must comply with any other conditions outlined in vehicle code section 21719 and as outlined above.

## 17. **SERVICE ANIMALS**<sup>liii</sup>

The Americans with Disabilities Act grants full and equal access to accommodations, advantages, facilities, common carriers, lodging places, places of public accommodation, and other places to which the public is invited.

Generally, title II and title III permits service animals to accompany people with disabilities in all areas where members of the public are allowed to go. This means that, unless unsafe to do so, the service animal should be kept with the handler and travel with the handler in the tow truck when transporting a disabled motorist who is traveling with a service animal. Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals.

Beginning March 15, 2011, the US Department of Justice published revised final regulations stating that only dogs are recognized as service animals under titles II and III of the ADA. Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming



a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability.

Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

When it is not obvious what service an animal provides, only limited inquiries are allowed. Operators may ask two questions: (1) Is the dog a service animal required because of a disability, and (2) What work or task has the dog been trained to perform. Operators cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

A person with a disability cannot be asked to remove their service animal from the premises unless: (1) The dog is out of control and the handler does not take effective action to control it or (2) The dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, operators must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.

To provide reasonable accommodation and minimize risk, Operators should transport service animals and their handler in the rear passenger area of the tow vehicle.

Operators must notify the CHP Dispatcher or FSP Program Supervisor when transporting a customer with a service animal. If the Operator should encounter difficulties managing a scene where a service animal is present, the Operator should notify the CHP Dispatcher so that a CHP Unit or FSP Program Supervisor may assist as appropriate.

## 18. **COMFORT ANIMALS<sup>liv</sup>**

Comfort animals are an emotional support animal, typically a dog or cat, that provides a therapeutic benefit to its owner through companionship. The animal provides emotional support and comfort to individuals with psychiatric disabilities and other mental impairments. The animal is not specifically trained to perform tasks for a person who suffers from emotional disabilities.

Unlike a service animal, a comfort animal is not granted access to places of public accommodation or protected under the Americans with Disabilities Act. Unless in an appropriate animal carrier or necessary because of mental



impairment, comfort animals and family pets should not be transported in the tow truck.

Operators must notify the CHP Dispatcher or FSP Program Supervisor when transporting a comfort animal or family pet and must identify where the animal will be located during transport (in the tow truck or in the towed vehicle). If the Operator should encounter difficulties managing a scene where a comfort animal or family pet is present, the Operator should notify the CHP Dispatcher so that a CHP Unit or FSP Program Supervisor may assist as appropriate.

## 19. UNUSUAL INCIDENTS<sup>lv</sup>

Should an operator encounter or become involved in an unusual situation not specifically addressed by this SOG or their tow company policies and procedures, the operator must immediately notify CHP Dispatch and receive a log number for the incident. Operators uncertain of what may qualify as “unusual” should check with their company manager. When in doubt, to protect the tow company and program from potential liability, the incident should be reported.

PROCUREMENT



# CHAPTER 7

## SAFETY

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### 1. FOCUS ON SAFETY

**THE MOST IMPORTANT ISSUE RELATING TO ALL ASPECTS OF FSP SERVICE IS SAFETY.** Whether driving on the beat or stopping to assist a disabled vehicle, the Operator should always be thinking about safety.

### 2. SAFETY OF THE MOTORIST

Once an Operator encounters a motorist, the Operator is responsible for that motorist's safety and wellbeing as long as the Operator is there, until the motorist is safely underway, or until the motorist is taken off the freeway to a designated drop point. Accordingly, an Operator needs to take charge of the situation and impart all appropriate safety instructions to the motorist.

### 3. COMMON SAFETY RULES

(Safety Rules that Should Be Followed at all Times)

Above all else, the primary objective of FSP Management is to ensure the safety of all Operators and the motorists they are assisting. Although expediting the movement of traffic is the goal of the FSP program, **nothing** is worth the injury or death of an Operator or motorist. To ensure the safety of all concerned, the following activities are prohibited. Violating any of the following may result in a verbal/written warning, dock, suspension, or disqualification:

1. Any violation of law.
2. Failure to utilize seat belts (Operator or passenger).
3. Utilizing mobile data devices or other devices while driving.
4. Failure to properly use drag lights, two wheel lift safety straps, two safety chains and, if utilizing a tow dolly, two 2" Ratchet safety straps.<sup>lvi</sup>
5. Failure to wear gloves while providing service not requiring precise manual dexterity (such as lockouts, using the radio, or writing).
6. Walking, standing, or working between the vehicles at any time (Operator or motorist).
7. Walking, standing, or working in a traffic lane, when the lane is not closed (Operator or passenger).



8. Turning back to traffic, unless looking over shoulder.
9. Allowing motorist to roam around an unsafe area.
10. Failure to park the FSP vehicle in a location that is safe and optimal, based on the assist location and nature of the assist. Operators must follow their company policies as it relates to placing the FSP vehicle in front or behind a disabled vehicle, identifying and protecting your workspace, and working safely. If an operator has a question in any of these areas, the operator should consult their company manager or owner.
11. Any other unsafe practice that can jeopardize the safety of the Operator or the motorist being assisted.

The Operator is expected to comply with all requests and directions that are given during and following cursory inspections. If the Officer places the Operator out of service for a safety or any other violation, the Operator is expected to comply without argument.

#### 4. SAFETY POINTS

It has been proven repeatedly that **complacency is a killer** when working on the freeways. For this reason, each Operator is strongly encouraged not to become overconfident or comfortable during his daily routine. An Operator should take the extra steps to be safe and remember the following:

1. Whether driving or standing on the freeway, always have an escape route.
2. Request assistance whenever necessary (utilizing FSP Dispatch).
3. Take time to do the job safely and effectively. No shortcuts!

#### 5. TRAFFIC CONTROL

1. An Operator is required to remain calm at all times. This is especially important at a collision scene where people could understandably be upset and/or excited. By remaining calm, an Operator can help those who are distressed. In addition to remaining calm, an Operator should also be courteous and polite.
2. While directing traffic, an Operator will be advising the motoring public of what to do. This requires a great deal of common sense on the part of the Operator. When dealing face to face with the public, an Operator should attempt to convince them that the direction given is the safest and easiest way to accomplish the goal. Most people will comply with reasonable



requests. Technically speaking, an Operator does not have the legal authority to direct traffic unless directed to do so by a peace officer. Thus, an Operator shall avoid any verbal confrontations that could arise if motorist(s) refuses to follow his direction. Additionally, a motorist may not hear an Operator's instructions due to noise, traffic, radios, sirens, or a language barrier.

**REMEMBER:** Resume FSP patrol as soon as a CHP Officer arrives on scene unless the Officer requests further assistance.

3. When directing traffic, an Operator should use uniform signals that a motorist can understand. By doing so, it not only creates credibility and respect, but the public understands what is expected of them. Ultimately, it makes the job of directing traffic much easier.
4. There are three goals that effective traffic control accomplishes:
  - a. Provides safety to both the Operator and the motoring public.
  - b. Prevents secondary collisions by reducing the number of conflicts.
  - c. Helps reduce and control traffic congestion.
5. An Operator should always expect the unexpected. A flare or cone pattern does not guarantee one's safety. An Operator should also watch for intoxicated and inattentive drivers. To better ensure individual safety, an Operator should become familiar with surroundings and have an escape route if needed. Many collisions involving Operators have to do with the tow trucks being rear-ended by other motorists. Therefore, a good safety rule is: **NEVER TURN YOUR BACK TO TRAFFIC!** Statistical data supports the above advice as 85% of disabling injuries that CHP Officers receive happen during the performance of traffic control duties.
6. Stopping Traffic
  - a. Attempt to stop traffic only at very low speeds such as stop and go traffic.
  - b. Stand sideways and point at the driver of the car you wish to stop.
  - c. Establish eye contact with the driver as you point your hand towards them.
  - d. After pointing, turn your hand so the palm is toward the driver with the fingers up.



- e. Hold the position until the driver stops.
- f. Ensure the driver has enough response time to stop.
- g. If the car is too close, let it go.
- h. If the car does not appear to be stopping, GET OUT OF THE WAY.

## 7. Starting Traffic

- a. To start traffic, place yourself so that your side is towards traffic. This helps you see from all directions and leaves less of your body exposed to traffic.
- b. Point towards the vehicle you want to start.
- c. Establish eye contact with the driver of the vehicle you wish to start.
- d. With your palm up, swing your hand up towards your chin.
- e. With your other hand, point towards the direction you want the driver to go.
- f. Directing traffic can be difficult. Therefore, it is always important for the Operator to maintain a high degree of professionalism and restraint .

## 8. Setting Up a Flare Pattern

- a. Assess the scene and determine which lane(s) is to be closed.
- b. Start away from the collision scene and work your way in toward the collision scene.
- c. Determine if there is a fire danger before lighting flares.
- d. Operator shall wear gloves when lighting flares.
- e. When lighting a flare, point it down and away from your body.
- f. Turn your face and eyes away.
- g. Keep flares away from your body by extending your arm.
- h. Never hold the burning end of a flare higher than the part you hold in your hand (the melting sulfur will burn your hand/arm).



- i. Attach cap to NON-LIT end of flare to keep it from rolling. Place lighted flare down while keeping your eyes on traffic.
  - j. No smoking at any time when using flares.
  - k. Avoid breathing toxic fumes from burning flares.
  - l. While walking back to the collision scene do not turn your back on traffic.
  - m. Do not rely on flares to keep traffic from entering the scene.
  - n. Do not step on burning flares.
  - o. Do not place flares on plastic striping or raised markers (Botts' Dots).
  - p. Place flares approximately 20 to 25 feet (about 10 steps) apart.
  - q. Flare patterns should be set to direct traffic to one side only. If possible, leave an escape route.
  - r. To extinguish the flare, pick it up from the unlit end and rub the burning end on the pavement. Do not throw flares or leave them burning unattended.
9. The use of traffic cones can also be an effective way to regulate traffic. There are a few instances where the application of traffic cones would be required. Common sense on the part of the Operator still must be applied. Situations requiring the use of traffic cones instead of flares are generally when the presence of a flame would deteriorate the situation.

The following are examples of when cones are better than flares:

- a. Gasoline/diesel is present at the scene of the collision (remember gas and diesel do not mix well with water; consequently, a hazard still exists during rain or fire department wash downs).
- b. Presence of another flammable substance.
- c. Presence of an explosive.
- d. Fire area: nearby dry brush could easily catch fire from a road flare.
- e. Rainy or windy weather conditions.



The following steps should be utilized when setting up traffic cones:

- a. The placement of traffic cones is essentially the same as road flares.
- b. Assess the scene and determine which lane(s) should be closed.
- c. Start away from the collision scene and work your way in toward the collision scene.
- d. Place cone down while keeping your eyes on traffic (use reflectorized sleeves on cones when deployed during the hours of darkness).
- e. While walking back to the scene, never take your eyes off traffic.
- f. Place cones approximately 20 to 25 feet (about 10 steps) apart.
- g. Cones should be set to direct traffic to one side only.

## **6. SAFE VEHICLE OPERATION**

1. **Patrolling from the Right Lanes**  
Since most of the vehicles to be serviced will be situated on the right shoulder, an Operator should patrol from the right hand lanes. The exception to this rule is when Dispatch sends an Operator to a call of a disabled vehicle located in the center divider, or in one of the other traffic lanes.
2. **Space Cushion, Following Too Close**  
While driving, an Operator should allow for a proper space cushion between his truck and the vehicle ahead. As a rule, an Operator should maintain approximately one truck length for every 10-MPH increment of the vehicle speed. For instance, if traveling at 50 MPH, there should be at least five truck lengths between the truck and the car ahead of it. When towing another vehicle, an Operator should allow for a larger space cushion.



3. Blind Spots

An Operator should identify his vehicle's blind spots and should always use mirrors, as well as look over shoulders before changing lanes. When stopping and entering traffic, an Operator should also be aware of his surroundings.

4. Use of Emergency Lights

The use of emergency lights to aid while entering traffic or using another Operator to slow traffic down to enter traffic is strictly prohibited.<sup>lvii</sup>

Operators may utilize their emergency lights to warn traffic that they will be slowing to stop for a disabled vehicle when necessary to warn fast moving traffic. Operators should discontinue the use of emergency lighting once stopped on the shoulder unless there is a high degree of danger associated with the location. The operator must evaluate the location and determine the need for emergency lights to warn oncoming traffic based on their training, experience, and sound judgement. The over use of emergency lights should be avoided, with emergency lights not being used when not absolutely necessary.<sup>lviii</sup>

5. Inclement Weather

An Operator should be aware of weather and its effect on the operations of the FSP vehicle. When it is raining or when the roadway is wet or icy, a vehicle's stopping distance increases substantially, so an extra margin of safety is required.

**7. SAFE BACKING OF VEHICLE**

To ensure safe backing with a vehicle in tow, an Operator shall always use both mirrors as well as look behind to see that no potential hazards exist. This is especially important when children are playing nearby. If unsure about a hazard's existence, place your truck in park and *Get Out And Look* (GOAL).

**8. EMERGENCY GUIDELINES/NATURAL DISASTER CONTINGENCIES**

Orange County has often experienced natural disasters, earthquakes, fires, floods, mudslides, and civil unrest. To provide safety to both an Operator and the public, the following guidelines shall be observed when a disaster occurs:

- a. Each Operator should remain calm and not panic; fear is contagious.
- b. In an emergency, Dispatch will conduct a roll call. An Operator is to acknowledge with a Code-4 (OK) when his call sign is announced. Provide emergency information to Dispatch about the location and situation as appropriate. Unless information is life threatening, an Operator should not attempt to interrupt the dispatcher.



- c. An Operator shall use the shop radio if unable to make contact with CHP Dispatch and advise his company dispatcher of the situation. The company dispatcher will immediately telephone FSP Dispatch with an update.
- d. FSP Dispatchers will relay directions and information to all tow Operators in the case of an actual emergency. Unless notified, an Operator shall continue to patrol the beat and assist stranded motorist(s) unless it appears to be unsafe to do so.
- e. If a disaster occurs during non-FSP hours, Contractors are required to remove all FSP vehicles from a covered facility and relocate them to an open secure location to prevent damage.
- f. The Contractor(s) will be notified by FSP Management of possible redeployment and/or beat changes.

## 9. PERSONAL SAFETY

### 1. Avoiding Collisions

Avoiding traffic collisions is the responsibility of every member of the motoring public. Since the Operator logs several thousand miles per month assisting the public, it is imperative that an Operator employ defensive driving techniques to reduce the chance of collisions. First and foremost, an Operator should maintain a **High Visual Horizon** while patrolling his beat. This technique requires each Operator to keep his eyes up and look as far down the roadway as possible while driving. This enables the Operator to see problems on the roadway as far in advance as possible, allowing time for the Operator to safely react.

To avoid a traffic collision, an Operator must be **Alert and Rested** while driving his vehicle. Insufficient sleep reduces a driver's reaction time. The driver's reflexes become slowed and decision-making ability is impaired. A driver in this condition should not be operating a vehicle. This driver is a danger to himself and every person near him on the roadway.

### 2. Aggressive Motorist

The vast majority of motorists encountered by an Operator express gratitude for the assistance provided. However, some individuals are ungrateful and/or expect more than the Operator can provide. Sometimes these individuals threaten the safety of an Operator when the Operator cannot comply with the motorist's demands.

If an Operator encounters a motorist **outside** his truck who makes threats against the Operator's safety, the Operator should do the following:



- a. Do not engage the motorist in a verbal or physical confrontation. Tell the person, "OK, let me see what I can do," or "I'll see if I can get permission." Be polite and return to your truck.
  - b. Once back in the truck, lock the doors and immediately drive away from the scene.
  - c. Contact Dispatch immediately to report the incident. Give the dispatcher the location and a detailed description of the individual, if possible, including vehicle description. The dispatcher will notify the CHP, who will respond to the scene.
  - d. If the motorist and/or vehicle are a hazard (11-25) move your truck away from the scene. Stay in your truck and provide traffic control using the emergency lights. Notify dispatch of the situation to expedite CHP response.
3. Aggressive Passenger
- If the party making the threat is a passenger in the Operator's tow truck and the Operator fears for his safety, the Operator should do the following:
- a. Calm the individual by assuring them you are there to help.
  - b. If you can use your FSP radio to confirm your location without alerting the individual, do so.
  - c. Follow the individual's instructions while mentally gathering as much identifying information as possible.
  - d. While stopped and safe for the Operator to do so, place the vehicle in park and exit the truck taking the vehicles keys with you.

The CHP and FSP David units will be en route to your location to assist you. The main objective is to get this individual out of your truck.



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# CHAPTER 8

## TOW GUIDELINES AND POLICIES

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### 1. HOOKING UP THE VEHICLE

#### 1. Safety Chains - Use and Placement

An Operator shall use two (2) safety chains regardless of the distance traveled. The only temporary exception to the two-safety chain rule is when an Operator is towing a vehicle from an extremely hazardous location such as a traffic lane. In this situation, the Operator shall attach one safety chain and then tow the vehicle to the nearest right shoulder or out of lane location where the second safety chain shall be attached. The hook mount points should be as low as possible. An Operator shall use the anchor rings in the body of the tow truck. Hooks on the chains should always be facing down to ensure proper chain installation. An Operator should avoid using "J hooks" when "S hooks" or grab hooks can be used. All safety chains and winch hooks shall have retaining clips.

#### 2. Drag Lights

An Operator shall use drag lights regardless of the distance traveled. The only temporary exception to using drag lights is when an Operator is towing a vehicle from an extremely hazardous location such as a traffic lane. In this situation, the Operator shall tow the vehicle to the nearest right shoulder or out of lane location where the drag lights shall be placed on the towed vehicle.

#### 3. Placing the Vehicle in Neutral Prior to Towing

An Operator is to ensure that the towed vehicle's transmission is placed in neutral and that the parking brake is released prior to lifting the vehicle off the ground. Failing to do this (including front wheel drive vehicles) may place unnecessary stress on the transmission and may cause damage.

#### 4. Wheel Lift Straps

An Operator shall use two (2) wheel lift straps regardless of the distance traveled. The only temporary exception to the two-wheel lift safety straps rule is when an Operator is towing a vehicle from an extremely hazardous location such as a traffic lane. In this situation, the Operator shall attach one safety strap and then tow the vehicle to the nearest right shoulder or out of lane location where the second safety strap shall be attached. Wheel lift straps are always required when using the wheel lift.



## 5. Maximum Weight FSP Trucks Shall Tow is 6,000 Pounds<sup>lix</sup>

The weight specifications for the FSP require that vehicles weighing more than 6,000 pounds curb weight (not Gross Vehicle Weight) shall not be towed, even if the truck can tow a higher weight class. If a CHP Officer orders an Operator to tow a vehicle that has a curb weight of more than 6,000 pounds, the Operator shall tell the Officer that it is outside of FSP Policy to do so. If the Officer persists, the Operator shall immediately notify Dispatch and receive direction from FSP Management. The Operator shall obtain the Officer's agency and identification number and place it on the Operator's Daily Activity Log.

The curb weight of a vehicle is the weight of the vehicle with all the standard equipment and amenities, but without any passengers, cargo, or any other separately loaded items in it. The gross vehicle weight of a vehicle is the combined weight of the vehicle and all passengers and cargo pieces in gross (total). Operators should follow their company policy or consult their company owner, manager, or lead driver if they have any questions in this area.

## 6. Tow Dolly

A tow dolly is a four wheel carriage often used in towing to support the trailing end of a vehicle. A tow dolly is used when the towed vehicle's wheels will not roll freely. It is also used to keep the drive wheels of a towed vehicle from turning, thereby avoiding damage to the transmission. An Operator shall use tow dollies when the situation warrants its use. Operators are to tie down the wheels of the towed vehicle to the dollies using two 2" ratchet safety straps. <sup>lix</sup> The Operator is to drive at a very slow rate of speed (40-45 MPH) when using dollies. Additionally, when preparing to tow a vehicle, a traffic break shall not be requested or used to turn a tow truck around simply to avoid using the tow dollies.

Many late model vehicle manufacturers recommend having their vehicles towed with a flatbed. This does not preclude an Operator from towing the vehicle. If the motorist refuses to have their vehicle dollied after the procedure has been explained, the Operator is to call Dispatch to request a beat rotation flatbed tow truck or another private service.

## 2. TRAVELING WITH VEHICLE IN TOW

### 1. Avoid Excessive Speed and Over-Braking

An Operator shall be aware of speed and braking capabilities before and after hook-ups and avoid unnecessary hard braking and steering while towing. Items that are susceptible to damage by hard braking and steering include the disabled vehicle's sway bar, C.V. joints, and tie rods. While in tow with a



vehicle, Operators are restricted to 55 MPH in compliance with the California Vehicle Code.

2. Avoid Dragging of Safety Chains

An Operator shall avoid the dragging or binding of safety chains. The use of a bungee cord will help in achieving the proper slack. Dragging the chain diminishes its strength and reliability. If a chain has been dragged and has the appearance of excessive wear, the CHP may put the truck out of service until the chain can be replaced.

3. Passengers Prohibited in the Towed Vehicle

Operators are prohibited from towing a vehicle that has passengers inside. If there are too many passengers in the disabled vehicle for the Operator to transport, the Operator should contact CHP Dispatch for FSP/CHP assistance. If FSP has an extended ETA, a request for a CHP unit should be made via Dispatch to provide assistance in the transport of passengers. The only exception to this rule is a lane clearing measure where the motorist's or operators<sup>xi</sup> safety outweighs waiting for assistance and the vehicle is moved to the closest out of lane position.

4. Flashing Amber Lights

Flashing Amber lights may be used when servicing a vehicle in a hazardous location, or when the truck is blocking traffic lane(s). Additionally, the rear 180-degree lights may be utilized when in tow if the truck and towed vehicle are going at a speed less than traffic.

**3. DROP LOCATIONS**

1. Description of Drop Locations

A drop location is a specific on-street public parking area that has been designated by Caltrans and the CHP as an appropriate place to leave a disabled vehicle that has been removed from the freeway. A drop location is usually adjacent to the freeway and no farther than one and one-half miles from the beat. A drop location should be near services that are beneficial to the motoring public, i.e., telephone, service station, restaurant, 24-hour business, etc.

2. Where/When Not to Drop Vehicles

An Operator is required to drop a towed vehicle off the freeway at a designated drop point only. A drop location is usually adjacent to every off-ramp of the freeway that the beat covers. An Operator is strictly prohibited from dropping any vehicle inside a service station or inside any private parking facility. There are, however, three exceptions to dropping a vehicle at a non-designated drop location:

- a. When given permission by Dispatch.



- b. When given permission by FSP Management.
  - c. When ordered by a CHP Officer to take the vehicle to another location other than an FSP drop point. If directed by the Officer, the Operator is required to obtain the CHP Officer's identification number and document it on the Operator's Daily Activity Log. The Operator shall immediately advise Dispatch of the circumstances.
3. Looking Up Drop Locations  
An Operator shall not ask Dispatch to look up a drop location. Instead, the Operator shall use the Drop Location Book, which should always remain in the FSP vehicle, and advise Dispatch of the exact drop location to be used. Problems or suggestions regarding specific drop locations should be directed to the Contractor, who will forward them to FSP Management.
4. At the Drop Locations  
Once at the drop location the operator shall ask the motorist if they have help enroute and must make sure that the motorist knows where they are. Operators should consider writing the location down for the motorist before leaving, to ensure that the motorist may provide that information to others coming to assist them. If additional assistance is required through the FSP Operator (AAA, etc.), all calls for additional assistance shall be made either through Dispatch, or by the motorist via telephone. Dispatch shall be advised when the Operator is clear (10-98) and available for additional calls. An Operator requiring more than 15 minutes at a drop location shall obtain approval from Dispatch.<sup>lxii</sup>

It is possible that the Operator may encounter changing conditions at a drop location which may make it unsuitable to leave a motorist, as well as other situations which may compromise the safety of the motorist. **It is the Operator's responsibility to ensure the motorist's safety at a drop location.** If the motorist expresses he/she is fearful of the area where they are dropped or if in the Operator's opinion, the present conditions are less than safe, or a drop location is absent of a telephone and/or shelter, it may be a good idea to transport the motorist, without the vehicle, to a "safer location." An Operator transporting motorists to a secondary drop location, or waiting with motorists until assistance arrives, shall immediately notify Dispatch. Above all else, an Operator shall use common sense to ensure the safety of any motorist being assisted.

5. Ensuring Motorist Has Help En route  
It is the Operator's responsibility to ensure a motorist has help en route or has access to other services. If the motorist has a private tow company, friend, or family member en route, the Operator should confirm that they have been advised of the drop location. In short, the Operator should confirm that the motorist is being assisted before returning to the beat.



## 6. Drop Locations Do's and Don'ts

- a. When leaving a motorist at a drop point, an Operator shall advise the motorist of any parking restrictions that may exist at that location.
- b. The Operator shall affix, in a conspicuous place, a completed FSP parking tag on the vehicle prior to leaving the drop location.
- c. An Operator shall use discretion when dropping a motorist in an area that, due to the time of day, may not be safe. When there is a question as to the motorist's safety, the Operator shall make arrangements to transport motorists to a place of adequate shelter and safety. Dispatch shall be advised of the situation.
- d. An Operator shall not tow a vehicle that has been involved in a collision or fire to drop locations; this is the responsibility of the rotation tow. An Operator shall advise the motorist that the drop location is for temporary use only and that the motorist must remove the vehicle as soon as possible, as it is subject to all applicable rules and regulations associated with the parking location.
- e. If an Operator drops a motorist's vehicle in a location where parking is restricted at the time of the drop, the Contractor will be held responsible for the error and any ensuing charges incurred by the motorist.
- f. An Operator shall have a thorough working knowledge of the drop locations for his specific beat. Since parking restrictions or safety margins can change, an Operator shall notify FSP Management via the Contractor's authorized agent/manager of any requested changes to the drop location(s). FSP Management shall determine the corrective action necessary to facilitate improvements or changes.
- g. An Operator **shall not** drop vehicles on private property. Drop locations are public on-street parking and park and rides, not private parking lots.
- h. An Operator should attempt to use as many different parking locations at a drop location as possible. Do not use the same spot each time if there is more than one parking location identified. Do not take up more than one parking space per vehicle.
- i. Designated drop locations are not always "safe" drop locations. Be aware of the motorist's safety as well as your own.
- j. When there is a question of the motorist's safety, consider a different drop zone if available or offer to transport the motorist and passengers to a safer location (i.e. a restaurant or coffee shop), leaving the vehicle at the drop zone. An Operator is only allowed to take the motorist to the nearest available drop location. The motorist shall not be transported from one end of the beat to the other for the motorist's convenience.<sup>lxiii</sup>



- k. The motorist being assisted must accompany the Operator to the drop location. This would include FSP or CHP providing the transportation to the same location.

PROCUREMENT DRAFT



# CHAPTER 9

## RADIO COMMUNICATIONS

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### 1. RADIO AND COMMUNICATIONS EQUIPMENT

Each Orange County FSP vehicle will be equipped with an FSP radio that will allow the operator to communicate with the CHP Communication Center, a Helios Edge Controller GPS (Helios) and Wi-Fi hot spot device, a radio antenna, and GPS antenna. This communications equipment will be supplied, installed, and maintained by OCTA, to assure continued operation. Each Contractor will be responsible for providing electrical connection points for OCTA provided equipment (radio and controller). The Contractor will be responsible for assuring that the equipment is contained in a secure environment and protected from theft or damage. The Contractor will be responsible for any replacement or repair cost for OCTA provided equipment that is not considered normal wear and tear.

Contractors are required to provide one iPad2, Galaxy Tab, or compatible Tablet computer (data device) with Wi-Fi internet capability and a modern web browser for each vehicle and backup vehicle. Contractors are also required to provide, install, and maintain contractor-selected in-vehicle mounting hardware for each data device. The Contractor is to maintain and manage contractor-provided data devices in a manner that assures the timely and accurate collection of assist data.

In the event the FSP radio, Helios device, or antennas require repair, the following procedure will be followed:

1. The Contractor or Operator will immediately contact Dispatch to advise of the problem. The Contractor or Operator should be prepared to relay the issue/complaint and truck number of the vehicle in question to Dispatch who will notify FSP Management.

**It is prohibited for any Operator or Contractor to tamper with the FSP communication equipment so that it does not function properly.**

### 2. GENERAL RADIO GUIDELINES

An Operator should always know his location . This is not only important in an emergency but is also important when requesting other services such as a rotation tow truck, fire department, ambulance, or the CHP. If unsure about precise location, an Operator should use a prominent landmark to assist Dispatch in determining the correct location.



In Orange County, there are many different freeways, interchanges, transition roads, collector roads, connector roads, etc. Therefore, it is very important that an Operator be specific about the location(s) he broadcasts on the radio. For instance, if an Operator is on the collector road of the freeway as opposed to the main portion, then that Operator should broadcast, "FSP, 139-506, I'm northbound I-5 at Bake Parkway on the collector road." If on the main portion of the freeway, the Operator should give the lane number and specify "mainline." It is also helpful to give access directions to responding emergency vehicles whenever appropriate. The more pertinent information the responding agencies have, the sooner the entire incident will be mitigated.

#### 1. Calling Dispatch

Always remember that there are many Operators who will likely be using the radio at the same time. While it will be necessary to advise Dispatch of various details regarding incidents that occur, all radio transmissions should be clear and concise. The following is the correct procedure to notify and receive acknowledgment from Dispatch.

- a. It is necessary to identify the party with whom contact is desired by call-sign. For FSP Dispatch, it will be "FSP."
- b. The person calling must be identified by giving his call-sign. Call signs are distinguished by the FSP Identifier 139 and the assigned beat the Operator is working. For example, "139-505."
- c. An Operator must advise Dispatch of the type of incident encountered, especially any incident requiring additional emergency support response. Example: "**FSP, 139-407...11-79.**" After pre-alerting Dispatch, an Operator is to wait for acknowledgment from Dispatch. Dispatch will acknowledge the Operator (by call-sign) and advise to proceed with further details. An example of further details could be, "**FSP 139-407, 11-79, northbound I-405 south of Magnolia Street, #1 and #2 lanes are blocked, roll CHP and 11-41.**" **IT IS IMPERATIVE THAT THE OPERATOR FIRST PROVIDE THE LOCATION OF THE INCIDENT.** Without a location, emergency response will be delayed.
- d. Following this message, an Operator is to wait for acknowledgment from Dispatch that the details of the incident have been copied. For example, "**139-407 FSP copies.**" It is important that an Operator receive an acknowledgment from Dispatch as there are many trucks on the frequency and Dispatch may not have copied the Operator's traffic. Dispatch will advise the Operator over the air after the proper notifications have been made ("**139-407...1039 to CHP and OC Fire**").



An Operator shall use the Tablet instead of the radio during routine FSP duties (for example, signing on, signing off, going 10-97, 10-98 with a vehicle, 10-7, etc.). The use of the Tablet conserves airtime and allows an Operator with necessary traffic to get through to Dispatch.

2. Reporting Emergencies

When reporting emergencies and other priority traffic, an Operator should “pre-alert” Dispatch with an indication of the type of emergency present and wait for Dispatch to acknowledge the call.

A true emergency occurs when an Operator or the public is in immediate danger or has been hurt. These types of calls should be broadcast as “**priority traffic**.” After acknowledging the Operator, Dispatch will put all other Operators on standby (10-23). As a reminder, “priority traffic” should only be used in **emergency** situations.

3. **MONITORING RADIO/SCANNER TRAFFIC**

While patrolling an assigned beat, an Operator shall monitor both the FSP radio and the scanner. An Operator is required to keep the radio scanner tuned to the appropriate CHP frequency corresponding to his assigned FSP beat. This will allow each Operator to be better informed of current freeway incidents and enhance response times to incidents as needed. The frequencies scanned should include both the “S” (Station to Car) and “C” (Car to Station) channels. No other frequencies, other than the appropriate CHP frequencies, shall be monitored. The following examples reflect the advantages to monitoring the scanner:

1. An Officer’s request for an FSP truck will be heard by an Operator before the request is conveyed by Dispatch. During busy radio conditions, requests for FSP response can be delayed. Monitoring the scanner will allow an Operator to start responding to an incident before the call is dispatched.
2. Traffic collision information will be reported and updated by CHP Officers/Dispatchers. This will assist the Operator in restoring the efficient flow of traffic much sooner.
3. A CHP Officer’s/Dispatcher’s report of crimes in progress, a pursuit, or other traffic hazards present will help to ensure an Operator’s safety and alert him of areas to be avoided.



## Transportation of Females

### 4. PROPER RADIO PROTOCOL FOR TRANSPORTATION OF FEMALES AND LONE JUVENILES

When an Operator tows a vehicle with a female or lone juvenile motorist(s), the following procedure (consistent with the policies of the California Highway Patrol) shall be followed:

1. An Operator shall **immediately** advise Dispatch of the transportation of one or more females or a lone juvenile. The appropriate radio code when providing transportation for any female and/or juvenile motorist is "11-48X." After acknowledgment by Dispatch of the "11-48X" call, the Operator shall provide relevant information in the following order:
  - a. Operator's starting location
  - b. Operator's vehicle number
  - c. The motorist's last name. (If more than one female is being transported, the last names of each female shall be provided.)
  - d. Starting odometer
  - e. Drop location where the motorist(s) is being transported

Example, **"FSP, 139-911, my starting location is eastbound SR-91 at Knott Ave. Truck number is OC-31, party's last name is Smith (sometimes the name must be spelled if not common spelling). Starting mileage, (as it reads on the odometer), and drop location will be 7-J-3."**

2. When transporting female or juvenile motorists, it is the policy of the CHP to document the beginning and ending mileage in the CHP log. All 11-48X information, including odometer readings, shall be given over the air to Dispatch at the starting and ending locations.
3. **Radio Dead Spots While Providing 11-48X**  
Operators in locations where dispatch cannot be contacted, (known as radio "dead spots") shall record mileage when beginning and ending transportation of females via the Tablet. The remainder of the relevant information, Operator's starting location, Operator's vehicle number, the motorist's last name, and the drop location shall be provided to Dispatch via the radio as soon as reception allows.



## 5. RADIO DO'S AND DON'TS

### 1. Required Communications Equipment

The Program has adopted the CHP aural brevity code and the phonetic alphabet systems to simplify radio communications. These codes and radio guidelines shall be used when communicating with Dispatch.

### 2. Correct Procedure When Using the Radio

- a. Remain calm and try to think about what you are going to say before you say it. It may help in the beginning to write down what you want to say and read it to Dispatch.
- b. When talking on the radio, remember to hold the microphone approximately two to three inches away from your mouth and speak slowly, clearly, and briefly.
- c. As airtime is limited and several FSP Operators are sharing the same radio frequency, please be concise with your radio traffic, providing only pertinent information.
- d. Transmit only the information requested by Dispatch.
- e. Always use proper radio codes as they maintain brevity. Whenever in doubt, use plain English.
- f. Always know your location. When acknowledging a call from Dispatch, Operators shall give their current location (10-20).
- g. When outside the FSP vehicle, Operators shall turn on the outside radio speaker to better communicate with Dispatch. Common sense and good judgment shall be used when selecting the proper volume level for the surrounding area.
- h. The CHP's 10 and 11 radio codes as well as the phonetic alphabet shall always be used on the FSP radio.

### 3. The Term "Backup"

The term "backup" should be avoided on the FSP radio, as this usually refers to an Officer in need of immediate assistance. An Operator needing an additional truck at an incident can contact Dispatch to have another Operator "11-98" with them.



4. Requesting Telephone Calls Through Dispatch  
An Operator should direct a motorist to use a freeway call box or a public telephone at a drop location when a telephone call is requested. Requesting telephone calls over the radio is prohibited.
5. Personal Conversations with Dispatch or Unprofessional Radio Traffic  
An Operator shall not have a personal conversation with Dispatch or other Operator using the FSP radio. Pleasant and friendly comments such as "Good morning," "Nice to hear you," "Have a nice night," only take up radio time and are a violation of FCC regulations. These conversations also prevent other Operators from legitimately communicating with Dispatch.
6. "Walking on" Other Operators/Dispatch  
An Operator should adjust the volume on his shop radio before talking with Dispatch. Of all radios within the truck, the FSP radio should be the most audible. Prior to using the FSP radio, an Operator shall listen to hear if Dispatch is engaged in conversation with another Operator. Purposely interfering during voice transmissions presents a safety concern. Microphone keying or other abuse of voice transmission is not allowed and will not be tolerated. **Violation of this policy is grounds for immediate disqualification.**
7. Maintaining Professionalism on the Radio  
The FSP radio frequencies are monitored by the Federal Communications Commission, other agencies, and the media. Therefore, all radio communications must be done in a professional manner. It is a direct violation of FSP Policy to use inappropriate, foul, or confrontational language with anyone while using the FSP radio.
8. Providing False Information to Dispatch / FSP Management  
An Operator shall not provide false information to Dispatch or any member of FSP Management. This includes, but is not limited to, the creation of a false dispatch log via data or voice transmission, a false or misleading answer or information to a direct question or falsifying any type of documentation.



## 6. RADIO CODES

### 1. Aural Brevity Codes

10-1	Poor Reception	11-10	Take A Report
10-2	Good Reception	11-24	Abandoned Vehicle
10-4	Message Received	11-25	Traffic Hazard
10-5	Relay Message	11-26	Disabled Vehicle
10-6	Busy, Stand By	11-41	Ambulance Required
10-7	Out Of Service	11-42	Fire Dept. Required
10-8	In Service	11-44	Fatality (Dead Animal for FSP)
10-9	Repeat Transmission	11-48	Provide Transportation
10-10	Off Duty	11-48X	Transport Female
10-19	Return To	11-79	T/C - Ambulance En-route
10-20	Location	11-82	Collision - Property Damage
10-21	Telephone	11-83	Collision - No Details
10-22	Disregard	11-84	Direct Traffic
10-23	Stand By	11-85	Tow Truck
10-97	Arrived at Scene	11-98	Meet or Meet With
10-98	Assignment Complete		
20001	Hit and Run with Injuries	20002	Hit and Run

### 2. Phonetic Alphabet

A	ADAM	H	HENRY	O	OCEAN	V	VICTOR
B	BOY	I	IDA	P	PAUL	W	WILLIAM
C	CHARLES	J	JOHN	Q	QUEEN	X	XRAY
D	DAVID	K	KING	R	ROBERT	Y	YELLOW
E	EDWARD	L	LINCOLN	S	SAM	Z	ZEBRA
F	FRANK	M	MARY	T	TOM		
G	GEORGE	N	NORA	U	UNION		

### 3. Common Radio Abbreviations

BO	BAD ORDER NOT WORKING
ETA	ESTIMATED TIME OF ARRIVAL
DOT	DEPARTMENT OF TRANSPORTATION
GOA	GONE ON ARRIVAL
PD	POLICE DEPARTMENT
SO	SHERIFF'S OFFICE
TC	TRAFFIC COLLISION
UTL	UNABLE TO LOCATE



# CHAPTER 10

## MOBILE DATA DEVICE

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### 1. MOBILE DATA DEVICE (TABLET) SAFETY

Contractor will be required to provide one iPad Tablet (data device) with Wi-Fi internet capability and an updated Safari web browser for each service vehicle and backup vehicle. Other Tablet computers or data devices may be utilized with prior approval from the OCTA Project Manager.

Contractor will be required to provide, install, and maintain contractor selected in-vehicle mounting hardware for each data device. Contractor is to maintain and manage contractor provided data devices in a manner that assures the timely and accurate collection of assist data.

Each contractor employee (Operator) will be required to enter assist data into the reporting system, using the contractor provided data device, as it is performed. For data consistency, and to assure the collection of service data, Operators may be required to maintain a manual log of all assists performed during their shift in addition to entering the data into the system, or if for some reason assist data may not be entered into the system.

### 2. TABLET USE

#### 1. Tablet Use Is Required

A Tablet must always be used by an Operator during FSP service. Failure to properly use the Tablet is a violation of policy.

Operators are required to “log on” to the Tablet prior to leaving the Company yard and perform all status updates as outlined in data collection guidelines outlined in Attachment N. Operators logging on while en route to the beat will be in violation of policy (must log on before leaving the yard to verify functionality).

Operators shall only enter data into their mobile data device while stopped in a safe location and must never utilize their data device while driving.

#### 2. Tablet Communication Failure

An Operator encountering a problem with the Tablet is to contact Dispatch immediately and advise of the equipment failure. The Operator must also contact their designated company representative (Lead Operator/Operations Manager) to arrange for replacement or repair. When Tablet failure occurs, an Operator will communicate with Dispatch using the FSP voice radio and maintain a manual log of assists performed. All



motorist assist information shall be recorded on the Operator's Daily Activity Log.

3. Tablet Tampering

For safety reasons, an Operator is not allowed to disconnect or tamper with the communications equipment. An Operator is required to inform Dispatch of any Tablet malfunctions. Any Operator found tampering with FSP provided equipment may be disqualified from the program.

4. Any use of the Tablet for other than the intended FSP purpose is prohibited. An Operator found in violation of this policy may be disqualified from the program.

Refer to Attachment N for LATATrax Tracking and Reporting Application User Guide.



## CHAPTER 11

### OPERATOR'S DAILY ACTIVITY LOG

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#### 1. DAILY ACTIVITY LOG COMPLETION WHEN TABLET IS NOT FUNCTIONING

A "Daily Activity Log" (Attachment H) shall be completed by the Operator for every incident during the hours of FSP operation when the Tablet is not functioning. When an Operator is dispatched to an incident, assistance may not be possible because the vehicle departed prior to the Operator's arrival; the vehicle is abandoned; or the Operator is unable to locate (UTL) an incident. In any case, the Operator shall complete an entry on the Daily Activity Log.

The Contractor is required to enter manually collected assist data into the LATATrax tracking system within 48 hours.

#### 2. COMPLETING THE OPERATOR'S DAILY ACTIVITY LOG

The Operator shall promptly fill out the Daily Activity Log after servicing a vehicle and prior to responding to another call. The Daily Activity Log shall be filled out in pen with all the required information neat and legible. Operators are to turn-in completed Daily Activity Logs to the Contractor at the end of each day.

#### 3. FALSIFYING DAILY ACTIVITY LOGS

An Operator shall never falsify a Daily Activity Log. **Falsifying a Daily Activity Log may result in immediate disqualification.** It is **strongly urged** that the Contractor review the Operator's Daily Activity Log prior to sending it to OCTA to check for accuracy and to maintain Operator efficiency and professionalism in the field.

#### 4. CALL BOX CHECKS

If Dispatch sends an Operator to a call box to perform a "call box check," the Operator will do the following:

- a. Respond to the applicable location.
- b. If there is a motorist in need of assistance, stop and render aid.
- c. Advise Dispatch of any known problems with the call box.



If there is no vehicle at the location, the Operator is to roll by the call box without stopping and advise Dispatch. An entry into the Daily Activity Log shall be completed for all call box checks.

## 5. DAILY ACTIVITY LOG GUIDELINES

- ☒ The Daily Activity Log can be filled out with a pen or a thin black felt pen (Sharpie).
- ☒ Write today's date, beat, truck number, and Operator ID in top section of the Daily Activity Log
- ☒ Enter Company name, Operator's name, and at the end of the day enter the assist count total.
- ☒ **DISPATCHED TIME:** Enter the time of day that you were dispatched to a call. All time is written as military time.
- ☒ **TIME ARRIVED (10-97):** Enter the time of day that you arrived at the incident. All time is written as military time.

EXAMPLE: 7:15 AM is 0715 and 4:49 PM is 1649.

- ☒ **WAIT TIME:** Ask the motorist how long the vehicle has been disabled at that location.
- ☒ **FREEWAY & DIRECTION:** Enter the freeway and general direction of travel. (Example: I-5 N)
- ☒ **LOCATION:** Enter the nearest exit or cross street. (Example: at Magnolia or south of Bake Parkway)
- ☒ **TRAFFIC SPEED:** Enter the estimated speed that the traffic is traveling as you pull up to the incident. Estimate only the direction that you are traveling not the other side of the freeway.
- ☒ **INCIDENT TYPE:** Enter the appropriate radio code definition. (Example: 11-26, 11-82)
- ☒ **VEHICLE POSITION:** Indicate the position of the vehicle in relation to the roadway. (Example: Right shoulder, center divider)
- ☒ **SERVICE TYPE:** Enter the appropriate service type. (Example: F [for flat tire])
- ☒ **MAKE:** Vehicle manufacturer.



- ☒ **VEHICLE TYPE:** Enter the vehicle type. (Example: Auto, SUV, P/U, Big Rig, CYC)
- ☒ **COLOR:** Enter the basic color of the vehicle.
- ☒ **LICENSE PLATE NUMBER:** Enter the license plate as it reads.
- ☒ **STATE:** Enter the state in which the license plate was issued.
- ☒ **TOW LOCATION:** Enter the destination of the vehicle if it was towed. (Example: right shoulder, surface street, drop zone)
- ☒ **START ODOMETER:** If providing transportation for a juvenile or female, enter the odometer information as it reads.
- ☒ **ENDING ODOMETER:** If providing transportation for a juvenile or female, enter the odometer information as it reads.
- ☒ **DROP ZONE:** Enter the drop zone number as found in the drop zone book.
- ☒ **TIP:** If a tip was received, enter the amount of the tip or item received. Further information may be placed in the comments section.
- ☒ **LOG NUMBER:** Enter the log number received from dispatch for a tip, vehicle damage, collision, or unusual incident.
- ☒ **LAST NAME:** Enter the motorist's last name if providing transportation for a juvenile or female.
- ☒ **COMMENTS:** Enter any pertinent information for the incident.
- ☒ **IN TABLET:** Enter Yes or No as to whether the assist was entered the Tablet.
- ☒ **TIME DEPARTED (10-98):** Enter the time of day that you completed the incident (this includes the completion of the Daily Activity Log).
- ☒ **OPERATORS SIGNATURE: (REQUIRED)** After completion of the Daily Activity Log at the end of the shift/day, sign the log verifying all information is true and correct to the best of your knowledge.

Refer to Attachment H for an example of the Daily Activity Log and further instructions.



# CHAPTER 12

## SPECIAL RELATIONSHIPS

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### 1. SPECIAL RELATIONSHIPS

- a. Once an Operator establishes any contact with a motorist, that Operator has established what the FSP Program refers to as a “special relationship.”
- b. An Operator is to exercise reasonable care of a motorist once a special relationship has been established. The Operator should not leave the motorist in an unsafe situation.
- c. An Operator shall not place a motorist or passenger in a position of foreseeable danger from either traffic or other potentially hazardous factors after contact has been made.
- d. It is the responsibility of the Operator not to leave the motorist in a worse situation than that which existed before contact was made. This includes not leaving a motorist stranded at a drop location where the safety of the motorist may be compromised. **IT IS THE OPERATOR’S RESPONSIBILITY TO ENSURE THAT HELP IS EN ROUTE OR THAT THE MOTORIST HAS ACCESS TO ADDITIONAL PUBLIC SERVICES.**
- e. While all drop locations have been checked by the CHP, an Operator should be aware of any changing conditions that may adversely affect the suitability of the site. If the Operator feels a drop location is unsafe, FSP Management should be notified immediately.
- f. Center dividers, gore points, and narrow shoulders are always considered dangerous locations. Once an Operator establishes contact with a motorist in any situation that may be dangerous, it is that Operator’s responsibility to stay with the motorist until relieved by the CHP, another tow company, or until the motorist is moved to a safer location.
- g. If a motorist refuses FSP service or if the Operator leaves the motorist, the Operator must inform Dispatch and advise the motorist of any potential hazards and provide freeway safety tips.



## CHAPTER 13

# SEXUAL HARASSMENT POLICY

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It is the policy of the FSP Program that the working environment be free of sexual harassment. OCTA, CHP, and Caltrans prohibit harassment by any FSP personnel. Immediate and appropriate disciplinary action will be taken against those individuals who violate this policy, up to and including dismissal from the FSP program.

**Definition:** Sexual harassment is defined as unsolicited and unwelcome sexual advances, requests for sexual favors, and other offensive verbal, physical, or visual conduct of a sexual nature.

The following sections contain common examples of sexual harassment:

1. Making unsolicited written, verbal, physical, and/or visual contact with sexual overtones.
  - Written examples: suggestive or obscene letters, notes, invitations, emails, and text messages
  - Verbal examples: derogatory comments, slurs, jokes, and epithets
  - Physical examples: assault, touching, impeding, or blocking movement
  - Visual examples: gestures, leering, or display of sexual suggestive objects, pictures, photographs, and cartoons
2. Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction is not considered sexual harassment.)
3. Making reprisals, threats of reprisal, or implied threats of reprisal following a negative response. For example, either implying or withholding support for an appointment, promotion or change of assignment; suggesting a poor performance report will be prepared or suggesting probation will be failed.
4. Engaging in implicit or explicit coercive sexual behavior that is used to control, influence, or affect the career, salary, and/or work environment of another person.<sup>lxiv</sup>
5. Offering favors or benefits,<sup>lxv</sup> such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations, re-classifications, etc., in exchange for sexual favors.



# CHAPTER 14

## DRUG AND ALCOHOL POLICY

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### 1. OPERATOR'S RESPONSIBILITY

The FSP Program provides safe and efficient service to the public. Because of the nature of our work, this program has a zero tolerance policy for substance abuse. FSP Operators are prohibited from using, purchasing, selling, possessing, distributing, or being under the influence of a controlled substance or alcohol while on duty, or driving an FSP vehicle to and from FSP duty.

**The use of alcohol and/or drugs while on FSP duty is absolutely forbidden. Any Operator found to be under the influence of drugs and/or alcohol will be immediately disqualified from the program and may face criminal prosecution.**

1. Illegal Drugs

**Operator found to be in possession of illegal drugs while on duty will be charged with all applicable violations of law and immediately disqualified from the program.**

2. Prescription Drugs

An Operator is required to inform his employer immediately if taking prescription medication that may hinder his ability to safely operate a motor vehicle. In such a situation, the Operator **SHALL NOT** operate any FSP service vehicle until he is **FULLY CAPABLE** of doing so. Failure to notify the Contractor may result in **IMMEDIATE DISQUALIFICATION** from the program.

3. Alcohol

a. On Duty

**An Operator shall not be on duty while having the odor of an alcoholic beverage on his breath or person. An Operator found to have the odor of an alcoholic beverage on his breath or person shall be immediately placed out of FSP service. Penalties for being on FSP duty while smelling of an alcoholic beverage will be handled on a case by case basis, depending on the facts of each incident. The penalty may include disqualification from the FSP program.**

When an Operator is suspected by his employer or Supervisor or determined by a uniformed representative<sup>lxvi</sup> of the CHP, to have the odor of an alcoholic beverage on his breath or person, the Operator will be immediately removed from FSP duty. The Operator will be



offered by CHP the opportunity to voluntarily submit to a breath test on a CHP PAS (Preliminary Alcohol Screening) device to measure alcohol level. However, if the Operator refuses to submit to a breath test, the Operator will be suspended until an investigation by CHP is completed.

The aforementioned paragraph only applies to situations where an Operator is NOT believed to be under the influence of alcohol. However, if an Operator is believed to BE UNDER THE INFLUENCE OF ALCOHOL, he will be arrested by the CHP and the arrest, blood alcohol testing, and booking shall be performed as required by law.

If an Operator smells of alcohol in the presence of his employer, the Contractor will be required to send the Operator to its clinic for a reasonable suspicion test. If the Operator refuses the reasonable suspicion test, it will be considered a positive test and the Operator will be disqualified from the FSP program.

b. Off Duty

An Operator, 21 years and older, arrested for being in violation of Section 23152 (A) CVC – Driving Under the Influence, while off duty from FSP, shall immediately report this arrest to his employer and CHP prior to his next work shift. Failure to do so will be considered a major violation, subject to disqualification from the program. Once an arrest of this nature is reported, the Operator will be placed on a 30-day probation concurrent with the DS 367 Temporary Driver License during which the Operator is encouraged to request a DMV hearing as outlined on the DS 367. Once the 30-day period has elapsed, the Operator will surrender his DL64 and FSP ID card. The Operator will be placed on suspension pending DMV and court action. A second offense of this section within 2 years will result in immediate suspension and/or disqualification from the FSP Program.

An Operator under 21 years of age who is detained and/or arrested for violation of section 23136 CVC – Minor Driving with BAC .01% or more, or section 23140, while off duty from FSP, shall immediately report this arrest to his Contractor and CHP Supervision prior to his next work shift. Failure to do so will be considered a major violation subject to disqualification from the program. Once an arrest of this nature is reported, the Operator will be placed on a 30-day probation concurrent with the DS 367 M Temporary Driver License during which the Operator is encouraged to request a DMV hearing as outlined on the DS 367M. Once the 30-day period has elapsed, the Operator will surrender his DL64 and FSP ID card. The Operator will be placed on suspension pending DMV and court action. A second



offense of this section within 2 years will result in immediate suspension and/or disqualification from the FSP Program.

4. Arrests

If any Operator is arrested, while off duty, for any alcohol and/or drug-related offense(s), or any section of 13377 of the Vehicle Code, he is required to notify his Contractor and FSP Management immediately. Failure to do so will result in suspension and/or disqualification from the FSP program.

PROCUREMENT DRAFT



# CHAPTER 15

## PERFORMANCE MEASURES

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### 1. PROGRAM AWARDS

#### 1. Operator of the Quarter

To recognize superior performance, FSP Management **may** convene once a quarter to select FSP “Professional Tow Operators of the Quarter.” Selection will be determined by Contractor nominations followed by CHP group evaluation of the nominated Operators. To receive this prestigious award, an Operator must continuously conduct **themselves** in a professional and exemplary manner. Selection factors include: Operator was certified and worked for the entire quarter;<sup>lxvii</sup> field evaluations regarding the Operator’s appearance, performance, and professional conduct; and commendations received from FSP Survey forms, or other written commendations from the public.

#### 2. Operator of the Year

Recognition of “Operator of the Year” will be made based on the criteria set forth for “Operator of the Quarter”, including field evaluations regarding the Operator’s appearance, performance, professional conduct, and commendations received from Motorist Comments. The recipient of this award will be selected from the year’s “Operator of the Quarter” nominees. This annual award will recognize the Operator that has provided exceptional service to the motoring public and has been determined to be the finest Operator in the FSP program for the calendar year.

The recipient of this award will be given a personalized plaque highlighting this accomplishment and an FSP token of appreciation.

#### 3. Contractor of the Year

To recognize superior performance, FSP Management **may** convene once a year to select an FSP “Contractor of the Year.” To receive this prestigious award, Contractors must continually conduct themselves in a professional and exemplary manner. Selection factors include proactive approach to operator related issues; field evaluations regarding the Contractor’s equipment, performance, and professional conduct; and attendance at all FSP related functions.

The recipient of this award will be given a personalized plaque highlighting this accomplishment.



#### 4. Operator Safety Recognition Award

Operators within the FSP Program will be recognized for safe driving (no preventable collisions). Recognition will be in the form of an award pin indicating the consecutive years of performance with no preventable collision for years one, five, ten, fifteen, and twenty.

Preventable collisions will be determined by collision evaluations and collision lists provided by CHP Program Supervisors.

Eligibility:

1. Operating with the Orange County FSP Program for a period of at least one year (12 Months).
2. No preventable vehicle collisions.
3. Years are determined by the operator's<sup>lxviii</sup> date of entry into the FSP Program or last preventable collision date, whichever is later.
4. A preventable collision will restart the clock for the purpose of calculating safety award eligibility.

FSP Management is responsible for determining the eligibility of each Operator.



# CHAPTER 16

## VIOLATIONS AND PENALTIES

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### 1. OVERVIEW

FSP Management expects Contractors and Operators to comply with the contract, SOG, directives from FSP Management, and local, state, and federal laws and regulations. When a Contractor or Operator does not act in accordance with these requirements, an adverse action, or penalty, will result.

The listing of violations is not all-inclusive, and each offense will be weighed on its own merit. FSP Management shall utilize a “progressive discipline” process when deciding adverse actions. Penalties may include a verbal warning, written warning, suspension, or disqualification. Based on the severity of the violation, any step in the process may be skipped. Additionally, the Contractor may receive monetary penalties in the form of being docked at standard, double, or triple the vehicle service hour rate. A Contractor or Operator who has been penalized for inappropriate behavior on prior occasions can expect to get a more severe penalty than a Contractor or Operator who does not have a negative work history. All penalties shall be based on the totality of facts available. Multiple violations of policies and guidelines can result in increasingly severe actions, up to and including disqualification from the FSP Program.

All documentation of investigations shall be retained by FSP Management for a minimum period of three years beginning on the date the violation occurred.

### 2. PENALTIES

The purpose of this section is to establish a fair and equitable system of objectively assessing penalties for various types of violations charged to the Contractor or Operator. By establishing these guidelines, FSP Management will ensure that all Contractors and Operators will be treated fairly and uniformly.

Since a Contractor is ultimately responsible for the actions of its Operators, the Contractor shall receive an appropriate violation letter when the violations result in adverse action requiring suspensions and disqualification. Penalty assessment can be issued to either the Operator or Contractor. FSP Management retains the right to impose and enforce any appropriate penalty, provided adequate documentation exists.



### 3. VIOLATIONS THAT MAY LEAD TO CONTRACTOR/OPERATOR SUSPENSION

To better clarify the seriousness of these violations, as well as to explain the ensuing consequences, possible violations have been assigned to three basic categories: MINOR, MODERATE, and MAJOR violations.

- A Contractor participating in or encouraging any activity constituting a MAJOR violation or withholding required reporting of such violation to FSP Management may be subject to immediate contract termination.

The Contractor is ultimately responsible for the actions of its employees during FSP operating hours. For any recurring problems that an Operator fails to correct, the Contractor will be held responsible for taking corrective action.

### 4. LIST OF VIOLATIONS

The following common violations are only examples to illustrate the three violation types and do not represent an exhaustive list.

#### 1. Minor Violations

- Failing to properly place "NOT IN SERVICE" magnets on dedicated FSP vehicles while off duty or during non-FSP hours
- Wearing FSP uniform while off duty or during non-FSP hours while performing other tow services
- An Operator displaying poor grooming as specified in the SOG
- An Operator not complying with the established basic uniform standards as specified in the SOG
- Minor equipment violations not constituting an out-of-service status
- An Operator failing to complete the pre-operation inspection form
- A Contractor/Agent failing to initial the pre-operational inspection form

#### 2. Moderate Violations

- Any violation of the California Vehicle Code will be subject to adverse action including being placed out of service, until the violation is corrected. Examples include, but are not limited to, failure to have current proof of registration and insurance.
- Equipment violations resulting in out of service
- An Operator that incurs damage to the FSP vehicle or equipment during FSP shift and fails to immediately notify Dispatch and FSP Management. Example include, but are not limited to, losing essential equipment needed for service, running over something in



- the roadway, bending or breaking equipment, and mirror strike resulting in a cracked side mirror.
- A Contractor having knowledge of and failing to immediately notify FSP Management of any level of violation that could result in a suspension or disqualification to either the Contractor or Operator, pursuant to the SOG. Some examples include:
    - a. An Operator leaving the FSP beat without authorization during FSP hours
    - b. An Operator failing to immediately report to FSP Management intentional or unintentional damage to a vehicle serviced, towed, or pushed
    - c. An Operator failing to immediately report a breakdown of an FSP truck
    - d. An Operator lying to Dispatch or FSP Management
    - e. An Operator sleeping during an FSP shift (including during rest break)
  - FSP truck operating with expired registration
  - Providing or recommending a secondary tow service, following an initial service
  - Not providing service
  - Continual violations of Minor violations

Numerous violations committed on the same incident will be dealt with on an individual basis. Each violation will be handled separately.

### 3. Major Violations

Due to the severity of these violations, the Contractor/Operator will be subject to immediate suspension/disqualification of the contract/FSP Program when having knowledge of, or encouraging/participating in the following:

- FSP trucks not insured<sup>lxix</sup>
- Driving with an invalid, suspended, or revoked driver license, tow certificate, or medical card
- Failure to immediately report (before the start of your next scheduled shift) the receipt of a traffic violation whether on duty or off duty at the time that the violation was received.
- Driving on the right shoulder or center median without specific authorization from CHP Dispatcher or CHP Program Supervisor.



- Stealing from a motorist or charging for FSP service
- Selling any items
- Soliciting any service that would require subsequent compensation
- Providing or recommending a secondary tow service, for compensation, following an initial service
- A Contractor allowing an uncertified operator to perform FSP duties
- A Contractor allowing an Operator with a suspended driver license to perform FSP duties
- A Contractor or Operator falsifying information, orally or in written form, to FSP Management or Dispatch<sup>lxx</sup>
- Retaining tips or other gratuities
- An Operator driving an FSP vehicle while under the influence of alcohol and/or drugs
- An Operator involved in any type of collision without immediate subsequent notification to FSP Management
- A Contractor having knowledge of and failing to immediately notify FSP Management of an Operator involved in any type of collision
- Continual violations of Moderate violations

Note: Major violations will be handled on a case by case basis.

The activities listed in each of the three categories are not intended to be an exhaustive list. FSP Management reserves the right to characterize any activities that violate the Contract, but which are not listed in the SOG, in the manner they see fit.

## 5. PREVENTABLE TRAFFIC COLLISIONS

A preventable traffic collision is one in which the Operator failed to do everything that reasonably could have been done to avoid the collision. Traffic collisions where the Operator is found to be at fault will result in the following consequences.

- a) First Offense – Up to three days suspension from FSP Program, up to 16 hours of refresher training that has been approved by Program Supervisors and meet with FSP Supervisor(s) to discuss the incident.
- b) Second Offense within Two Years<sup>lxxi</sup> – Up to 10 days suspension from the FSP Program and 24 hours of refresher training that has been approved by Program Supervisors and meet with FSP Supervisor(s) to discuss the incident.



- c) Third Offense within Three Years<sup>lxxii</sup> – Could lead to immediate disqualification from the FSP Program.

The number of days of suspension and hours of refresher training shall be determined by FSP Management on a case by case basis. An Operator may be immediately disqualified from the FSP Program for any at fault collision that is the result of reckless driving such as excessive speed, swerving through lanes, etc.

Nothing in this section precludes the Contractor from terminating an Operator's employment with the company for its own risk management purposes.

## **6. APPEALS PROCESS<sup>lxxiii</sup>**

The FSP Operator and/or Contractor will have 10 calendar days to file an administrative appeal to an adverse action. Adverse actions include required retraining, suspension, and/or disqualification from the program.<sup>lxxiv</sup> Rejection of an applicant based on legislatively required background checks and administrative warnings are not considered adverse actions for the purposes of appeal. The request for appeal must be submitted in writing and must specifically state the basis of the appeal. Once the request for appeal has been received, FSP Management will review the basis for the appeal and make a determination. If necessary, a review session will be scheduled with FSP Management, and the Contractor. The 10-day period will commence upon the date that the adverse action notice is served to the Contractor.

## **7. DISQUALIFICATION**

Disqualification of an Operator from the FSP Program is considered permanent. However, an Operator who has been disqualified from the program by FSP Management for a period of one year, and who desires reinstatement may appeal in writing to the FSP review committee. Appeals will be denied unless "good cause" can be established, in writing, by the individual making the appeal. Because of the confidentiality of criminal histories, any person disqualified from working in the FSP Program for a criminal conviction may only appeal to the CHP.

## **8. COMPLAINT PROCESS**

All complaints made against an Operator or Contractor will be investigated by the CHP in a fair and impartial manner. Complaint investigations are necessary to resolve occasional problems, maintain the favorable regard of the public, and to identify any problems or additional training needs. Because of the investigations, the CHP may initiate recommendations to OCTA for program disqualification<sup>lxxv</sup> or contract action. Should the filing of criminal charges be a possibility, the CHP will handle to conclusion and, if warranted, request



prosecution by a court of law. The most common types of complaints, which are a direct violation of this SOG, include:

1. Rude and discourteous conduct
2. Lack of service
3. Lying, such as giving untrue information
4. Inappropriate conduct with members of the opposite sex
5. Soliciting, accepting, or not reporting tips
6. Unsafe driving practices
7. Insubordination

PROCUREMENT DRAFT



CHP 234F TOW OPERATOR INFORMATION<sup>lxxvi</sup>STATE OF CALIFORNIA  
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**TOW OPERATOR/DRIVER INFORMATION**

CHP 234F (Rev. 2-13) OPI 061

Instructions: Please type or print clearly. Form must be filled out completely.

OPERATOR/DRIVER FULL NAME (FIRST, MIDDLE, LAST)		DATE OF BIRTH	
LIST ALL ALIASES (USE ADDITIONAL PAGES IF NECESSARY)			
STATES LIVED IN, EXCLUDING CALIFORNIA, DURING LAST SEVEN (7) YEARS			
COMPANY NAME		JOB TITLE/CLASSIFICATION	
DRIVER LICENSE NUMBER	STATE	EXPIRATION DATE	LICENSE CLASS
MEDICAL CERTIFICATE		MEDICAL CERTIFICATE EXPIRATION DATE	
<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
OPERATOR/DRIVER ENROLLED IN CSAT (DRUG/ALCOHOL TESTING) PROGRAM?			
<input type="checkbox"/> YES <input type="checkbox"/> NO			
NUMBER OF YEARS EXPERIENCE AS A TOW TRUCK OPERATOR/DRIVER IN THE FOLLOWING CHP CLASSES:			
Class A:	Class B:	Class C:	Class D:
OPERATOR/DRIVER PRESENTLY ENROLLED IN DMV PULL NOTICE PROGRAM?		OPERATOR/DRIVER EVER BEEN CONVICTED OF A MISDEMEANOR OR FELONY?	
<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
IF YES, EXPLAIN CIRCUMSTANCES. INCLUDE MISDEMEANOR/FELONY CONVICTIONS, SECTIONS OF LAW VIOLATED, DATES OF ALL CONVICTIONS AND LOCATIONS WHERE THEY OCCURRED (CITY, COUNTY, STATE, COUNTRY). USE ADDITIONAL PAGES IF NECESSARY.			

I certify the above information is true and correct, and no omissions have been made.

- The Operator and Driver are advised that giving false information to a peace officer, either orally or in writing, is a misdemeanor pursuant to Vehicle Code Sections 20 and 31. A failure to disclose any felony and/or misdemeanor convictions shall be cause for denial of the CHP 234F.

OPERATOR/OWNER'S SIGNATURE		DATE
TOW DRIVER'S SIGNATURE		DATE
RECEIVING OFFICER'S NAME	ID NUMBER	DATE

FOR CHP USE ONLY:

☐ APPROVED ☐ DISAPPROVED

If an individual is not approved, provide tow operator with a written reason for the action and attach a copy of the reason to this form.

Destroy Previous Editions

Chp234F\_0419.pdf



**FSP OPERATOR APPLICATION**

FSP CONTRACTOR:						
COMPLETE NAME (FIRST MIDDLE LAST)			SOCIAL NUMBER	SECURITY	HOME NUMBER ( )	PHONE
HOME ADDRESS (NUMBER AND STREET)			CITY AND STATE		ZIP CODE	
<b>DRIVER LICENSE INFORMATION</b>						
SEX: CIRCLE ONE <b>M</b> <b>F</b>	HAIR COLOR:	EYE COLOR:	HEIGHT:	WEIGHT:	BIRTH (MM/DD/YY)	DATE
PERMANENT LICENSE NUMBER:		STATE:	CLASS:		DATE EXPIRES:	LICENSE
TEMPORARY LICENSE NUMBER:		CLASS:	DATE TEMPORARY ISSUED:		ISSUING OFFICE:	
GLASSES REQUIRED TO BE WORN WHEN DRIVING? <input type="checkbox"/> YES <input type="checkbox"/> NO		OTHER DRIVING RESTRICTIONS: (EXPLAIN)			ENDORSEMENT/S:	

Has your driver license ever been suspended, revoked, or placed on probation? ☐ YES ☐ NO

If Yes, list all offenses giving an approximate date, City of offense, circumstances, and final disposition below.

List any FSP companies you have worked for previously: (date, reason for leaving) ☐ Check here if NO prior FSP.

Were you ever discharged, suspended or have you been requested to resign or have resigned under unfavorable circumstances from any employment? ☐ YES ☐ NO If yes, please explain each individual incident below.

List all traffic citations you have received: (approximate date, City of offense and violation)

List all arrests, detentions by police agencies: (approximate date, City of offense and violation)  
DO NOT INCLUDE JUVENILE ARRESTS

I certify that the above information is true and correct, and that no omissions have been made. This form will be forwarded to CHP as part of your Background Screening. Applicants are advised that giving false information to a Peace Officer, either orally or in writing, is a misdemeanor pursuant to Vehicle Code, sections 20 and 31.

FSP APPLICANT'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

REVIEWING OFFICER'S NAME \_\_\_\_\_ DATE \_\_\_\_\_



**FSP OPERATOR INTERVIEW FORM**

DATE: \_\_\_\_\_ NAME OF APPLICANT: \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_

**DOES THE APPLICANT HAVE A VALID CALIFORNIA DRIVER LICENSE?**☐ YES ☐ NO**DOES THE APPLICANT HAVE A VALID DL-64 CERTIFICATE?** ☐ YES ☐ NO

This form was developed to assist FSP Contractors in the Pre-Screening of prospective FSP Operator. This form **IS NOT** intended to replace a complete and thorough background check, which will be conducted using fingerprint comparisons from State and Federal Law enforcement databases.

**SECTION ONE****HAS THE APPLICANT BEEN CONVICTED OF ANY OF THE FOLLOWING SPECIFIC CRIMES?**

(PC - California Penal Code)

- |                              |                             |        |   |
|------------------------------|-----------------------------|--------|---|
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | 220 PC | Assault with the Intent to Commit Mayhem, Rape, Sodomy, or Oral Copulation.   |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | 261 PC | Rape or Aiding & Abetting a Rape  |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | 267 PC | Abducting Person Under Age 18 for Prostitution  |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | 288 PC | Lewd Act with a Child   |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | 289 PC | Sexual Assault  |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO |        | Murder, Attempted Murder, Voluntary Manslaughter or Mayhem.   |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO |        | Rape, Sodomy or Oral Copulation by Force, Violence, Duress, Menace, or Fear of Immediate and Unlawful Bodily Injury on the Victim or Another Person.        |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO |        | Robbery or Arson that Causes Great Bodily Injury, or that Causes an Inhabited Structure or Inhabited Property to Burn.                                      |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO |        | Any Felony in which the Defendant Inflicts Great Bodily Injury on Any Person Other Than an Accomplice, or any Felony in Which the Defendant Uses a Firearm. |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO |        | Kidnapping, Carjacking.   |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO |        | Criminal Street Gang Convictions; Extortion / Threats to Victims or Witnesses.  |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO |        | Burglary (First Degree), When Another Person, Other Than an Accomplice, Was Present in the Residence During the Crime.                                      |

**SECTION TWO****HAS THE APPLICANT BEEN CONVICTED OF ANY OF THE FOLLOWING SPECIFIC CRIMES?**

(PC - California Penal Code VC - California Vehicle Code SOG – Orange County FSP Standard Operating Guidelines)

- |                              |                             |             |  |
|------------------------------|-----------------------------|-------------|--|
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | 3.3.1 SOG   | Any Felony Conviction Within the Previous Seven Years  |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | 3.3.1 SOG   | Any Misdemeanor Conviction Within the Previous Three Years   |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | 191.5(a) PC | Gross Vehicular Manslaughter while Intoxicated Conviction Within the Previous Seven Years                          |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | 23153 VC    | Driving while Under the Influence and Causing an Injury or Death Within the Previous Seven Years. (Any subsection) |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | 23152 VC    | Three or More Convictions of Driving while Under the Influence Within the Previous Seven Years. (Any subsection)   |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO |             | Three or More Misdemeanor Drug Related Convictions, Within the Previous Five Years.                                |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO |             | Any Drug Related Felony Convictions, Within the Previous Five Years.   |



**SECTION THREE****HAS THE APPLICANT BEEN CONVICTED OF ANY OF THE FOLLOWING SPECIFIC CRIMES?**

(PC - California Penal Code) (VC - California Vehicle Code)

If an Answer is ☒ YES, Check the appropriate check box if, if known, to indicate either (☒ F) for a Felony conviction or (☒ M) for a Misdemeanor conviction.

ALL YES ANSWERS SHOULD BE EXPLAINED IN THE COMMENTS SECTION BELOW, (DATE / LOCATION / CIRCUMSTANCES)

<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	148 PC	Resisting/Delaying a Peace Officer
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	222 PC	Administering Drugs With the Intent To Commit a Felony
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	273.5 PC	Infliction of Injury to Spouse, Cohabitant, Parent or Child
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	261.5 PC	Statutory Rape
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	275(a) PC	Cruelty To Child
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	273(d) PC	Corporal Punishment of a Child, Resulting in a Traumatic Condition
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	417 PC	Brandishing a Firearm in a Threatening Manner
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	450 PC	Arson
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	453 PC	Possession of a Fire Bomb
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	459 PC	Burglary
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	466 PC	Possession of Burglary Tools
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	467 PC	Possession of Deadly Weapons With the Intent to Assault
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	470 PC	Forgery
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	470(a) PC	Reproduction / Falsification of Driver License or ID Card
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	470(b) PC	Display/ Possess Reproduced / Falsified Driver License or ID Card
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	477 PC	Counterfeiting Money
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	484(e) PC	Theft of an Access Card
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	484(f) PC	Forgery of Access Card Signature
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	484(g) PC	Fraudulent Use of an Access Card
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	487 PC	Grand Theft
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	496 PC	Receiving Stolen Property
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	503 PC	Embezzlement
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	538(d) PC	Fraudulent Impersonation of A Peace Officer
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	2800 VC	Evading a Peace Officer
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	10750 VC	Altering, Defacing or Replacing Vehicle ID Numbers
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	10752 VC	Fraudulent Acquisition of DMV or CHP VIN Numbers
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	10851 VC	Vehicle Theft
<input type="checkbox"/> YES	<input type="checkbox"/> F	<input type="checkbox"/> M	<input type="checkbox"/> NO	20001 VC	Hit and Run Causing Injury or Death

COMMENTS: \_\_\_\_\_

I certify that the above information is true and correct, and that no omissions have been made.

This form will be forwarded to FSP Management (CHP) as part of your Background Screening. Applicants are advised that giving false information to a Peace Officer, either orally or in writing, is a Misdemeanor pursuant to vehicle code sections 20 and 31.

FSP APPLICANT'S SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_



# BACKGROUND PRE-SCREENING INSTRUCTIONS FOR FSP CONTRACTORS

Have your prospective FSP Operator complete the "FSP OPERATOR APPLICANT INTERVIEW FORM" and use the results to "Pre-Screen" the applicant using the information below for each Section of the form.

**(Note: Any Pre-qualification is dependent on the information received from the applicant, and completion of this form does not guarantee the issuance of a DL-64.**

## SECTION ONE

IF THE ANSWER TO **ANY** OF THE QUESTIONS IN SECTION ONE (1) WAS "**YES**", THE APPLICANT IS **PERMANENTLY DISQUALIFIED** FROM WORKING IN **ANY** FSP PROGRAM.

An FSP Operator must be qualified to be issued a Tow Truck Driver Certificate (DL-64) by the Department of Motor Vehicles. California Vehicle Code section 13377(a) denies the issuance the DL-64 if any of the above circumstances are met.

## SECTION TWO

IF THE ANSWER TO **ANY** OF THE QUESTIONS IN SECTION TWO (2) WAS "**YES**", THE APPLICANT IS **DISQUALIFIED** FOR THE **INDICATED TIME**, FROM WORKING IN THE FSP PROGRAM. ONCE THE APPLICANT CAN ANSWER THE INDICATED QUESTION "NO", HE/SHE MAY REAPPLY.

These disqualification convictions are based on the recommendations made by the Emergency Roadside Assistance Advisory Committee (ERAAC) and the Orange County FSP Standard Operating Guidelines.

## SECTION THREE

IF THE ANSWER TO **ANY** OF THE QUESTIONS IN SECTION THREE (3) WAS "**YES**", THE APPLICANT IS **DISQUALIFIED FOR 10 YEARS FOR FELONY CONVICTIONS AND 5 YEARS FOR MISDEMEANOR CONVICTIONS**, FROM WORKING IN ANY FSP PROGRAM. These disqualification convictions are based on the recommendations made by the Emergency Roadside Assistance Advisory Committee (ERAAC).

**EACH APPLICANT IS REQUIRED TO BRING THE FOLLOWING ITEMS FOR BACKGROUND SCREENING:**

- 1) ☐ Valid California driver license.  
License must indicate current address  
or have in possession an address change card (DL-43), issued by DMV.
- 2) ☐ Tow Operator/Driver information, CHP Form # 234F.  
☐ Signed by Contractor and Applicant.
- 3) ☐ "Freeway Service Patrol" Operator application form.  
☐ Signed by Applicant.
- 4) ☐ "Freeway Service Patrol" Operator applicant interview form.  
☐ Signed by Applicant.
- 5) ☐ Live Scan Worksheet.  
☐ Signed by Applicant.
- 6) ☐ If the applicant has a valid DL-64, bring it to background screening.
- 7) ☐ Fees for the processing of the Criminal History Live Scan Check  
**Applicant needs to bring a company check or money order for \$50.00, made out to "CHP Accounting."**



## LIVE SCAN WORKSHEET

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL  
ORANGE COUNTY FREEWAY SERVICE PATROL UNIT

## Live Scan Worksheet

The following information is required prior to Live Scan Fingerprinting.  
The information that you provide will be transferred to a four part NCR form.

### PLEASE PRINT VERY LEGIBLE OR TYPE THE FOLLOWING:

Name of Applicant:		Last		First		MI	
AKA's:		Last		First		CDL No.	
DOB:		SEX:		<input type="checkbox"/> Male <input type="checkbox"/> Female			
HT:		WT:		Home Phone No.		( )	
EYE Color:		HAIR Color:		Home Address:			
Place of Birth:				Street or PO Box			
SSN#:				City, State and Zip Code			

I certify that the above information is true and correct, and that no omissions have been made.

This form will be forwarded to CHP as part of your Background Screening. Applicants are advised that giving false information to a Peace Officer, either orally or in writing, is a Misdemeanor pursuant to vehicle code sections 20 and 31.

FSP APPLICANT'S SIGNATURE

DATE



TRAINEE NAME: \_\_\_\_\_ TRAINEE ID#: \_\_\_\_\_

**COMPANY:** \_\_\_\_\_

**Date of Initial Operator Training Completion:**

**OJT completed No Later Than:** \_\_\_\_\_

This form is to be used by FSP Operator Trainers to ensure that the tasks listed are performed by, demonstrated to, or discussed with the Trainee Operator. This checklist is to be used one per Trainee, but can be completed by more than one Trainer. Completed form shall be submitted along with Invoice to FSP Management.

## TRAINING CHECKLIST

Completed by:

Date:

- ☐ Pre-Op Inspection Completion and Documentation
- ☐ FSP SOG and required forms
- ☐ Staging location guidelines (3.8.5)
- ☐ Signing on & off (3.8.3)
- ☐ MDT guidelines
- ☐ CHP radio communication guidelines
- ☐ Beat responsibilities
- ☐ Safe vehicle operations
- ☐ Tow truck and vehicle placement
- ☐ Motorist and vehicle contacts
- ☐ Use of tow lights
- ☐ Fire hazards and extinguisher use
- ☐ Traffic control and scene management
- ☐ Debris in roadway
- ☐ Directions by CHP Officers
- ☐ Gratuities, tips, and items of value
- ☐ Clearing the scene
- ☐ Drop locations
- ☐ Safety issues and concerns in and around truck



## Orange County Freeway Service Patrol Training Guidelines for New Operators

To achieve a well-rounded and comprehensive training program, the following guidelines shall be followed. All new Operators will be required to complete their training program in the following order.

- 24 hours of Initial Driver Training by CHP Management.
- Skills and Driving Proficiency Test.
- 24 hours of On-The-Job Training (OJT).

During the OJT phase, an Operator Trainee will be required to demonstrate a minimum proficiency in all the tasks as outlined on the OJT Form. The tasks are to be supervised by a skilled Operator during the ride along phase of the training. For the first 12 hours of OJT, the Operator Trainee will be required to operate the FSP radio and Tablet from the passenger seat of the truck. This will allow the Operator Trainee to gain operational knowledge and confidence prior to the driving portion of the training. The Operator Trainee shall utilize the FSP radio to report and receive all the daily activity. This includes all activity which would normally be entered the Tablet without dispatch notification. This will allow the Operator Trainee to gain more experience when interacting with dispatch and enhance the trainee's radio skills. The Operator Trainee will be required to enter all the daily activity into the Tablet. The Operator Trainee will also generate a written FSP Daily Activity Log, duplicating the day's activity for each shift. This will teach the Operator Trainee how to prepare the required activity log in the event of a Tablet failure.

Prior to the actual ride along and before each shift, the Lead Operator will call in and advise CHP Dispatch with the name of the trainee and the beat they will be working. The beat unit will add a "T" to its call sign indicating it is a training unit i.e. 139-505 T (Tom). This will assist CHP Dispatch with identifying the training units and alert them to the additional radio traffic.

Nothing in this policy prohibits a Contractor from providing additional training. This is a guideline which provides a new Operator with the minimum skills necessary to be a safe and competent FSP Operator.



**ORANGE COUNTY FREEWAY SERVICE PATROL  
VERIFICATION OF FREEWAY SERVICE PATROL RIDE-ALONG TRAINING**  
(Print neatly using blue ink)

I, (Contractor/Owner) \_\_\_\_\_,

representing, (Company Name), \_\_\_\_\_,

attest that FSP employee (New Operator Name), \_\_\_\_\_,  
has completed twenty four (24) hours (six four-hour shifts) of ride-along training with  
a certified FSP Operator, and that the new Operator is proficient in all aspects of the  
Orange County Freeway Service Patrol Program's policies and guidelines.

#	Date	Beat	Shift	Certified Trainer Name	Trainer Signature
1					
2					
3					
4					
5					
6					

I further attest that I have reviewed the employee's understanding of Operator and customer safety guidelines, Freeway Service Patrol standard operating guidelines (SOG), radio and Tablet guidelines, documentation, and log guidelines, and have determined that the employee has a clear understanding of program guidelines and requirements.

CONTRACTOR/OWNER SIGNATURE AND DATE:

\_\_\_\_\_.

All information on this form must be neatly printed using blue ink.

All signatures and certifications are required.

New Operator must not drive FSP service vehicles prior to the completion of all ride-along training, the issuance of an FSP ID card, and the issuance of a signed DL-64.

This original document, along with the required on the job training checklist, MUST be mailed to the FSP Administrative Officer upon completion of training.



## TRUCK AND EQUIPMENT PRE-OPERATIONAL FORM

ORANGE COUNTY FREEWAY SERVICE PATROL

## TOW TRUCK &amp; EQUIPMENT WEEKLY PRE OPERATIONAL INSPECTION

This sheet will be maintained in the vehicle for the current week and at the office for 60 days.

Company Name	Truck License Number		Truck Number		Date Beginning		Date Ending	
Vehicle	Monday	Tuesday	Wednesday	Thursday	Friday	Operator		
Equipment	AM	PM	AM	PM	AM	PM	AM	PM
AVL/MDT Secured / Operational								
Public address system operational								
Shop radio and scanner operational								
FSP radio operational (external)								
SOG in vehicle								
Forms & brochures								
Truck interior, no visible food/ trash								
Current registration form								
Current insurance form								
Brakes operational (service/parking)								
Drop location / Map book								
California driver license								
DL-64 (tow truck certificate)								
Medical Card (DL 51)								
FSP Identification Card								
Log Book (If Req.)								
Name tag								
Shaven								
Steel toe boots								
Uniform in good condition								
Rain gear (Optional)								
Flashlight & spare batteries								
First aid kit – 5" X 9" minimum								
Gloves								
Truck lettering/numbers / FSP logos								
Out of Service Signs (2)								
Truck / bed paint								
Truck body (damage)								
Tires, Wheels, and Lugs (pressure)								
Check engine fluids								
Exterior lights / Reflectors								
Drag Lights								
Cones-(6) (28", cleaned & labeled)								
Absorbent (five gallons)								
Trash can (empty)								
Diesel fuel (Optional)								
Unleaded gas (10 gal/clean cont.)								
Water (10 gal/clean cont.)								
Dollies (tread / air pressure)								
Winch cable (Optional))								
Cross bar pivot pin (Under lift)								
Safety chains and clips								
Spacer blocks (2)								
Wood blocks (4" x 6" x 12")								
Tow chains (5/16" & J hooks)								
Cross beams (4x4's / 4' & 5')								
Compressor and Attachments								
Bolt cutters								
Broom (24" minimum)								
*Operator states the above is true and correct (initial)								
*Contractor / Agent concurs with Operator (initial)								
								<b>BOTH MUST BE INITIALED PRIOR TO THE OPERATOR ENTERING BEAT</b>

This inspection form shall always be kept at each respective tow yard , and upon request be available for review by FSP Management. Falsifying any pre-operation inspection form may result in the Operator(s) being suspended / disqualified from the Program.



# ATTACHMENT G

This sheet will be maintained in the vehicle for the current week and in the office for 60 days.

Vehicle <i>Equipment</i>	Monday		Tuesday		Wednesday		Thursday		Friday		Operator
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	Remarks
Pry bar (36" min.)											
Square tipped shovel											
Fire extinguisher (Current & Secured)											
Flares 36 (15-minute)											
Floor jack (2-ton plus)											
Jumper Cables (25')											
Lock out tools & wedge											
Lug wrench (std. & metric)											
Trailer ball (1 7/8" & 2")											
Tow Truck Lug Wrench											
Triangle reflectors (3)											
Flexible funnel											
Crescent wrench 8" & 12"											
Electrical and Duct tape											
2" Ratchet Straps											
Needle nosed pliers											
Rubber mallet											
Screwdrivers Phillips #1 & #2											
Screwdrivers Std. 1/8, 3/16, 1/4, 5/16											
Sledge hammer (min 4 lb.)											
Mechanic's wire											
Wheel lift safety straps											
Mud flaps											
Fuel Cap											
Throttle Control / PTO											
Towing Mechanism											
Seatbelt Cutter											
Fluid Leaks of any kind											
Windshield / Mirrors/ Wipers											
Seat Belt Operation											
Tire Pressure Gauge											
Steering Wheel Strap											
Wheel Retainers L bar/Cradle											
*Operator states the above is true and correct (initial)											BOTH MUST BE INITIALED PRIOR TO THE OPERATOR ENTERING BEAT
*Contractor / Agent concurs with Operator (initial)											

Truck mileage/last oil change and lubrication				Date of last tune-up		
Type or print name of Contractor / Agent at the end of the week						
Signature of Contractor / Agent						
WEEKLY MILEAGE						
	AM Beginning	AM Ending	TOTAL	PM Beginning	PM Ending	TOTAL
Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
	Weekly Total			Weekly Total		



## ORANGE COUNTY FREEWAY SERVICE PATROL

**TOW TRUCK & EQUIPMENT WEEKEND PRE OPERATIONAL INSPECTION**

*This sheet will be maintained in the vehicle for the current week and in the office for 60 days.*

Company Name	Truck license number	Truck Number	Date Beginning	Date Ending
<b>Vehicle</b>	<b>Saturday</b>	<b>Sunday</b>		<b>Operator</b>
<b>Equipment</b>				<b>Remarks</b>
AVL/MDT Secured				
Public address system operational				
Shop radio Operational				
FSP radio Operational				
SOG in vehicle				
Forms & brochures				
Truck interior, no visible food/trash				
Current registration form				
Current insurance form				
Brakes operational (service/parking)				
Drop location / map book				
California driver license				
DL-64 (tow truck certificate)				
Med Card (DL 51)				
FSP identification card				
Log Book (If Req.)				
Name tag				
Shaven				
Steel toe boots				
Uniform in good condition				
Rain gear (Optional)				
Flashlight & spare batteries				
First aid kit - 5" X 9" minimum				
Gloves				
Truck lettering/Numbers/FSP Logos				
Out of Service Signs (2)				
Truck / bed paint				
Truck body (damage)				
Tires, Wheels, Lugs (pressure)				
Check engine fluids				
Exterior lights / Reflectors				
Drag Lights				
Cones-(6) (cleaned & labeled, 28")				
Absorbent (five gallons)				
Trash can (empty)				
Diesel fuel (Optional)				
Unleaded gas (10 gal, clean cont.)				
Water (10 gal, clean cont.)				
Dollies (tread / air pressure)				
Winch cable (Optional)				
Cross bar pivot pin (Underlift)				
Safety chains and clips				
Spacer Blocks (2)				
Wood Blocks (4"x6"x12")				
Tow Chains (5/16 & J Hooks)				
Compressor and Attachments				
Bolt Cutters				
Broom (24" Minimum)				
*Operator states the above is true and correct (initial)			<b>BOTH MUST BE INITIALED PRIOR TO THE OPERATOR ENTERING THE BEAT</b>	
*Contractor / Agent concurs with Operator (initial)				



# ATTACHMENT G

## ORANGE COUNTY FREEWAY SERVICE PATROL

### TOW TRUCK & EQUIPMENT WEEKEND PRE OPERATIONAL INSPECTION (CONTINUED)

This sheet will be maintained in the vehicle for the current week

Vehicle Equipment	Saturday	Sunday	Operator Remarks		
Pry bar (36")					
Square tipped shovel					
Fire extinguisher (Current & Secured)					
Flares 36 (15-minute)					
Floor jack (2-ton plus)					
Jumper cables (25')					
Lock out tools & wedge					
Lug wrench (std. & metric)					
Trailer ball (1 7/8" & 2")					
Triangle reflectors (3)					
Flexible funnel					
Crescent wrench 8" & 12"					
Electrical / Duct tape					
2" Ratchet straps					
Needle nosed pliers					
Rubber mallet					
Screwdrivers (Phillips #1 & #2)					
Screwdrivers (1/8", 3/16" 1/4", 5/16")					
Sledge hammer (min 4 lb.)					
Mechanic's wire					
Wheel lift safety straps					
Mud Flaps					
Fuel Cap					
Throttle Control / PTO					
Towing Mechanism					
Seatbelt Cutter					
Fluid leaks of any kind					
Steering Wheel Strap					
Tire Pressure Gauge					
Seat Belt Operation					
Windshield/ Mirrors/ Wipers					
Wheel Retainers L bar/cradle					
*Operator states the above is true and correct (initial)			<b>BOTH MUST BE INITIALED PRIOR TO THE OPERATOR ENTERING THE BEAT</b>		
*Contractor / Agent concurs with Operator (initial)					
<b>WEEKLY MILEAGE</b>					
	<b>Beginning</b>	<b>Ending</b>	<b>Total</b>		
Saturday					
Sunday					
	<b>Weekly Total</b>				
Truck Mileage/last oil change and lubrication			Date of last tune-up		
Type or print name of Contractor / Agent at the end of the week					
Signature of Contractor / Agent					

This inspection form shall always be kept at each respective tow yard , and upon request be available for review by FSP Management. Falsifying any pre-operational inspection form may result in the Operator(s) being suspended / disqualified from the Program.



## DAILY ACTIVITY LOG

# Daily Activity Log Instructions

1) Before leaving the yard, fill in Date, Beat #, Truck #, Driver ID, Company Name and Driver Name information. You will complete the assist count information at the end of your scheduled shift.

A) A Daily Service Log must be completed for each day / beat / truck / driver

A1) A new Daily Service Log must be started each day, or if there is a change of beat, truck, or, driver.

Date	Beat #	Truck #	Driver ID
Company Name		Driver Name	Assist Count

2) Upon arriving at each service incident, complete an Incident Entry Record for each incident and vehicle.

A) See Incident Code and Service Code section for a list of uniform entry codes.

B) If there is more than one vehicle at the same incident, enter "continued" in the dispatch and 10-97 fields of the following record, and enter all line 2, 3, and 4 information. Repeat this process until all vehicles at the location have been entered.

## Incident Entry Record

Dispatch Time	10-97	Wait Time (Minutes)	FWY & DIR	Location			Traffic Speed
Incident Type	Vehicle Position	Service Type	Make	Type	Color	Plate #	State
Tow Location	Start OD	End OD	Drop Zone	Tip	Log #	Last Name	
Comments						In MDC? (yes / no)	10-98
<p>Dispatch Time - Time Dispatched To Call (If Not Dispatched Enter N/A)      Plate # - Enter License Plate Number</p> <p>10-97 - Time Arrived To Provide Service      State - Enter License Plate State, Example "CA"</p> <p>Wait Time - Customer Wait Time In Minutes (Ask Customer)      Tow Location - Enter Tow Location Code (If Towed)</p> <p>FWY &amp; DIR - Example "405 N"      Start OD - Enter Starting Odometer Reading For Tow Or Transport</p> <p>Location - Example - JNO Bristol      End OD - Enter Ending Odometer Reading For Tow Or Transport</p> <p>Traffic Speed - Enter Traffic Speed Code      Drop Zone - Enter Drop Zone Code From Drop Zone Book (If Towed Off Freeway)</p> <p>Incident Type - Enter Incident Type Code      Tip - Enter Tip Information (Yes or No). If Tip, Note Item Or Amount In Comment Section</p> <p>Vehicle Position - Enter Vehicle Position Code      Log # - Enter Any Log Number Associated With The Assist</p> <p>Service Type - Enter Service Type Code      Last Name - Enter Customer Last Name</p> <p>Make - Enter Vehicle Make, Example "Ford"      Comments - Enter Any Comments Or Other Information As Necessary</p> <p>Type - Enter Vehicle Type Code      In MDC? (Yes / No) - Indicate if the assist information was entered into the MDC</p> <p>Color - Enter Vehicle Color      10-98 - Enter 10-98 Time (Assist Complete)</p>							

3) At the end of your shift, review all assist information for accuracy and completeness. Count all vehicle service records and enter

A) After reviewing all records, count all vehicle service records, and enter the count in the Assist Count section.

B) Sign and date the Daily Service Record, indicating that all information is true and correct.

4) Turn in the completed service log to a Company Supervisor at the end of your shift.



## Daily Service Log Entry Codes

Traffic Speed	Vehicle Position	Vehicle Type	Tow Location	Location Coding
SLG - Sluggish	CTR - Center Median	AUT - Auto	DRP - Drop Zone	JNO - Just North Of
SLO - Slow	FWY - Freeway Lane	BIG - Big Rig	NOT - No Tow	JSO - Just South Of
MED - Medium	HOV - HOV Lane	BOX - Box Truck	OFF - Off Freeway	JEO - Just East Of
FST - Fast	LFT - Left Shoulder	BUS - Bus	SHD - Shoulder	JWO - Just West Of
UNK - Unknown	RGT - Right Shoulder	CYC - Motorcycle	UNK - Unknown	BTWN - Between
	RMP - Ramp/Connector	MTR - Motor Home		
	UNK - Unknown	PUT - Pickup Truck		
	UTL - Unable to Locate	SUV - SUV		
		UNK - Unknown		
		VAN - Van/Wagon		

## Incident Codes And Service Codes

Incident Type		Service Type	
1124 - Abandoned Vehicle	1179 - Ambulance Responding	A - ADAM / Assist	N - NORA / Non1125 Debris
1125 -Traffic Hazard	1180 - Collision - Major Injury	AT - Tow truck assisted by service truck	O - OCEAN / Overheat
1126 - Disabled Vehicle	1181 - Collision - Minor Injury	B - BOY / Battery / Jump-start	P - PAUL / Private Assistance
1126X - Disabled Vehicle X-ray	1182 - Collision - Property Damage	CD - CHARLES DAVID / Clear Debris	RA - Tow Truck Assist Service Truck
1141 - Ambulance Required	1183 - Collision - No Details	CV - CHARLES VICTOR / Clear Vehicle (from lanes)	RB - ROBERT 1148 / Towed & Transport Male
1142 - Fire Department Required	1184 - Direct Traffic	F - FRANK / Flat Tire	RJ - ROBERT 1148 / Transport Juvenile
1144 - Possible Fatality	1185 - Tow Truck Required	G - GEORGE / Gasoline	RX - ROBERT 1148 X-ray / Transport Female
1148 - Provide Transportation	1198 - Meet or Meet with	H - HENRY / Highway Patrol	S - SAM / Service Refused
1148J - Transport Juvenile		I - IDA / Info Assist	T - TOM / Tagged
1148X - Transport Female		M - MARY / Mechanical	U - UNION / Unable to Locate



## Freeway Service Patrol Daily Activity Log

Date	Beat #	Truck #	Driver ID		
Company Name		Driver Name			Assist Count
I certify that the information contained in this service log is true and correct, and complete to the best of my knowledge and abilities.					
_____ <b>Driver Signature</b>			_____ <b>Date</b>		

Dispatch Time	10-97	Wait Time	FWY & DIR	Location			Traffic Speed
Incident Type	Vehicle Position	Service Type	Make	Veh Type	Color	Plate #	State
Tow Location	Start OD	End OD	Drop Zone	Tip?	Log #	Last Name	
Comments						In MDC? (Yes/No)	10-98

Dispatch Time	10-97	Wait Time	FWY & DIR	Location			Traffic Speed
Incident Type	Vehicle Position	Service Type	Make	Veh Type	Color	Plate #	State
Tow Location	Start OD	End OD	Drop Zone	Tip?	Log #	Last Name	
Comments						In MDC? (Yes/No)	10-98

Dispatch Time	10-97	Wait Time	FWY & DIR	Location			Traffic Speed
Incident Type	Vehicle Position	Service Type	Make	Veh Type	Color	Plate #	State
Tow Location	Start OD	End OD	Drop Zone	Tip?	Log #	Last Name	
Comments						In MDC? (Yes/No)	10-98

Dispatch Time	10-97	Wait Time	FWY & DIR	Location			Traffic Speed
Incident Type	Vehicle Position	Service Type	Make	Veh Type	Color	Plate #	State
Tow Location	Start OD	End OD	Drop Zone	Tip?	Log #	Last Name	
Comments						In MDC? (Yes/No)	10-98

Dispatch Time	10-97	Wait Time	FWY & DIR	Location			Traffic Speed
Incident Type	Vehicle Position	Service Type	Make	Veh Type	Color	Plate #	State
Tow Location	Start OD	End OD	Drop Zone	Tip?	Log #	Last Name	
Comments						In MDC? (Yes/No)	10-98



## Daily Activity Log – Page 2

Dispatch Time	10-97	Wait Time	FWY & DIR	Location			Traffic Speed
Incident Type	Vehicle Position	Service Type	Make	Veh Type	Color	Plate #	State
Tow Location	Start OD	End OD	Drop Zone	Tip?	Log #	Last Name	
Comments						In MDC? (Yes/No)	10-98

Dispatch Time	10-97	Wait Time	FWY & DIR	Location			Traffic Speed
Incident Type	Vehicle Position	Service Type	Make	Veh Type	Color	Plate #	State
Tow Location	Start OD	End OD	Drop Zone	Tip?	Log #	Last Name	
Comments						In MDC? (Yes/No)	10-98

Dispatch Time	10-97	Wait Time	FWY & DIR	Location			Traffic Speed
Incident Type	Vehicle Position	Service Type	Make	Veh Type	Color	Plate #	State
Tow Location	Start OD	End OD	Drop Zone	Tip?	Log #	Last Name	
Comments						In MDC? (Yes/No)	10-98

Dispatch Time	10-97	Wait Time	FWY & DIR	Location			Traffic Speed
Incident Type	Vehicle Position	Service Type	Make	Veh Type	Color	Plate #	State
Tow Location	Start OD	End OD	Drop Zone	Tip?	Log #	Last Name	
Comments						In MDC? (Yes/No)	10-98

Dispatch Time	10-97	Wait Time	FWY & DIR	Location			Traffic Speed
Incident Type	Vehicle Position	Service Type	Make	Veh Type	Color	Plate #	State
Tow Location	Start OD	End OD	Drop Zone	Tip?	Log #	Last Name	
Comments						In MDC? (Yes/No)	10-98

Dispatch Time	10-97	Wait Time	FWY & DIR	Location			Traffic Speed
Incident Type	Vehicle Position	Service Type	Make	Veh Type	Color	Plate #	State
Tow Location	Start OD	End OD	Drop Zone	Tip?	Log #	Last Name	
Comments						In MDC? (Yes/No)	10-98

Dispatch Time	10-97	Wait Time	FWY & DIR	Location			Traffic Speed
Incident Type	Vehicle Position	Service Type	Make	Veh Type	Color	Plate #	State
Tow Location	Start OD	End OD	Drop Zone	Tip?	Log #	Last Name	
Comments						In MDC? (Yes/No)	10-98



# FREWAY SERVICE PATROL

## VEHICLE CHECK / PARKING WARNING

**This vehicle has been observed parked on the freeway/  
highway right-of-way by a Freeway Service Patrol operator.**

We're sorry we missed you. The freeway service patrol is operating during peak commute hours, providing free basic services to motorists like yourself. Disabled vehicles on identified sections of the Orange County freeway system will be provided service.

**IF YOU REQUIRE IMMEDIATE ASSISTANCE, PLEASE USE  
A FREEWAY CALLBOX OR CALL 911.**

**Your attention is directed to the following (checked) statements:**

- ☐ Vehicle code section 21718 prohibits the parking of a vehicle upon a freeway except under unusual circumstances.
- ☐ Vehicle code section 22651 f provides for the removal of a vehicle if it is left unattended on a freeway for more than four (4) hours.
- ☐ Driver Being Aided

**LOCATION:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**TIME:** \_\_\_\_\_

**OPERATOR:** \_\_\_\_\_

**I.D.** \_\_\_\_\_



This is not a traffic citation. Continued violation may result in a citation or the vehicle being towed by the California Highway Patrol. If you do not require freeway service patrol assistance, please continue to display this card.



OCFSP Drop Zone Warning

WARNING


YOU MUST REMOVE YOUR VEHICLE FROM THIS LOCATION PROMPTLY

Failure to move your vehicle within 24 hours from this date and time, or within other time-lines as required on this street by the city, may result in a citation from the city or the vehicle being towed away at the owners expense.

All local ordinances and restrictions apply.

DATE:

TIME



If a vehicle has been parked here for more than 24 hours, please call (949) 559-7870.

PRC

STREET



**ORANGE COUNTY FREEWAY SERVICE PATROL**  
**CURSORY INSPECTION / COMMENDATION – VIOLATION FORM**

COMPANY		OPERATOR		FSP I.D. NUMBER	
TRUCK #	TRUCK LICENSE #	CALL SIGN 139 -	PHOTOS TAKEN YES <input type="checkbox"/> NO <input type="checkbox"/>		NUMBER OF PHOTOS
DATE	TIME (2400)	MILEAGE		BEAT NUMBER	
INSPECTING OFFICER	INSPECTING DAVID UNIT # 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>	LOG NUMBER (if applicable)		LOCATION	
OPERATOR		RATING		COMMENTS	
DRIVER LICENSE		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>		EXPIRES:	
FSP IDENTIFICATION CARD		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
DMV CERTIFICATE (DL-64)		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>		TT- EXPIRES:	
MEDICAL CARD		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>		EXPIRES:	
NAME TAG		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
SHAVEN / DAY AND EVENING SHIFT		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
GROOMING		COMMENDABLE <input type="checkbox"/> EXCEEDS <input type="checkbox"/> MEETS <input type="checkbox"/> NEEDS IMPROVEMENT <input type="checkbox"/>			
BLACK STEEL TOE BOOTS (POLISHED)		COMMENDABLE <input type="checkbox"/> EXCEEDS <input type="checkbox"/> MEETS <input type="checkbox"/> NEEDS IMPROVEMENT <input type="checkbox"/>			
VEST (NOT WORN OR DIRTY)		COMMENDABLE <input type="checkbox"/> EXCEEDS <input type="checkbox"/> MEETS <input type="checkbox"/> NEEDS IMPROVEMENT <input type="checkbox"/>			
UNIFORM (CLEAN, FITTED)		COMMENDABLE <input type="checkbox"/> EXCEEDS <input type="checkbox"/> MEETS <input type="checkbox"/> NEEDS IMPROVEMENT <input type="checkbox"/>			
TRUCK		RATING		COMMENTS	
VEHICLE REGISTRATION		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>		EXPIRES:	
VEHICLE INSURANCE		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>		EXPIRES:	
FSP RADIO		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
SHOP RADIO		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
SCANNER		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
M.D.C. (SECURED)		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
FSP DROP ZONE / SOG		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
LIGHTS (FRONT, REAR, TURN, DRAG)		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
EMERGENCY LIGHTS 360, DIRECTIONAL		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
MIRRORS		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
WINDSHIELD AND WIPERS		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
FLASHLIGHT W/ SPARE BATTERIES		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
SAFETY CHAINS WITH CLIPS		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
TIRE TREAD (FRONT 4/32 REAR 2/32)		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>		AIR PRESSURE: PASS <input type="checkbox"/> FAIL <input type="checkbox"/>	
UNDER LIFT (WORKING)		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
FSP O/S SIGNS (CLEAN / GOOD REPAIR)		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
CONES (6- CLEAN AND LABELED)		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
FUEL UNLEADED 10 - GAL		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>		CONTAINERS CLEAN: YES <input type="checkbox"/> NO <input type="checkbox"/>	
JUMPER CABLES		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
WATER 10 GAL		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>		CONTAINERS CLEAN: YES <input type="checkbox"/> NO <input type="checkbox"/>	
ABSORBENT CONTAINER (FULL)		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
TRASH CONTAINER (EMPTY)		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
DOLLY TIRES		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>		AIR PRESSURE: PASS <input type="checkbox"/> FAIL <input type="checkbox"/>	
COMPRESSOR AND ATTACHMENTS		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
FIRE EXTINGUISHER		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>		CHARGED: YES <input type="checkbox"/> NO <input type="checkbox"/> / EXPIRATION DATE: /	
HYDRAULIC JACK (2 – TON)		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
LUG WRENCHES STD, MET,		PASS <input type="checkbox"/> FAIL <input type="checkbox"/>			
TRUCK / BED / INTERIOR		COMMENDABLE <input type="checkbox"/> EXCEEDS <input type="checkbox"/> MEETS <input type="checkbox"/> NEEDS IMPROVEMENT <input type="checkbox"/>			
OVERALL RESULTS		COMMENDABLE <input type="checkbox"/> EXCEEDS <input type="checkbox"/> MEETS <input type="checkbox"/> NEEDS IMPROVEMENT <input type="checkbox"/>			
COMMENTS					
OPERATOR SIGNATURE			RECOMMENDING SUPERVISOR SIGNATURE		





## ORANGE COUNTY FREEWAY SERVICE PATROL CONTRACTOR RIDE-ALONG EVALUATION

OPERATOR'S NAME	BEAT NUMBER	FSP ID NUMBER
CONTRACTOR NAME	DATE	TIME

<b>FSP VEHICLE APPEARANCE</b>	COMMENDABLE <input type="checkbox"/>	EXCEEDS <input type="checkbox"/>	MEETS <input type="checkbox"/>	NEEDS IMPROVEMENT <input type="checkbox"/>
-------------------------------	--------------------------------------	----------------------------------	--------------------------------	--

DEFENSIVE DRIVING SKILLS	PASS	Needs Improvement	Not Observed
Operator patrols at a reasonable speed	<input type="checkbox"/>	<input type="checkbox"/>	
Operator maintains proper visual horizon	<input type="checkbox"/>	<input type="checkbox"/>	
Operator allows adequate space cushion around vehicle	<input type="checkbox"/>	<input type="checkbox"/>	
Operator avoids blind spots of surrounding vehicles	<input type="checkbox"/>	<input type="checkbox"/>	
Operator anticipates unexpected movements of surrounding vehicles	<input type="checkbox"/>	<input type="checkbox"/>	
Operator uses turn signals as necessary	<input type="checkbox"/>	<input type="checkbox"/>	
Operator turns head prior to making lane changes	<input type="checkbox"/>	<input type="checkbox"/>	
Operator uses mirrors periodically to check traffic 360°	<input type="checkbox"/>	<input type="checkbox"/>	
Operator avoids excessive speeds on transition roads and ramps	<input type="checkbox"/>	<input type="checkbox"/>	
Operator drives defensively on surface streets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator clears intersections prior to entering	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>EVALUATOR'S COMMENTS:</b>			

CONTACTS	PASS	Needs Improvement	Not Observed
Operator possess good powers of observation	<input type="checkbox"/>	<input type="checkbox"/>	
Operator properly uses warning lights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator turns off warning lights when appropriate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator uses four way flashers when appropriate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator exits vehicle safely	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator monitors radio traffic when outside the vehicle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator observes traffic	<input type="checkbox"/>	<input type="checkbox"/>	
Operator advised motorist not to stand in hazardous location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator advised motorist how to re-enter traffic safely	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>EVALUATOR'S COMMENTS:</b>			

This form is provided for contractor use, to assist in the evaluation of operators working in the FSP program.<sup>lxxvii</sup>



**ATTACHMENT L**

<b>BEAT ACCOUNTABILITY / PATROL TECHNIQUES</b>	<b>PASS</b>	<b>Needs Improvement</b>	<b>Not Observed</b>
Operator checked entire beat	<input type="checkbox"/>	<input type="checkbox"/>	
Operator properly tagged all vehicles left on shoulder	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator monitors and answers radio calls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator uses appropriate radio codes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator clears scenes expeditiously	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator is familiar with all applicable drop locations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator practices good scene management techniques	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>EVALUATOR'S COMMENTS:</b>			

<b>INTERPERSONAL RELATIONS / DEMEANOR</b>	<b>PASS</b>	<b>Needs Improvement</b>	<b>Not Observed</b>
Operator works well with beat Officers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator is polite when conversing with others	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator is in charge, without being overbearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator maintains self-control under stressful situations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator has good rapport with FSP Supervisors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operator accepts constructive criticism	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>EVALUATOR'S COMMENTS:</b>			

<b>OCCUPATIONAL SAFETY</b>	<b>YES</b>	<b>NO</b>	
Occupational safety was discussed with Operator	<input type="checkbox"/>	<input type="checkbox"/>	
Operator has a positive attitude about safety	<input type="checkbox"/>	<input type="checkbox"/>	
Operator has a personal commitment to work safety	<input type="checkbox"/>	<input type="checkbox"/>	
<b>EVALUATOR'S COMMENTS:</b>			

<b>RIDE-ALONG SUMMARY:</b>

<b>SIGNATURES</b>		
EVALUATOR SIGNATURE		DATE
FSP OPERATOR SIGNATURE	ID NUMBER	DATE



## FSP 10-98 CODES

A	Assist	Another FSP Tow Operator assisted with an incident. <b>10-98 ADAM</b>
AT	Assist Tow	Service truck assisting a tow truck with transport <b>10-98 ADAM TOM</b>
B	Battery Service	Jump started or provided battery <b>10-98 BOY</b>
CD	Clear Debris	Hazardous object / debris removed from lanes <b>10-98 CHARLES DAVID</b>
CV	Clear Vehicle	Clear vehicle from lanes without towing or dragging <b>10-98 CHARLES VICTOR</b>
F	Flat	Changed/repaired tire, added air, etc. <b>10-98 FRANK</b>
G	Gasoline	Gasoline/diesel fuel provided / vehicle restarted <b>10-98 GEORGE</b>
H	Highway Patrol	Assisted/relinquished incident to CHP <b>10-98 HENRY</b>
I	Info/Assist	11-26/non-emergency stop, drives away <b>10-98 IDA</b>
M	Mechanical	Repaired vehicle at scene: lock-out, electrical, etc. <b>10-98 MARY</b>
N	Non 11-25 Debris	Reported 11-25 debris not a hazard upon arrival <b>10-98 NORA</b>
O	Overheat	Water added, taped hose, etc. <b>10-98 OCEAN</b>
P	Private Assistance	10-97 or responding FSP help is declined/CHP advised <b>10-98 PAUL</b>
R	Removed Vehicle	Towed to a designated drop location <b>10-98 ROBERT - 1A-2: (Drop Location Code Required)</b>
RA	Removal Assist	Tow truck providing tow service for a service truck <b>10-98 ROBERT ADAM</b>
S	Service Refused	Motorist refuses assistance from FSP or to move vehicle <b>10-98 SAM</b>
T	Tagged	Abandoned vehicle on right shoulder/attached FSP 422 <b>10-98 TOM</b>
U	Unable to Locate	Vehicle, hazard, or incident gone upon arrival <b>10-98 UNION</b>



**Orange County Freeway Service Patrol  
LATATrax Tracking and Reporting Application User Guide**

## **OVERVIEW**

The LATATrax Freeway Service Patrol (FSP) vehicle tracking and data collection application is designed to provide near real-time vehicle location and operator status information to California Highway Patrol (CHP) dispatchers and program supervisors, so that they may effectively monitor and support Operators in the field. The application also, through Operator input, collects program service data to be used for state required reporting and to provide other program data and statistics.

The major components of a system include application servers, in-vehicle Tablet devices, internal or external GPS antennas, dispatcher console computers, supervisor console computers, contractor console computers, along with contract administration, beat segment, geo-fencing, and reporting module interfaces utilized to maintain the system.

The current FSP Operator console consists of an in-vehicle Tablet device that is wirelessly connected to a web-based reporting system, through a Wi-Fi connection that is established with the on-board Controller and external multi-band antenna.

As safety is always your first priority, Operators must be aware of safety concerns associated with the use of mobile data computers, and should never attempt to utilize any Tablet while driving.



**CONNECTING THE TABLET DEVICE TO THE TRUCK Wi-Fi****OVERVIEW**

The LATATrax Freeway Service Patrol (FSP) vehicle tracking and data collection application is designed to provide near real-time vehicle location and operator status information to California Highway Patrol (CHP) dispatchers and program supervisors, so that they may effectively monitor and support Operators in the field. The application also, through Operator input, collects program service data to be used for state required reporting and to provide other program data and statistics.





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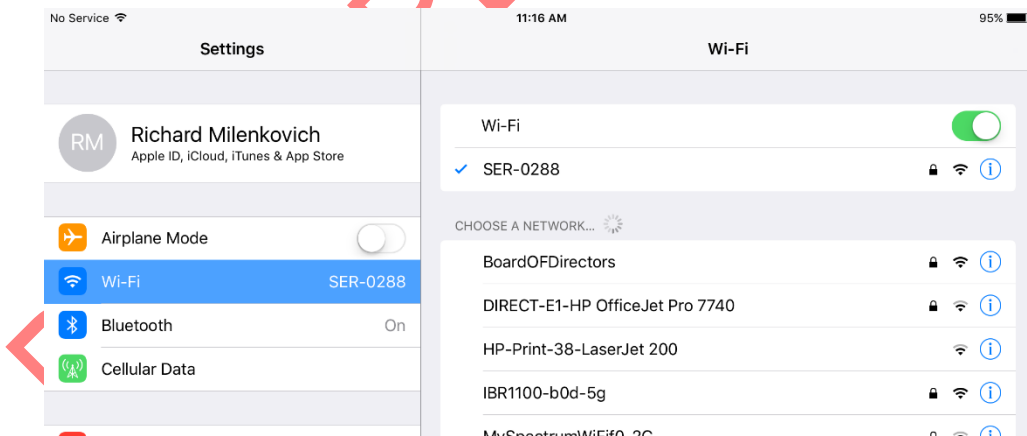
As safety is always your first priority, Operators must be aware of safety concerns associated with the use of mobile data computers, and should never attempt to utilize any Tablet while driving.



**CONNECTING THE TABLET DEVICE TO THE TRUCK Wi-Fi**

- (1) Start your truck
  - a. You must start your truck and allow enough time for the on-board computer to boot up and generate a Wi-Fi signal for your Tablet device (takes about three minutes). 
- (2) Turn on your Tablet device
  - a. You may turn on your Tablet device immediately after starting your truck, but may have to wait for a Wi-Fi signal (about three minutes or so).
- (3) Establish or verify Wi-Fi connectivity TO YOUR TRUCK
  - a. It is important that you establish a connection utilizing the Wi-Fi connection FOR YOUR TRUCK.
    - i. If your Tablet device has been connected to another truck at any time, it may remember that connection and automatically connect to the truck. This is a possibility in the yard, where there may be several truck connections available.
  - b. Establish or Verify Wi-Fi Connection (Apple iPad)
    - i. Select "Settings" 
    - ii. Select "Wi-Fi" 
    - iii. Make certain that Wi-Fi is turned on 
    - iv. Choose a Network
      1. Available Wi-Fi Networks will appear on the right side of the screen. If not already selected, select the network that matches your truck Wi-Fi ID.
    - v. Enter Password
      - a. Enter the password, if you are asked for a password, then select "Join"
      - b. The current password for FSP Controllers is F5P0CT4W!F! (Note that the 4<sup>th</sup> character is a zero, not a letter)

Look for a sticker near your FSP Radio that identifies your trucks Wi-Fi signal.  
Example "SER-XXXX"



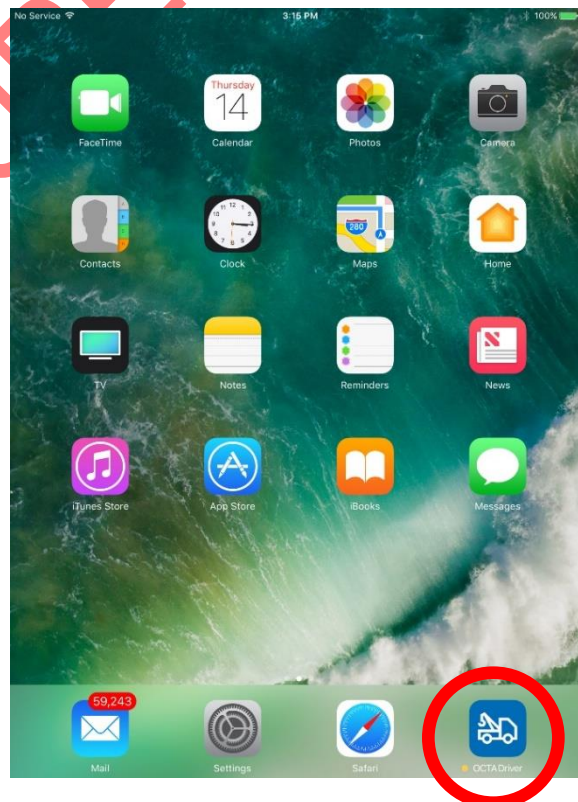
NOTE: If your device is automatically connecting to a foreign network (not your truck), you may ask the device to "forget" the connection by selecting the network and selecting "Forget This Network".



**LOGGING ON TO THE LATATrax APPLICATION****INITIATING Wi-Fi CONNECTIVITY**

Please see “Establish Wi-Fi Connectivity” if more detailed instructions are needed

- 1) Start your truck
- 2) Turn on your Tablet device
- 3) Establish or verify Wi-Fi connectivity TO YOUR TRUCK
  - a) You must be connected through a LATA Controller (installed in FSP trucks) to logon to the system.
  - b) You must be logged on through YOUR TRUCK to maintain a Wi-Fi connection throughout your shift.
    - i) If you were able to logon in the yard, but no longer have a connection after leaving the yard, check your connection to see that you are/were connected to the correct truck
- 4) Connect to OCTA Driver's App
  - a) Go to the Home page
  - b) Click on the OCTA Driver's App (looks like a tow truck)
    - i) Will probably not be on the same place as the example. Look on all pages





**IMPORTANT NOTE:** Your truck must be running, and your Tablet must be connected to the Wi-Fi network before initiating any change in status (log on, roll out, on patrol, on incident, on break, off break, on lunch, off lunch, roll in, log off)

### LOGGING ON TO THE LATATrax SYSTEM<sup>lxxviii</sup>

5) After clicking on the OCTA Driver's App the Log In page will appear

No Service 3:16 PM 100%

Welcome to the OCTA Driver App  
Version: 1.0.0

FSPID rmlenkovich

Password ●●●●●●●●

Beat 055-999-test

Log on

Last Login: 12/13/2017 03:21 PM

q w e r t y u i o p  
a s d f g h j k l  
z x c v b n m ! , . ?  
.123 .123

6) Enter your FSP ID number (include any dashes, if any)

7) Enter your password

8) Select your beat assignment

9) Press “Log on”

a) You will be presented with various options immediately after logging on.



No Service

11:48 AM

90%

OCTA

**Driver Logged On**

ZZZ - Milenkovich, Richard (...)

Log off

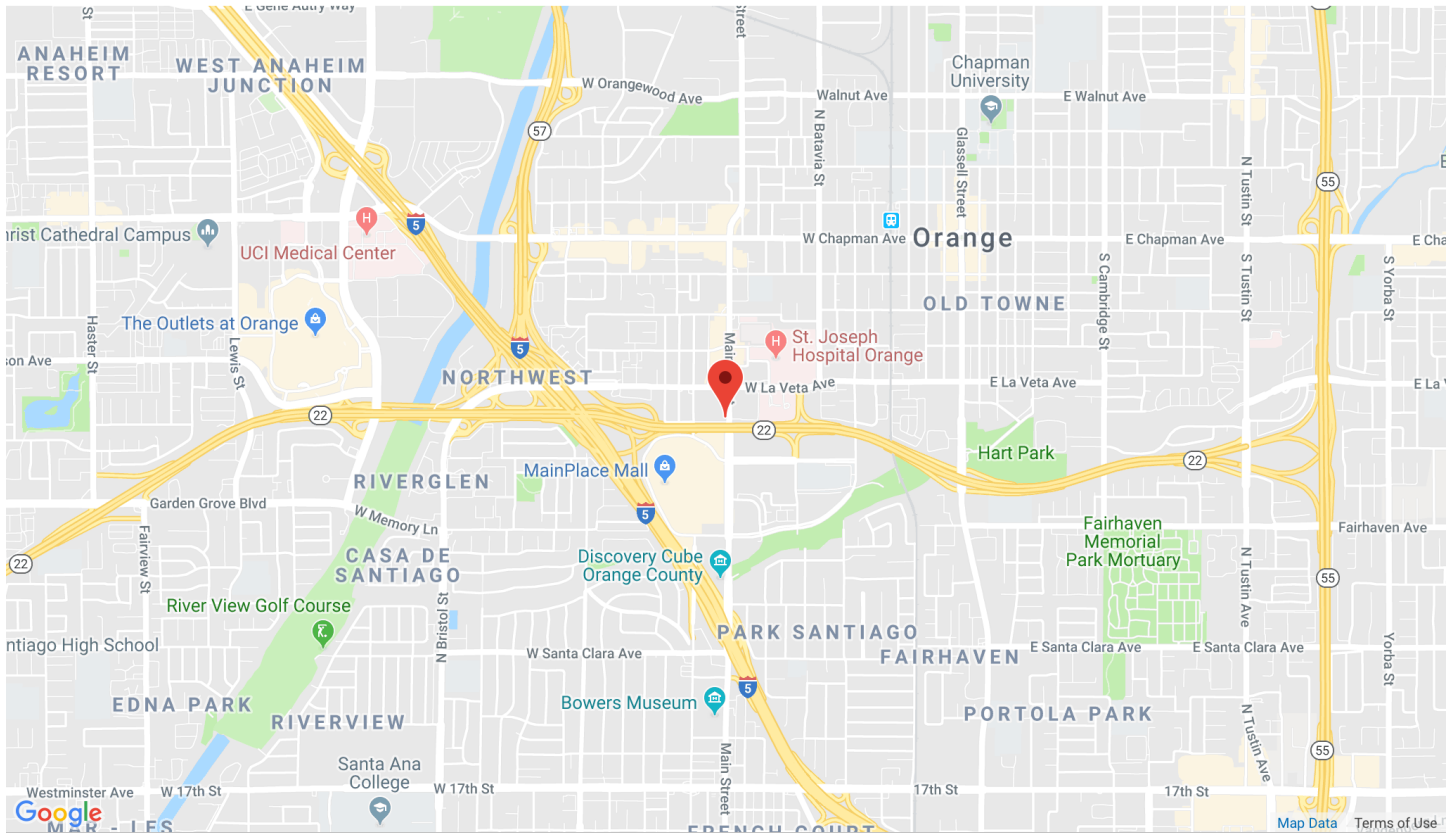
Roll Out

On Patrol

On Break

On Lunch

Incident



Version: 1.1.8

**ROLLING OUT FROM THE YARD**

10) Select "Roll Out" when leaving the yard.

Roll Out

a) The button highlights will change

No Service

11:56 AM

88%

OCTA

**Roll Out**

ZZZ - Milenkovich, Richard (...)

Log off

Roll In

On Patrol

On Break

On Lunch

Incident

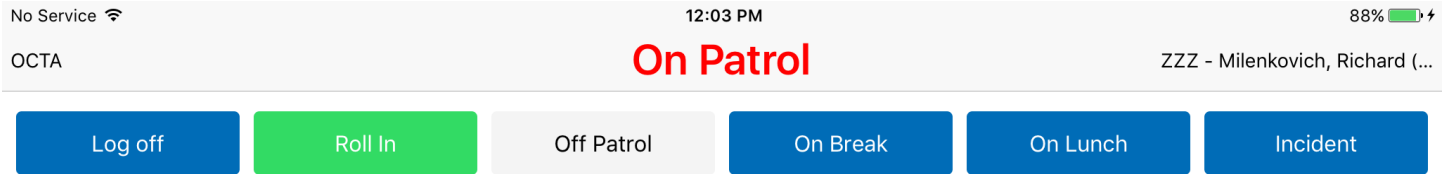
**STARTING PATROL / STARTING SHIFT**

11) Select "On Patrol" when on your beat, ready to start your shift.

On Patrol



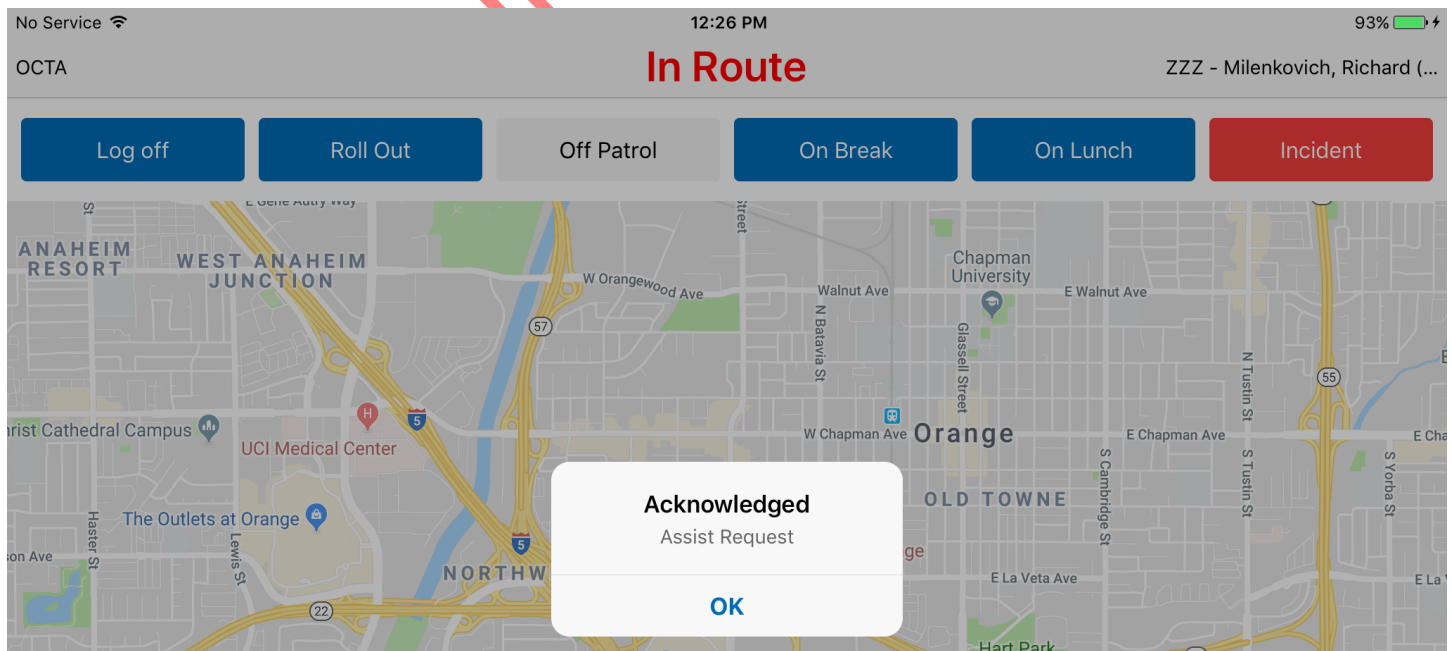
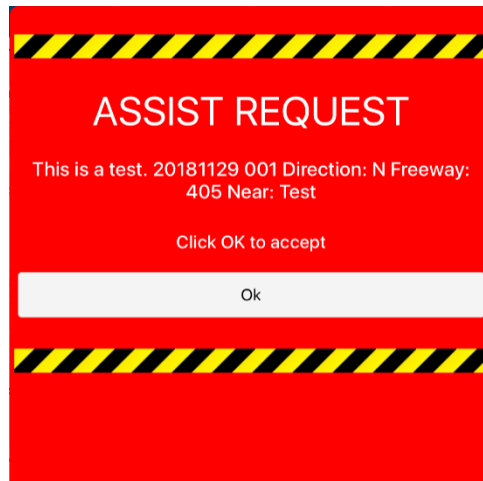
a) The button highlights will change again



## RECEIVING AND ACKNOWLEDGING AN ASSIST REQUEST

12) Assist requests (dispatched calls) may be sent through the LATATrux system by CHP dispatchers or program supervisors.

- After noting the assist location, select "OK" in the Assist Request pop-up box.
- You will receive an "Acknowledged" bow that you must clear (click "OK").
- You will be placed into a status of "In Route"





**ARRIVING AT AN INCIDENT** (Initiating an incident/assist)

13) Select "Incident" if you have been dispatched to a call,

Incident

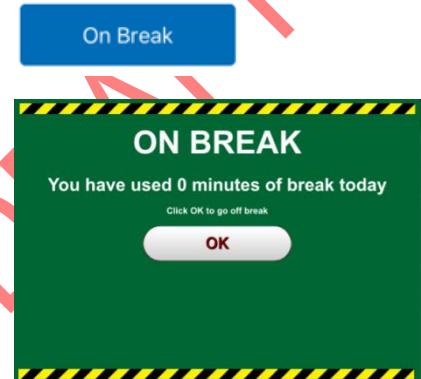
a) See Entering an Incident documentation for additional information.

**TAKING A BREAK**

14) Select "On Break" to start your break and change your status to "On Break". A count-down timer will start, counting down the time on break. The "On Break" button should be used for any time that an operator takes a break, regardless of duration.

a) It is important to note that you must be sure that you are connected to your trucks Wi-Fi signal before selecting "OK" on your Tablet.

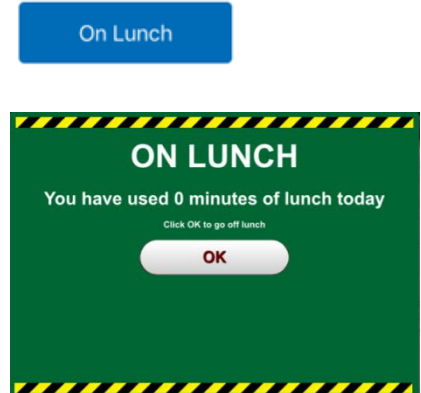
15) Select "OK" in the On Break box to return from break.

**TAKING A LUNCH** (If Scheduled For a Lunch Break)

16) Select "On Lunch" to start your break time. A count-down timer will start, counting down the time on lunch.

a) It is important to note that you must be sure that you are connected to your trucks Wi-Fi signal before selecting "OK" on your Tablet.

17) Select "OK" in the On Lunch box to return from lunch

**ROLLING IN** (ending beat shift assignment)

18) Select "Roll In" to end your beat assignment and indicate that you are traveling back to the yard.

Roll In

a) "Roll In" must be selected before "Log Off"



**LOGGING OFF**

Log off

19) Once back at the yard, select "Log Off" **BEFORE** shutting off your vehicle.

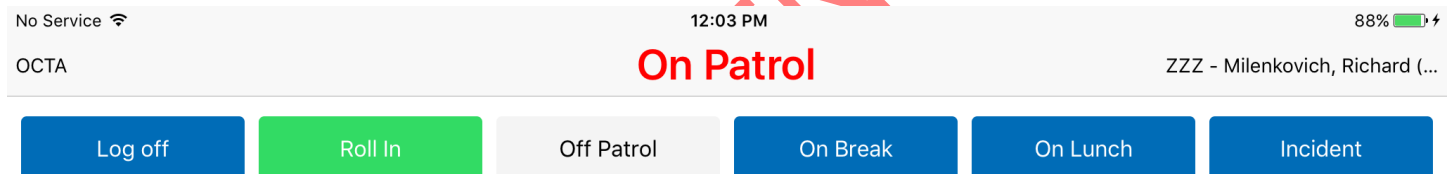
- a) It is important to ensure that you have properly logged off your vehicle at the end of your shift

**ENTERING AN INCIDENT / POSTING INCIDENT DATA****IMPORTANT NOTE**

Your truck must be running and your Tablet must be connected to your trucks Wi-Fi network before logging on or initiating any change in status (log on, roll out, on patrol, on incident, on break, off break, on lunch, off lunch, roll in, log off)

**INITIATING ASSIST**

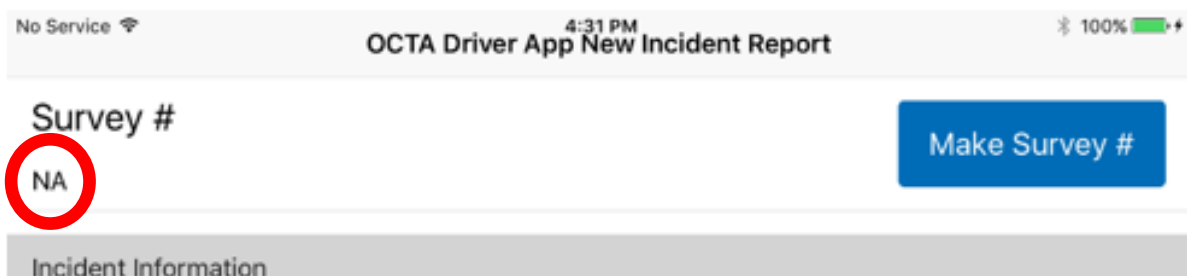
- 1) Make certain that your Tablet is connected to the Wi-Fi network before initiating a change in status  
a) Check for Wi-Fi Signal Bars in the top-left corner of your screen



- 2) From "On Patrol" status, Select "Incident"

Incident

- a) An "OCTA Driver App New Incident Report" will appear.



- 3) Before leaving your vehicle, generate a survey number for each vehicle you will be contacting/assisting.

- a) You may select "Make Survey #" as many times as necessary, to generate a survey number for each vehicle you will be contacting/assisting.  
i) The "NA" circled above will be replaced by the newly generated survey number.



b) Note each survey number on a customer brochure, which you will hand to the motorist(s) as part of your standard greeting.

4) Make contact with the motorist(s) and initiate assist.

### **ENTERING ASSIST DATA**

After completing assist, make certain that your truck is in a safe location before entering assist data.

5) Enter Incident Information

- a) Enter Incident Type
- b) Enter Traffic Speed
- c) Enter Services Rendered<sup>lxxix</sup>

i) It is important to accurately capture service provided in a consistent manner, without overstating the service provided.

- (1) Information Assist - It is assumed that operators will provide a brochure, business card, and information as part of every assist. Information Assist (IDA) should only be used if that is the only service that was provided. Examples would be when an operator encounters an occupied vehicle on the side of the roadway that is using the telephone, looking for directions, or otherwise not in need of assistance.
- (2) Private Assistance – Only use if no other service is provided. If a customer chooses to wait for private assistance for a tow after FSP service has been provided, log only the service provided. Note in the comment section of the assist that the customer chose to wait for private assistance for additional service. NOTE: Operators should always offer to tow the vehicle off the freeway where private assistance may provide additional assistance, even if the customer indicates that they have already called for private assistance.
- (3) CHP Assist – Only use CHP assist if it is the only service provided. Do not add CHP Assist if other services were provided.
- (4) Services ending in a Tow – When providing services that end in a tow, only report the highest level of service provided (which would be the tow). If for safety reasons it is necessary to tow the vehicle to a safe location to provide service, and service is provided after the tow, report both the tow and the additional service. Note that the vehicle was towed before providing service for safety reasons in the comment section of the assist.

d) Enter Customer Wait Time



Incident Information	
Incident Type *	1126 - Disabled Vehicle ▼
Traffic Speed *	▼
Select Services Rendered *	▼
Customer Wait Time *	

## 6) Enter Location Information

- a) Enter Freeway
- b) Enter Freeway Direction of Travel
- c) Enter Vehicle Position
- d) Enter Location
- e) Enter Cross Street

Location Information	
Freeway *	▼
Freeway Direction *	▼
Vehicle Position *	RGT ▼
Location *	▼
Cross Street *	

## 7) Enter Vehicle Information. You will be able to add vehicles at the end of the entry process, by posting another assist

- a) Enter Vehicle Make
- b) Enter Vehicle Type
- c) Enter Vehicle Color
- d) Enter License Plate Number
- e) Enter License Plate State



Vehicle Information	
Make *	
Type *	AUT ▼
Color *	
Plate *	
State *	CA ▼

9) Enter Tow Information (if vehicle is towed)

- Enter Starting Odometer
- Enter Ending Odometer
- Enter Tow Location (default setting for assist data is "Not Towed")
- Enter Drop Zone Number Where Vehicle Was Dropped

Tow Information	
* Mandatory Field	
<a href="#">Cancel</a>	
Start OD	
End OD	
Tow Location *	NOT - No Tow (Not Towed) ▼
Drop Zone	

10) Enter Customer Information

- Move the Tip toggle button to the right in order to reveal the Tip Detail
  - Enter Tip
  - Enter Tip Detail (if there is a tip)
  - NOTE: Operators should deny any tip offered from a customer however, if a customer insists, the operator must report the tip and turn the tip in.
- Enter the customer last name if towed or transported.

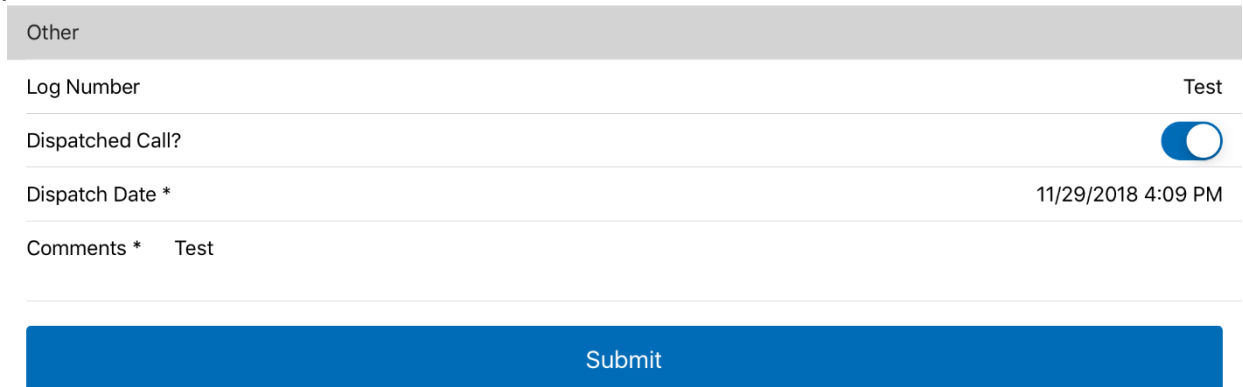
Customer Information	
Tip	<input checked="" type="checkbox"/>
Tip Detail	
Customer Last Name	

11) Enter Other Information



- a) Enter any CHP log number that may be associated with the incident
- b) If a dispatched call, enter the time that the call was received (if not dispatched through LATATrax)
  - i) Move the “Dispatched Call?” toggle button to the right and a date/time will appear in the “Dispatch Date” field

NOTE: If dispatched through LATATrax, the correct dispatch time should already be present.



Other

Log Number Test

Dispatched Call? ☒

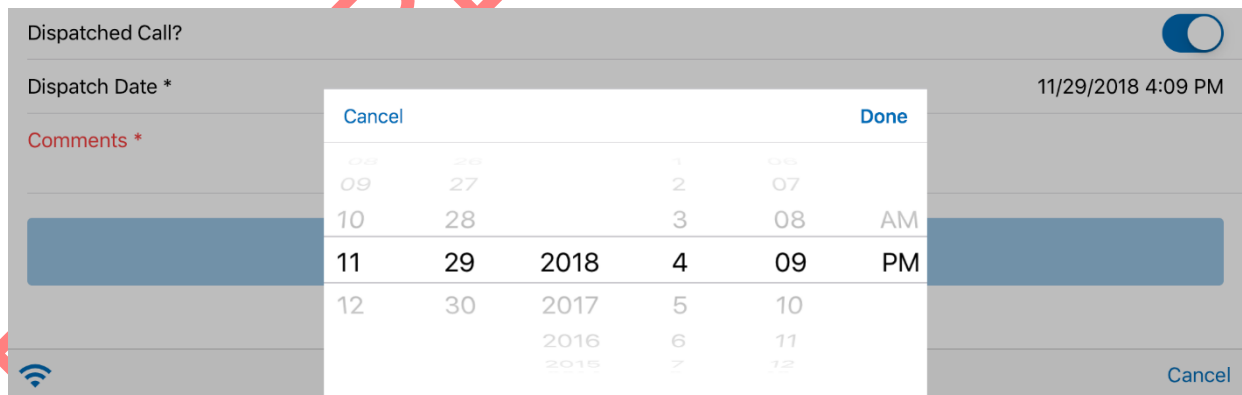
Dispatch Date \* 11/29/2018 4:09 PM

Comments \* Test

Submit

Version: 1.1.8 (\* Mandatory Field) Cancel

- ii) If you wish to change the date and time move the cursor to the listed date/time and a rotary time set window will appear so the correct time can be set.



Dispatched Call? ☒

Dispatch Date \* 11/29/2018 4:09 PM

Comments \*

Cancel Done

09	27		2	07	
10	28		3	08	AM
11	29	2018	4	09	PM
12	30	2017	5	10	
		2016	6	11	
		2015	7	12	

Cancel

- c) Enter incident/assist comments as appropriate

Assist submitted successfully

Post another?

No
Yes

- d) Select “Submit”



- e) If more than one vehicle is assisted as part of the incident, select “Yes” to post another assist, otherwise select “No”
- f) After posting assist information you will be returned to a status of “On patrol”

## **DOCUMENTING A CHP CONTACT OR CURSORY INSPECTION**

When contacted in the field by CHP Program Supervisors (David Units), initiate an incident as follows:

- 1) Make certain that your Tablet is connected to the Wi-Fi network before initiating a change in status
  - a) Check for Wi-Fi Signal Bars in the top-left corner of your screen

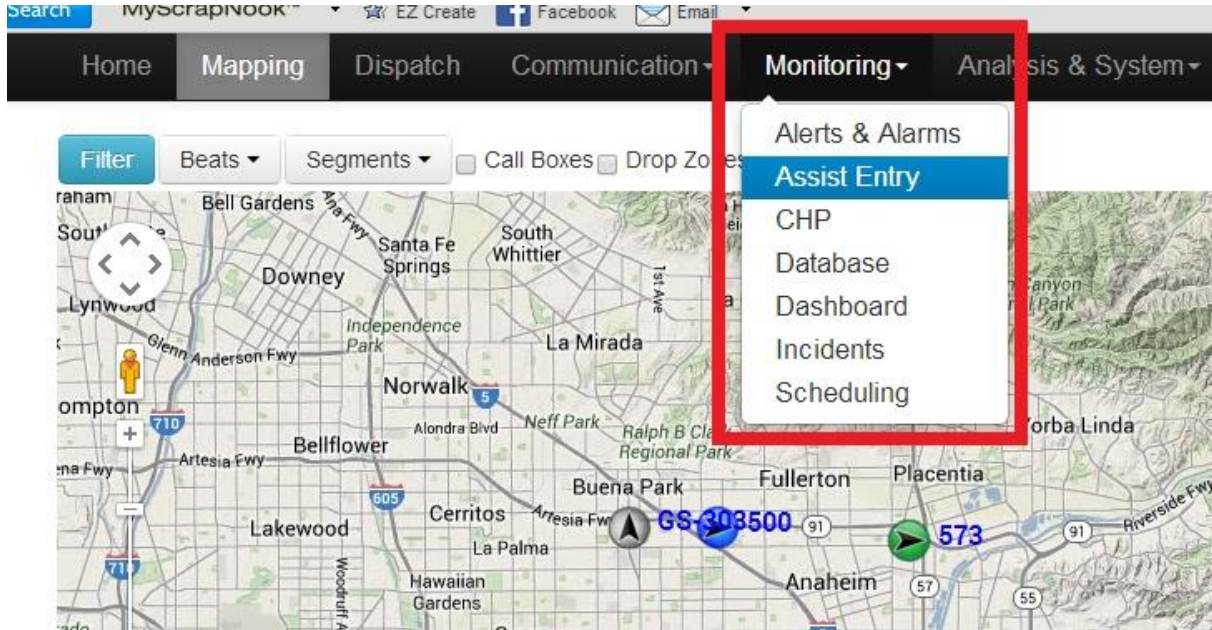
- 2) From “On Patrol” status, Select “Incident”
- 3) Enter incident type as “1198 – Inspection/David Unit Contact”
- 4) Enter services rendered as “INSPECTION – Inspection / David Unit Contact, 1148...”

- 5) Enter the officer ID in the license plate field (Example “David 1”)
- 6) When returning on patrol, select “Submit”



## Entering Manually Collected Service Data

- 1) Log in to the LATATrax monitoring application located at <http://www.latatrax.com/octafsp/>.
- 2) Select “Assist Entry” within the Monitoring parent menu.



- 3) Enter manually collected assist data as outlined in the assist entry screen.

**Assist Entry Screen**

Service Date <input type="text" value="02/10/2014"/>	Dispatch Time <input type="text" value="13:43"/>	Assist Start Time <input type="text" value="13:43"/>	Assist End Time <input type="text" value="13:43"/>
---	---	---	---

Drivers <input type="text" value="--Select--"/>	Contractors <input type="text" value="--Select--"/>	Vehicles <input type="text" value="--Select--"/>	Beat Numbers <input type="text" value="--Select--"/>
--	--	---	---

**Incident Information**

Incident Type <input type="text" value="--Select--"/>	Traffic Speed <input type="text" value="--Select--"/>	Customer Wait Time <input type="text" value="0"/>
--	--	--

**Select Services Rendered**

- ☐ A (ADAM / Assist)
- ☐ B (BOY / Battery / Jump-start)
- ☐ CD (CHARLES-DAVID / Clear debris)
- ☐ CV (CHARLES-VICTOR / Clear Vehicle)
- ☐ CHPC (CHP Contact)
- ☐ CI (Cursory Inspection)
- ☐ F (FRANK / Flat tire)
- ☐ G (GEORGE / Gasoline)
- ☐ H (HENRY / Highway Patrol)
- ☐ I (IDA / Info / Assist)
- ☐ M (MARY / Mechanical)
- ☐ N (NORA / Non 1125 Debris)

3A



- 4) After entering the assist information, click “Submit”

Customer Information

Tip <input type="text"/>	Tip Detail <input type="text"/>	Customer Last Name <input type="text"/>
-----------------------------	------------------------------------	--

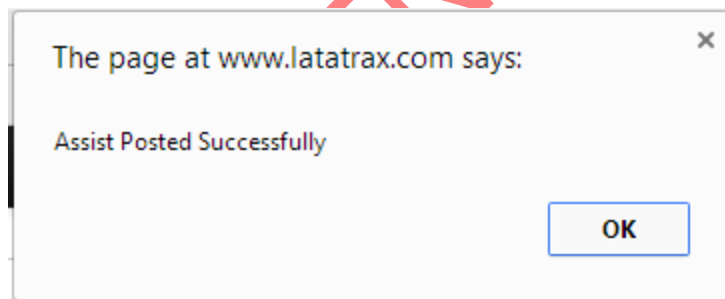
Other

Log Number

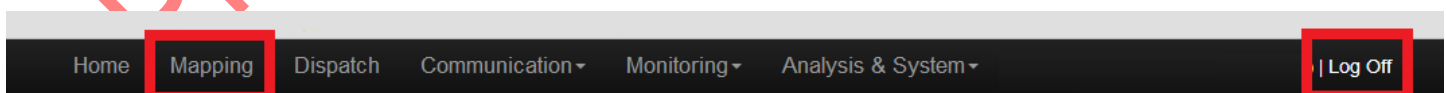
Comments

© 2014 - LATA

- a) After submitting, you will receive a confirmation message (Click “OK”)



- b) If you receive an error message, please correct errors, and re-submit.
- c) After receiving a confirmation message, you may continue entering assist records.
- 5) After entering all assist records, you may click on the “Mapping” tab to exit the assist entry screen and return to the map, or may click on “Log Off” to log out of the system.



## Assist Entry Screen



## SOG MAJOR CHANGE END NOTES

- <sup>i</sup> Changed to Standard Operating Guidelines January 2018
- <sup>ii</sup> Operator Acknowledgment of Inspection and Search added January 2017.
- <sup>iii</sup> Release to Use Images and Media added January 2018.
- <sup>iv</sup> Inserted Signature Page February 2015.
- <sup>v</sup> Modified to Standard Operating Guidelines (SOG) January 2018
- <sup>vi</sup> Appeals process moved from 6.1 overview to its own section 6.6. Disqualification moved to 6.7, 6.7 Complaint Process moved to 6.8. January 2018
- <sup>vii</sup> Beat Guides included in SOG Starting January 2017
- <sup>viii</sup> Added 511/Go 511 information January 2018
- <sup>ix</sup> Termination modified to disqualification for all references relating to termination from the program February 2015.
- <sup>x</sup> Added tow operators are employees of the contracted tow company to avoid any potential confusion January 2018.
- <sup>xi</sup> 1-3 – Deleted conduct ride-along evaluation of operators from CHP section January 2016.
- <sup>xii</sup> 1.1 – Added language to specifically require that all key personnel IDT and quarterly training (was previously implied but not specifically stated). January 1, 2019
- <sup>xiii</sup> 2.1 – Added language that one member of key personnel must maintain FSP certification and clarified expectations for quarterly attendance training for key personnel February 2015.
- <sup>xiv</sup> 1.5 – Added Tow Vehicle Equipment and Supply language from OCTA agreements to the SOG – January 1, 2019.
- <sup>xv</sup> 2.3 - Added Channel Lock Pliers July 2019
- <sup>xvi</sup> 2.3 – Added Thin-wall deep socket set W. 17mm and 19mm sockets December 2019
- <sup>xvii</sup> 2.6 – Added recommended practices and notification requirements for subcontracting service January 1, 2018
- <sup>xviii</sup> 2.11.2 - Added clarifying language that shift would be considered open if more than 30 minutes late, constituting missed service and a triple dock February 2015.
- <sup>xix</sup> 2.12 – Added language specifying the not in service signs are to cover the FSP logo January 2020.
- <sup>xx</sup> 2.14 - Language added to address fueling vehicles during service.
- <sup>xxi</sup> 3.1.3 – Modified employment to participate February 2015
- <sup>xxii</sup> 3.2 – Modified from four to five areas, to include a tire change test February 2015.
- <sup>xxiii</sup> 3.3 – Included specific notification requirements for missing and making up training January 1, 2018.
- <sup>xxiv</sup> 3.7 – Modified to include program assigned driver record points for at-fault FSP collisions January 1, 2020.
- <sup>xxv</sup> 3.7 - Modified employment to qualification and employed to qualified in this section 2/9/15.
- <sup>xxvi</sup> 4.2.C - Specific language relating to safety vest being zipped added in February 2014.
- <sup>xxvii</sup> 4.3.1 – Added clarifying language “prior to the start of their FSP shift” January 2017
- <sup>xxviii</sup> 4.1 - Employment modified to qualification 2/9/15
- <sup>xxix</sup> 5.1 - Deleted “or employment” 2/9/15
- <sup>xxx</sup> 5.2 - Deleted “and employment” 2/9/15
- <sup>xxxi</sup> 5.2.I – Specific language related to not suggesting that parties exchange information added in February 2014.
- <sup>xxxii</sup> 5.2.N – Consolidated to include right shoulder and center median into one item. Modified language from not allowed to allowed with specific approval pursuant to AB 198 that became effective January 1, 2016 allowing tow operators to utilize the shoulder and median with specific approval 1/1/2016.
- <sup>xxxiii</sup> 5.4 - Employment modified to duties 2/9/15
- <sup>xxxiv</sup> 5.5 – Clarified to include e-cigarette, vaping, and other similar products and devices. January 2017
- <sup>xxxv</sup> 5.6 – Modified to include other electronic devices January 2017.
- <sup>xxxvi</sup> 5.5.4 – Modified - Log Book must be kept for all employment even if other employment is not driving January 2020.
- <sup>xxxvii</sup> 5.10 – Modified to specify pre-shift staging area February 2015.
- <sup>xxxviii</sup> 5.14 - Updated to state that all status changes except on assist are to be completed off freeway January 2020
- <sup>xxxix</sup> 5.22 – Modified to specifically require CHP Dispatch or FSP Supervisor approval February 2015.
- <sup>xl</sup> 5-26 – Modified phone usage from while driving to while on duty January 1, 2018.
- <sup>xli</sup> 5.33 – Added DL51 Medical Examiners Certificate January 2017.
- <sup>xlii</sup> 6.8 – Removed language related to activating emergency warning lights while removing debris February 2015.
- <sup>xliii</sup> 6.2 – Modified language to allow placement of FSP vehicle in front or behind the disabled vehicle, based on contractor company policy January 2019.
- <sup>xliv</sup> 6.6.2b – Modified language to allow the limited use of overhead and emergency (hazard) lights January 2018.
- <sup>xliv</sup> 2.2.d – Added that operators are encouraged to use company tools that are known to be reliable January 1, 2018.
- <sup>xlvi</sup> 6.3 – Section revised to provide specific guidance related to abandoned vehicles in traffic lanes January 1, 2020.
- <sup>xlvii</sup> 6.3 – Specified decals not to be applied to any painted surface, provided suggestion for motorcycles 5/1/2018
- <sup>xlviii</sup> 6.5.2 - Employment modified to duties 2/9/15
- <sup>xlix</sup> 6.9.7 – Modified and added Flammable Material and Explosive Device language 1/1/2016



- <sup>i</sup> 6.9.3 – Modified fire extinguisher use to refer to company provided training January 2019.
- <sup>li</sup> 6.10 – Added requirement for operator to provide company contact information should they damage a motorist vehicle. January 2018 added damage occurring while on scene regardless of fault language.
- <sup>lii</sup> 6.16 – Added language to address AB 198 and CVC 21719 which becomes effective January 1, 2016, 1/1/2016.
- <sup>liii</sup> 6.18 – Added language to address service animals. Primary references include [www.ada.gov](http://www.ada.gov) and [www.dfeh.ca.gov](http://www.dfeh.ca.gov) verified to be current and accurate as of 7/18/15. Added to SOG 1/1/2016.
- <sup>liv</sup> 6.19 – Added language to address comfort animals 1/1/2016.
- <sup>lv</sup> 6.20 – Added Unusual Incident language 1/1/2018.
- <sup>lvi</sup> 7.3.4 - Specific requirement for 2" Ratchet Safety Straps for securing vehicle to tow dolly added September 2014.
- <sup>lvii</sup> 7.6.4 – Added "or to otherwise slow or impede the flow of traffic" language 1/1/2017
- <sup>lviii</sup> 7.6.4 – Added language allowing the use of emergency lights in specific situations January 2020
- <sup>lix</sup> 8.5 – Specified and defined curb weight for maximum towing weight January 2018.
- <sup>lx</sup> 8.7 - Requirement changed from "Motorcycle Strap" to 2" Ratchet Safety Strap September 2014.
- <sup>lxi</sup> 8.3.2 – Added "Or Operators Safety" 3/19/20
- <sup>lxii</sup> 8.3.4 – Operator must make certain motorist knows where they are when dropping at a drop zone January 2020
- <sup>lxiii</sup> 8.6.j – Operator may take motorist to safe location, leaving the vehicle at the drop zone January 2020
- <sup>lxiv</sup> 13.4 - Employee modified to person 2/9/15
- <sup>lxv</sup> 13.5 - The work employment benefit has been modified to read benefits 2/9/15.
- <sup>lxvi</sup> 14.3 - Employee modified to representative 2/9/15.
- <sup>lxvii</sup> 15.1 – Modified award eligibility from 6 months to having worked the entire quarter January 2019
- <sup>lxviii</sup> 15.1.4.3 - Employee modified to operator 2/9/15.
- <sup>lxix</sup> 16.4 – FSP Trucks Not Insured moved to Major 1/1/2016
- <sup>lxx</sup> 16.4 - Falsifying information moved from moderate violation to major violation February 2015.
- <sup>lxxi</sup> 16.5.b – Modified to two in 2 years January 2017.
- <sup>lxxii</sup> 16.5.c – Modified to three in 3 years January 2017.
- <sup>lxxiii</sup> 16.6 - Appeals process moved from 6.1 overview to its own section 6.6. Appeals submission requirement changed from 30 days to 10 days. Added language requiring specifically stating the basis for the request for appeal and an Administrative review. 6.6 Disqualification moved to 6.7, 6.7 Complaint Process moved to 6.8. January 2018
- <sup>lxxiv</sup> 16.6 – Specified that rejection of an applicant based on a failed background check is not appealable July 2019.
- <sup>lxxv</sup> 16.7 - Employment modified to program disqualification 2/9/15
- <sup>lxxvi</sup> Attachment A – Updated CHP Corm 234F Rev 2-13 OPI 061 on July 2019
- <sup>lxxvii</sup> Attachment L – Specified that form is provided for contractor use January 2017.
- <sup>lxxviii</sup> Attachment N - Driver screen information updated January 2019.
- <sup>lxxix</sup> Attachment N – Overstating assist language added January 2017



PROCUREMENT DRAFT



# OCFSP Procurement Beat Guides

## Effective 10/2/2021

### **ATTACHMENT D**

#### **OC FSP Beat Guides, Descriptions, and Daily Hours**

Beat 220 – Weekday All Day Float Shift (13 hrs.)  
Beat 221 – Weekday Peak Hour Shift (4/4 hrs.)  
Beat 222 – Weekday Peak Hour Shift (4/4 hrs.)  
Beat 225 – Weekend Shift (8 hrs.)  
Beat 402 – Weekday Night & Weekend Construction (4/8 hrs.)  
Beat 408 – Weekday All Day Float Shift (13 hrs.)  
Beat 409 – Weekday Peak Hour Shift (4/4 hrs.)  
Beat 410 – Weekday Peak Hour Shift (4/4 hrs.)  
Beat 500 – Weekday All Day Float Shift (13 hrs.)  
Beat 501 – Weekday Peak Hour Shift (4/4 hrs.)  
Beat 502 – Weekday Peak Hour Shift (4/4 hrs.)  
Beat 506 – Weekday All Day Float Shift (13 hrs.)  
Beat 507 – Weekday Peak Hour Shift (4/4 hrs.)  
Beat 508 – Weekday Peak Hour Shift (4/4 hrs.)  
Beat 511 – Weekend Shift (8 hrs.)  
Beat 512 – Weekend Shift (8 hrs.)  
Beat 550 – Weekday All Day Float Shift (13 hrs.)  
Beat 551 – Weekday Peak Hour Shift (4/4 hrs.)  
Beat 552 – Weekday Peak Hour Shift (4/4 hrs.)  
Beat 910 – Weekday All Day Float Shift (13 hrs.)  
Beat 911 – Weekday Peak Hour Shift (4/4 hrs.)  
Beat 912 – Weekday Peak Hour Shift (4/4 hrs.)



# OCFSP Beat 220 Beat Guide

## Effective 10/2/2021

**Beat 220**  
**Weekday**

Beat 220 Weekday is an all-day beat designed to overlay beats 221 and 222, patrolling the SR-22 from Interchange / Valley View Street / Bolsa Chica Road to the State Route 55 Freeway. Partially Funded with Senate Bill 1 (SB1) funds, the beat is designed to patrol a broader area, cover beat areas when the primary beat truck is on break, provide overlapping coverage that might provide a faster response to disabled vehicles when the primary truck is busy on an assist, and provide weekday-midday service.

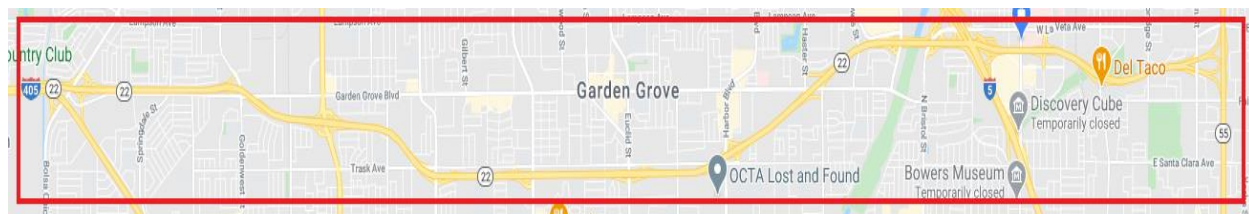
The beat is scheduled for 13 revenue vehicle hours each weekday, with service from 5:30 to 19:30 Monday through Friday, with 30-minute meal period breaks from approximately 9:00 to 9:30 & 16:00 to 16:30, while other peak-hour beats are working.

Regular turn around points and ramps are listed in bold below.

### **SR-22 FRWY**

**SR 22 / I 405 Interchange / Valley View Street / Bolsa Chica Road**

Knott Street / Goldenwest Street  
Beach Boulevard  
Magnolia Street  
Brookhurst Street  
Euclid Street  
Harbor Boulevard  
Haster Street / Fairview Boulevard  
City Drive  
Bristol Street  
I 5 / SR 57 Interchange  
Main Street / La Veta Avenue  
Glassell Street  
Tustin Avenue  
**SR 55 Interchange**





# OCFSP Beat 221 Beat Guide

## Effective 10/2/2021

**Beat 221**  
**Weekday**

Beat 221 is a peak hour service beat designed to patrol the SR-22 from the I 405 Interchange / Valley View Street / Bolsa Chica Road to Euclid Street.

The beat is scheduled for 8 revenue vehicle hours each weekday, with service from 6:00 to 10:00 and 15:00 to 19:00, Monday through Friday.

Turn-around points and ramps are listed in bold below.

### **SR-22 FRWY**

**SR 22 / I 405 Interchange / Valley View Street / Bolsa Chica Road**

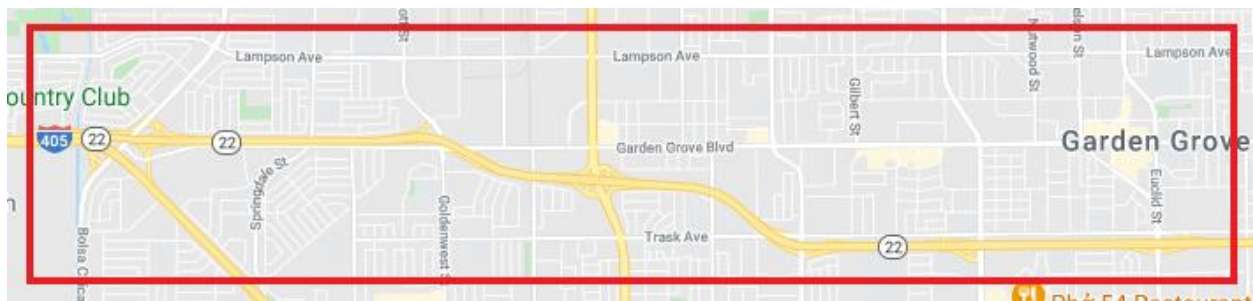
Knott Street / Goldenwest Street

Beach Boulevard

Magnolia Street

Brookhurst Street

**Euclid Street**





# OCFSP Beat 222 Beat Guide

## Effective 10/2/2021

**Beat 222**  
Weekday

Beat 222 is a peak hour service beat designed to patrol the SR-22 from Bristol Street to La Veta Avenue / SR 55.

Beat service hours are 6:00 to 10:00 and 15:00 to 19:00, Monday through Friday.

Turn-around points and ramps are listed in bold below.

### **SR-22 FRWY**

#### **Euclid Street**

Harbor Boulevard

Haster Street / Fairview Boulevard

City Drive

Bristol Street

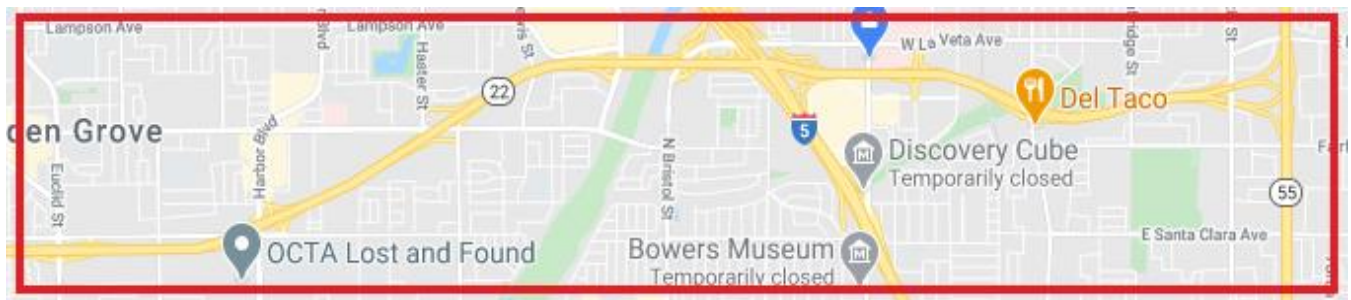
I 5 / SR 57 Interchange

Main Street / La Veta Avenue

Glassell Street

Tustin Avenue

#### **SR 55 Interchange**





# OCFSP Beat 225 Beat Guide

## Effective 10/02/2021

**Beat 225**  
**Weekend**

Beat 225 is a weekend service beat designed to patrol the SR-22 from Harbor Blvd to the SR-55, with periodic patrols through the SR-22 / I 5 interchanges, SR-22 / SR-57 interchanges, and I-5 / SR-57 interchanges.

The beat is scheduled for 8 revenue vehicle hours, with Beat service hours are 10:30 to 19:00 Saturdays and Sundays, with a thirty-minute meal period break mid-way through the shift (between the 4<sup>th</sup> and 5<sup>th</sup> hour). This service is funded with SB1 and Measure M2 Funds.

Turn around points and ramps are listed in bold below.

### **SR-22 FRWY**

#### **Harbor Blvd**

Fairview St

The City Dr

Periodic Patrols Through

The SR-57 / I-5 Interchanges

Bristol St

Main St / La Veta Ave

Grand Ave / Glassell St

Tustin Ave / Tustin St

Through SR-55 Interchange

### **I-5 FRWY**

#### **The City Dr / State College Blvd**

Periodic Patrols Through

The SR-22 / SR-57 / I-5 Interchanges

**Broadway / Main St**

### **SR-55 FRWY**

#### **Chapman Ave**

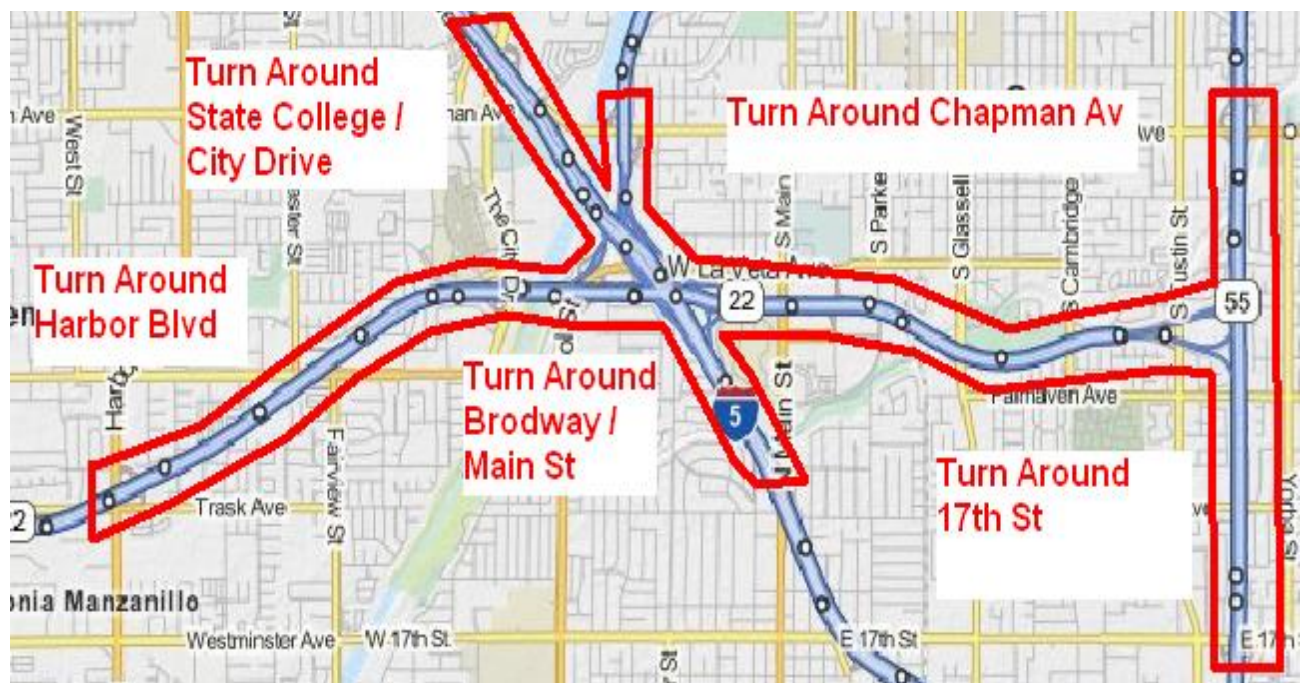
Through the SR-22 / SR-55 Interchange

**17<sup>th</sup> St**

### **SR-57 FRWY**

Patrols through SR-22 / SR-57 Interchange

**Chapman Ave**





# OCFSP Beat 402 Beat Guide

## Starting 10/02/2021

**Beat 402**  
Weekday Evenings  
& Weekends

Beat 402b is a weekday night and weekend construction support beat designed to patrol the I-405 construction area between Studebaker Road and SR-73 to support highway construction activities. Deployment will cover the active construction area. Once construction activities increase the first truck (402) may be adjusted and/or a second truck (403) may be added and the area may be split if necessary.

Beat service hours are 20:00 to 00:00 Monday through Friday, and 10:30 to 19:00 on Saturdays and Sundays. This service is funded with Senate Bill 1 (SB1) Funds. Turn-around points and ramps are listed below.

**Effective 8/16/2018 covers areas A and B, from Studebaker to Harbor Blvd.**  
**Effective 7/29/2019 beat Coverage extended from 22:00 to 00:00 (Midnight).**

### **(A) I 405 FRWY**

#### **Studebaker Road**

Through I-605 Interchange  
Through SR-22 Interchange  
Seal Beach Boulevard  
Bolsa Chica Road  
Westminster Boulevard  
Goldenwest Street  
**Beach Boulevard**

\*

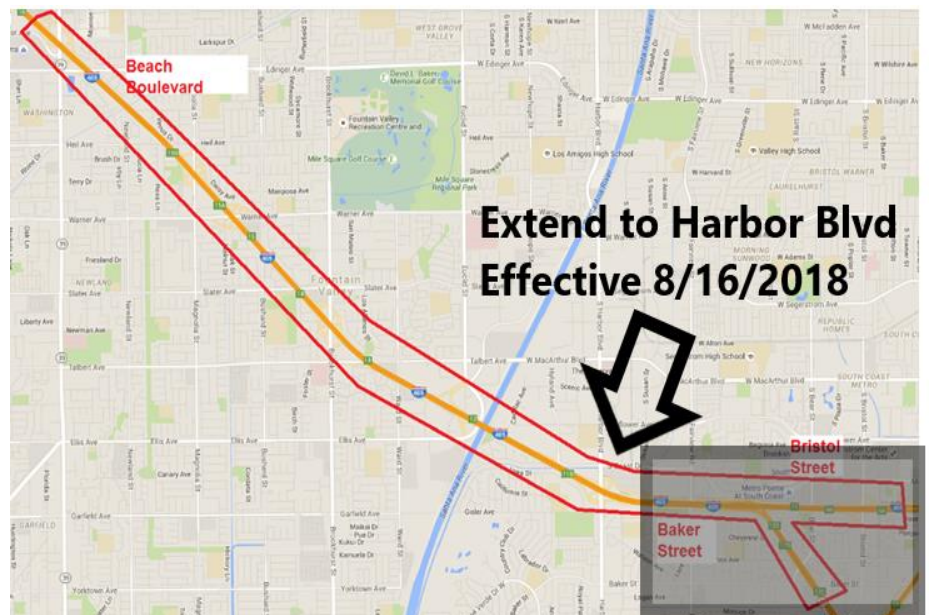
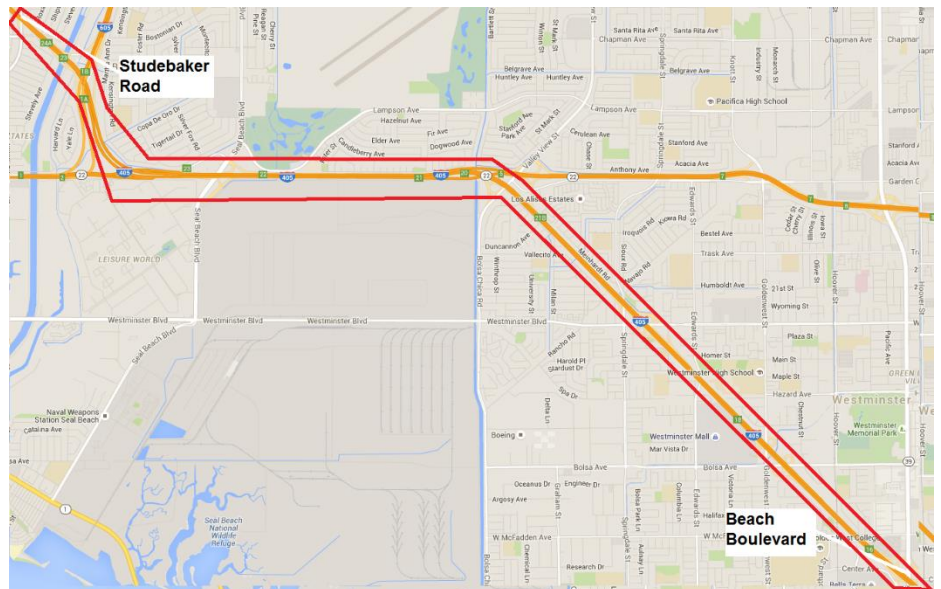
### **(B) I 405 FRWY**

#### **Beach Boulevard**

Magnolia Street  
Warner Avenue  
Brookhurst Street  
Euclid Street  
**Harbor Boulevard**

**Extended to Harbor Blvd**  
**8/16/2018**

Coverage may be extended  
upon project expansion.





# OCFSP Beat 408 Beat Guide

## Effective 10/02/2021

**Beat 408**  
**Weekday**

Beat 408 Weekday is an all-day beat designed to overlay beats 409 and 410, patrolling the I 405 from Fairview Road to Bake Parkway. Partially Funded with Senate Bill 1 (SB1) funds, the beat is designed to patrol a broader area, cover beat areas when the primary beat truck is on break, provide overlapping coverage that might provide a faster response to disabled vehicles when the primary truck is busy on an assist, and provide weekday-midday service.

The beat is scheduled for 13 revenue vehicle hours each weekday, with service from 5:30 to 19:30 Monday through Friday, with 30-minute meal period breaks from approximately 9:00 to 9:30 & 16:00 to 16:30, while other peak-hour beats are working.

Regular turn around points and ramps are listed in bold below.

### **I 405 FRWY**

Fairview Road / South Coast Drive

Bristol Street

SR 55 Interchange

Mac Arthur Blvd / John Wayne Airport

Jamboree Road

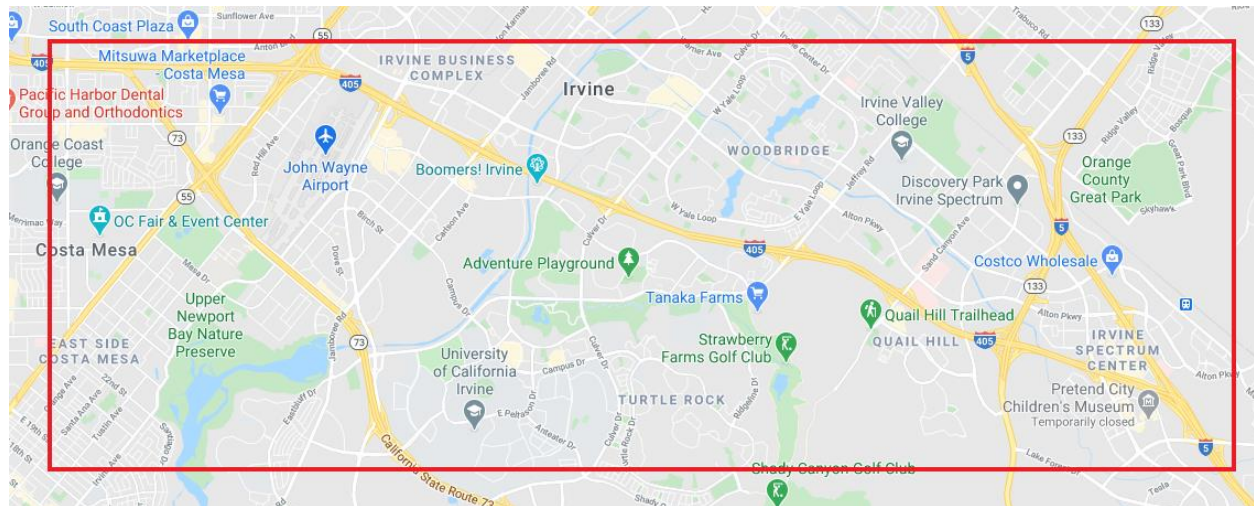
Culver Drive

Jeffrey Road / University Drive

Sand Canyon Avenue

Irvine Center Drive

**Bake Parkway**





# OCFSP Beat 409 Beat Guide

## Effective 10/02/2021

**Beat 409**  
**Weekday**

Beat 409 is a peak hour service beat designed to patrol the I 405 from Fairview Road to Culver Drive.

The beat is scheduled for 8 revenue vehicle hours each weekday, with service from 6:00 to 10:00 and 15:00 to 19:00, Monday through Friday.

Turn-around points and ramps are listed in bold below.

### **I 405 FRWY**

**Fairview Road / South Coast Drive**

Bristol Street

SR 55 Interchange

Mac Arthur Blvd / John Wayne Airport

Jamboree Road

**Culver Drive**





# OCFSP Beat 410 Beat Guide

## Effective 10/02/2021

**Beat 410**  
Weekday

Beat 410 is a peak hour service beat designed to patrol the I 405 from Culver Drive to Bake Parkway.

The beat is scheduled for 8 revenue vehicle hours each weekday, with service from 6:00 to 10:00 and 15:00 to 19:00, Monday through Friday.

Turn-around points and ramps are listed in bold below.

### **I 405 FRWY**

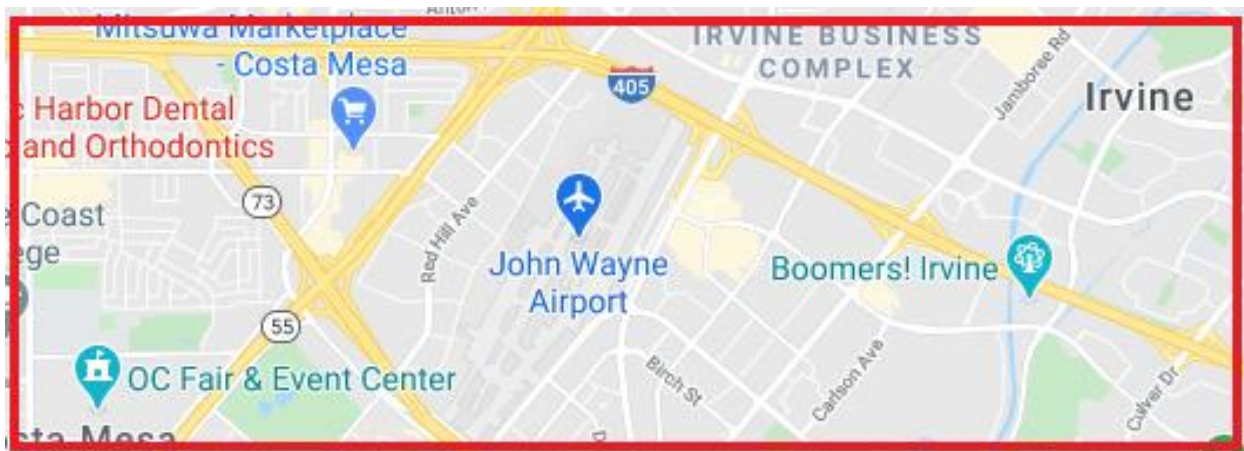
#### **Culver Drive**

Jeffrey Road / University Drive

Sand Canyon Avenue

Irvine Center Drive

#### **Bake Parkway**





# OCFSP Beat 500 Beat Guide

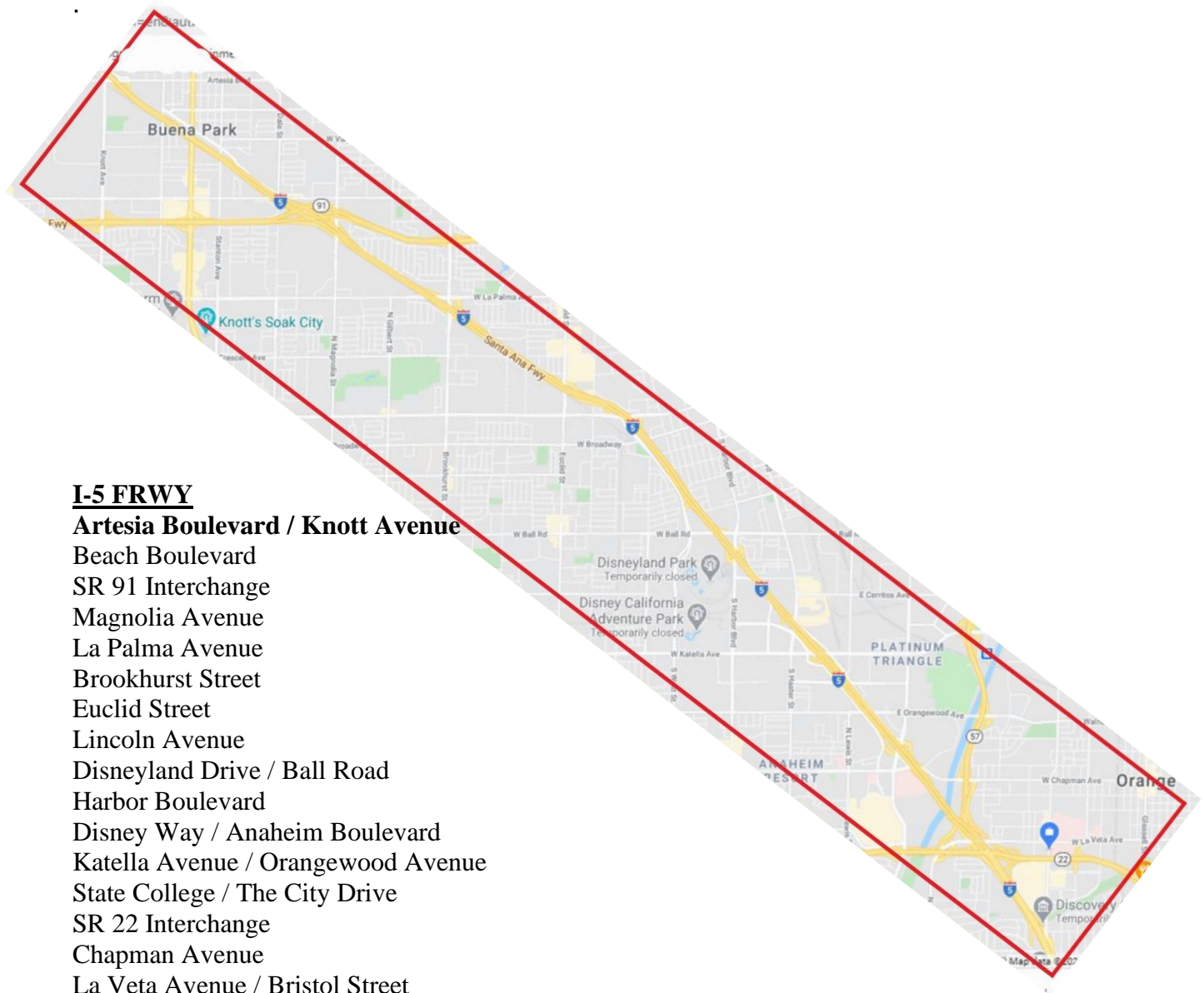
## Effective 10/02/2021

**Beat 500**  
**Weekday**

Beat 500 Weekday is an all-day beat designed to overlay beats 501 and 502, patrolling the I 5 from Artesia Boulevard / Knott Avenue to 17<sup>th</sup> Street. Partially Funded with Senate Bill 1 (SB1) funds, the beat is designed to patrol a broader area, cover beat areas when the primary beat truck is on break, provide overlapping coverage that might provide a faster response to disabled vehicles when the primary truck is busy on an assist, and provide weekday-midday service.

The beat is scheduled for 13 revenue vehicle hours each weekday, with service from 5:30 to 19:30 Monday through Friday, with 30-minute meal period breaks from approximately 9:00 to 9:30 & 16:00 to 16:30, while other peak-hour beats are working.

Regular turn around points and ramps are listed in bold below.



### **I-5 FRWY**

#### **Artesia Boulevard / Knott Avenue**

Beach Boulevard  
SR 91 Interchange  
Magnolia Avenue  
La Palma Avenue  
Brookhurst Street  
Euclid Street  
Lincoln Avenue  
Disneyland Drive / Ball Road  
Harbor Boulevard  
Disney Way / Anaheim Boulevard  
Katella Avenue / Orangewood Avenue  
State College / The City Drive  
SR 22 Interchange  
Chapman Avenue  
La Veta Avenue / Bristol Street  
Main Street  
**17<sup>th</sup> Street**



# OCFSP Beat 501 Beat Guide

## Effective 10/02/2021

**Beat 501**  
Weekday

Beat 501 is a peak hour service beat designed to patrol the I-5 from Artesia Boulevard / Knott Avenue to Euclid

The beat is scheduled for 8 revenue vehicle hours each weekday, with service from 6:00 to 10:00 and 15:00 to 19:00, Monday through Friday.

Turn-around points and ramps are listed in bold below.



### **I-5 FRWY**

**Artesia Boulevard / Knott Avenue**

Beach Boulevard

SR 91 Interchange

Magnolia Avenue

La Palma Avenue

Brookhurst Street

**Euclid Street**



# OCFSP Beat 502 Beat Guide

## Effective 10/02/2021

**Beat 502**  
Weekday

Beat 502 is a peak hour service beat designed to patrol the I-5 from Euclid Street to 17<sup>th</sup> Street.

The beat is scheduled for 8 revenue vehicle hours each weekday, with service from 6:00 to 10:00 and 15:00 to 19:00, Monday through Friday.

Turn-around points and ramps are listed in bold below.

### **I-5 FRWY**

#### **Euclid Street**

Lincoln Avenue

Disneyland Drive / Ball Road

Harbor Boulevard

Disney Way / Anaheim Boulevard

Katella Avenue / Orangewood Avenue

State College / The City Drive

SR 22 Interchange

Chapman Avenue

La Veta Avenue / Bristol Street

Main Street

**17<sup>th</sup> Street**





# OCFSP Beat 506 Beat Guide

## Effective 10/02/2021

**Beat 506**  
Weekday

Beat 506 Weekday is an all-day beat designed to overlay beats 507 and 508, patrolling the I 5 from El Toro Road to Christianitos Road. Partially Funded with Senate Bill 1 (SB1) funds, the beat is designed to patrol a broader area, cover beat areas when the primary beat truck is on break, provide overlapping coverage that might provide a faster response to disabled vehicles when the primary truck is busy on an assist, and provide weekday-midday service.

The beat is scheduled for 13 revenue vehicle hours each weekday, with service from 5:30 to 19:30 Monday through Friday, with 30-minute meal period breaks from approximately 9:00 to 9:30 & 16:00 to 16:30, while other peak-hour beats are working.

Regular turn around points and ramps are listed in bold below.

### **I-5 FRWY**

#### **El Toro Road**

Alicia Pkwy

La Paz Rd

Oso Pkwy

Crown Valley Pkwy

Marguerite Pkwy

Camino Capistrano Rd

Ortega Hwy

Camino Capistrano / Valle Road

Camino Las Ramblas

Camino De Estrella

Avenida Vista Hermosa

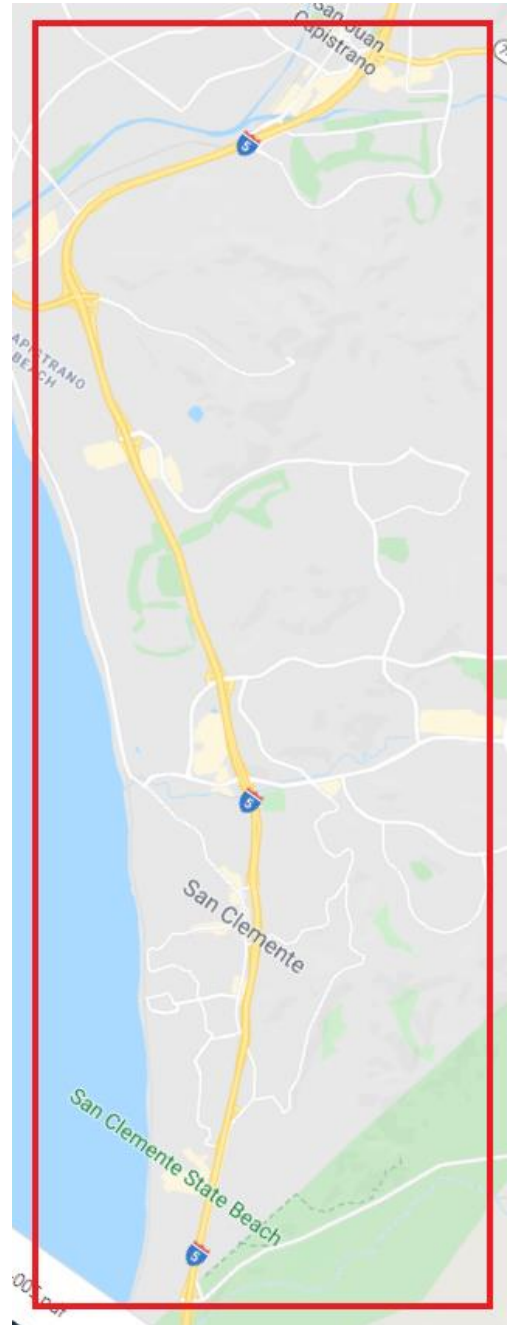
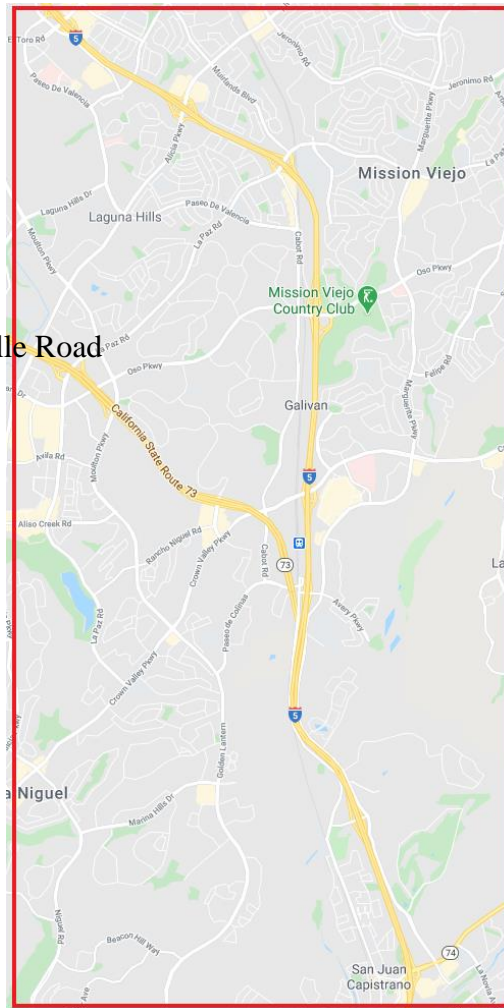
Avenida Pico

Avenida Palizada

El Camino Real

Avenida Del Presidente

**Christianitos Road**





# OCFSP Beat 507 Beat Guide

## Effective 10/02/2021

**Beat 507**  
Weekday

Beat 507 is a peak hour service beat designed to patrol the I 5 from El Toro Road to Ortega Highway.

The beat is scheduled for 8 revenue vehicle hours each weekday, with service from 6:00 to 10:00 and 15:00 to 19:00, Monday through Friday.

Turn-around points and ramps are listed in bold below.

### **I-5 FRWY**

#### **El Toro Road**

Alicia Pkwy

La Paz Rd

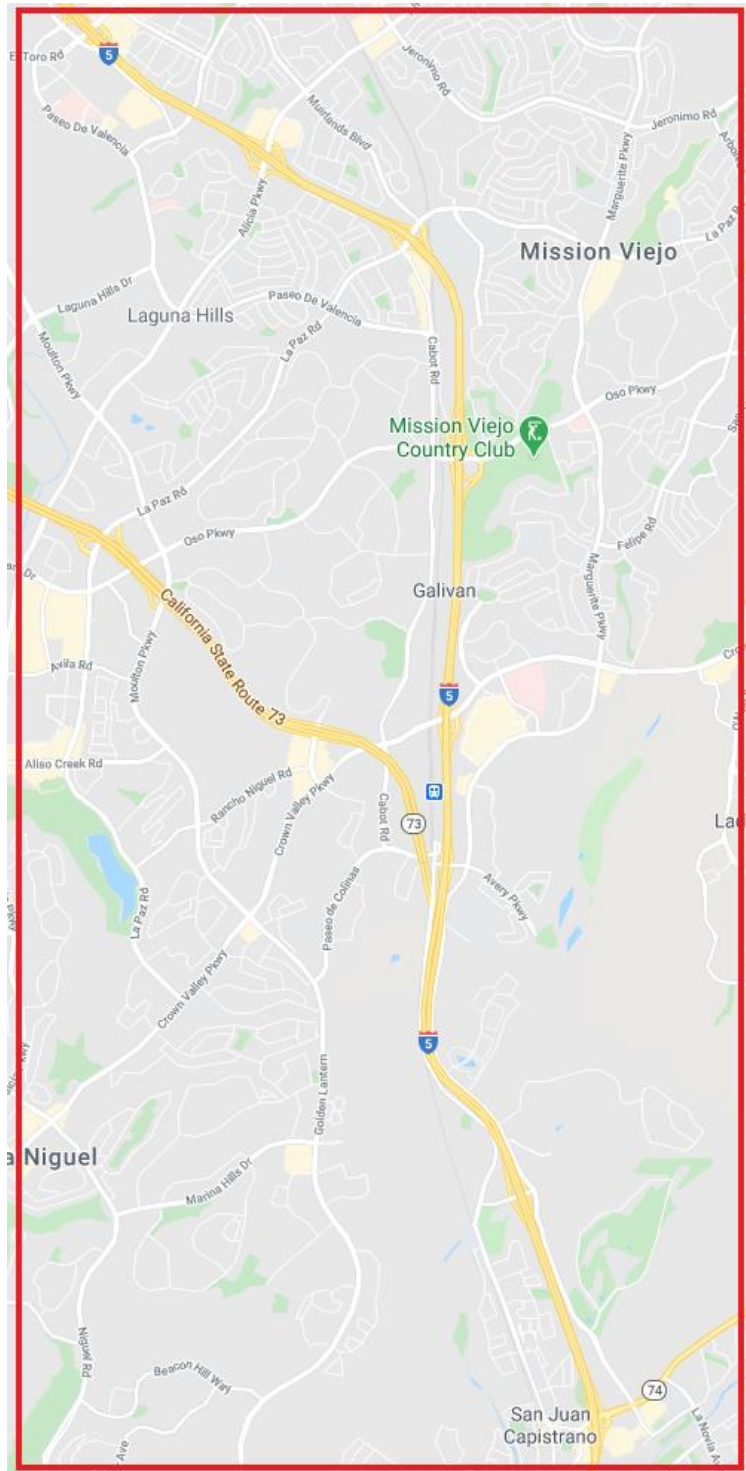
Oso Pkwy

Crown Valley Pkwy

Marguerite Pkwy

Camino Capistrano Rd

#### **Ortega Hwy**





# OCFSP Beat 508 Beat Guide

## Effective 10/02/2021

**Beat 508**  
Weekday

Beat 508 is a peak hour service beat designed to patrol the I 5 from Ortega Highway to Christianitos Road.

The beat is scheduled for 8 revenue vehicle hours each weekday, with service from 6:00 to 10:00 and 15:00 to 19:00, Monday through Friday.

Turn-around points and ramps are listed in bold below.



### **I-5 FRWY**

#### **Ortega Hwy**

Camino Capistrano / Valle Road

Camino Las Ramblas

Camino De Estrella

Avenida Vista Hermosa

Avenida Pico

Avenida Palizada

El Camino Real

Avenida Del Presidente

#### **Christianitos Road**



# OCFSP Beat 511 Beat Guide

## Effective 10/02/2021

**Beat 511**  
**Weekend**

Beat 511 is a weekend service beat designed to patrol the SI-5 from El Toro Road to Ortega Highway.

The beat is scheduled for 8 revenue vehicle hours, with Beat service hours are 10:30 to 19:00 Saturdays and Sundays, with a thirty-minute meal period break mid-way through the shift (between the 4<sup>th</sup> and 5<sup>th</sup> hour). This service is funded with SB1 and Measure M2 Funds.

Turn-around points and ramps are listed in bold below.

### **I-5 FRWY**

#### **El Toro Road**

Alicia Pkwy

La Paz Rd

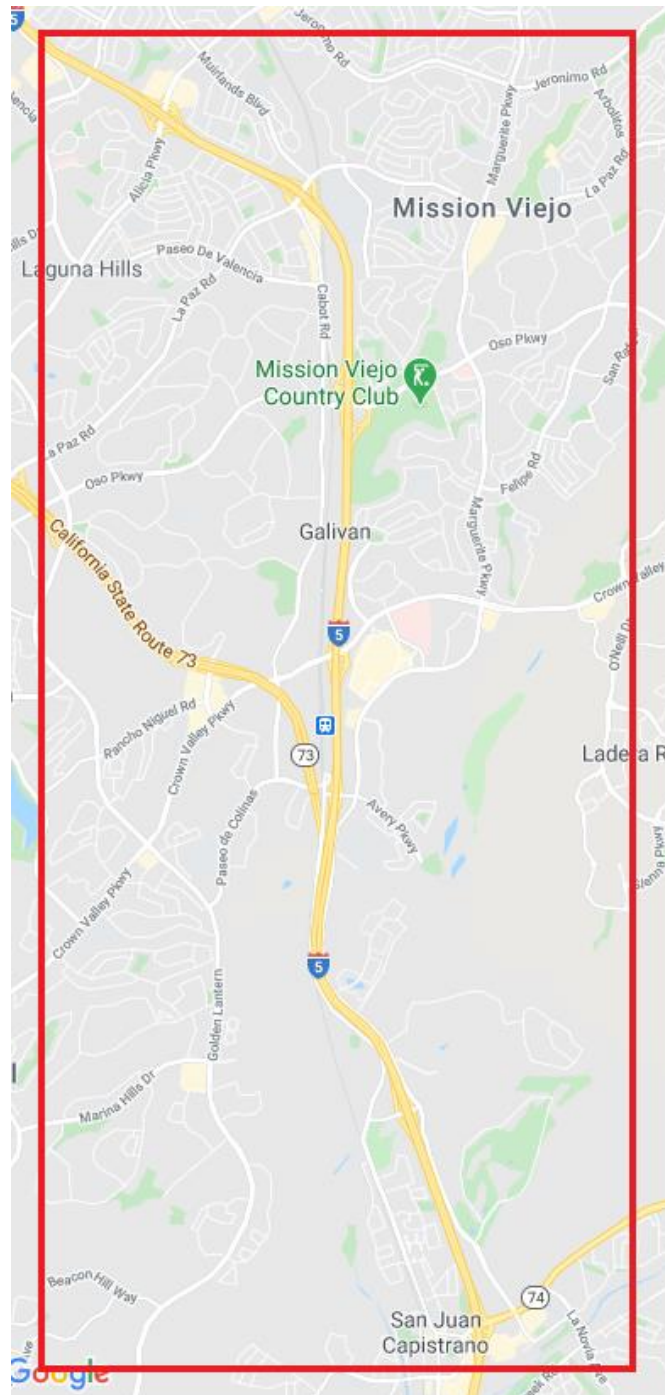
Oso Pkwy

Crown Valley Pkwy

Marguerite Pkwy

Camino Capistrano Rd

**Ortega Hwy**





# OCFSP Beat 512 Beat Guide

## Effective 10/02/2021

**Beat 512**  
**Weekend**

Beat 512 is a weekend service beat designed to patrol the SI-5 from Ortega Highway to Christianitos Road.

The beat is scheduled for 8 revenue vehicle hours, with Beat service hours are 10:30 to 19:00 Saturdays and Sundays, with a thirty-minute meal period break mid-way through the shift (between the 4<sup>th</sup> and 5<sup>th</sup> hour). This service is funded with SB1 and Measure M2 Funds.

Turn-around points and ramps are listed in bold below.

### **I-5 FRWY**

#### **Ortega Hwy**

Camino Capistrano / Valle Road

Camino Las Ramblas

Camino De Estrella

Avenida Vista Hermosa

Avenida Pico

Avenida Palizada

El Camino Real

Avenida Del Presidente

#### **Christianitos Road**





# OCFSP Beat 550 Beat Guide

## Effective 10/02/2021

**Beat 550**  
**Weekday**

Beat 550 Weekday is an all-day beat designed to overlay beats 551 and 552, patrolling the SR-55 from the SR 91 Interchange to Fair Drive / Del Mar Avenue. Partially Funded with Senate Bill 1 (SB1) funds, the beat is designed to patrol a broader area, cover beat areas when the primary beat truck is on break, provide overlapping coverage that might provide a faster response to disabled vehicles when the primary truck is busy on an assist, and provide weekday-midday service.

The beat is scheduled for 13 revenue vehicle hours each weekday, with service from 5:30 to 19:30 Monday through Friday, with 30-minute meal period breaks from approximately 9:00 to 9:30 & 16:00 to 16:30, while other peak-hour beats are working.

Regular turn around points and ramps are listed below.

### **SR 55 FRWY**

#### **SR 91**

Lincoln Avenue / Nohl Ranch Road

Katella Avenue

Chapman Avenue

SR 22 Freeway Interchange

Seventeenth Street

4<sup>th</sup> Street / Irvine Boulevard

I 5 Interchange

Mc Fadden Avenue / Main Street

Edinger Avenue

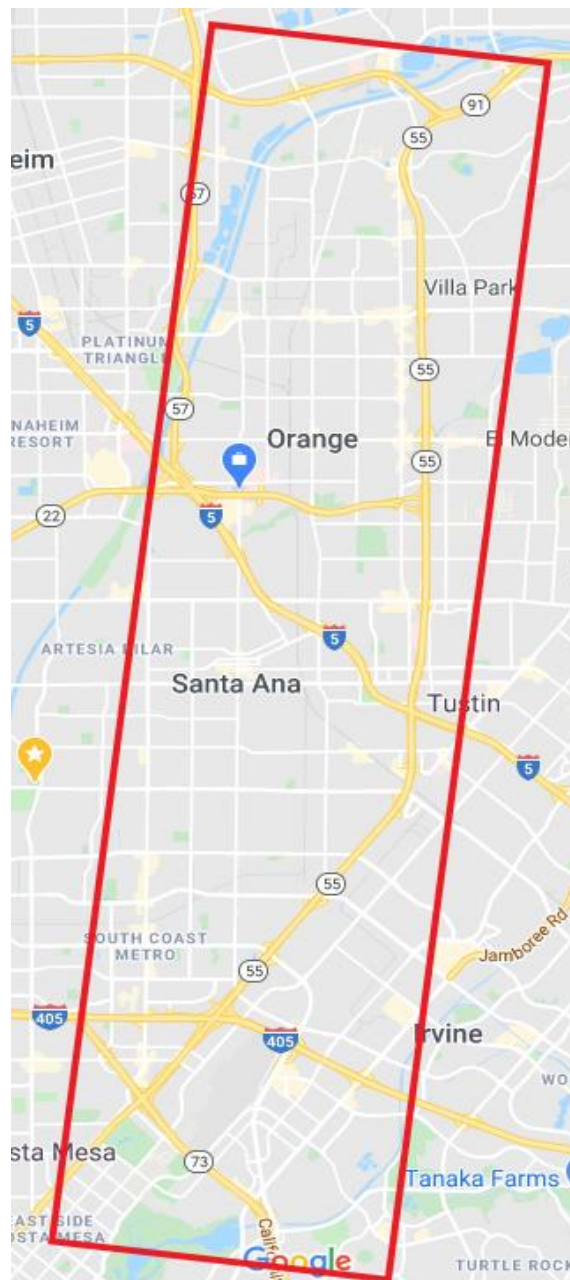
Dyer Road

#### **MacArthur Boulevard**

I 405 Interchange

Baker Street

**Fair Drive / Del Mar Avenue**





# OCFSP Beat 551 Beat Guide

## Effective 10/02/2021

**Beat 551**  
Weekday

Beat 551 is a peak hour service beat designed to patrol the SR-55 from the SR-91 Interchange to 4<sup>th</sup> Street / Irvine Boulevard

The beat is scheduled for 8 revenue vehicle hours each weekday, with service from 6:00 to 10:00 and 15:00 to 19:00, Monday through Friday.

Turn-around points and ramps are listed below.

### **SR 55 FRWY**

#### **SR 91**

Lincoln Avenue / Nohl Ranch Road

Katella Avenue

Chapman Avenue

SR 22 Freeway Interchange

Seventeenth Street

**4<sup>th</sup> Street / Irvine Boulevard**





# OCFSP Beat 552 Beat Guide

## Effective 10/02/2021

**Beat 552**  
Weekday

Beat 552 is a peak hour service beat designed to patrol the SR-55 from 4<sup>th</sup> Street / Irvine Boulevard to Del Mar Avenue / Fair Drive.

The beat is scheduled for 8 revenue vehicle hours each weekday, with service from 6:00 to 10:00 and 15:00 to 19:00, Monday through Friday.

Turn-around points and ramps are listed below.

### **SR 55 FRWY**

#### **4<sup>th</sup> Street / Irvine Boulevard**

I 5 Interchange

Mc Fadden Avenue / Main Street

Edinger Avenue

Dyer Road

MacArthur Boulevard

I 405 Interchange

Baker Street

#### **Del Mar Avenue / Fair Drive**





# OCFSP Beat 910 Weekday Beat Guide

## Effective 10/02/2021

**Beat 910**  
**Weekday**

Beat 910 Weekday is an all-day beat designed to overlay beats 911 and 912, patrolling the SR-91 from Carmenita Road to the State Route 57 Freeway. Partially Funded with Senate Bill 1 (SB1) funds, the beat is designed to patrol a broader area, cover beat areas when the primary beat truck is on break, provide overlapping coverage that might provide a faster response to disabled vehicles when the primary truck is busy on an assist, and provide weekday-midday service.

The beat is scheduled for 13 revenue vehicle hours each weekday, with service from 5:30 to 19:30 Monday through Friday, with 30-minute meal period breaks from approximately 9:00 to 9:30 & 16:00 to 16:30, while other peak-hour beats are working.

Regular turn-around points and ramps are listed below.

### **SR-91 FRWY**

#### **Carmenita Road**

Valley View Street

Knott Avenue

Beach Boulevard

SR-91 / I-5 Interchange

Magnolia Avenue

Brookhurst Street

Euclid Street

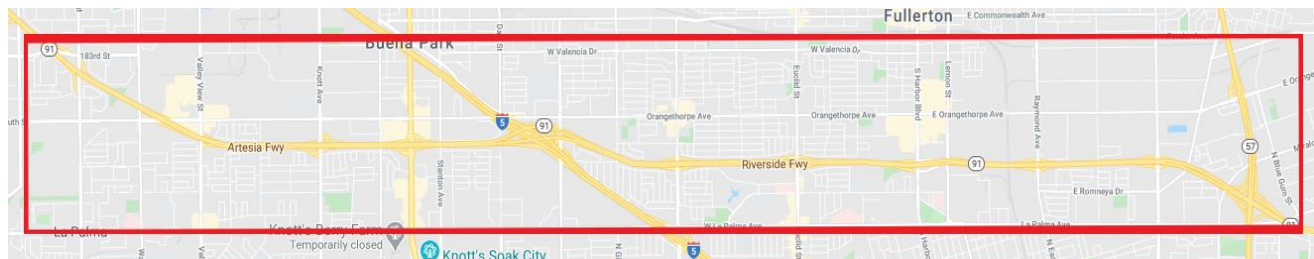
Harbor Boulevard

Lemon Street

Raymond Avenue / East Street

State College Boulevard

**SR 91 / SR 57 Interchange (Turn Around / exit at Lincoln or Orangethorpe when patrolling through interchanges)**





# OCFSP Beat 911 Beat Guide

## Effective 10/2/2021

**Beat 911**  
**Weekday**

Beat 911 is a peak hour service beat designed to patrol the SR-91 from Carmenita Road to Euclid Street.

The beat is scheduled for 8 revenue vehicle hours each weekday, with service from 6:00 to 10:00 and 15:00 to 19:00, Monday through Friday.

Turn-around points and ramps are listed below.

### **SR-91 FRWY**

#### **Carmenita Road**

Valley View Street

Knott Avenue

Beach Boulevard

SR-91 / I-5 Interchange

Magnolia Avenue

Brookhurst Street

#### **Euclid Street**





# OCFSP Beat 912 Beat Guide

## Effective 10/2/2021

**Beat 912**  
**Weekday**

Beat 912 is a peak hour service beat designed to patrol the SR-91 from Euclid Street to Tustin Avenue.

The beat is scheduled for 8 revenue vehicle hours each weekday, with service from 6:00 to 10:00 and 15:00 to 19:00, Monday through Friday.

Turn-around points and ramps are listed below.

### **SR-91 FRWY**

Euclid Street

Harbor Boulevard

Lemon Street

Raymond Avenue / East Street

State College Boulevard

SR 91 / SR 57 Interchange

N Kraemer Boulevard / Glassell Street

**N Tustin Avenue**





**EXHIBIT B: COST AND PRICE FORMS**



**PRICE SUMMARY SHEETS**

**REQUEST FOR PROPOSALS (RFP) 0-2574  
FREEWAY SERVICE PATROL SERVICES**

**Pricing Instructions:**

The Offeror must submit Exhibit B, Price Summary Sheet in **a separate file from the proposal.** No information regarding price shall be mentioned anywhere in the proposal content.

The Offeror shall provide the firm-fixed hourly rate that the Authority would be charged per revenue vehicle hour (RVH) for each service area, for the services outlined in the Scope of Services presented in Exhibit A of this RFP. A RVH is calculated as the time within the scheduled service hours that the Freeway Service Patrol (FSP) vehicle is actually in service within its assigned beat area performing FSP work. RVH does not include deadhead time to or from the beat area, meal period breaks, vehicle breakdowns, training time, or any other time that a vehicle is not actively patrolling its assigned beat area or providing service within the scheduled beat hours.

RVH rates will be adjusted each fiscal year based on the rates quoted for each fiscal year period. The RVH rate will be reviewed each quarter and approved based on the rates identified within the price summary sheet for the service area. RVH rates will be applied for each quarter based on the previous quarter's average cost of fuel as reported by the United States Energy Information Administration (EIA), All Grades – Reformulated Areas, for the Los Angeles area. Additional information about EIA is available at [https://www.eia.gov/dnav/pet/pet\\_pri\\_gnd\\_dcus\\_y05la\\_m.htm](https://www.eia.gov/dnav/pet/pet_pri_gnd_dcus_y05la_m.htm).

Pricing forms must be completed, properly filled out, and submitted in a separate sealed envelope/package (separate from the proposal) in order to be deemed responsive. The proposed price should include all service costs. The firm fixed-hourly rate should be inclusive of all Offeror's direct, indirect, capital and operating costs, profit, and any other costs related to FSP. These may include but not be limited to the following potential cost items, which the Offeror may consider in developing their firm-fixed revenue vehicle hourly rate. Prices quoted shall be firm for the life of the contract, no changes will be allowed to the RVH rate.



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**The following example items are illustrative of costs that may be incurred during the normal course of providing FSP service. Offerors must determine appropriate pricing based on their own methods for recovering costs.**

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#### **Vehicle Cost**

- Cost of FSP tow trucks, support vehicles, or other vehicles (finance charges if applicable, fuel, maintenance, insurance, etc.) over contract term. Escalation in market fuel costs during the entire contract period of performance shall not be subject to any adjustments in the Offeror's hourly "base unit rate."
- FSP Equipment (requirements list), shop radio/communications, tablet data device

#### **Labor Cost**

- Operator/supervisor/manager/maintenance/dispatcher labor (normal wages, overtime, Pension/vacation/sick benefits, workers comp, social security)
- Travel/preparation costs (pre-op inspections, time to get to staging area, time to return to tow yard, etc.)

#### **Facility / Business Cost**

- Lot/Building (office equipment, insurance, computer, supplies, etc.)
- Permits, Licenses, Fees, Registrations,
- Workers' Comp/ Liability Insurance
- Profit/ Risk & Liability trend assumptions over life of contract

#### **FSP Program Cost**

- Administration (form submittal, documentation maintenance, etc.)
- FSP supplies (raingear, uniforms, safety boots, safety vests, etc.)
- Operator training fees (proficiency, background, initial operator) and attendance (refresher)
- Fuel to be used for stranded motorists, etc.

Please refer to Exhibit A, Scope of Services to ensure that all possible costs are covered in the proposed pricing. Proposed firm-fixed rates also includes profit margin as well as, capital and other costs associated with the single back-up tow truck per service area requirement. **Also include all costs associated with having all trucks ready with communications equipment installation within the time frame described in Exhibit A, Scope of Services.**



**SERVICE AREA 1**

**PRICE SUMMARY SHEET**

**REQUEST FOR PROPOSALS (RFP) 0-2574  
FREEWAY SERVICE PATROL (FSP) SERVICES  
OCTOBER 2, 2021 THROUGH OCTOBER 2, 2027**

**SERVICE AREA: 1**

**PRIMARY LOCATION: SR-91**

**TOTAL # OF TRUCKS: 3 TOW TRUCKS & 1 BACK-UP TOW TRUCK**

Please provide the price per RVH for the Freeway Service Patrol services outlined below:

<b>Beats 910, 911, 912 (Per Attachment A)</b>				
<b>Rate #</b>	<b>Evaluation Criteria (Average Fuel Cost Per Gallon)</b>	<b>FY 2022 &amp; 2023 (10/2/2021 - 6/30/2023) Rate Per RVH</b>	<b>FY 2024 &amp; 2025 (7/1/2023 - 6/30/2025) Rate Per RVH</b>	<b>FY 2026, 2027 &amp; 2028 (7/1/2026 - 10/2/2027) Rate Per RVH</b>
1	\$1.00 - \$2.00	\$	\$	\$
2	\$2.01 - \$3.00	\$	\$	\$
3	\$3.01 - \$4.00	\$	\$	\$
4	\$4.01 - \$5.00	\$	\$	\$
5	\$5.01 - \$5.00	\$	\$	\$
6	\$6.01 - \$7.00	\$	\$	\$

<b>Additional Requested Off Peak or Weekend Service Using Existing Vehicles</b>				
<b>Rate #</b>	<b>Evaluation Criteria (Average Fuel Cost Per Gallon)</b>	<b>FY 2022 &amp; 2023 (10/2/2021 - 6/30/2023) Rate Per RVH</b>	<b>FY 2024 &amp; 2025 (7/1/2023 - 6/30/2025) Rate Per RVH</b>	<b>FY 2026, 2027 &amp; 2028 (7/1/2026 - 10/2/2027) Rate Per RVH</b>
1	\$1.00 - \$2.00	\$	\$	\$
2	\$2.01 - \$3.00	\$	\$	\$
3	\$3.01 - \$4.00	\$	\$	\$
4	\$4.01 - \$5.00	\$	\$	\$
5	\$5.01 - \$5.00	\$	\$	\$
6	\$6.01 - \$7.00	\$	\$	\$



The RVH rates quoted shall include all direct costs, indirect costs, other costs, and profit. Offeror's should take into consideration all vehicles, equipment, operating cost, insurance, training classes, personnel, tool, supplies, expendable items, incidentals, deadhead, etc. Please refer to the Scope of Services to ensure that you have covered all possible costs in your proposal.

1. I acknowledge receipt of RFP 0-2574 and Addenda No. (s) \_\_\_\_\_
2. I understand that services performed under the terms of this agreement will be from October 2, 2021 through October 2, 2027.
3. I understand that service beats may be redeployed within a three mile radius of their current service area, and that midday, construction, and weekend service beats may be subject to modification or cancelation with 30-day notice.
4. This offer shall remain firm for \_\_\_\_\_ days from the date of proposal  
(Minimum 120)

COMPANY NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

SIGNATURE OF PERSON  
AUTHORIZED TO BIND OFFEROR \_\_\_\_\_

SIGNATOR'S NAME AND TITLE \_\_\_\_\_

DATE SIGNED \_\_\_\_\_

BUSINESS LICENSE #: \_\_\_\_\_ LICENSE CLASSIFICATION \_\_\_\_\_

(Service Area 1, Page 2 of 2)



**SERVICE AREA 3**

**PRICE SUMMARY SHEET**

**REQUEST FOR PROPOSALS (RFP) 0-2574  
FREEWAY SERVICE PATROL (FSP) SERVICES  
OCTOBER 2, 2021 THROUGH OCTOBER 2, 2027**

**SERVICE AREA: 3**

**PRIMARY LOCATION: SR-22**

**TOTAL # OF TRUCKS: 3 TOW TRUCKS & 2 BACK-UP TOW TRUCK**

Please provide the price per RVH for the Freeway Service Patrol services outlined below:

<b>Beats 220, 221, 222, 225 (Per Attachment A)</b>				
<b>Rate #</b>	<b>Evaluation Criteria (Average Fuel Cost Per Gallon)</b>	<b>FY 2022 &amp; 2023 (10/2/2021 - 6/30/2023) Rate Per RVH</b>	<b>FY 2024 &amp; 2025 (7/1/2023 - 6/30/2025) Rate Per RVH</b>	<b>FY 2026, 2027 &amp; 2028 (7/1/2026 - 10/2/2027) Rate Per RVH</b>
1	\$1.00 - \$2.00	\$	\$	\$
2	\$2.01 - \$3.00	\$	\$	\$
3	\$3.01 - \$4.00	\$	\$	\$
4	\$4.01 - \$5.00	\$	\$	\$
5	\$5.01 - \$5.00	\$	\$	\$
6	\$6.01 - \$7.00	\$	\$	\$

<b>Additional Requested Off Peak or Weekend Service Using Existing Vehicles</b>				
<b>Rate #</b>	<b>Evaluation Criteria (Average Fuel Cost Per Gallon)</b>	<b>FY 2022 &amp; 2023 (10/2/2021 - 6/30/2023) Rate Per RVH</b>	<b>FY 2024 &amp; 2025 (7/1/2023 - 6/30/2025) Rate Per RVH</b>	<b>FY 2026, 2027 &amp; 2028 (7/1/2026 - 10/2/2027) Rate Per RVH</b>
1	\$1.00 - \$2.00	\$	\$	\$
2	\$2.01 - \$3.00	\$	\$	\$
3	\$3.01 - \$4.00	\$	\$	\$
4	\$4.01 - \$5.00	\$	\$	\$
5	\$5.01 - \$5.00	\$	\$	\$
6	\$6.01 - \$7.00	\$	\$	\$



The RVH rates quoted shall include all direct costs, indirect costs, other costs, and profit. Offeror's should take into consideration all vehicles, equipment, operating cost, insurance, training classes, personnel, tool, supplies, expendable items, incidentals, deadhead, etc. Please refer to the Scope of Services to ensure that you have covered all possible costs in your proposal.

1. I acknowledge receipt of RFP 0-2574 and Addenda No. (s) \_\_\_\_\_
2. I understand that services performed under the terms of this agreement will be from October 2, 2021 through October 2, 2027.
3. I understand that service beats may be redeployed within a three mile radius of their current service area, and that midday, construction, and weekend service beats may be subject to modification or cancelation with 30-day notice.
4. This offer shall remain firm for \_\_\_\_\_ days from the date of proposal  
(Minimum 120)

COMPANY NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

SIGNATURE OF PERSON  
AUTHORIZED TO BIND OFFEROR \_\_\_\_\_

SIGNATOR'S NAME AND TITLE \_\_\_\_\_

DATE SIGNED \_\_\_\_\_

BUSINESS LICENSE #: \_\_\_\_\_ LICENSE CLASSIFICATION \_\_\_\_\_

(Service Area 3, Page 2 of 2)



**SERVICE AREA 5**

**PRICE SUMMARY SHEET**

**REQUEST FOR PROPOSALS (RFP) 0-2574  
FREEWAY SERVICE PATROL (FSP) SERVICES  
DECEMBER 4, 2021 THROUGH OCTOBER 2, 2027**

**SERVICE AREA: 5**

**PRIMARY LOCATION: I-405**

**TOTAL # OF TRUCKS: 3 TOW TRUCKS & 2 BACK-UP TOW TRUCK**

Please provide the price per RVH for the Freeway Service Patrol services outlined below:

<b>Beats 408, 409, 410 (Per Attachment A)</b>				
<b>Rate #</b>	<b>Evaluation Criteria (Average Fuel Cost Per Gallon)</b>	<b>FY 2022 &amp; 2023 (12/4/2021 - 6/30/2023) Rate Per RVH</b>	<b>FY 2024 &amp; 2025 (7/1/2023 - 6/30/2025) Rate Per RVH</b>	<b>FY 2026, 2027 &amp; 2028 (7/1/2026 - 10/2/2027) Rate Per RVH</b>
1	\$1.00 - \$2.00	\$	\$	\$
2	\$2.01 - \$3.00	\$	\$	\$
3	\$3.01 - \$4.00	\$	\$	\$
4	\$4.01 - \$5.00	\$	\$	\$
5	\$5.01 - \$5.00	\$	\$	\$
6	\$6.01 - \$7.00	\$	\$	\$

<b>Beat 402* (Per Attachment A)</b>				
<b>Rate #</b>	<b>Evaluation Criteria (Average Fuel Cost Per Gallon)</b>	<b>FY 2022 &amp; 2023 (12/4/2021 - 6/30/2023) Rate Per RVH</b>	<b>FY 2024 &amp; 2025 (7/1/2023 - 6/30/2025) Rate Per RVH</b>	<b>FY 2026, 2027 &amp; 2028 (7/1/2026 - 10/2/2027) Rate Per RVH</b>
1	\$1.00 - \$2.00	\$	\$	\$
2	\$2.01 - \$3.00	\$	\$	\$
3	\$3.01 - \$4.00	\$	\$	\$
4	\$4.01 - \$5.00	\$	\$	\$
5	\$5.01 - \$5.00	\$	\$	\$
6	\$6.01 - \$7.00	\$	\$	\$

\* Beat 402 hours are not guaranteed



<b>Additional Requested Off Peak or Weekend Service Using Existing Vehicles</b>				
<b>Rate #</b>	<b>Evaluation Criteria (Average Fuel Cost Per Gallon)</b>	<b>FY 2022 &amp; 2023 (12/4/2021 - 6/30/2023) Rate Per RVH</b>	<b>FY 2024 &amp; 2025 (7/1/2023 - 6/30/2025) Rate Per RVH</b>	<b>FY 2026, 2027 &amp; 2028 (7/1/2026 - 10/2/2027) Rate Per RVH</b>
1	\$1.00 - \$2.00	\$	\$	\$
2	\$2.01 - \$3.00	\$	\$	\$
3	\$3.01 - \$4.00	\$	\$	\$
4	\$4.01 - \$5.00	\$	\$	\$
5	\$5.01 - \$5.00	\$	\$	\$
6	\$6.01 - \$7.00	\$	\$	\$

The RVH rates quoted shall include all direct costs, indirect costs, other costs, and profit. Offeror's should take into consideration all vehicles, equipment, operating cost, insurance, training classes, personnel, tool, supplies, expendable items, incidentals, deadhead, etc. Please refer to the Scope of Services to ensure that you have covered all possible costs in your proposal.

(Service Area 5, Page 2 of 3)



1. I acknowledge receipt of RFP 0-2574 and Addenda No. (s) \_\_\_\_\_
2. I understand that services performed under the terms of this agreement will be from December 4, 2021 through October 2, 2027.
3. I understand that Beat 402 (Construction Support) hours are not guaranteed and may be discontinued at any time.
4. I understand that service beats may be redeployed within a three mile radius of their current service area, and that midday, construction, and weekend service beats may be subject to modification or cancelation with 30-day notice.
5. This offer shall remain firm for \_\_\_\_\_ days from the date of proposal  
(Minimum 120)

COMPANY NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

SIGNATURE OF PERSON  
AUTHORIZED TO BIND OFFEROR \_\_\_\_\_

SIGNATOR'S NAME AND TITLE \_\_\_\_\_

DATE SIGNED \_\_\_\_\_

BUSINESS LICENSE #: \_\_\_\_\_ LICENSE CLASSIFICATION \_\_\_\_\_

(Service Area 5, Page 3 of 3)



**SERVICE AREA 6**

**PRICE SUMMARY SHEET**

**REQUEST FOR PROPOSALS (RFP) 0-2574  
FREEWAY SERVICE PATROL (FSP) SERVICES  
OCTOBER 2, 2021 THROUGH OCTOBER 2, 2027**

**SERVICE AREA: 6**

**PRIMARY LOCATION: I-5**

**TOTAL # OF TRUCKS: 3TOW TRUCKS & 1 BACK-UP TOW TRUCK**

Please provide the price per RVH for the Freeway Service Patrol services outlined below:

<b>Beats 500, 501, 502 (Per Attachment A)</b>				
<b>Rate #</b>	<b>Evaluation Criteria (Average Fuel Cost Per Gallon)</b>	<b>FY 2022 &amp; 2023 (10/2/2021 - 6/30/2023) Rate Per RVH</b>	<b>FY 2024 &amp; 2025 (7/1/2023 - 6/30/2025) Rate Per RVH</b>	<b>FY 2026, 2027 &amp; 2028 (7/1/2026 - 10/2/2027) Rate Per RVH</b>
1	\$1.00 - \$2.00	\$	\$	\$
2	\$2.01 - \$3.00	\$	\$	\$
3	\$3.01 - \$4.00	\$	\$	\$
4	\$4.01 - \$5.00	\$	\$	\$
5	\$5.01 - \$5.00	\$	\$	\$
6	\$6.01 - \$7.00	\$	\$	\$

<b>Additional Requested Off Peak or Weekend Service Using Existing Vehicles</b>				
<b>Rate #</b>	<b>Evaluation Criteria (Average Fuel Cost Per Gallon)</b>	<b>FY 2022 &amp; 2023 (10/2/2021 - 6/30/2023) Rate Per RVH</b>	<b>FY 2024 &amp; 2025 (7/1/2023 - 6/30/2025) Rate Per RVH</b>	<b>FY 2026, 2027 &amp; 2028 (7/1/2026 - 10/2/2027) Rate Per RVH</b>
1	\$1.00 - \$2.00	\$	\$	\$
2	\$2.01 - \$3.00	\$	\$	\$
3	\$3.01 - \$4.00	\$	\$	\$
4	\$4.01 - \$5.00	\$	\$	\$
5	\$5.01 - \$5.00	\$	\$	\$
6	\$6.01 - \$7.00	\$	\$	\$



The RVH rates quoted shall include all direct costs, indirect costs, other costs, and profit. Offeror's should take into consideration all vehicles, equipment, operating cost, insurance, training classes, personnel, tool, supplies, expendable items, incidentals, deadhead, etc. Please refer to the Scope of Services to ensure that you have covered all possible costs in your proposal.

1. I acknowledge receipt of RFP 0-2574 and Addenda No. (s) \_\_\_\_\_
2. I understand that services performed under the terms of this agreement will be from October 2, 2021 through October 2, 2027.
3. I understand that service beats may be redeployed within a three mile radius of their current service area, and that midday, construction, and weekend service beats may be subject to modification or cancelation with 30-day notice.
4. This offer shall remain firm for \_\_\_\_\_ days from the date of proposal  
(Minimum 120)

COMPANY NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

SIGNATURE OF PERSON  
AUTHORIZED TO BIND OFFEROR \_\_\_\_\_

SIGNATOR'S NAME AND TITLE \_\_\_\_\_

DATE SIGNED \_\_\_\_\_

BUSINESS LICENSE #: \_\_\_\_\_ LICENSE CLASSIFICATION \_\_\_\_\_

(Service Area 6, Page 2 of 2)



**SERVICE AREA 8**

**PRICE SUMMARY SHEET**

**REQUEST FOR PROPOSALS (RFP) 0-2574  
FREEWAY SERVICE PATROL (FSP) SERVICES  
DECEMBER 4, 2021 THROUGH OCTOBER 2, 2027**

**SERVICE AREA: 8**

**PRIMARY LOCATION: I-5**

**TOTAL # OF TRUCKS: 3 TOW TRUCKS & 2 BACK-UP TOW TRUCKS**

Please provide the price per RVH for the Freeway Service Patrol services outlined below:

<b>Beats 506, 507, 508, 511, 512 (Per Attachment A)</b>				
<b>Rate #</b>	<b>Evaluation Criteria (Average Fuel Cost Per Gallon)</b>	<b>FY 2022 &amp; 2023 (12/4/2021 - 6/30/2023) Rate Per RVH</b>	<b>FY 2024 &amp; 2025 (7/1/2023 - 6/30/2025) Rate Per RVH</b>	<b>FY 2026, 2027 &amp; 2028 (7/1/2026 - 10/2/2027) Rate Per RVH</b>
1	\$1.00 - \$2.00	\$	\$	\$
2	\$2.01 - \$3.00	\$	\$	\$
3	\$3.01 - \$4.00	\$	\$	\$
4	\$4.01 - \$5.00	\$	\$	\$
5	\$5.01 - \$5.00	\$	\$	\$
6	\$6.01 - \$7.00	\$	\$	\$

<b>Additional Requested Off Peak or Weekend Service Using Existing Vehicles</b>				
<b>Rate #</b>	<b>Evaluation Criteria (Average Fuel Cost Per Gallon)</b>	<b>FY 2022 &amp; 2023 (12/4/2021 - 6/30/2023) Rate Per RVH</b>	<b>FY 2024 &amp; 2025 (7/1/2023 - 6/30/2025) Rate Per RVH</b>	<b>FY 2026, 2027 &amp; 2028 (7/1/2026 - 10/2/2027) Rate Per RVH</b>
1	\$1.00 - \$2.00	\$	\$	\$
2	\$2.01 - \$3.00	\$	\$	\$
3	\$3.01 - \$4.00	\$	\$	\$
4	\$4.01 - \$5.00	\$	\$	\$
5	\$5.01 - \$5.00	\$	\$	\$
6	\$6.01 - \$7.00	\$	\$	\$



The RVH rates quoted shall include all direct costs, indirect costs, other costs, and profit. Offeror's should take into consideration all vehicles, equipment, operating cost, insurance, training classes, personnel, tool, supplies, expendable items, incidentals, deadhead, etc. Please refer to the Scope of Services to ensure that you have covered all possible costs in your proposal.

1. I acknowledge receipt of RFP 0-2574 and Addenda No. (s) \_\_\_\_\_
2. I understand that services performed under the terms of this agreement will be from December 4, 2021 through October 2, 2027.
3. I understand that service beats may be redeployed within a three mile radius of their current service area, and that midday, construction, and weekend service beats may be subject to modification or cancelation with 30-day notice.
4. This offer shall remain firm for \_\_\_\_\_ days from the date of proposal  
(Minimum 120)

COMPANY NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

SIGNATURE OF PERSON  
AUTHORIZED TO BIND OFFEROR \_\_\_\_\_

SIGNATOR'S NAME AND TITLE \_\_\_\_\_

DATE SIGNED \_\_\_\_\_

BUSINESS LICENSE #: \_\_\_\_\_ LICENSE CLASSIFICATION \_\_\_\_\_

(Service Area 8, Page 2 of 2)



**SERVICE AREA 10**

**PRICE SUMMARY SHEET**

**REQUEST FOR PROPOSALS (RFP) 0-2574  
FREEWAY SERVICE PATROL (FSP) SERVICES  
OCTOBER 2, 2021 THROUGH OCTOBER 2, 2027**

**SERVICE AREA: 10**

**PRIMARY LOCATION: SR-55**

**TOTAL # OF TRUCKS: 3 TOW TRUCKS & 1 BACK-UP TOW TRUCK**

Please provide the price per RVH for the Freeway Service Patrol services outlined below:

<b>Beats 550, 551, 552 (Per Attachment A)</b>				
<b>Rate #</b>	<b>Evaluation Criteria (Average Fuel Cost Per Gallon)</b>	<b>FY 2022 &amp; 2023 (10/2/2021 - 6/30/2023) Rate Per RVH</b>	<b>FY 2024 &amp; 2025 (7/1/2023 - 6/30/2025) Rate Per RVH</b>	<b>FY 2026, 2027 &amp; 2028 (7/1/2026 - 10/2/2027) Rate Per RVH</b>
1	\$1.00 - \$2.00	\$	\$	\$
2	\$2.01 - \$3.00	\$	\$	\$
3	\$3.01 - \$4.00	\$	\$	\$
4	\$4.01 - \$5.00	\$	\$	\$
5	\$5.01 - \$5.00	\$	\$	\$
6	\$6.01 - \$7.00	\$	\$	\$

<b>Additional Requested Off Peak or Weekend Service Using Existing Vehicles</b>				
<b>Rate #</b>	<b>Evaluation Criteria (Average Fuel Cost Per Gallon)</b>	<b>FY 2022 &amp; 2023 (10/2/2021 - 6/30/2023) Rate Per RVH</b>	<b>FY 2024 &amp; 2025 (7/1/2023 - 6/30/2025) Rate Per RVH</b>	<b>FY 2026, 2027 &amp; 2028 (7/1/2026 - 10/2/2027) Rate Per RVH</b>
1	\$1.00 - \$2.00	\$	\$	\$
2	\$2.01 - \$3.00	\$	\$	\$
3	\$3.01 - \$4.00	\$	\$	\$
4	\$4.01 - \$5.00	\$	\$	\$
5	\$5.01 - \$5.00	\$	\$	\$
6	\$6.01 - \$7.00	\$	\$	\$



The RVH rates quoted shall include all direct costs, indirect costs, other costs, and profit. Offeror's should take into consideration all vehicles, equipment, operating cost, insurance, training classes, personnel, tool, supplies, expendable items, incidentals, deadhead, etc. Please refer to the Scope of Services to ensure that you have covered all possible costs in your proposal.

1. I acknowledge receipt of RFP 0-2574 and Addenda No. (s) \_\_\_\_\_
2. I understand that services performed under the terms of this agreement will be from October 2, 2021 through October 2, 2027.
3. I understand that service beats may be redeployed within a three mile radius of their current service area, and that midday, construction, and weekend service beats may be subject to modification or cancelation with 30-day notice.
4. This offer shall remain firm for \_\_\_\_\_ days from the date of proposal  
(Minimum 120)

COMPANY NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

SIGNATURE OF PERSON  
AUTHORIZED TO BIND OFFEROR \_\_\_\_\_

SIGNATOR'S NAME AND TITLE \_\_\_\_\_

DATE SIGNED \_\_\_\_\_

BUSINESS LICENSE #: \_\_\_\_\_ LICENSE CLASSIFICATION \_\_\_\_\_

(Service Area 10, Page 2 of 2)



**EXHIBIT C: PROPOSED AGREEMENT**







EXHIBIT C

relinquishment of AUTHORITY's right to such performance or to future performance of such terms or conditions and CONTRACTOR's obligation in respect thereto shall continue in full force and effect. Changes to any portion of this Agreement shall not be binding upon AUTHORITY except when specifically confirmed in writing by an authorized representative of AUTHORITY by way of a written amendment to this Agreement and issued in accordance with the provisions of this Agreement.

**ARTICLE 2. AUTHORITY DESIGNEE**

The Chief Executive Officer of AUTHORITY, or designee, shall have the authority to act for and exercise any of the rights of AUTHORITY as set forth in this Agreement.

**ARTICLE 3. SCOPE OF WORK**

A. CONTRACTOR shall perform the work necessary to complete in a manner satisfactory to AUTHORITY the services set forth in Exhibit A, entitled "Scope of Work," attached to and, by this reference, incorporated in and made a part of this Agreement. All services shall be provided at the times and places designated by AUTHORITY.

B. CONTRACTOR shall provide the personnel listed below to perform the above-specified services, which persons are hereby designated as key personnel under this Agreement.

**Names**

**Functions**

C. No person named in paragraph B of this Article, or his/her successor approved by AUTHORITY, shall be removed or replaced by CONTRACTOR, nor shall his/her agreed-upon function or level of commitment hereunder be changed, without the prior written consent of AUTHORITY. Should the services of any key person become no longer available to CONTRACTOR, the resume and qualifications of the proposed replacement shall be submitted to AUTHORITY for approval as soon as possible, but in no event later than seven (7) calendar days prior to the departure of the incumbent key



EXHIBIT C

person, unless CONTRACTOR is not provided with such notice by the departing employee. AUTHORITY shall respond to CONTRACTOR within seven (7) calendar days following receipt of these qualifications concerning acceptance of the candidate for replacement.

**ARTICLE 4. TERM OF AGREEMENT**

This Agreement shall commence on \_\_\_\_\_ and shall continue in full force and effect through \_\_\_\_\_, unless earlier terminated or extended as provided in this Agreement.

**ARTICLE 5. PAYMENT**

A. For CONTRACTOR's full and complete performance of its obligations under this Agreement and subject to the maximum cumulative payment obligation provisions set forth in Article 6, AUTHORITY shall pay CONTRACTOR on a time-and-expense price basis in accordance with the following provisions.

B. CONTRACTOR agrees to provide all personnel, facilities, effort, materials and equipment required to complete, to the full satisfaction of AUTHORITY and the State of California Department of Transportation (hereinafter referred to as "CALTRANS"), and the California Highway Patrol (hereinafter referred to as "CHP"), all the work described in the Scope of Services. The AUTHORITY's Project Manager will review the fuel prices every quarter. Vehicle service hour ("VSH") rates will remain firm for three (3) months at a time; and AUTHORITY agrees to pay CONTRACTOR as per the following fixed hourly rates for the services;

SERVICE AREA #: \_\_\_\_\_

- |    |  |              |
|----|--|--------------|
| 1. | If fuel costs between \$2.00 - \$3.00/gallon | \$_____ /VSH |
| 2. | If fuel costs between \$3.01 - \$4.00/gallon | \$_____ /VSH |
| 3. | If fuel costs between \$4.01 - \$5.00/gallon | \$_____ /VSH |
| 4. | If fuel costs between \$5.01 - \$6.00/gallon | \$_____ /VSH |
| 5. | If fuel costs between \$6.01 - \$7.00/gallon | \$_____ /VSH |

C. Reimbursement: AUTHORITY shall reimburse CONTRACTOR on an hourly basis in accordance with the CHP monthly billing statement for services rendered during the hours of operation less any penalties listed on the CHP monthly billing statement. Actual costs shall not exceed the hourly



EXHIBIT C

rates set forth in this Article for the duration of this Agreement. Overtime policy shall be subject to prior approval by the CHP. CHP shall document all overtime requests. Overtime shall be reimbursed at the straight time rates and paid in quarter hour increments.

D. Invoices shall be submitted by CONTRACTOR on a monthly basis and shall be submitted in duplicate to AUTHORITY's Accounts Payable office. CONTRACTOR may also submit invoices electronically to AUTHORITY's Accounts Payable Department at [vendorinvoices@octa.net](mailto:vendorinvoices@octa.net). AUTHORITY shall remit payment within thirty (30) calendar days of the receipt and approval of each invoice. Each invoice shall include the following information:

1. Agreement No. C-0-2574;
2. Specify the Beat number for which payment is being requested;
3. The time period covered by the invoice;
4. Total monthly invoice (including project-to-date cumulative invoice amount); and copy of the CHP monthly billing statement;
5. Such other information as requested by AUTHORITY;
6. Certification signed by the CONTRACTOR or his/her designated alternate that a) The invoice is a true, complete and correct statement of reimbursable costs and progress; b) The backup information included with the invoice is true, complete and correct in all material respects; c) All payments due and owing to subcontractors and suppliers have been made; d) Timely payments will be made to subcontractors and suppliers from the proceeds of the payments covered by the certification and; e) The invoice does not include any amount which CONTRACTOR intends to withhold or retain from a subcontractor or supplier unless so identified on the invoice.
7. Any other information as agreed or requested by AUTHORITY to substantiate the validity of an invoice.

E. Errors: Errors in billing will be resolved by AUTHORITY and the CONTRACTOR within ten (10) business days of receipt of invoice.



**ARTICLE 6. MAXIMUM OBLIGATION**

Notwithstanding any provisions of this Agreement to the contrary, AUTHORITY and CONTRACTOR mutually agree that AUTHORITY's maximum cumulative payment obligation (including obligation for CONTRACTOR's profit) shall be \_\_\_\_\_ Dollars (\$ .00) which shall include all amounts payable to CONTRACTOR for its subcontracts, leases, materials and costs arising from, or due to termination of, this Agreement.

**ARTICLE 7. FUNDING**

Performance of the obligations herein is conditioned on the availability of funds from CALTRANS, CHP and AUTHORITY, which may be appropriately applied by AUTHORITY to the services to be provided hereunder.

**ARTICLE 8. NOTICES**

All notices hereunder and communications regarding the interpretation of the terms of this Agreement, or changes thereto, shall be effected by delivery of said notices in person or by depositing said notices in the U.S. mail, registered or certified mail, returned receipt requested, postage prepaid and addressed as follows:

To CONTRACTOR:

To AUTHORITY:

Orange County Transportation Authority

550 South Main Street

P.O. Box 14184

Orange, CA 92863-1584

ATTENTION:

ATTENTION: Sue Ding

Sr. Contract Administrator

(714) 560 - 5631

sding@octa.net

**ARTICLE 9. INDEPENDENT CONTRACTOR**

A. CONTRACTOR's relationship to AUTHORITY in the performance of this Agreement is that of



EXHIBIT C

an independent contractor. CONTRACTOR's personnel performing services under this Agreement shall at all times be under CONTRACTOR's exclusive direction and control and shall be employees of CONTRACTOR and not employees of AUTHORITY. CONTRACTOR shall pay all wages, salaries and other amounts due its employees in connection with this Agreement and shall be responsible for all reports and obligations respecting them, such as social security, income tax withholding, unemployment compensation, workers' compensation and similar matters.

B. Should CONTRACTOR's personnel or a state or federal agency allege claims against AUTHORITY involving the status of AUTHORITY as employer, joint or otherwise, of said personnel, or allegations involving any other independent contractor misclassification issues, CONTRACTOR shall defend and indemnify AUTHORITY in relation to any allegations made.

**ARTICLE 10. INSURANCE**

A. CONTRACTOR shall procure and maintain insurance coverage during the entire term of this Agreement. Coverage shall be full coverage and not subject to self-insurance provisions. CONTRACTOR shall provide the following insurance coverage:

1. Commercial General Liability, to include Products/Completed Operations, Independent Contractors', Contractual Liability, and Personal Injury Liability, and Property Damage with a minimum limit of \$1,000,000.00 per occurrence and \$2,000,000.00 general aggregate;

2. Automobile Liability Insurance to include owned, hired and non-owned autos with a combined single limit of \$1,000,000.00 each accident;

3. Excess Liability with a minimum limit of \$5,000,000.00;

4. Workers' Compensation with limits as required by the State of California including a waiver of subrogation in favor of AUTHORITY, its officers, directors, employees or agents;

5. Garage Liability - \$ 1,000,000.00 Coverage;

6. Employers' Liability with minimum limits of \$1,000,000.00; and

7. On-Hook Liability: Listed below are the insurance endorsements for the On-Hook Liability coverage's which shall be required for tow truck services:



EXHIBIT C

<u>Gross Vehicle Weight</u>	<u>Coverage Per Accident</u>
Less than 10,000 #	\$ 75,000
10 – 20,000 #	\$ 100,000
More than 20,000#	\$ 250,000

B. Proof of such coverage, in the form of a certificate of insurance, with the AUTHORITY, its officers, directors, employees and agents, designated as additional insureds as required by contract. In addition, provide an insurance policy blanket additional insured endorsement. Both documents must be received by AUTHORITY prior to commencement of any work. Proof of insurance coverage must be received by AUTHORITY within ten (10) calendar days from the effective date of this Agreement. Such insurance shall be primary and non-contributive to any insurance or self-insurance maintained by the AUTHORITY. Furthermore, AUTHORITY reserves the right to request certified copies of all related insurance policies.

C. CONTRACTOR shall include on the face of the certificate of insurance the Agreement Number C-0-25740-2574; and, the Contract Administrator's Name, Sue Ding.

D. CONTRACTOR shall also include in each subcontract the stipulation that subcontractors shall maintain insurance coverage in the amounts required from CONTRACTOR as provided in this Agreement.

E. CONTRACTOR shall be required to immediately notify AUTHORITY of any modifications or cancellation of any required insurance policies.

**ARTICLE 11. 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 0-2574 and all addenda; (3) CONTRACTOR's proposal dated \_\_\_\_\_; (4) all other documents, if any, cited herein or incorporated by reference.

**ARTICLE 12. CHANGES**

By written notice or order, AUTHORITY may, from time to time, order work suspension and/or



EXHIBIT C

1 make changes in the general scope of this Agreement, including, but not limited to, the services furnished  
2 to AUTHORITY by CONTRACTOR as described in the Scope of Work. If any such work suspension or  
3 change causes an increase or decrease in the price of this Agreement, or in the time required for its  
4 performance, CONTRACTOR shall promptly notify AUTHORITY thereof and assert its claim for  
5 adjustment within ten (10) calendar days after the change or work suspension is ordered, and an  
6 equitable adjustment shall be negotiated. However, nothing in this clause shall excuse CONTRACTOR  
7 from proceeding immediately with the Agreement as changed.

8 **ARTICLE 13. DISPUTES**

9 A. Except as otherwise provided in this Agreement, any dispute concerning a question of fact  
10 arising under this Agreement which is not disposed of by supplemental agreement shall be decided by  
11 AUTHORITY's Director, Contracts Administration and Materials Management (CAMM), who shall reduce  
12 the decision to writing and mail or otherwise furnish a copy thereof to CONTRACTOR. The decision of  
13 the Director, CAMM, shall be final and conclusive.

14 B. Pending final decision of a dispute hereunder, CONTRACTOR shall proceed diligently with  
15 the performance of this Agreement and in accordance with the decision of AUTHORITY's Director,  
16 CAMM. This Disputes clause does not preclude consideration of questions of law in connection with  
17 decisions provided for above. Nothing in this Agreement, however, shall be construed as making final  
18 the decision of any AUTHORITY official or representative on a question of law, which questions shall be  
19 settled in accordance with the laws of the State of California.

20 **ARTICLE 14. TERMINATION**

21 A. AUTHORITY may terminate this Agreement for its convenience at any time, in whole or part,  
22 by giving CONTRACTOR written notice thereof. Upon said notice, AUTHORITY shall pay  
23 CONTRACTOR its allowable costs incurred to date of termination and those allowable costs determined  
24 by AUTHORITY to be reasonably necessary to effect such termination. Thereafter, CONTRACTOR shall  
25 have no further claims against AUTHORITY under this Agreement.

26 B. In the event either Party defaults in the performance of any of their obligations under this



EXHIBIT C

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 15. MISSED SERVICE PENALTIES**

A. Mechanical Breakdown: If a truck goes out of service for mechanical reasons, the CONTRACTOR will be penalized in 15 minute increments at straight time up to 45 minutes, until such time that the truck either returns to service or a backup truck is deployed. If the repair takes longer than 45 minutes, the dock will be double the hourly rate. The start time for the dock will be the original time the FSP operator went out of service.

B. Missed Service: If an FSP operator arrives more than 30 minutes late to the beat, or if a truck is unavailable other than due to a mechanical breakdown, or if an eligible FSP operator is unavailable to work a shift, the CONTRACTOR will be penalized triple the hourly rate for each 15-minute increment of missed service.

C. Operator/Vehicle Removed from Service: If an FSP operator or vehicle is removed from service due to any violation of the CHP's Standard Operating Procedures ("SOP") or this Agreement, the CONTRACTOR will be penalized double the hourly rate for each 15 minutes that service is not provided.

D. Tardiness: If an FSP operator arrives late for service, the CONTRACTOR will be penalized double the hourly rate for the first 15 minutes that the FSP operator is tardy. After the first 30 minutes, the CONTRACTOR will be penalized triple the hourly rate as Missed Service from the beat start time, until the beat is covered.



EXHIBIT C

E. Non-Compliance with Driver Wage and Hour Requirements: Contractor shall comply with all federal, state and local wage and hour regulations, with specific emphasis on California Department of Industrial Relations Wage Order Nine, on-duty time, behind the wheel time, and rest time requirements. If CONTRACTOR fails to comply with commercial driver log book guidelines related to on duty, behind the wheel, and rest period requirements, CONTRACTOR shall be penalized One Hundred Dollars (\$100.00) for each employee occurrence. A pattern of non-compliance, or non-compliance with other federal, state and local regulations, may result in actions up to and including termination of this Agreement.

F. AUTHORITY has the right to modify penalties by providing a 30-day written notice to CONTRACTOR.

**ARTICLE 16. 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, subcontractors 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 17. 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



EXHIBIT C

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**

**Subcontractor Functions**

**ARTICLE 18. 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 17 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 19. 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 20. 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 21. PROHIBITION ON PROVIDING ADVOCACY SERVICES**

CONTRACTOR and all subcontractors 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 CONTRACTOR or subcontractor. Failure to refrain from such representation may result in termination of this Agreement.

**ARTICLE 22. 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 23. 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 origin. CONTRACTOR shall take affirmative action to ensure that applicants are employed, and that employees are treated during their employment, without regard to their race, religion, color, sex, age or national origin. Such actions shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

**ARTICLE 24. PROHIBITED INTERESTS**

CONTRACTOR covenants that, for the term of this Agreement, no director, member, officer or employee of AUTHORITY during his/her tenure in office or for one (1) year thereafter shall have any interest, direct or indirect, in this Agreement or the proceeds thereof.



**ARTICLE 25. 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 26. 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



EXHIBIT C

upon any presently existing U.S. letters patent or copyright and CONTRACTOR shall pay all costs and damages finally awarded in any such suit or claim, provided that CONTRACTOR is promptly notified in writing of the suit or claim and given authority, information and assistance at CONTRACTOR's expense for the defense of same. However, CONTRACTOR will not indemnify AUTHORITY if the suit or claim results from: (1) AUTHORITY's alteration of a deliverable, such that said deliverable in its altered form infringes upon any presently existing U.S. letters patent or copyright; or (2) the use of a deliverable in combination with other material not provided by CONTRACTOR when such use in combination infringes upon an existing U.S. letters patent or copyright.

B. CONTRACTOR shall have sole control of the defense of any such claim or suit and all negotiations for settlement thereof. CONTRACTOR shall not be obligated to indemnify AUTHORITY under any settlement made without CONTRACTOR's consent or in the event AUTHORITY fails to cooperate fully in the defense of any suit or claim, provided, however, that said defense shall be at CONTRACTOR's expense. If the use or sale of said item is enjoined as a result of such suit or claim, CONTRACTOR, at no expense to AUTHORITY, shall obtain for AUTHORITY the right to use and sell said item, or shall substitute an equivalent item acceptable to AUTHORITY and extend this patent and copyright indemnity thereto.

**ARTICLE 27. FINISHED AND PRELIMINARY DATA**

A. All of CONTRACTOR's finished technical data, including but not limited to illustrations, photographs, tapes, software, software design documents, including without limitation source code, binary code, all media, technical documentation and user documentation, photoprints and other graphic information required to be furnished under this Agreement, shall be AUTHORITY's property upon payment and shall be furnished with unlimited rights and, as such, shall be free from proprietary restriction except as elsewhere authorized in this Agreement. CONTRACTOR further agrees that it shall have no interest or claim to such finished, AUTHORITY-owned, technical data; furthermore, said data is subject to the provisions of the Freedom of Information Act, 5 USC 552.

B. It is expressly understood that any title to preliminary technical data is not passed to



EXHIBIT C

AUTHORITY but is retained by CONTRACTOR. Preliminary data includes roughs, visualizations, software design documents, layouts and comprehensives prepared by CONTRACTOR solely for the purpose of demonstrating an idea or message for AUTHORITY's acceptance before approval is given for preparation of finished artwork. Preliminary data title and right thereto shall be made available to AUTHORITY if CONTRACTOR causes AUTHORITY to exercise Article 12, and a price shall be negotiated for all preliminary data.

**ARTICLE 28. ALCOHOL AND DRUG POLICY**

A. CONTRACTOR agrees to establish and implement an alcohol and drug program that complies with 41 U.S.C. sections 701-707, (the Drug Free Workplace Act of 1988). CONTRACTOR agrees to produce any documentation necessary to establish its compliance with section 701-707.

B. Failure to comply with this Article may result in nonpayment or termination of this Agreement.

**ARTICLE 29. CONTRACTOR PURCHASED EQUIPMENT**

A. If during the course of this Agreement, additional equipment is required, which will be paid for by the AUTHORITY, CONTRACTOR must request prior written authorization from the AUTHORITY's project manager before making any purchase. As part of this purchase request, CONTRACTOR shall provide a justification for the necessity of the equipment or supply and submit copies of three (3) competitive quotations. If competitive quotations are not obtained, CONTRACTOR must provide the justification for the sole source.

B. CONTRACTOR shall maintain an inventory record for each piece of equipment purchased that will be paid for by the AUTHORITY. The inventory record shall include the date acquired, total cost, serial number, model identification, and any other information or description necessary to identify said equipment or supply. A copy of the inventory record shall be submitted to the AUTHORITY upon request.

C. At the expiration or termination of this Agreement, CONTRACTOR may keep the equipment and credit AUTHORITY in an amount equal to its fair market value. Fair market value shall be determined, at CONTRACTOR's expense, on the basis of an independent appraisal. CONTRACTOR may sell the equipment at the best price obtainable and credit AUTHORITY in an amount equal to the sales price. If



the equipment is to be sold, then the terms and conditions of the sale must be approved in advance by  
AUTHORITY's project manager.

D. Any subcontractor agreement entered into as a result of this Agreement shall contain all  
provisions of this clause.

**ARTICLE 30. SETOFF**

If at any time, in the sole discretion of the AUTHORITY, it is reasonably believed that the  
CONTRACTOR is liable to the AUTHORITY for any costs, penalties and/or sums, the AUTHORITY shall  
be entitled to recover those costs, penalties and/or sums from any amounts that may be presently due  
and payable to the CONTRACTOR or may become due and payable to the CONTRACTOR, including,  
but not limited to payment for invoices submitted to the AUTHORITY for services provided under this  
Agreement.

**ARTICLE 31. FORCE MAJEURE**

Either party shall be excused from performing its obligations under this Agreement during the time  
and to the extent that it is prevented from performing by an unforeseeable cause beyond its control,  
including but not limited to: any incidence of fire, flood; acts of God; commandeering of material, products,  
plants or facilities by the federal, state or local government; national fuel shortage; or a material act or  
omission by the other party; when satisfactory evidence of such cause is presented to the other party,  
and provided further that such nonperformance is unforeseeable, beyond the control and is not due to  
the fault or negligence of the party not performing.

**ARTICLE 32. HEALTH AND SAFETY REQUIREMENT**

CONTRACTOR shall comply with all the requirements set forth in Exhibit \_\_, Level 2 Safety  
Specifications.

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1           **IN WITNESS WHEREOF**, the parties hereto have caused this Agreement No. C-0-2574 to be  
2 executed as of the date of the last signature below.

3           **CONTRACTOR**

**ORANGE COUNTY TRANSPORTATION AUTHORITY**

4 By: \_\_\_\_\_

By: \_\_\_\_\_

5           Darrell E. Johnson  
6           Chief Executive Officer

7 Date: \_\_\_\_\_

Date: \_\_\_\_\_

8           **APPROVED AS TO FORM:**

9  
10 By: \_\_\_\_\_

11           James M. Donich  
12           General Counsel

13 Date: \_\_\_\_\_

14           **APPROVED:**

15  
16 By: \_\_\_\_\_

17           Jennifer L. Bergener, Chief Operating Officer,  
18           Operations/Deputy Chief Executive Officer

19 Date: \_\_\_\_\_  
20  
21  
22  
23  
24  
25  
26



**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.

<b>Project city/agency/other:</b>	
<b>Contact Name:</b>	<b>Phone:</b>
<b>Project Award Date:</b>	<b>Original Contract Value:</b>
<b>Term of Contract:</b>	
<b>(1) Litigation, claims, settlements, arbitrations, or investigations associated with contract:</b>	
<b>(2) Summary and Status of contract:</b>	
<b>(3) Summary and Status of action identified in (1):</b>	
<b>(4) Reason for termination, if applicable:</b>	

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<br>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**



**EXHIBIT F: SAFETY SPECIFICATIONS**



## LEVEL 2 STANDARD 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, and bus yard safety rules as well as all federal, state, and local regulations pertaining to scope of work 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 reason for termination of scope or agreements with the Authority, at the sole discretion of the Authority.

#### C. INJURY AND 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.

#### D. SUBSTANCE ABUSE PREVENTION PROGRAM

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.

#### E. HAZARD COMMUNICATION PROGRAM

- 1. 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 products used, if any. The program shall be provided to the Authority's Project Manager, upon request, within 72 hours.
- 2. All chemicals including paint, solvents, detergents and similar substances shall comply with South Coast Air Quality Management District (SCAQMD) rules 103, 1113, and 1171.



**F. STORM WATER POLLUTION PREVENTION PLAN**

1. 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.

**G. DESIGNATED HEALTH, SAFETY, ENVIRONMENTAL (HSE) REPRESENTATIVE**

1. 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.
2. 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, and has the authority to affect changes in work procedures that may have associated cost, schedule and budget impacts.
3. The Contractor's HSE Representative is subject to acceptance by the Authority Project Manager, and the HSEC Department. All contact information of the HSE Representative (name, phone, and fax and pager/cell phone number) shall be provided to the Authority Project Manager, upon request, within 72 hours.
4. The Contractor's HSE Representative shall hold a current certification from the Board of Certified Safety Professionals (BCSP) and have five years of demonstrated construction/scope experience enforcing HSE compliance on construction, industrial or similar project scopes. The designated HSE Representative shall participate in any required HSE related submittals. The Authority reserves the right to allow for an exception and to modify these minimum qualification requirements for unforeseen circumstances, at the sole discretion of the Authority Project Manager and HSEC Department Manager.
5. Competent Individual means an individual who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees and/or property, and who has authorization to take prompt corrective measures to eliminate them.
6. Qualified Individual means an individual who by possession of a recognized degree, certificate, certification or professional standing, or who by extensive knowledge, training, and experience, has successfully demonstrated his/her ability to solve or resolve problems relating to the subject matter, the work, or the Project.



## **H. SCOPE PLANNING**

Prior to any scope work activity or task, the Contractor shall evaluate the hazards of the scope of work and the work environment to ensure proper control measures are identified for employee public and property protection measures to prevent incidents. This evaluation shall be implemented by developing a written site specific Job Hazard Analysis (JHA) or similar tool designed for planning the work to prevent incidents. The plan shall be provided to the Authority's Project Manager, upon request, within 72 hours.

## **I. ORIENTATION**

1. The Contractor shall conduct and document a project site safety orientation for all Contractor personnel, subcontractors, suppliers, vendors, and new employees assigned to the project prior to performing any work on Authority projects. The safety orientation at a minimum shall include, as applicable, Personal Protection Equipment (PPE) requirements, eye protection, ANSI class 2 or 3 reflective vests, designated smoking, eating, and parking areas, traffic speed limit and routing, cell phone policy, and barricade requirements. When required by scope, additional orientation shall include fall protection, energy isolation/lock-out/tag-out (LOTO), confined space, hot work permit, security requirements, and similar project safety requirements.
2. Copies of orientation documents shall be provided to the Authority Project Manager within 72 hours upon request.

## **J. TRAFFIC & PARKING**

The Contractor shall ensure that all Contractor vehicles, including those of their subcontractors, suppliers, vendors and employees are parked in designated parking areas, personal vehicles shall be parked in the employee parking lot, work vehicles required in the maintenance area of a bus base shall be identified by company name and/or logo, covered by the company insurance, and comply with traffic routes, and posted traffic signs in areas other than the employee parking lots. Vehicles without appropriate company name and logo are considered personal vehicles and not allowed in the maintenance area of the bus base.

## **K. GENERAL PROVISIONS**

1. The Contractor shall provide all necessary tools, equipment, and related safety protective devices to execute the scope of work in compliance with Authority's HSEC requirements, CCR Title 8 Standards, and recognized safe work practices.
2. The Contractor shall immediately notify the Authority's Project Manager whenever local, state or federal regulatory agency personnel are identified as being onsite.



3. The Authority HSEC 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 pre-planned and performed, and safe conditions shall be maintained during the course of this work scope.
4. The Contractor shall specifically acknowledge that it has primary responsibility to prevent and correct all health, safety and environmental hazards for which it and its employees, or its subcontractors (and their employees) are responsible. The Contractor shall further acknowledge their expertise in recognition and prevention of hazards in the operations for which they are responsible, that the Authority may not have such expertise, and is relying upon the Contractor for such expertise. The Authority retains the right to notify the Contractor of potential hazards and request the Contractor to evaluate and, as necessary, to eliminate those hazards.
5. The Contractor shall instruct all its employees, and all associated subcontractors under contract with the Contractor who work on Authority property in the recognition, identification, and avoidance of unsafe acts and/or conditions applicable to its work.
6. California Code of Regulations (CCR) Title 8 Standards are minimum requirements, and each Contractor is encouraged to exceed minimum requirements. When the Contractor safety requirements exceed statutory standards, the more stringent requirements shall be achieved for the safeguard of the public and workers.

## **1.2 ENVIRONMENTAL REQUIREMENTS**

- A. The Contractor shall comply with Federal, State, county, municipal, and other local laws and regulations pertaining to the environment, including noise, aesthetics, air quality, water quality, contaminated soils, hazardous waste, storm water, and resources of archaeological significance. Expense of compliance with these laws and regulations is considered included in the agreement. Contractor shall provide water used for dust control, or for pre-wetting areas to be paved, as required; no payment will be made by OCTA for this water.
- B. The Contractor shall prevent pollution of storm drains, rivers, streams, irrigation ditches, and reservoirs with sediment or other harmful materials. Fuels, oils, bitumen, calcium chloride, cement, or other contaminants that would contribute to water pollution shall not be dumped into or placed where they will leach into storm drains, rivers, streams, irrigation ditches, or reservoirs. If operating equipment in streambeds or in and around open waters, protect the quality of ground water, wetlands, and surface waters.
- C. The Contractor shall protect adjacent properties and water resources from erosion and sediment damage throughout the duration of the contract. Contractor shall comply with applicable NPDES permits and Storm Water Pollution Prevention Plan (SWPPP) requirements.



- D. Contractor shall comply with all applicable EPA, Cal EPA, Cal Recycle, DTSC, SCAQMD, local, state, county and city standards, rules and regulations for hazardous and special waste handling, recycling and/ disposal. At a minimum, Contractor shall ensure compliance where applicable with SCAQMD Rule 1166, CCR Title 8, Section 5192, 29 CFR Subpart 1910.120, 49 CFR Part 172, Subpart H, 40 CFR Subpart 265.16 and CCR Title 22 Section 6625.16. Contractor shall provide OCTA a schedule of all hazardous waste and special or industrial waste disposal dates in advance of transport date. Only authorized OCTA personnel shall sign manifests for OCTA generated wastes. Contractor shall ensure that only current registered transporters are used for disposal of hazardous waste and industrial wastes. The Contractor shall obtain approval from OCTA for the disposal site locations in advance of scheduled transport date.

### **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 property.
- 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 followed by a written incident investigation report shall be submitted to 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, Investigative photos of the existing conditions and area around the injury/incident scene, 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 PERSONAL PROTECTIVE EQUIPMENT

Contractors, and all associated subcontractors, vendors and suppliers are required to provide their own personal protective equipment (PPE), including eye, head, foot, and hand protection, respirators, reflective safety vests, and all other PPE required to perform their work safely on Authority projects.

#### 1.5 LANGUAGE REQUIREMENTS

The Contractor for safety reasons shall ensure employees that do not read, or understand English, shall have a bilingual supervisor or foreman when on the Authority property or projects.



## **1.6 WARNING SIGNS AND DEVICES**

The Contractor shall provide signs, signals, and/or warning devices to be visible when and where a hazard exists. Signs, signals, and/or warning devices shall be removed when the hazard no longer exists.

## **1.7 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. Board of Certified Safety Professionals (BCSP)
- F. 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:

\_\_\_\_\_

\_\_\_\_\_

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**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

**October 12, 2020**

**To:** Members of the Board of Directors  
**From:** *Lu*  
Laurena Weinert, Clerk of the Board  
**Subject:** Fullerton Park-and-Ride Joint Development Study

### Transit Committee Meeting of October 8, 2020

**Present:** Directors Davies, Do, Jones, Pulido, Shaw, and Sidhu  
**Absent:** None

### **Committee Vote**

Following the roll call vote, this item was declared passed 6-0 by the Members present.

### **Committee Recommendation**

Direct staff to work with the City of Fullerton and stakeholders to further explore joint development opportunities at the Fullerton Park-and-Ride facility.





**October 8, 2020**

**To:** Transit Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Fullerton Park-and-Ride Joint Development Study

### **Overview**

The Orange County Transportation Authority initiated a study in the summer of 2018 to explore joint development opportunities at the Fullerton Park-and-Ride facility. This study analyzed conceptual scenarios, representing a range of land-use mixes to determine if further study and outreach are merited. The analysis and next steps are presented for Board of Directors' consideration.

### **Recommendation**

Direct staff to work with the City of Fullerton and stakeholders to further explore joint development opportunities at the Fullerton Park-and-Ride facility.

### **Background**

Joint development projects generally incorporate a mix of office, commercial, residential, and other uses in proximity to public assets. Joint development at transit facilities promotes customer convenience, safety, and access to transit and rideshare opportunities. It is also intended to provide economic and environmental benefits at the site and the surrounding communities by supporting new jobs, housing, and retail with easy access to an array of mobility options.

The Orange County Transportation Authority (OCTA) Joint Development Policy and Procedures (Attachment A) encourages joint development that supports local community goals, transit ridership, and generating revenue for transit operations. Study of joint development opportunities is also included in the Short-Term Action Plan within OCTA's 2018 Long-Range Transportation Plan. It should be noted that the Federal Transit Administration (FTA) supports joint development on sites previously acquired with FTA funds to generate transit-supportive revenues, so long as sites continue to serve their originally authorized purpose.



Consistent with the policies and plans noted above, the following four-phased approach will identify and pursue joint development opportunities at OCTA-owned sites:

- Phase 1 – Preliminary Evaluation
- Phase 2 – Goals and Parameters
- Phase 3 – Design and Final Approvals
- Phase 4 – Construction

Phase 1 evaluates the potential financial viability for joint development at OCTA-owned properties. The findings are presented to the Board of Directors (Board) to determine if further study and stakeholder engagement are merited. This phase considers a broad range of options and their financial viability, as well as other considerations including market conditions, development interests, and preliminary coordination with local jurisdictions and stakeholders. This phase is intended to assess joint development potential and does not entail any screening of options.

With Board direction, Phase 2 identifies site-specific goals for joint development in collaboration with local jurisdictions and stakeholders. The goals will establish parameters and expectations for developers before engaging in discussions of interest and conceptual designs. This would include more robust engagement with developers to inform strategy development for public-private partnerships, as well as the preparation of a draft development agreement and proposed selection process.

With developer interest and Board action, Phase 3 allows for the release of an invitation for bids, developer selection, and the establishment site plans consistent with the Phase 2 goals and parameters. Pending appropriate Board and local jurisdiction approval of site and zoning plans, environmental documents, and permits, the project may proceed to construction in Phase 4.

In 2018, OCTA initiated a Phase 1 joint development study at the OCTA-owned Fullerton Park-and-Ride facility. The discussion below includes the Fullerton Park-and-Ride financial viability analysis, findings, and proposed next steps for Board consideration.

### ***Discussion***

The Fullerton Park-and-Ride Facility is located at 3000 West Orangethorpe Avenue in the City of Fullerton (City), as depicted in Attachment B. It is an OCTA-owned and operated facility that was purchased with FTA funds and opened in 1974.



The site includes 745 public parking spaces on 11.1-acres, along with 14 bus docks, covered waiting areas, restrooms, and benches. This is OCTA's largest park-and-ride facility, and it serves as a key regional transfer point for transit customers. There are connections to eight bus routes, including Los Angeles County Metropolitan Transportation Authority bus operations. The facility is bounded by the Interstate 5/State Route 91 interchange to the south and west, Orangethorpe Avenue to the north, and Magnolia Avenue to the east.

When it first opened, the facility primarily served commuters traveling to the City of Los Angeles. However, the introduction of Metrolink service in the 1990s reduced demand for the site. Since 2007, three separate OCTA evaluations (including this joint development study) have consistently identified that parking is underutilized, with only 55 percent of available parking used on weekdays and 20 percent used on weekends.

The parking evaluation noted above was part of a larger site assessment that was conducted at the onset of this study. In addition to parking, the site assessment evaluated current transit operations, traffic conditions, travel mode splits, and on-site amenities. The evaluation also identified constraints and opportunities for joint development consideration. The facility's most notable constraint is its location between a freeway interchange and two major arterials. These adjacent facilities may impact the land-uses deemed appropriate and feasible at the site. However, the property possesses several opportunities, with the most notable being:

- Excess land - only 400 of the 745 parking spaces are needed to maintain 2019 OCTA operations,
- Street frontage - The large, linear site allows for a variety of development concepts that could be implemented in phases, and
- High-visibility and proximity to major roadways, existing retail, and residential developments make commercial and residential uses attractive.

A market study was then conducted to identify which types of land-uses are the most viable considering surrounding land-uses and financial conditions. Several land-use types were initially analyzed, including multifamily residential, affordable housing, office, hotel, retail, and light industrial. From this list, only hotel and office uses were found to have low market demand in the area and therefore deemed not economically viable.



In recognition of site conditions, and consistent with existing policy, the following criteria were used to develop conceptual scenarios for analysis:

- Identify land-uses that complement transit and park-and-ride uses,
- Support the City and local neighborhoods with complementary concepts, and
- Improve services and conditions for transit riders.

Seven conceptual scenarios were developed for analysis that utilized various land-use mixtures, site layouts, and densities. The scenarios also considered market-rated, affordable, and supportive housing types, and reflected input received from key stakeholders and the City. Pro forma reports were then developed for each concept to evaluate their respective financial viability (Attachment C).

### Findings

Financial analysis of the conceptual scenarios suggests that joint development is viable at the Fullerton Park-and-Ride facility and can provide significant value to OCTA, its customers, the City, and the community. Analysis of the conceptual scenarios also revealed some challenges that a potential project would have to overcome. The most prevalent challenge being the cost of structured parking, which many of the concepts required to support higher-density development options. However, a phasing approach may offer opportunities to transition from surface parking to structured parking over time as site development intensifies.

Additionally, Phase 1 discussions with City staff indicated that the City supports exploring site development opportunities and they are particularly supportive of concepts that include housing. The addition of housing on the site can provide a safer and more secure environment for the community while also addressing some of the City's housing needs. However, zoning adjustments and city council direction would be required to accommodate a joint development project at this site. OCTA and the City will increase collaboration efforts should joint development proceed to Phase 2 at the Fullerton Park-and-Ride facility.

Finally, with regard to current economic uncertainties related to the coronavirus pandemic, preliminary discussions with OCTA's consultant for this study suggest that development opportunities at the site will likely remain positive due to the longer-term outlook of the analysis. OCTA will continue to monitor the evolving economic environment for potential implications on joint development.



**Next Steps**

To set expectations for potential development partners, proposed Phase 2 studies would establish site-specific goals through continued stakeholder engagement and appropriate Board approvals. These efforts would also include consideration of best practices to develop a recommended approach for engaging in public-private partnerships. In addition to advancing joint development opportunities at the Fullerton Park-and-Ride facility, the results from Phase 2 may help to set standards and precedents for any future consideration of joint development at other OCTA-owned sites.

**Summary**

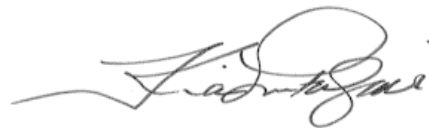
OCTA has completed a Phase 1 joint development study of the Fullerton Park-and-Ride facility (Attachment D) to evaluate financial viability for potential joint development. Findings show that joint development is feasible based on analysis of a set of conceptual scenarios that require further analysis and refinement. Joint development at the facility could provide significant value to OCTA, customers, the City, and community. With Board direction, a Phase 2 study will be initiated to develop site-specific goals and parameters for developers and gauge the interest of prospective developers.

**Attachments**

- A. Joint Development Policy and Procedures
- B. Site Context
- C. Concepts & Pro Forma Reports
- D. Fullerton Park-and-Ride Joint Development Study Report

**Prepared by:**

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**Approved by:**

Kia Mortazavi  
Executive Director, Planning  
(714) 560-5741





Executive Office

  
 Chief Executive Officer

## JOINT DEVELOPMENT POLICY AND PROCEDURES

Policy#: EO-200.05JOINTDEVELOPOrigination Date: 09/26/2016Revised Date: 10/08/2019

### I. PURPOSE

The purpose of this policy is to encourage the joint development of Orange County Transportation Authority (OCTA) properties to increase transit ridership and generate new sources of revenue, consistent with local community goals.

### II. ORGANIZATIONAL UNITS AFFECTED

This policy applies to all OCTA-owned properties along transit routes.

### III. POLICY

- A. There is a public need for timely acquisition, design, construction, improvement, renovation, expansion, equipping, maintenance, and operation of transit systems in the OCTA service area. Authorizing private entities or other persons to develop all or a portion of the OCTA-owned properties may help address these needs and serve the public safety. This will also be a benefit to the welfare of the residents and businesses within the OCTA service area by making the projects available to the public in a timely or less costly fashion.
- B. The Federal Transit Administration (FTA) promotes joint development to maximize the utility of FTA-funded projects and encourage transit agencies to generate program income through joint development. According to the FTA, the benefits of joint development include revenue generation for the transit system through "value capture" mechanisms, such as income derived from rental or lease payments, and private sector contributions to public infrastructure.
- C. In addition, appropriate joint development may help to:
  - 1. Support and enhance economic growth
  - 2. Increase the efficient use of infrastructure
  - 3. Reduce the cost of infrastructure to the public sector
  - 4. Use land more efficiently
  - 5. Lower housing and transportation costs
  - 6. Reduce congestion and greenhouse gases
  - 7. Promote alternatives to drive-alone trips.
- D. Therefore, it is the policy of OCTA to encourage and pursue joint development projects on OCTA-owned properties along OCTA transit routes including office, commercial, residential, and other facilities to promote the safety, convenience, accessibility, environmental and air quality, and economic benefits to the public.



**Executive Office**  
**JOINT DEVELOPMENT POLICY AND PROCEDURES**

**Policy#:** EO-200.05JOINTDEVELOP

**Origination Date:** 09/26/2016

**Revised Date:** 10/08/2019

**E. The goals of this policy are to:**

1. Comply with regional growth principles as developed by local elected officials
2. Efficiently and adequately operate and maintain OCTA infrastructure
3. Promote regional mobility through transportation choices
4. Promote regional collaboration
5. Pursue opportunities that supplement OCTA's ability to provide safe, reliable, and courteous countywide transit services
6. Increase transit ridership through coordinated planning of land use and development of properties at or near OCTA stops, stations, and transit centers
7. Encourage high quality development projects on and around OCTA properties and along OCTA transit routes that enhance revenues to the transit system
8. Enhance financial capabilities of the agency to sustain countywide transit services

**IV. DEFINITIONS**

Joint Development - refers to an OCTA public transportation asset or project that is integrally related to and/or co-located with commercial, residential, or mixed-use development. Joint development may include partnerships for public, private, and/or non-profit development associated typically with rail or bus transit systems and other OCTA assets that are being improved through new construction, renovation, or extension.

**V. PROCEDURE**

**A. The following principles will guide OCTA's approach to joint development projects:**

1. OCTA will work through an open and transparent process, including a predictable and timely decision-making process to foster a positive investment climate for the private sector.
2. OCTA will follow all applicable zoning, planning, and permitting processes.
3. OCTA will involve relevant city staff, planning commissions, mayors, and councils.
4. OCTA should work cooperatively with local jurisdictions, developers, and other public and private sector entities to promote land use policies that encourage high quality development on and surrounding transit properties and routes.
5. OCTA should promote joint development projects that enhance the use of the transit system and encourage connections from surrounding developments to promote pedestrian and bike access.
6. OCTA should consider development opportunities in the acquisition of additional property for new transit facilities.
7. OCTA will retain appropriate authority over its assets and facilities.



**Executive Office**  
**JOINT DEVELOPMENT POLICY AND PROCEDURES**

**Policy#:** EO-200.05JOINTDEVELOP

**Origination Date:** 09/26/2016

**Revised Date:** 10/08/2019

8. Joint development projects must demonstrate, at a minimum, fair market value to OCTA.
  9. OCTA joint development revenue sharing agreements will target a fair share of gross profit/sales profit (before deducting any overhead, payroll, taxes, or interest payments.)
  10. OCTA will include a Title VI analysis as part of any joint development proposal.
- B.** OCTA will periodically conduct market feasibility studies and site assessments for OCTA-owned properties. This effort will include consultation with local agencies regarding land use and development in the project area. The studies will be used to prioritize projects that will be presented to the Board for direction and action. Studies will include necessary information regarding environmental and FTA compliance procedures and other requirements.
- C.** Joint Development studies will be the basis for soliciting development proposals for appropriate OCTA-owned transit properties. In soliciting proposals, OCTA will use the request for proposal (RFP) and procurement process to solicit competitive proposals from potential partners. In addition to the RFP evaluation committee, OCTA may convene an urban design panel to serve in an advisory capacity to the evaluation committee. All recommendations by the urban design panel are advisory but fall within OCTA procurement policies (including, but not limited to, standards of conduct, conflict of interest, and other requirements as included in the current OCTA Procurement Policy Manual.) The site-specific RFP shall include a draft development agreement that includes project development tasks (e.g., planning, environmental clearance, final design, permits, construction, etc.), draft ground lease, and other OCTA requirements for the future joint development project. Specific project task authorization by OCTA may proceed on a task-by-task basis in order to maintain continuing project control.

**VI. EXCEPTIONS**

Not applicable.

**VII. PROVISIONS AND CONDITIONS**

Not applicable.

**VIII. RELATED DOCUMENTS**

Not applicable.

**END OF POLICY**



## SITE CONTEXT

Site's location is on the north side of the I-5 and SR-91 interchange, providing convenient access to employment and population centers, as well as commercial destinations in Orange County and beyond. Please refer to the appendix section 7.1 for more details.

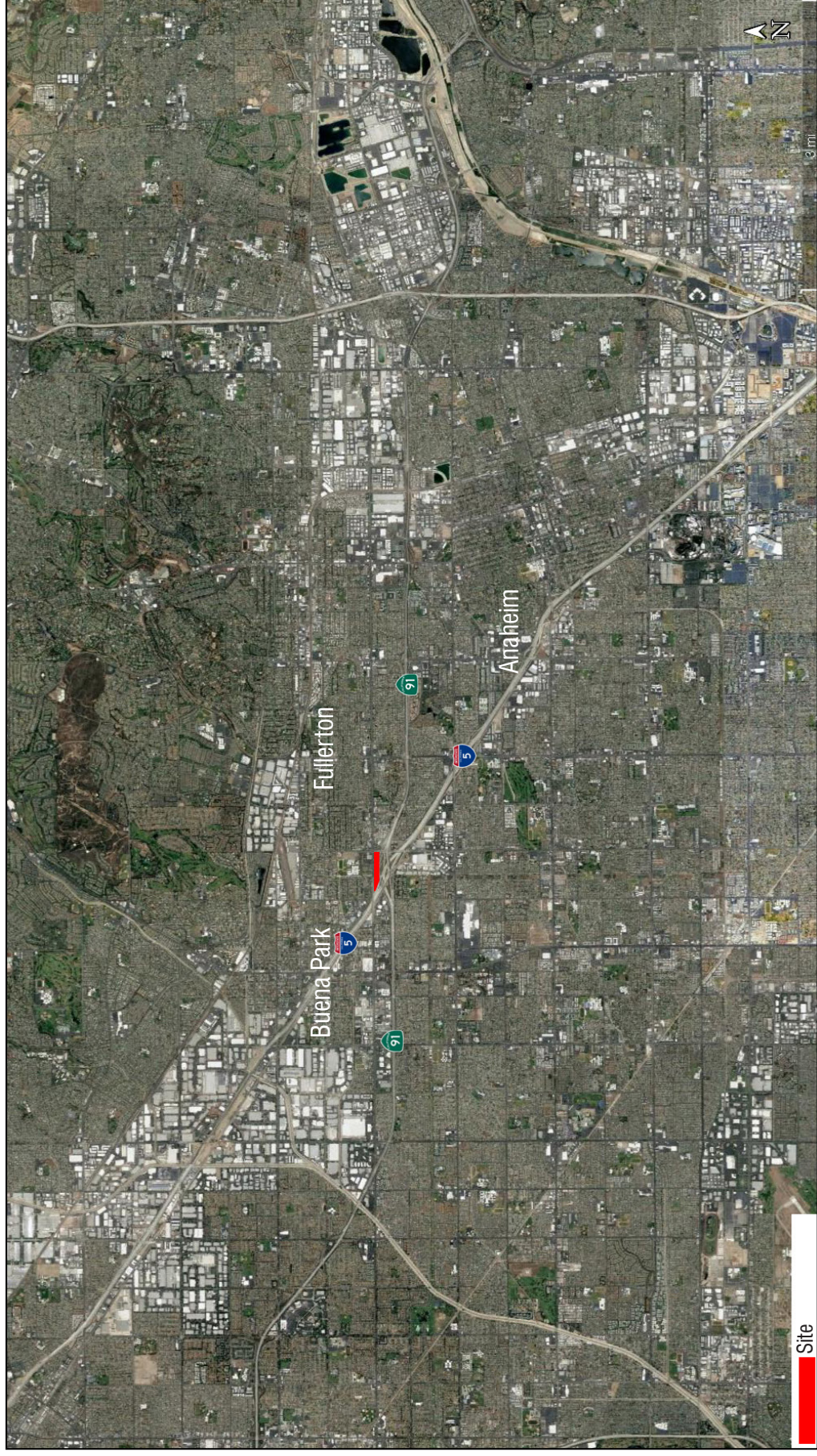


Figure 2.1. Regional Context



The Site is located at the southwest corner of Orangethorpe Avenue and Magnolia Avenue, two major thoroughfares in North Orange County, as illustrated in Figure 2.2. It is a linear site with an overall area of 11.1 acres with 745 surface parking stalls. Please refer to the appendix section 7.1 for more details.



Figure 2.2. Aerial view of Fullerton Park-and-Ride site

Data Source: Google Earth



# CONCEPTS & Pro Forma Reports

ATTACHMENT C



## 3.1 CONCEPTS

Concepts were initially crafted and then narrowed to the final seven presented in this section of the report. These seven concepts:

- Evaluate market-rate and affordable/supportive housing types
- Reflect City and local developer input
- Create a range of configurations by creating districts which can be interchanged, phased, and adjusted to allow versatility for potential future development partners
- Encourage a mixture of uses (retail, residential, offices, affordable housing, supportive services) which not only complements the neighborhood built scale but also reflect the market study
- Allow for phased, efficient development that can be adjusted according to the market demand
- Provide accessible open spaces along the site for short term programming for the community
- Encourage a refined parking system to accommodate existing services and future development requirements



Figure 3.1. Site, looking east from existing facilities



3.2 LINEAR



Figure 3.2. Rendered view, looking west from Orangethorpe Avenue

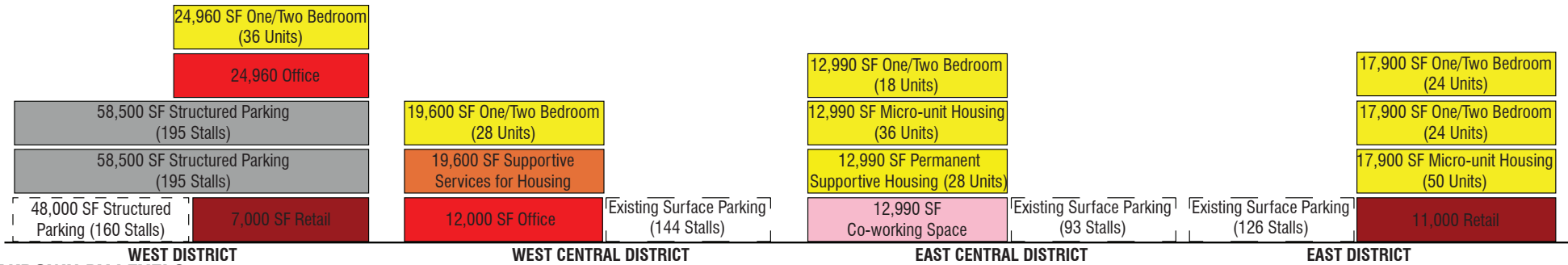
ELEMENT	STRENGTHS	WEAKNESSES
BUS OPERATIONS	Retains the existing bus circulation layout	-
CIRCULATION	Retains the existing bus parking (10 bus pads)	-
COMMUNITY	Addresses the goal of community by satisfying demands of affordable housing and supportive services	Lack of proper transition between areas with different types of land uses
DEVELOPMENT DENSITY	Consistent with the market study demand analysis	Difficult to meet the criteria of +/- 150 Units/district
ECONOMICS	-	Requires shared land-uses between districts to meet +/- 150 unit requirement
PARK-AND-RIDE	Distinct Park-and-Ride allocated near the bus parking	-
PARKING	Retains the existing surface parking	Large, uninviting parking areas
PUBLIC SPACE	-	Core of activity missing around the bus parking

Table 3.1. Strength and Weakness Analysis

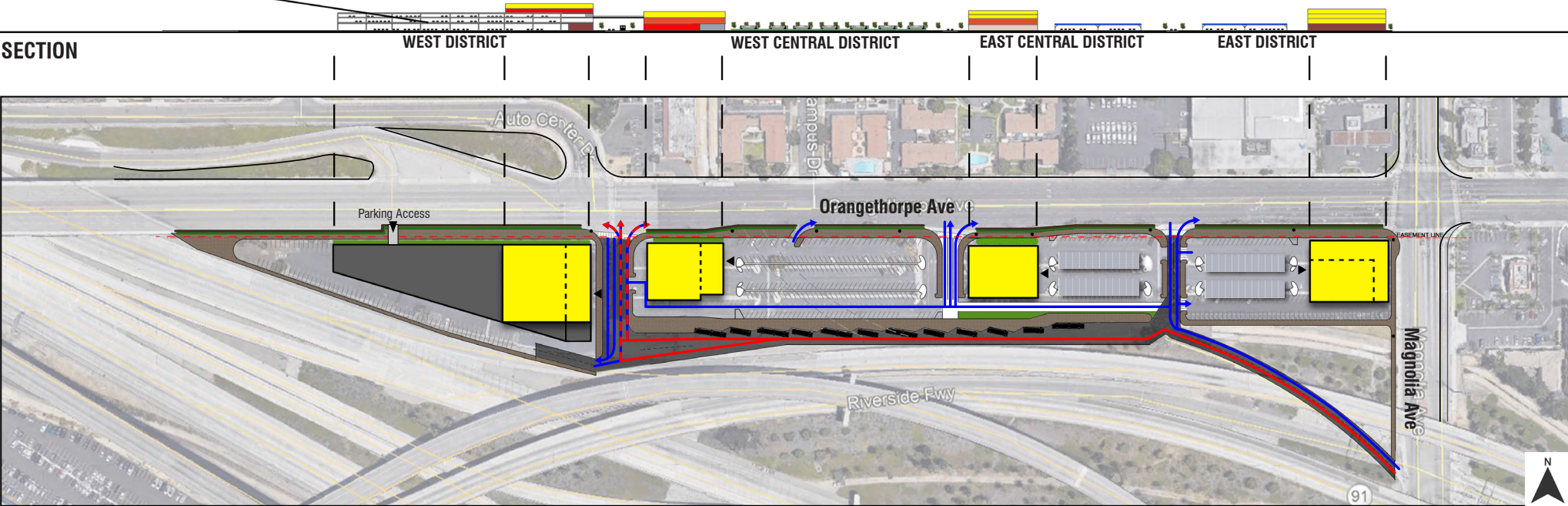


Required	+/- (37-44) Stalls	31 Stalls	71 Stalls	OCTA 265 Stalls	139 Stalls Available	34 Stalls	56 Stalls	+/- (28-34) Stalls	OCTA 144 Stalls	+/- (48-55) Stalls	39 Stalls	+/- (129-84) Stalls	49	
Provided	550 Stalls					124 Stalls Required	144 Stalls		93 Stalls		7 Stalls Required			126

PARKING ALLOCATION



BREAKDOWN BY LEVELS



PLAN (linear)

- Bus movements
- Auto movements
- Shared lane
- Sidewalk
- One way bike lane
- Planting strip/buffer
- Pedestrian bridge
- Building access
- Flood control easement
- Powerline pole
- Pick up / drop off zone
- Solar carports
- Structured parking
- Proposed bus park with transition plaza
- Plaza/ Event space/ Multipurpose area
- Transit facilities
- Office
- Residential
- Community retail
- Co-working Space
- Supportive Services for Housing

Summary	Area (SF)	Area/Unit or Stall (SF)	Units	Stalls
One/Two Bedroom Unit	93,350	700	130	160
Micro-unit	30,890	350	88	44
Permanent Supportive Housing	12,990	450	28	14
Supportive Services for Housing	32,590			93
General & Community Retail	18,000	-	-	79
Co-working Space	12,990	-	-	37
Office	36,960	-	-	105
OCTA Stalls Required	-	-	-	409
Non OCTA Stalls Required	-	300	-	497
Total Stalls Required	-	-	-	906
Total Stalls Provided	-	-	-	913

Not To Scale



### 3.2.1 PROFORMA (LINEAR OPTION)\*

Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS

Item	Land Use						
	Apartments	Micro Units	Permanent Supportive Housing	Office	Retail	Private Structured Parking	OCTA Structured Parking
<b>Revenues</b>							
Annual Net Operating Income	\$1,909,309	\$720,762	\$0	\$1,284,449	\$393,984		
Desired Yield on Cost*	5.50%	5.50%	5.50%	7.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$34,714,716	\$13,104,756	\$0	\$17,125,992	\$5,253,120		
Net Building Value per Unit/Building SF	<b>\$267,036</b>	<b>\$152,381</b>	<b>\$0</b>	<b>\$246.24</b>	<b>\$291.84</b>	<b>N/A</b>	<b>N/A</b>
<b>Costs</b>							
Total Development Costs	\$29,672,994	\$10,715,940	\$4,176,533	\$15,829,024	\$3,509,818	\$16,153,800	\$1,831,200
TDC per Residential Unit/Commercial SF/Stall	<b>\$228,254</b>	<b>\$124,604</b>	<b>\$149,162</b>	<b>\$227.59</b>	<b>\$194.99</b>	<b>\$32,700</b>	<b>\$32,700</b>
<b>Land Value</b>							
Supportable Residual Land Value	<b>\$5,041,722</b>	<b>\$2,388,816</b>	<b>\$0</b>	<b>\$1,296,968</b>	<b>\$1,743,302</b>	<b>-\$16,153,800</b>	<b>-\$1,831,200</b>
Land Value per Unit or Bldg SF	\$38,782	\$27,777	\$0	\$18.65	\$96.85		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>				PRIVATE	<b>\$10,470,808</b>	PARKING	<b>-\$17,985,000</b>
Starting Annual Ground Lease at 6% of Value					\$628,248		
Annual Debt Service on Parking Costs**							-\$1,169,950
Years of Ground Lease Payment until OCTA Parking Costs are Repaid***							38
<b>NPV of OCTA Revenues over 50 Years at 5% Discount Rate</b>							<b>-\$1,958,727</b>

Table 3.2. Proforma Summary (Linear Option)

\*Based on recent property sale transactions in the area and EPS professional judgment.

\*\*Assumes OCTA issues debt for full structured parking cost at 5% interest with 30-year amortization.

\*\*\*Assumes ground lease payments escalate 2% annually while debt service payment remain constant.



## ASSUMPTIONS

*Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS*

[1] For these calculations, the parking costs for housing and commercial spaces are assumed to be provided as structured parking. Site plan shows 550 structured parking spaces and 363 retained surface spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction.

[3] All Building Direct Costs assume prevailing wage requirements and are based on the following sources:

- Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories, plus a 10% premium per sq. ft. for micro units.

- Office based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles.

- Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings.

- Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking



*Figure 3.3. Rendered view of the proposed bus parking*



### 3.3 LAYERED



Figure 3.4. Built form context

ELEMENT	STRENGTHS	WEAKNESSES
<b>BUS OPERATIONS</b>	14 bus pads with a layered parking layout	Requires a disruption to existing bus service to change operational configuration
<b>CIRCULATION</b>	Centralizes bus operations thereby reducing the walking distances from parking areas.	Disrupts the existing bus layout
<b>COMMUNITY</b>	Addresses the goal of community by satisfying demands of affordable housing and supportive services	-
<b>DEVELOPMENT DENSITY</b>	High-density development allowing for more residents and employees thereby increasing transit ridership	-
<b>ECONOMICS</b>	-	Requires structured parking for full buildout
<b>PARK-AND-RIDE</b>	-	Requires a parking structure to support the density
<b>PARKING</b>	Parking structure wrapped with active uses. Distinct parking areas defined by uses	-
<b>PUBLIC SPACE</b>	Increased open space opportunities	Core of activity missing around the bus parking

Table 3.3. Strength and Weakness Analysis

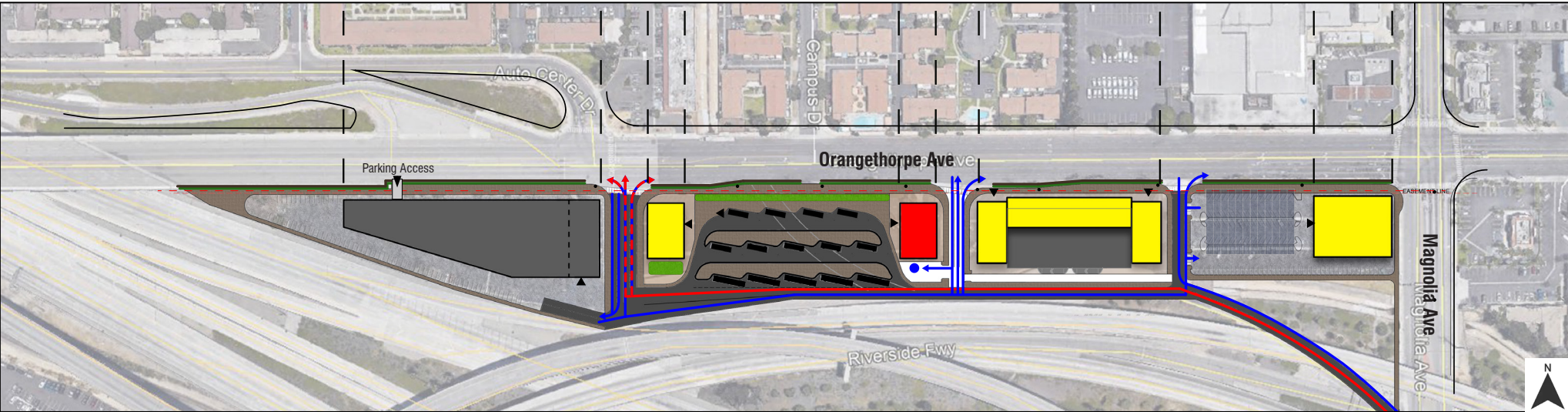


Required	+/- (15-18) Stalls	66 Stalls	41 Stalls	OCTA 409 Stalls	20 Stalls	+/- (164-188) Stalls	53 Stalls	4 Stalls Available	+/- (46-59) Stalls	77 Stalls
Provided	550 Stalls				4 Stalls Required	241 Stalls		140 Stalls		

PARKING ALLOCATION

				26,600 SF One/Two Bedroom (38 Units)					
				26,600 SF One/Two Bedroom (38 Units)					
58,500 SF Structured Parking (195 Stalls)	7,200 SF Permanent Supp- ortive Housing (16 Units)	7,200 Office	26,600 SF One/Two Bedroom (38 Units)	26,400 SF Structured Parking (88 stalls)	17,370 SF One/Two BeDroom (50 Units)				
58,500 SF Structured Parking (195 Stalls)	7,200 SF Micro unit Housing (20 Units)	7,200 Office	26,600 SF One/Two Bedroom (38 Units)	26,400 SF Structured Parking (88 stalls)	17,370 SF One/Two Bedroom (50 Units)				
48,000 SF Structured Parking (160 Stalls)	7,600 SF Retail	7,200 SF Supportive Services for Housing	7,200 Retail	18,290 SF Co-working Space	19,500 SF Structured Parking (65 stalls)	Existing Surface Parking (126 Stalls)	17,370 Retail		
WEST DISTRICT			WEST CENTRAL DISTRICT		EAST CENTRAL DISTRICT		EAST DISTRICT		

BREAKDOWN BY LEVELS



PLAN (layered)

- Bus movements
- Auto movements
- Shared lane
- Sidewalk
- One way bike lane
- Planting strip/buffer
- Pedestrian bridge
- Building access
- Flood control easement
- Powerline pole
- Pick up / drop off zone
- Solar carports
- Structured parking
- Proposed bus park with transition plaza
- Plaza/ Event space/ Multipurpose area
- Transit facilities
- Office
- Residential
- Community retail
- Co-working Space
- Supportive Services for Housing

Summary	Area (SF)	Area/Unit or Stall (SF)	Units	Stalls
One/Two Bedroom Unit	141,140	700	200	246
Micro-unit	7,200	350	20	10
Permanent Supportive Housing	7,200	450	16	8
Supportive Services for Housing	7,200			20
General & Community Retail	32,170	-	-	142
Co-working Space	18,290	-	-	52
Office	14,400	-	-	41
OCTA Stalls Required	-	-	-	409
Non OCTA Stalls Required	-	300	-	519
Total Stalls Required	-	-	-	928
Total Stalls Provided	-	-	-	931

Not To Scale

March 2020

BI

7



### 3.3.1 PROFORMA (LAYERED OPTION)\*

Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS

Item	Land Use						
	Apartments	Micro Units	Permanent Supportive Housing	Office	Retail	Private Structured Parking	OCTA Structured Parking
<b>Revenues</b>							
Annual Net Operating Income	\$2,919,925	\$170,932	\$0	\$736,689	\$704,137		
Desired Yield on Cost*	5.50%	5.50%	5.50%	7.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$53,089,554	\$3,107,847	\$0	\$9,822,514	\$9,388,493		
Net Building Value per Unit/Building SF	<b>\$265,448</b>	<b>\$155,392</b>	<b>\$0</b>	<b>\$246.24</b>	<b>\$291.84</b>	<b>N/A</b>	<b>N/A</b>
<b>Costs</b>							
Total Development Costs	\$45,379,200	\$2,541,330	\$2,314,937	\$9,078,645	\$6,272,825	\$16,971,300	\$8,894,400
TDC per Residential Unit/Commercial SF/Stall	<b>\$226,896</b>	<b>\$127,066</b>	<b>\$144,684</b>	<b>\$227.59</b>	<b>\$194.99</b>	<b>\$32,700</b>	<b>\$32,700</b>
<b>Land Value</b>							
Supportable Residual Land Value	<b>\$7,710,355</b>	<b>\$566,518</b>	<b>\$0</b>	<b>\$743,869</b>	<b>\$3,115,668</b>	<b>-\$16,971,300</b>	<b>-\$8,894,400</b>
Land Value per Unit or Bldg SF	\$38,552	\$28,326	\$0	\$18.65	\$96.85		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>				PRIVATE	<b>\$12,136,409</b>	PARKING	<b>-\$25,865,700</b>
Starting Annual Ground Lease at 6% of Value					\$728,185		
Annual Debt Service on Parking Costs**							-\$1,682,601
Years of Ground Lease Payment until OCTA Parking Costs are Repaid***							44
<b>NPV of OCTA Revenues over 50 Years at 5% Discount Rate</b>							<b>-\$7,290,113</b>

Table 3.4. Proforma Summary (Layered Option)

\*Based on recent property sale transactions in the area and EPS professional judgment.

\*\*Assumes OCTA issues debt for full structured parking cost at 5% interest with 30-year amortization.

\*\*\*Assumes ground lease payments escalate 2% annually while debt service payment remain constant.



# ASSUMPTIONS

*Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS*

[1] For these calculations, the parking costs for housing and commercial spaces are assumed to be provided as structured parking. Site plan shows 791 structured parking spaces and 140 retained surface spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction. Micro-units get another 10% premium. PSH units are priced at 30% AMI for a 1-person household.

[3] All Building Direct Costs assume prevailing wage requirements and are based on the following sources:

- Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories, plus a 10% premium per sq. ft. for micro units.

- Office based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles.

- Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings.

- Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking



Figure 3.5. Rendered view of the proposed transition plaza



## 3.4 HORSE-SHOE I



Figure 3.6. Proposed Retail (East District)

ELEMENT	STRENGTHS	WEAKNESSES
<b>BUS OPERATIONS</b>	Compact bus parking layout	Requires a disruption to existing bus service to change operational configuration
<b>CIRCULATION</b>	Centralizes bus operations thereby reducing the walking distances from parking areas	Disrupts the existing bus layout
<b>COMMUNITY</b>	Addresses the goal of community by satisfying demands of affordable housing and supportive services	-
<b>DEVELOPMENT DENSITY</b>	High activity non-residential uses engage the street. Local retail adjacent to the bus parking	Difficult to meet the criteria of +/- 150 Units/district
<b>ECONOMICS</b>	-	Requires a parking structure to support the density
<b>PARK-AND-RIDE</b>	Distinct Park-and-Ride allocated near the bus parking	-
<b>PARKING</b>	-	Requires structured parking for full buildout
<b>PUBLIC SPACE</b>	Increased open space opportunities around the bus plaza	Public space concentrated in west central district

Table 3.5. Strength and Weakness Analysis



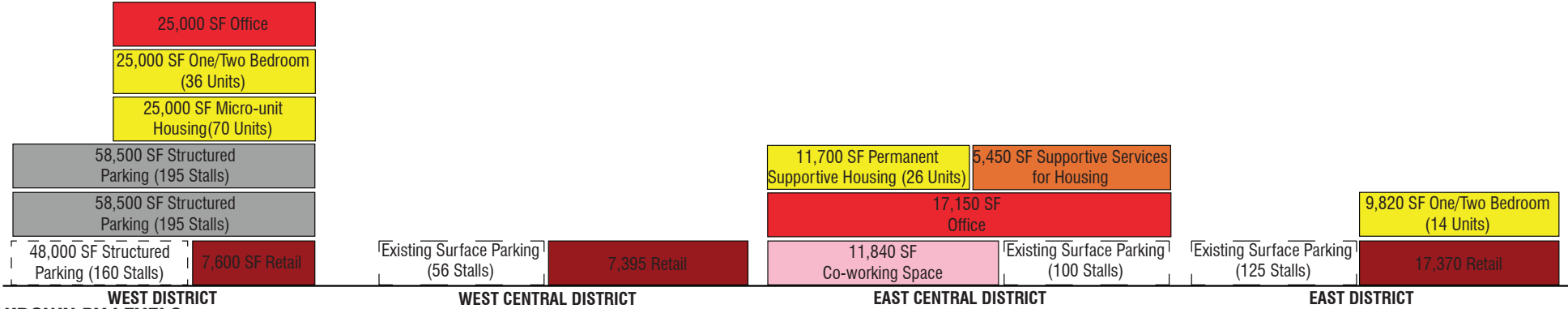
Required **+/- (67-79) Stalls** **34 Stalls** **71 Stalls** **OCTA 409 Stalls**  
 Provided **550 Stalls** **43 Stalls Required**

**33 Stalls** **23 Stalls Available**  
**56 Stalls**

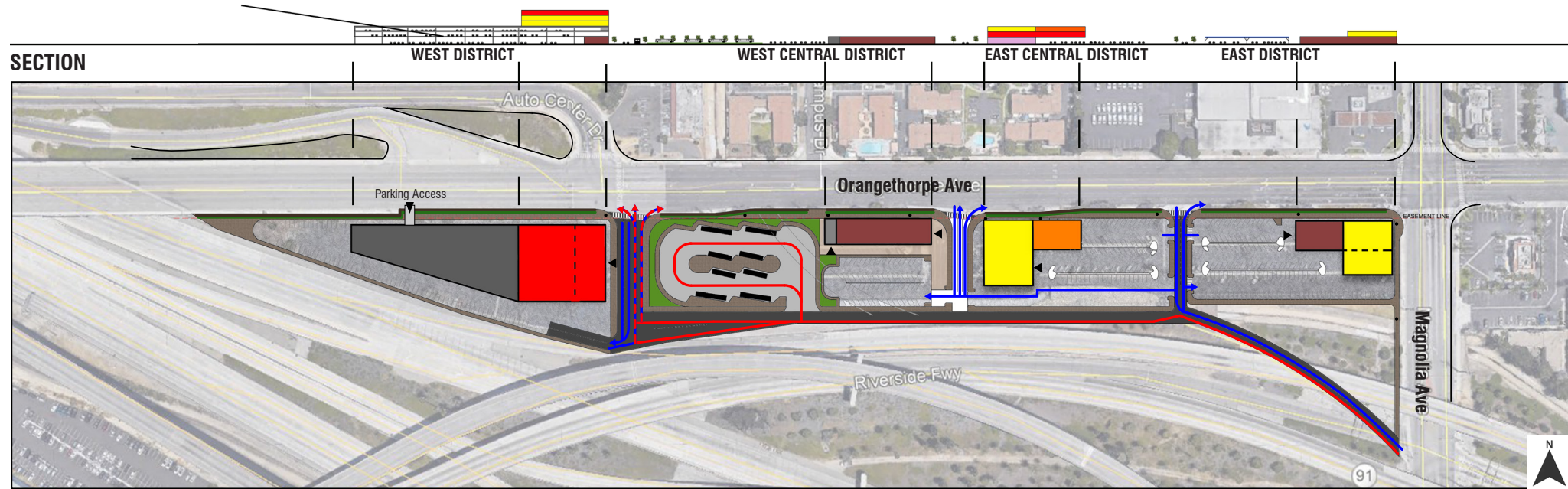
**+/- (10-13) Stalls** **34 Stalls** **49 Stalls** **15 Stalls**  
**100 Stalls** **11 Stalls Required**

**31 Stalls Available** **+/- (14-17) Stalls** **77 Stalls**  
**125 Stalls**

## PARKING ALLOCATION



## BREAKDOWN BY LEVELS



PLAN (Horseshoe 1)

Summary	Area (SF)	Area/Unit or Stall (SF)	Units	Stalls
One/Two Bedroom Unit	34,820	700	50	62
Micro-unit	25,000	350	70	35
Permanent Supportive Housing	11,700	450	26	13
Supportive Services for Housing	5,450			15
General & Community Retail	32,365	-	-	143
Co-working Space	11,840	-	-	34
Office	42,150	-	-	120
OCTA Stalls Required	-	-	-	409
Non OCTA Stalls Required	-	300	-	421
Total Stalls Required	-	-	-	830
Total Stalls Provided	-	-	-	831

Not To Scale

- Bus movements
- Auto movements
- Shared lane
- Sidewalk
- One way bike lane
- Planting strip/buffer
- Pedestrian bridge
- Building access
- Flood control easement
- Powerline pole
- Pick up / drop off zone
- Solar carports
- Structured parking
- Proposed bus park with transition plaza
- Plaza/ Event space/ Multipurpose area
- Transit facilities
- Office
- Residential
- Community retail
- Co-working Space
- Supportive Services for Housing

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### 3.4.1 PROFORMA (HORSESHOE I OPTION)\*

Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS

Item	Land Use						
	Apartments	Micro Units	Permanent Supportive Housing	Office	Retail	Private Structured Parking	OCTA Structured Parking
<b>Revenues</b>							
Annual Net Operating Income	\$720,361	\$593,513	\$0	\$1,097,738	\$708,405		
Desired Yield on Cost*	5.50%	5.50%	5.50%	7.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$13,097,480	\$10,791,136	\$0	\$14,636,506	\$9,445,402		
Net Building Value per Unit/Building SF	<b>\$261,950</b>	<b>\$154,159</b>	<b>\$0</b>	<b>\$246.24</b>	<b>\$291.84</b>	<b>N/A</b>	<b>N/A</b>
<b>Costs</b>							
Total Development Costs	\$11,195,294	\$8,824,062	\$3,761,773	\$13,528,068	\$6,310,848	\$13,766,700	\$4,218,300
TDC per Residential Unit/Commercial SF/Stall	<b>\$223,906</b>	<b>\$126,058</b>	<b>\$144,684</b>	<b>\$227.59</b>	<b>\$194.99</b>	<b>\$32,700</b>	<b>\$32,700</b>
<b>Land Value</b>							
Supportable Residual Land Value	<b>\$1,902,186</b>	<b>\$1,967,075</b>	<b>\$0</b>	<b>\$1,108,437</b>	<b>\$3,134,554</b>	<b>-\$13,766,700</b>	<b>-\$4,218,300</b>
Land Value per Unit or Bldg SF	\$38,044	\$28,101	\$0	\$18.65	\$96.85		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>				<b>PRIVATE</b>	<b>\$8,112,252</b>	<b>PARKING</b>	<b>-\$17,985,000</b>
Starting Annual Ground Lease at 6% of Value					\$486,735		
Annual Debt Service on Parking Costs**							-\$1,169,950
Years of Ground Lease Payment until OCTA Parking Costs are Repaid***							46
<b>NPV of OCTA Revenues over 50 Years at 5% Discount Rate</b>							<b>-\$5,568,655</b>

Table 3.6. Proforma Summary (Horseshoe 1 Option)

\*Based on recent property sale transactions in the area and EPS professional judgment.

\*\*Assumes OCTA issues debt for full structured parking cost at 5% interest with 30-year amortization.

\*\*\*Assumes ground lease payments escalate 2% annually while debt service payment remain constant.



# ASSUMPTIONS

*Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS*

[1] For these calculations, the parking costs for housing and commercial spaces are assumed to be provided as structured parking. Site plan shows 550 structured parking spaces and 281 retained surface spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction. Micro-units get another 10% premium. PSH units are priced at 30% AMI for a 1-person household.

[3] All Building Direct Costs assume prevailing wage requirements and are based on the following sources:

- Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories, plus a 10% premium per sq. ft. for micro units.

- Office based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles.

- Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings.

- Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking



*Figure 3.7. Rendered view of the proposed transition plaza along Orangethorpe Ave*



3.5 HORSE-SHOE II



Figure 3.8. View of the proposed retail and surface parking with carports from Orangethorpe Avenue

ELEMENT	STRENGTHS	WEAKNESSES
BUS OPERATIONS	Compact bus parking layout	Requires a disruption to existing bus service to change operational configuration
CIRCULATION	Centralizes bus operations thereby reducing the walking distances from parking areas	-
COMMUNITY	Addresses the goal of community by satisfying demands of affordable housing and supportive services	-
DEVELOPMENT DENSITY	High activity non-residential uses engage the street	Difficult to meet the criteria of +/- 150 Units/district
ECONOMICS	-	Doesn't meet the requirement of +/- 150 units/district
PARK-AND-RIDE	Distinct Park-and-Ride allocated near the bus parking	-
PARKING	Retains some of the existing parking layout	Requires structured parking for full buildout
PUBLIC SPACE	Consolidated open space around the bus operations	-

Table 3.7. Strength and Weakness Analysis



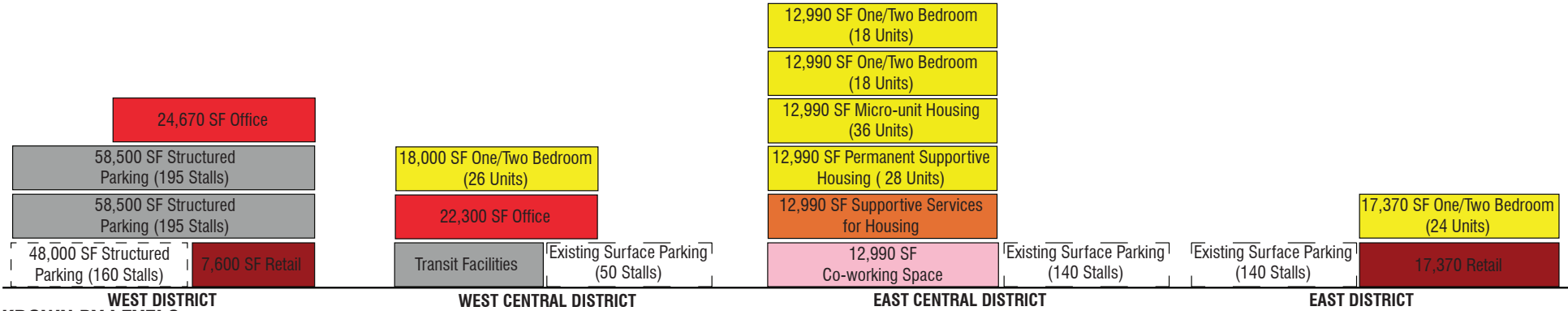
Required 34 Stalls 70 Stalls OCTA 409 Stalls 37 Stalls Available  
 Provided 550 Stalls

63 Stalls +/- (27-32) Stalls  
 45 Stalls Required 50 Stalls

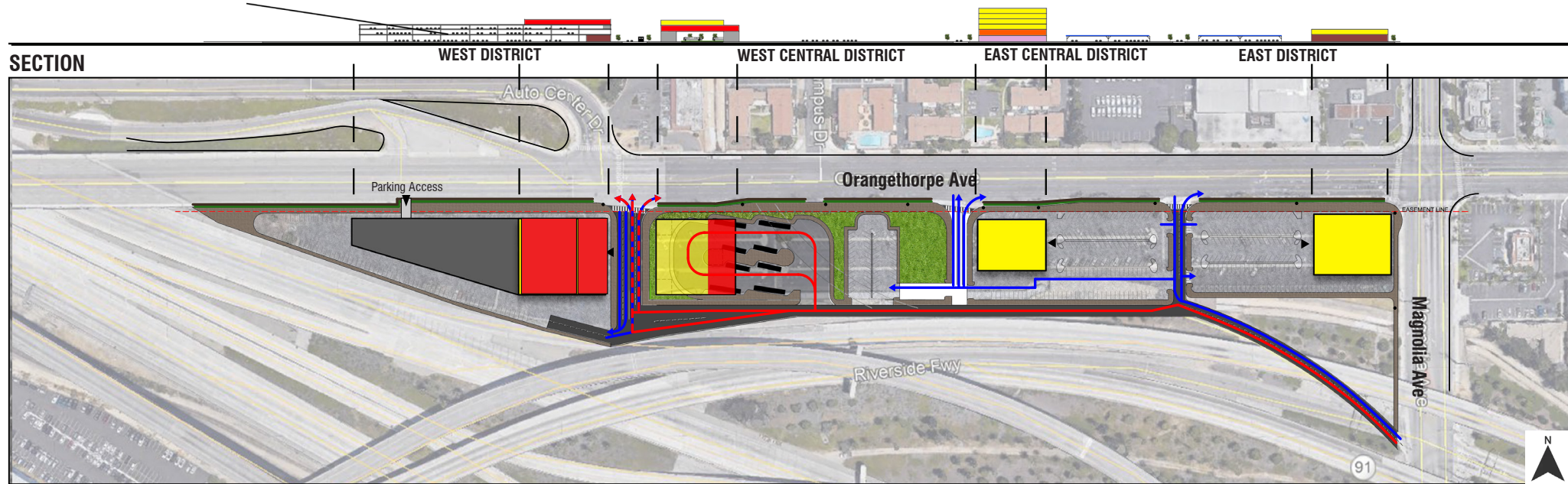
+/- (67-79) Stalls 37 Stalls 37 Stalls  
 140 Stalls 12 Stalls Required

32 Stalls Available +/- (26-31) Stalls 77 Stalls  
 140 Stalls

## PARKING ALLOCATION



## BREAKDOWN BY LEVELS



## PLAN (Horseshoe II)

- Bus movements
- Auto movements
- Shared lane
- Sidewalk
- One way bike lane
- Planting strip/buffer
- Pedestrian bridge
- Building access
- Flood control easement
- Powerline pole
- Pick up / drop off zone
- Solar carports
- Structured parking
- Proposed bus park with transition plaza
- Plaza/ Event space/ Multipurpose area
- Transit facilities
- Office
- Residential
- Community retail
- Co-working Space
- Supportive Services for Housing

Summary	Area (SF)	Area/Unit or Stall (SF)	Units	Stalls
One/Two Bedroom Unit	46,970	700	82	108
Micro-unit	12,990	350	36	19
Permanent Supportive Housing	12,990	450	28	14
Supportive Services for Housing	12,990			37
General & Community Retail	24,970	-	-	143
Co-working Space	12,990	-	-	37
Office	46,970	-	-	133
OCTA Stalls Required	-	-	-	409
Non OCTA Stalls Required	-	300	-	458
Total Stalls Required	-	-	-	867
Total Stalls Provided	-	-	-	880



3.6 DEVELOPER I



Figure 3.9. Rendered view of the existing bus parking from Orangethorpe Avenue

ELEMENT	STRENGTHS	WEAKNESSES
BUS OPERATIONS	Retains the existing bus operations layout	-
CIRCULATION	Retained the existing bus parking (10 bus pads)	-
COMMUNITY	-	Lacks gathering spaces for the community
DEVELOPMENT DENSITY	Consistent with the market demand for the market study (+/-150 Units/district)	-
ECONOMICS	Meets the requirement of +/-150 units/district	Requires structured parking for full buildout
PARK-AND-RIDE	Distinct Park-and-Ride allocated near the bus parking	-
PARKING	Retains some of the existing parking layout	Large, uninviting parking areas
PUBLIC SPACE	-	Core of activity missing around the bus parking

Table 3.8. Strength and Weakness Analysis



Required	+/- (131-151) Stalls	OCTA 9 Stalls	+/- (53-59) Stalls	OCTA 165 Stalls	71 Stalls Available	OCTA 235 Stalls	+/- (68-79) Stalls	27 Stalls	17 Stalls Available	+/- (128-145) Stalls	45 Stalls
Provided	160 Stalls		59 Stalls Required	165 Stalls		385 Stalls				209 Stalls	

PARKING ALLOCATION




### 3.6.1 PROFORMA (DEVELOPER I OPTION)\*

Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS

Item	Land Use			
	Apartments	Commercial	Private Structured Parking	OCTA Structured Parking
<b>Revenues</b>				
Annual Net Operating Income	\$5,445,121	\$527,501		
Desired Yield on Cost*	5.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$99,002,201	\$7,033,344		
Net Building Value per Unit/Building SF	\$233,496	\$292	N/A	N/A
<b>Costs</b>				
Total Development Costs	\$84,623,816	\$4,699,256	\$16,546,200	\$2,877,600
TDC per Residential Unit/Commercial SF/Stall	\$199,584	\$195	\$32,700	\$32,700
Land Value				
Supportable Residual Land Value	\$14,378,386	\$2,334,088	-\$16,546,200	-\$2,877,600
Land Value per Unit or Bldg SF	\$33,911	\$97		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>	PRIVATE	\$16,712,473	PARKING	-\$19,423,800
Starting Annual Ground Lease at 6% of Value		\$1,002,748		
Annual Debt Service on Parking Costs**				-\$1,263,546
Years of Ground Lease Payment until OCTA Parking Costs are Repaid***				24
<b>NPV of OCTA Revenues over 50 Years at 5% Discount Rate</b>				<b>\$6,155,760</b>

Table 3.9. Proforma Summary (Developer 1 Option)

\*Based on recent property sale transactions in the area and EPS professional judgment.

\*\*Assumes OCTA issues debt for full structured parking cost at 5% interest with 30-year amortization.

\*\*\*Assumes ground lease payments escalate 2% annually while debt service payment remain constant.



## ASSUMPTIONS

*Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS*

[1] For these calculations, the parking costs for housing and commercial spaces are assumed to be provided as structured parking. Site plan shows 594 structured parking spaces and 325 retained surface spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction.

[3] All Building Direct Costs assume prevailing wage requirements and are based on the following sources:

- Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories.

- Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings."

- Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking

## 3.6.2 ALTERNATIVES

*Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS*

Alternative I: OCTA will be funding all of the structured parking required for private uses as well as any structured spaces required to provide 409 total spaces for OCTA. For example, this diagram shows 919 total spaces, of which 325 are surface and the remaining 594 are structured. Let's consider the cost of all that structured parking (about \$19.5M as of right now), assume that OCTA is financing that over 30 years, and compare that to the ground lease a private developer may be willing to pay for the rights to develop the indicated amount of housing and commercial space. As of right now, it appears that the total "residual land value" of the development program in Developer Option 1 does not exceed the cost of the structured parking, and OCTA would not be recouping its investment through ground lease payments for 20+ years, but after that the garage would be paid off and net ground lease revenues would accrue to OCTA.

Alternative II: The alternative to this approach is that the developer would have to pay for the structured parking, at least their own, but that essentially wipes out the residual land value entirely (the land for development is worth less than the cost of the parking) plus the developer's return threshold is higher than OCTA's, and OCTA essentially would not expect to get any ground lease revenue ever.



### 3.7 DEVELOPER II



Figure 3.10 Rendered view of the transition plaza and bus parking

ELEMENT	STRENGTHS	WEAKNESSES
<b>BUS OPERATIONS</b>	14 bus pads with a layered parking layout	Requires a disruption to existing bus service to change operational configuration
<b>CIRCULATION</b>	Centralizes bus operations thereby reducing the walking distances from parking areas.	Disrupts the existing bus layout
<b>COMMUNITY</b>	Addresses the goal of community by providing gathering spaces for neighborhood uses	-
<b>DEVELOPMENT DENSITY</b>	High-density development allowing for more residents and employees thereby increasing transit ridership (+/- 150 Units/district)	-
<b>ECONOMICS</b>	Meets the requirement of +/-150 units/district	Requires structured parking for full buildout
<b>PARK-AND-RIDE</b>	-	Park-and-Ride not in close proximity to the bus plaza
<b>PARKING</b>	Parking structure wrapped with active uses	Requires structured parking for full buildout
<b>PUBLIC SPACE</b>	Increased open space opportunities around the bus plaza	Public space concentrated in west central district

Table 3.10. Strength and Weakness Analysis







### 3.7.1 PROFORMA (DEVELOPER II OPTION)\*

Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS

Item	Land Use			
	Apartments	Commercial	Private Structured Parking	OCTA Structured Parking
<b>Revenues</b>				
Annual Net Operating Income	\$6,056,249	\$422,657		
Desired Yield on Cost*	5.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$110,113,619	\$5,635,430		
Net Building Value per Unit/Building SF	<b>\$236,295</b>	<b>\$291.84</b>	<b>N/A</b>	<b>N/A</b>
<b>Costs</b>				
Total Development Costs	\$94,121,489	\$3,765,255	\$17,429,100	\$8,698,200
TDC per Residential Unit/Commercial SF/Stall	<b>\$201,977</b>	<b>\$194.99</b>	<b>\$32,700</b>	<b>\$32,700</b>
<b>Land Value</b>				
Supportable Residual Land Value	<b>\$15,992,130</b>	<b>\$1,870,176</b>	<b>-\$17,429,100</b>	<b>-\$8,698,200</b>
Land Value per Unit or Bldg SF	\$34,318	\$96.85		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>	PRIVATE	<b>\$17,862,306</b>	PARKING	<b>-\$26,127,300</b>
Starting Annual Ground Lease at 6% of Value		\$1,071,738		
Annual Debt Service on Parking Costs**				-\$1,699,618
Years of Ground Lease Payment until OCTA Parking Costs are Repaid***				34
<b>NPV of OCTA Revenues over 50 Years at 5% Discount Rate</b>				<b>\$1,212,155</b>

Table 3.11. Proforma Summary (Developer 2 Option)

\*Based on recent property sale transactions in the area and EPS professional judgment.

\*\*Assumes OCTA issues debt for full structured parking cost at 5% interest with 30-year amortization.

\*\*\*Assumes ground lease payments escalate 2% annually while debt service payment remain constant.



# ASSUMPTIONS

Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS

[1] For these calculations, the parking costs for housing and commercial spaces are assumed to be provided as structured parking. Site plan shows 799 structured parking spaces and 160 retained surface spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction.

[3] All Building Direct Costs assume prevailing wage requirements and are based on the following sources:

- Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories.

- Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings."

- Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking



Figure 3.11 Rendered view of the proposed bus parking layout



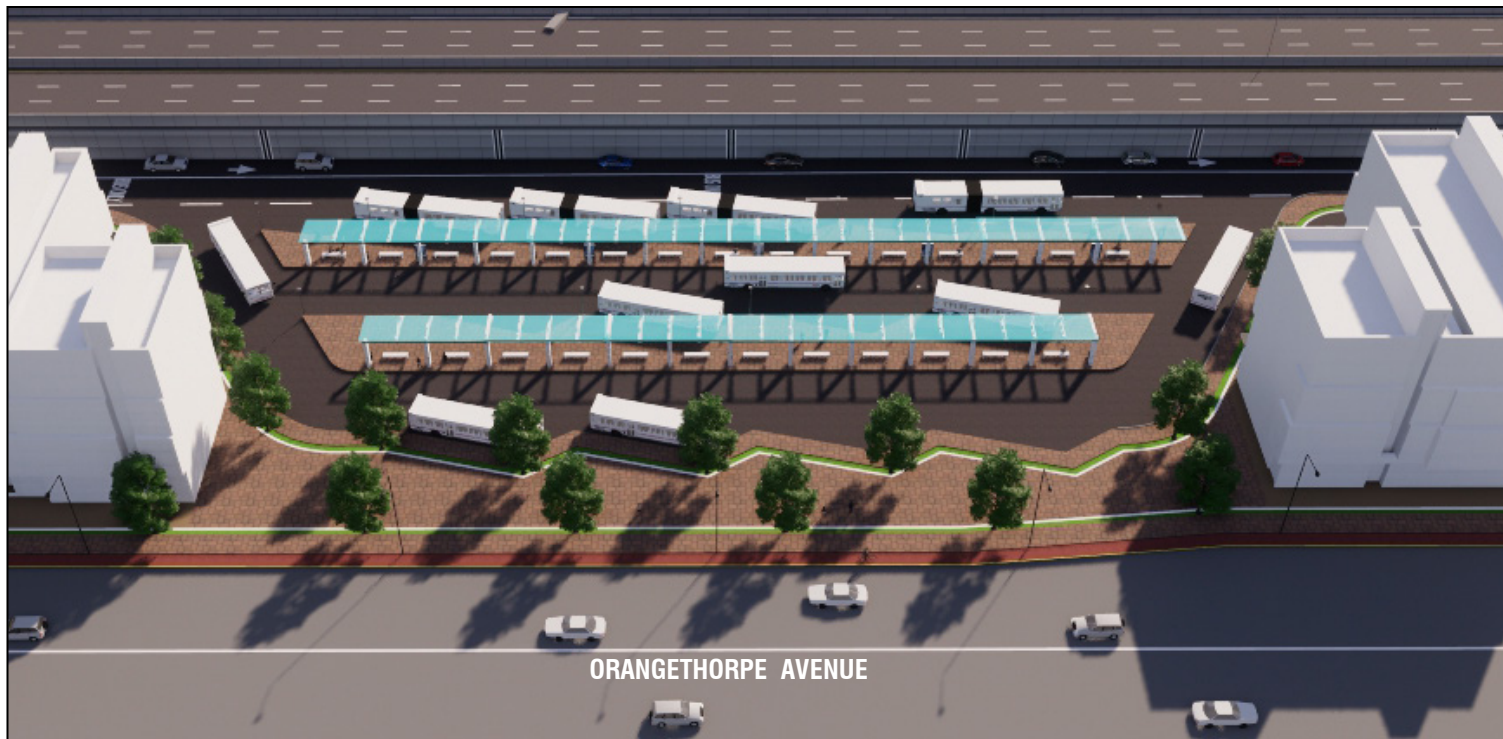


Figure 3.12. Rendered view of the proposed bus parking layout (West Central District)



Figure 3.13. Rendered view of surface parking with proposed solar carports (East District)





Figure 3.14. Rendered view of the transition plaza from West District



Figure 3.15. Rendered view of the proposed bus parking layout from Riverside Fwy



### 3.8 PHASED OPTION

The Phased Option keeps OCTA parking requirements (409 stalls) in mind, with only a portion of the site (East District and East Central District) built with existing surface parking supporting it, as illustrated in Figure 3.16.



Figure 3.16. View of the proposed development with surface parking

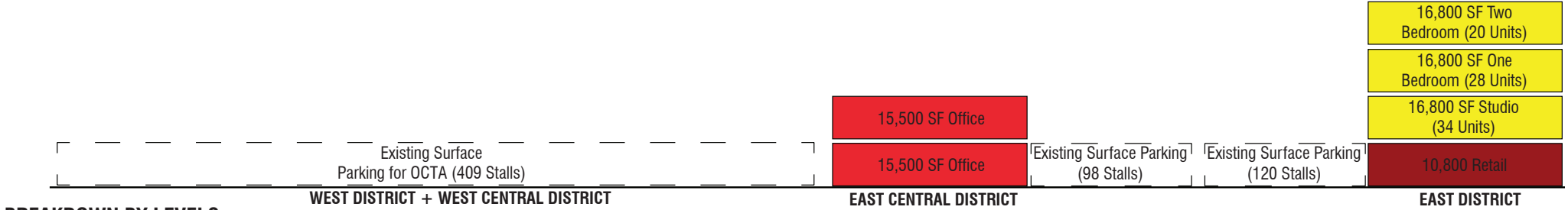
ELEMENT	STRENGTHS	WEAKNESSES
BUS OPERATIONS	Retains the existing bus circulation layout	-
CIRCULATION	Retains the existing bus parking (10 bus pads)	-
COMMUNITY	-	Lack of proper transition between areas with different types of land uses
DEVELOPMENT DENSITY	Consistent with the market study demand analysis	Difficult to meet the criteria of +/- 150 Units/district
ECONOMICS	-	Requires shared land-uses between districts to meet +/- 150 unit requirement
PARK-AND-RIDE	Distinct Park-and-Ride allocated near the bus parking	-
PARKING	Retains the existing surface parking	Large, uninviting parking areas
PUBLIC SPACE	-	Core of activity missing around the bus parking

Table 3.12. Strength and Weakness Analysis (Phased Option)

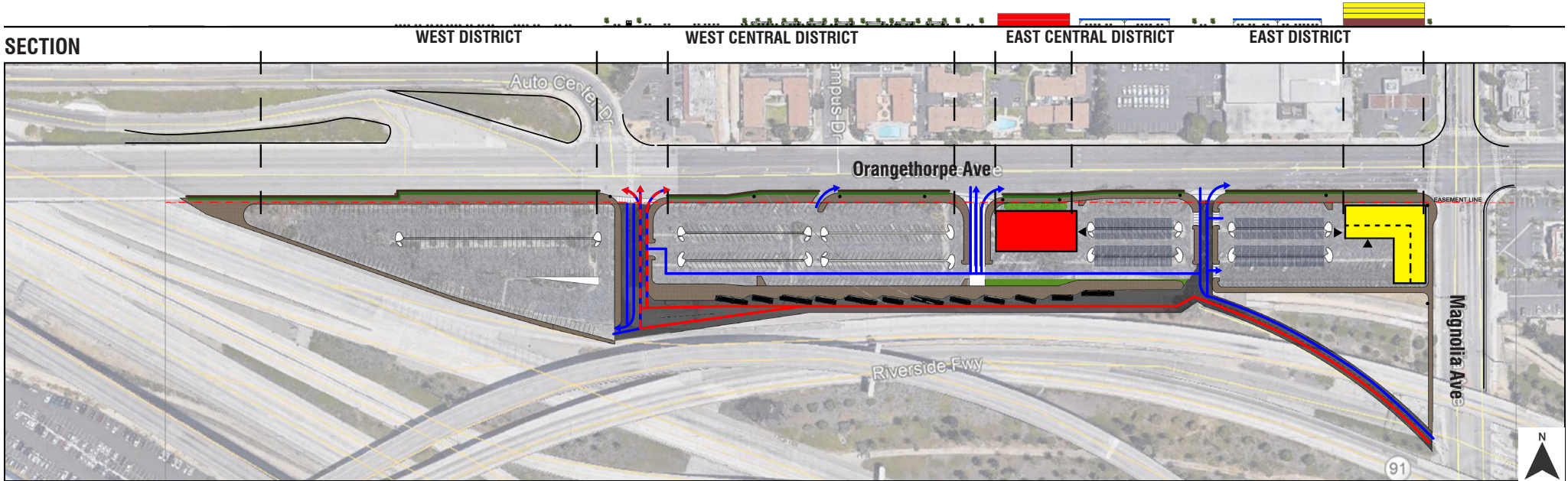


Required	409 Stalls	90 Stalls	8 Stalls Available	+/- (71-84) Stalls	32 Stalls
Provided	409 Stalls	98 Stalls		120 Stalls	

PARKING ALLOCATION



SECTION



PLAN (Phased)

- Bus movements
- Auto movements
- Shared lane
- Sidewalk
- One way bike lane
- Planting strip/buffer
- Pedestrian bridge
- Building access
- Flood control easement
- Powerline pole
- Pick up / drop off zone
- Solar carports
- Structured parking
- Proposed bus park with transition plaza
- Plaza/ Event space/ Multipurpose area
- Transit facilities
- Office
- Residential

Summary	Area (SF)	Area/Unit or Stall (SF)	Units	Stalls
One/Two Bedroom Unit	33,600	700	48	67
Studio	16,800	350	34	17
Office	31,000	-	-	90
General & Community Retail	10,800	-	-	32
OCTA Stalls Required	-	-	-	409
Non OCTA Stalls Required	-	300	-	206
Total Stalls Required	-	-	-	615
Total Stalls Provided	-	-	-	627

Summary (Phased Option)



### 3.8.1 PROFORMA (PHASED OPTION)\*

Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS

Item	Land Use				
	Apartments	Office	Retail	Private Structured Parking	OCTA Structured Parking
<b>Revenues</b>					
Annual Net Operating Income	\$1,042,683	\$572,508	\$236,390		
Desired Yield on Cost*	5.50%	7.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$18,957,868	\$7,633,440	\$3,151,872		
Net Building Value per Unit/Building SF	<b>\$231,194</b>	<b>\$246.24</b>	<b>\$291.84</b>	<b>N/A</b>	<b>N/A</b>
<b>Costs</b>					
Total Development Costs	\$16,204,560	\$7,055,352	\$2,105,891	\$0	\$0
TDC per Residential Unit/Commercial SF/Stall	<b>\$197,617</b>	<b>\$227.59</b>	<b>\$194.99</b>		
<b>Land Value</b>					
Supportable Residual Land Value	<b>\$2,753,308</b>	<b>\$578,088</b>	<b>\$1,045,981</b>	<b>\$0</b>	<b>\$0</b>
Land Value per Unit or Bldg SF	\$33,577	\$18.65	\$96.85		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>		<b>PRIVATE</b>	<b>\$4,377,377</b>	<b>PARKING</b>	<b>\$0</b>
Starting Annual Ground Lease at 6% of Value			\$262,643		
Annual Debt Service on Parking Costs**					\$0
Years of Ground Lease Payment until OCTA Parking Costs are Repaid***					0
<b>NPV of OCTA Revenues over 50 Years at 5% Discount Rate</b>					<b>\$6,699,869</b>

Table 3.13. Proforma Summary (Phased Option)

\*Based on recent property sale transactions in the area and EPS professional judgment.

\*\*Assumes OCTA issues debt for full structured parking cost at 5% interest with 30-year amortization.

\*\*\*Assumes ground lease payments escalate 2% annually while debt service payment remain constant.



# ASSUMPTIONS

*Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS*

[1] For these calculations, the housing, office, and retail developments are assumed to utilize existing spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction.

[3] All Building Direct Costs assume prevailing wage requirements and are based on the following sources:

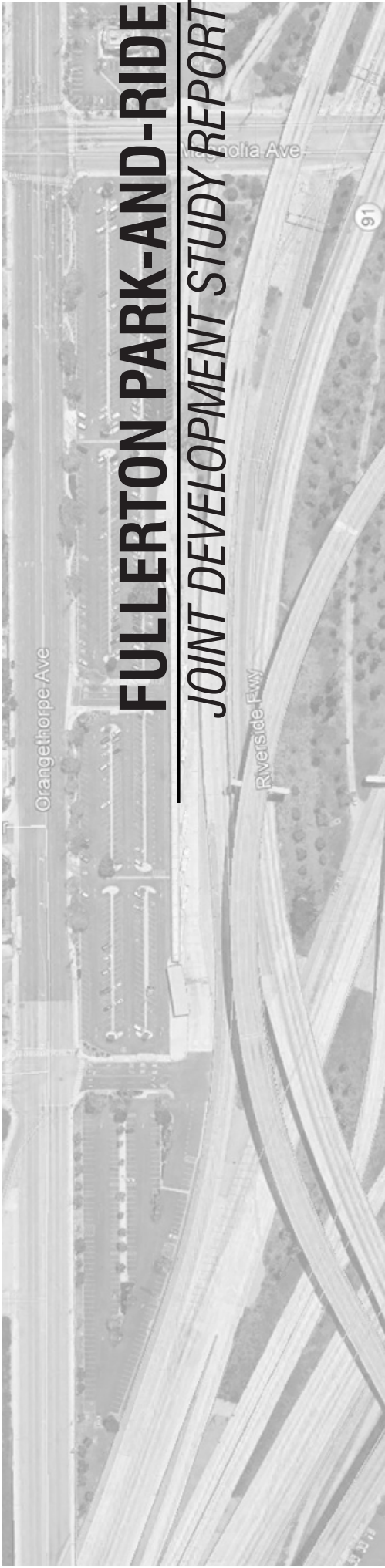
- Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories.

- Office based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles.

- Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings.

- Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking





# FULLERTON PARK-AND-RIDE

## JOINT DEVELOPMENT STUDY REPORT

Fullerton Park-and-Ride  
Orange County Transportation Authority  
Fullerton, CA  
March 2020



**Prepared for:**

Orange County Transportation Authority

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# 01 EXECUTIVE SUMMARY



## 1.1 EXECUTIVE SUMMARY

The Orange County Transportation Authority (OCTA) is considering development options on its 11.1 acre Fullerton Park-and-Ride property (Site). The property's parking lots are currently underutilized, presenting the potential for development while retaining its role as a multi-modal transit hub. OCTA has retained a consultant team comprised of IBI Group, Economic & Planning Systems, Inc. (EPS) and VCA Engineers to support the transit agency in exploring the Site's development potential.

The facility serves as a regional transfer point for OCTA and Los Angeles County Metropolitan Authority (Metro) bus operations. The facility provides a total of 745 parking spaces, including 29 ADA spaces to Park-and-Ride customers.

OCTA's primary goals for the site's development are as follows:

- Identify land uses that would complement transit and Park-and-Ride usage at the site
- Provide additional revenues for OCTA
- Support the City of Fullerton and local neighborhood with desirable developments
- Provide services to the transit riders

These primary goals are implemented through conceptual land use plans along with parking configurations, an economic market study and recommendations for development options on the site. These concept plans:

- Reflect City and local developer input
- Evaluate the market-rate and affordable/supportive housing types
- Allow design and development flexibility through the use of districts
- Encourage a mixture of uses (retail, residential, offices, affordable housing, supportive services)
- Provide accessible open spaces along the site
- Encourage a refined parking system

Keeping the OCTA parking requirements (409 stalls) in mind, only a portion of the site could be built with surface parking supporting it, as of now. In the near future, structured parking strategies need to be explored in order to support more intense development of the site. A phased approach to development of the site is also recommended with options for shared parking.

Overall, the purpose of this document is to set forth the vision, and present options along with next steps that will help determine the future development potential of the site. Graphic depictions used in this report are for illustrative purposes only. They are not intended to depict actual buildings but are a demonstration of the site development.



Figure 1.1. Fullerton park-and-Ride Site



# 02 INTRODUCTION



## 2.1 INTRODUCTION

*Data Source: EPS*

The Orange County Transportation Authority (OCTA) is considering development options on its Fullerton Park-and-Ride property (Site) at the southwest corner of Orangethorpe and Magnolia Avenues. Although the Site is a functioning Park-and-Ride facility servicing several OCTA and Metro bus routes, the property's parking lots are underutilized, presenting the potential for development while retaining its role as a multi-modal transit hub.

The purpose of this report is to identify redevelopment strategies that will provide a framework for generating revenue, increasing transit ridership for the OCTA Fullerton Park-and-Ride facility and to help meet community needs.

## 2.2 STUDY GOALS

- Identify land uses that would complement transit and Park-and-Ride usage at the site
- Provide additional revenues for OCTA
- Support the City of Fullerton and local neighborhood with desirable developments
- Provide services to the transit riders

## 2.3 SCENARIO OBJECTIVES

The following objectives will be used to achieve the study's goals:

### **Transit and Rideshare Operations**

- Accommodate multimodal connections
- Provide curb drop-off areas
- Support Transit-Oriented Development
- Improve transit amenities

### **Site Development**

- Provide legible and predictable circulation for all modes
- Enhance security
- Provide complementary land-uses that support on-site transit, residential, and office use

### **Economics**

- Generate new revenue streams for OCTA
- Provide economic sustainability and stability
- Flexibility to adapt to market conditions
- Provide housing options that address market needs

### **Community**

- Emphasize the community context
- Provide communal spaces for neighborhood uses



## 2.4 REGIONAL CONTEXT

Site's location is on the north side of the I-5 and SR-91 interchange, providing convenient access to employment and population centers, as well as commercial destinations in Orange County and beyond. Please refer to the appendix section 7.1 for more details.

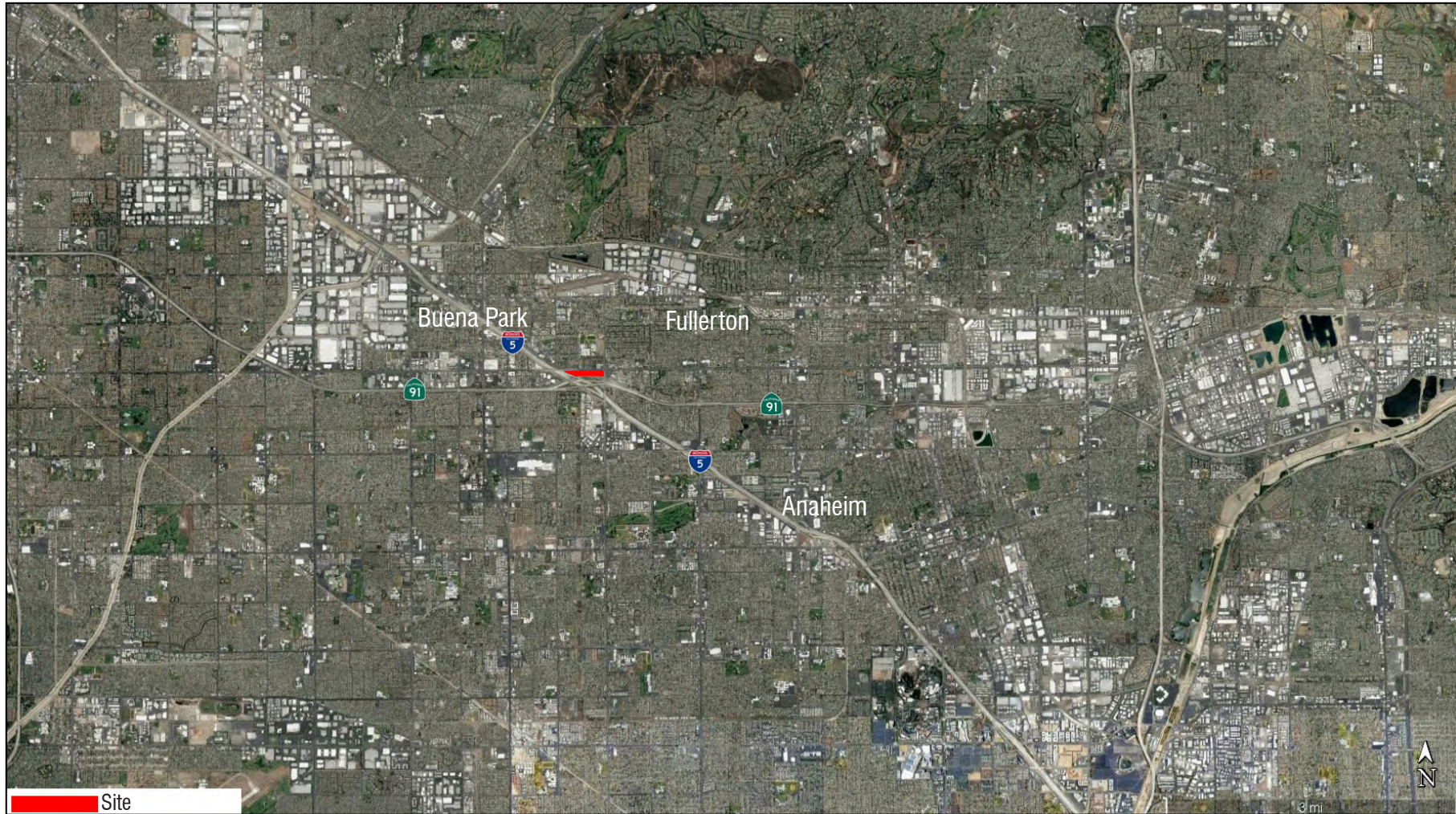


Figure 2.1. Regional Context

Data Source: Google Earth



## 2.5 SITE CONTEXT

The Site is located at the southwest corner of Orangethorpe Avenue and Magnolia Avenue, two major thoroughfares in North Orange County, as illustrated in Figure 2.2. It is a linear site with an overall area of 11.1 acres with 745 surface parking stalls. Please refer to the appendix section 7.1 for more details.

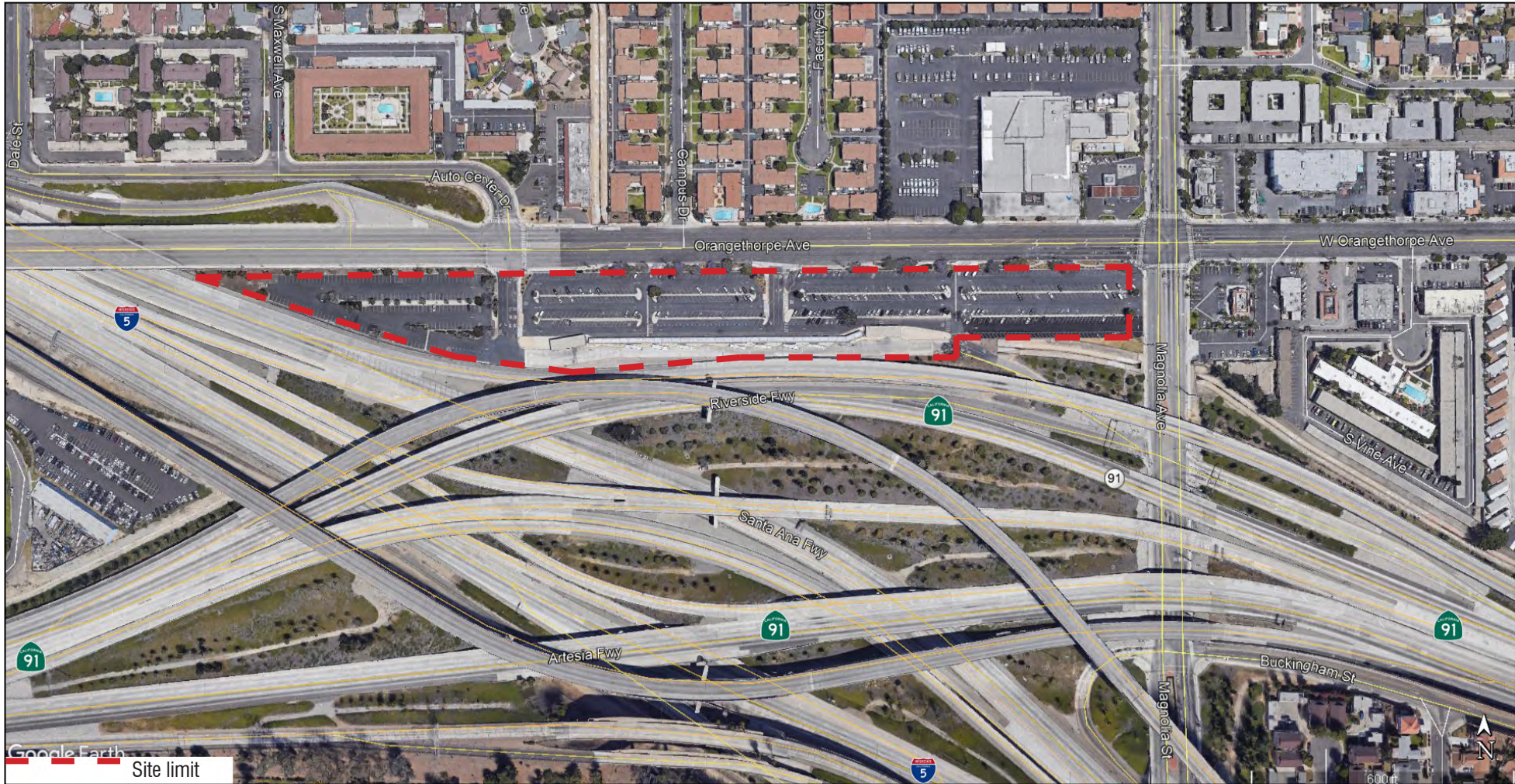


Figure 2.2. Aerial view of Fullerton Park-and-Ride site

Data Source: Google Earth



## 2.6 TRANSIT NETWORK

Seven OCTA bus routes and one LA Metro bus route serve the Fullerton Park-and-Ride site, as illustrated in Figure 2.3. Buses currently enter the site via the 91 West Freeway/Park-and-Ride entrance ramp, just south of the Park-and-Ride off Magnolia Street, or through the access driveways along Orangethorpe Avenue. Route 30 is the only route that does not enter the site, as it passes along Orangethorpe Avenue. Once at the Fullerton Park-and-Ride site, buses dock at one of fourteen existing bus bays located along the southern edge of the site. The Fullerton Park-and-Ride has covered bus bays for seven routes, including routes to Anaheim (including Disneyland), Buena Park (including Knott's Berry Farm), Placentia, Stanton, Westminster, Fountain Valley, Anaheim, Garden Grove, and Huntington Beach. Express bus service is offered to and from Los Angeles six times daily. In addition, OCTA recently introduced the Bravo! 529 rapid bus route that originates at the Fullerton Park-and-Ride and extends south to the Goldenwest Transportation Center. The site is easily accessible from local freeways via the I-5/Magnolia interchange. Please refer to the appendix section 7.1 for more details.

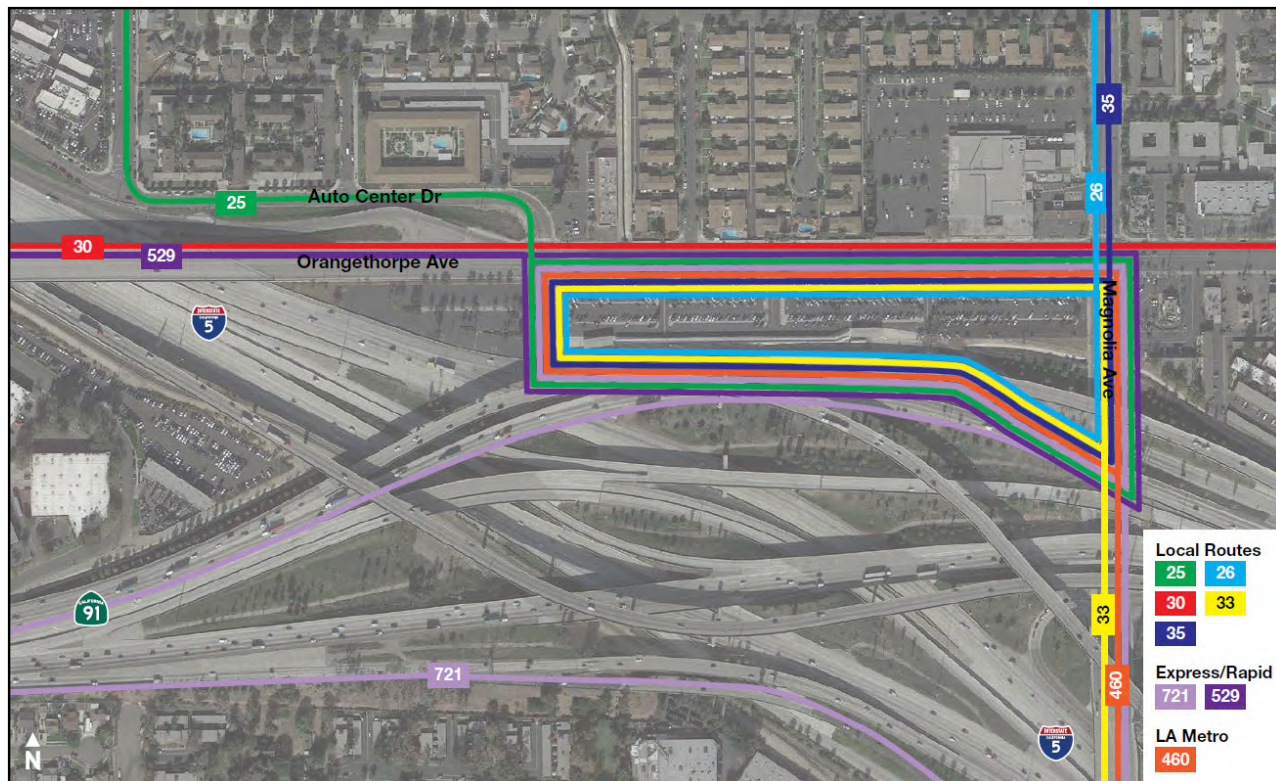


Figure 2.3. Fullerton Park-and-Ride Transit Network



## 2.7 EXISTING LAND USE

The area within a half-mile radius of the Fullerton Park-and-Ride site consists of mostly commercial, multi-family residential, single family residential, and public facilities uses. Figure 2.4. illustrates the various land uses within a half-mile radius of the Fullerton Park-and-Ride site as set forth by the City of Fullerton Zoning Code. Please refer to the appendix section 7.1 for more details.

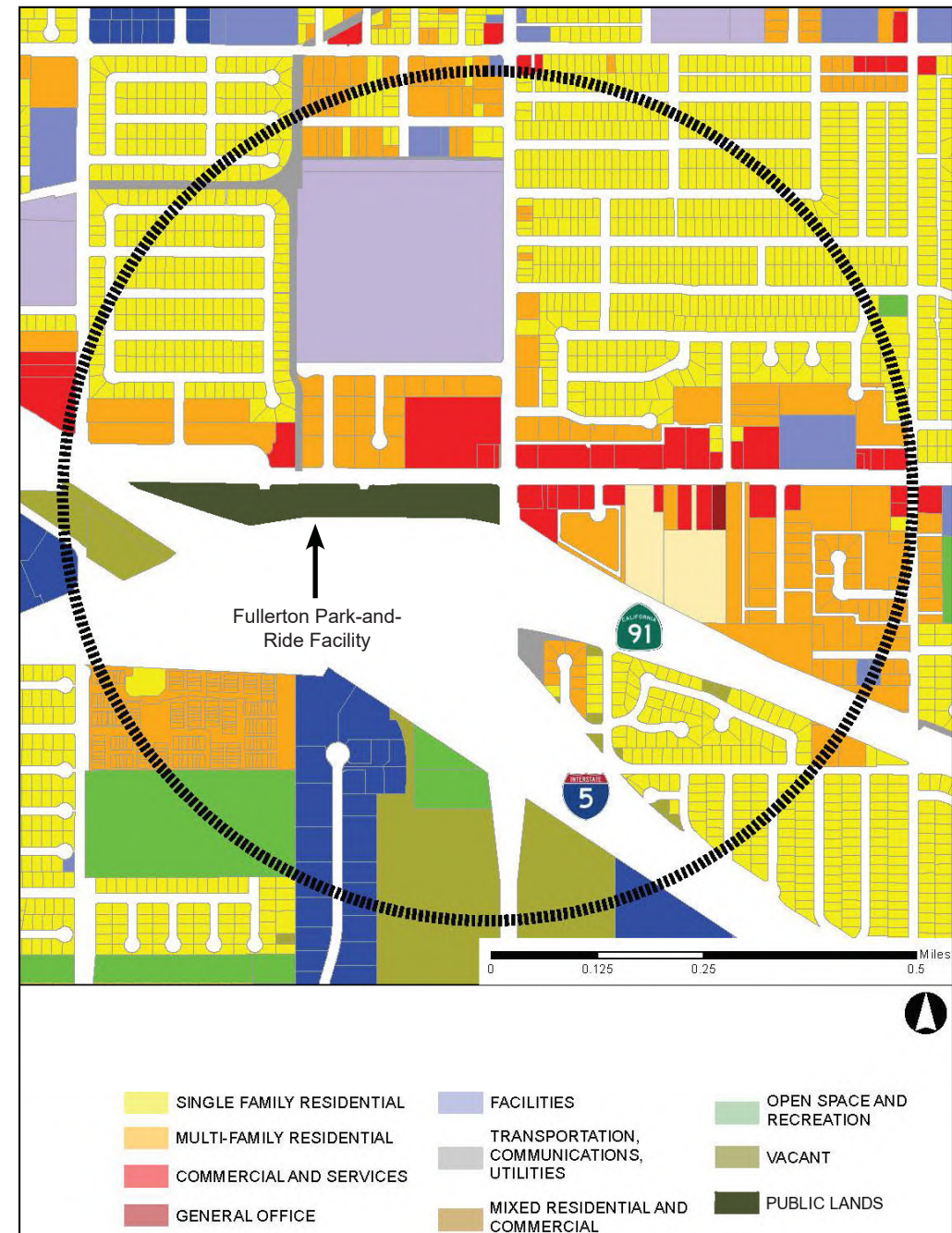


Figure 2.4. Fullerton Park-and-Ride Adjacent Land Use



## 2.8 PARKING OCCUPANCY

The survey reported peak parking demand occurred from 8:00 AM to 11:00 AM with an occupancy rate of approximately 46%, as illustrated in Table 2.1.

## 2.9 SITE ACCESS MODE SPLIT

An evaluation of the AM peak period shows a majority of users, approximately 54%, drove and parked at the Fullerton Park-and-Ride site before riding transit. In contrast, during the PM peak period, a majority of users, approximately 57%, were dropped off at the Fullerton Park-and-Ride site, as illustrated in Figure 2.5. and Figure. 2.6.

TIME	09/19/2018 SURVEY	
	OCCUPIED SPACES	PERCENTAGE
7:00 AM	311	42%
8:00 AM	345	46%
9:00 AM	346	46%
10:00 AM	337	45%
11:00 AM	341	46%
12:00 PM	330	44%
1:00 PM	332	45%
2:00 PM	319	43%
3:00 PM	305	41%
4:00 PM	266	36%
5:00 PM	188	25%
6:00 PM	144	19%

Table 2.1. Parking Occupancy Survey

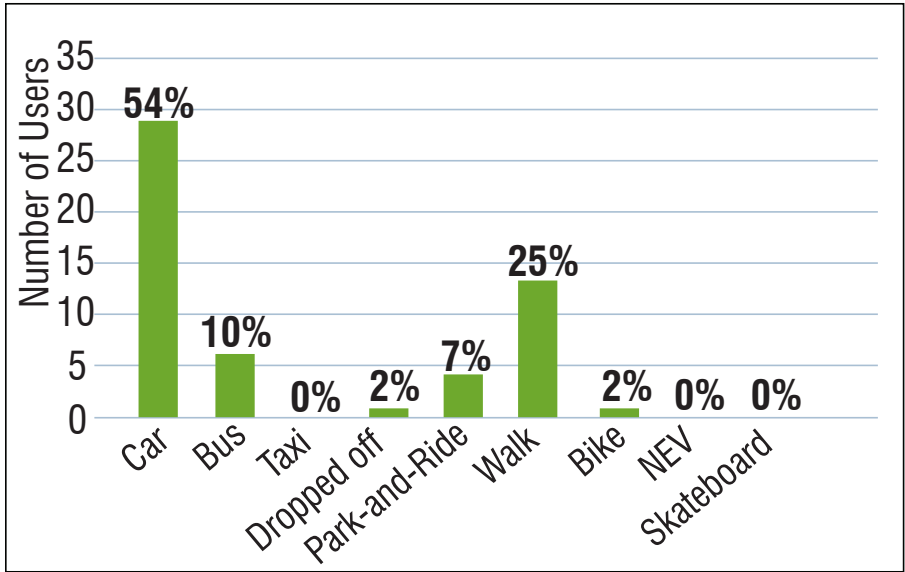


Figure 2.5. Modal Share – AM Peak

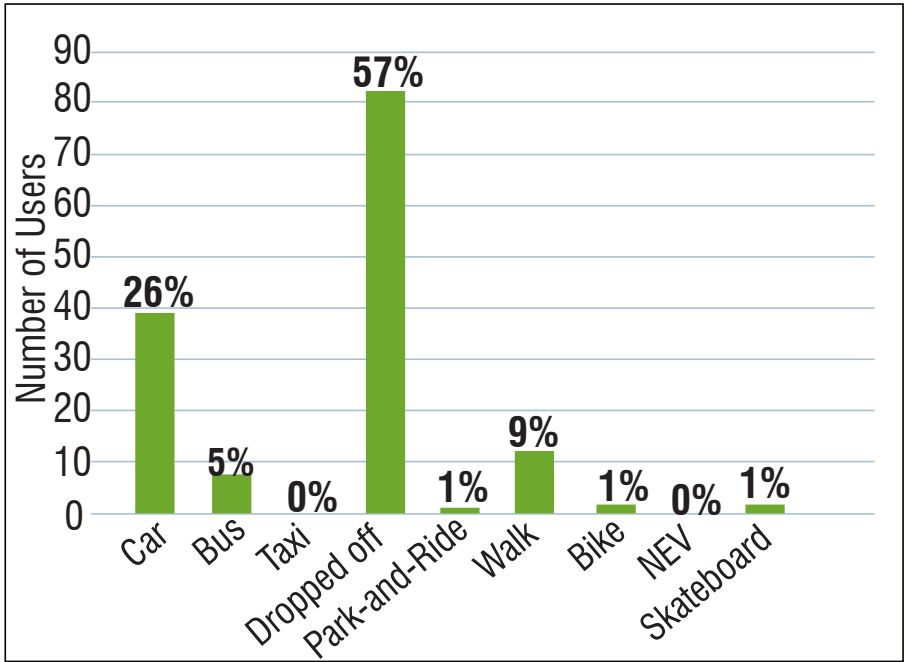


Figure 2.6. Modal Share – PM Peak



## 2.10 SITE CONSTRAINTS

- OCTA doesn't own the land around the Park-and-Ride
- Free parking encourages driving and doesn't allow for revenue capture from parking fees
- Multiple parties are not communicating their interests and needs for this site, missing joint planning opportunities
- Private transit operators function separately
- OCTA may be financially constrained to buy more land for transit parking
- The site is physically constrained by the freeway and existing development and there is no undeveloped land in the vicinity

## 2.11 SITE OPPORTUNITIES

- Excess parking supply can be redeveloped
- Community and local employer participation in the planning process
- Convert a portion of parking for a Park and Fly operation
- 'Redesign Fullerton Park-and-Ride to better serve future bus operation
- Adjust parking to meet current and future needs while promoting flexibility in design
- Explore the potential of revenue capture opportunities
- Formalize shared use agreements with various transit operators
- Improve the environment and public health with more opportunities to walk and bicycle
- Integrate facilities, amenities, and signage for all users into redevelopment plans



Figure 2.7. Axonometric view of the site

Data Source: Google Earth



## 2.12 STUDY AREA



Figure 2.8. Site, looking east from the existing facilities



Figure 2.9. Site, looking east from Magnolia Avenue



Figure 2.10. Site, looking east from Orangethorpe Avenue



Figure 2.11. Site, looking north east from Orangethorpe Avenue





Figure 2.12. North view from site, looking across Orangethorpe Avenue



Figure 2.13. Site, looking north west from existing facilities



Figure 2.14. Existing Facilities



Figure 2.15. Site, looking north east from existing facilities



# 03 CONCEPTS



## 3.1 CONCEPTS

Concepts were initially crafted and then narrowed to the final seven presented in this section of the report. These seven concepts:

- Evaluate market-rate and affordable/supportive housing types
- Reflect City and local developer input
- Create a range of configurations by creating districts which can be interchanged, phased, and adjusted to allow versatility for potential future development partners
- Encourage a mixture of uses (retail, residential, offices, affordable housing, supportive services) which not only complements the neighborhood built scale but also reflect the market study
- Allow for phased, efficient development that can be adjusted according to the market demand
- Provide accessible open spaces along the site for short term programming for the community
- Encourage a refined parking system to accommodate existing services and future development requirements



Figure 3.1. Site, looking east from existing facilities



3.2 LINEAR



Figure 3.2. Rendered view, looking west from Orangethorpe Avenue

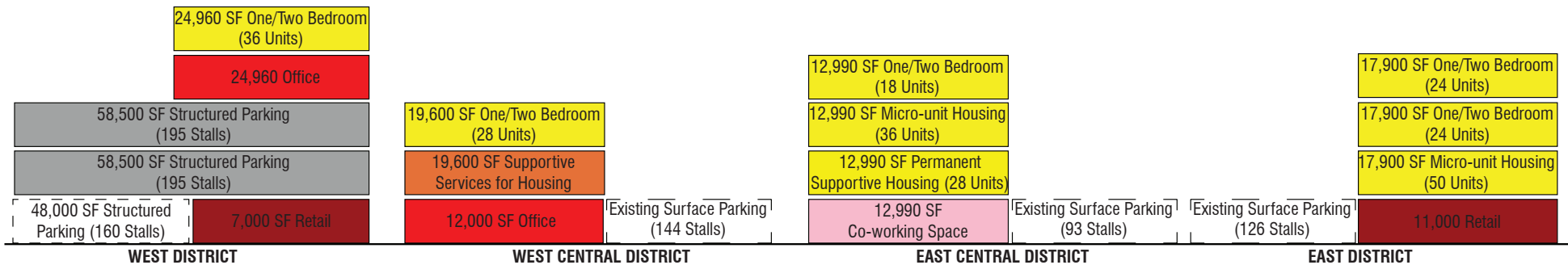
ELEMENT	STRENGTHS	WEAKNESSES
BUS OPERATIONS	Retains the existing bus circulation layout	-
CIRCULATION	Retains the existing bus parking (10 bus pads)	-
COMMUNITY	Addresses the goal of community by satisfying demands of affordable housing and supportive services	Lack of proper transition between areas with different types of land uses
DEVELOPMENT DENSITY	Consistent with the market study demand analysis	Difficult to meet the criteria of +/- 150 Units/district
ECONOMICS	-	Requires shared land-uses between districts to meet +/- 150 unit requirement
PARK-AND-RIDE	Distinct Park-and-Ride allocated near the bus parking	-
PARKING	Retains the existing surface parking	Large, uninviting parking areas
PUBLIC SPACE	-	Core of activity missing around the bus parking

Table 3.1. Strength and Weakness Analysis

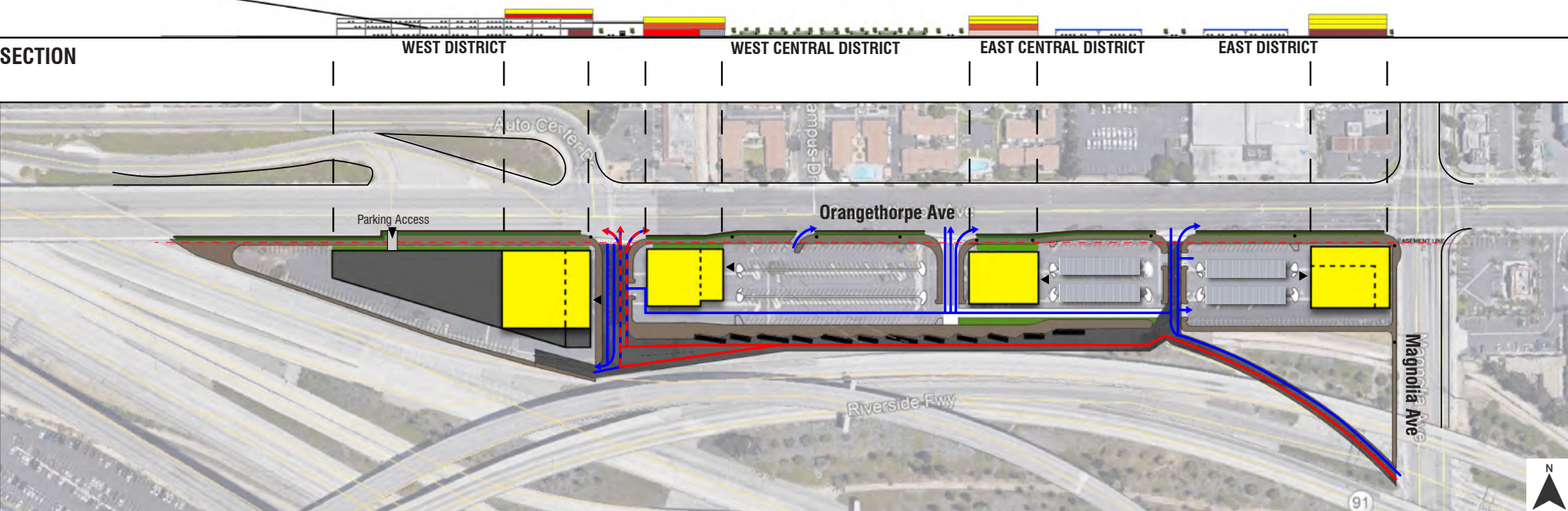


Required	+/- (37-44) Stalls	31 Stalls	71 Stalls	OCTA 265 Stalls	139 Stalls Available	34 Stalls	56 Stalls	+/- (28-34) Stalls	OCTA 144 Stalls	+/- (48-55) Stalls	39 Stalls	+/- (129-84) Stalls	49	
Provided	550 Stalls					124 Stalls Required	144 Stalls		93 Stalls		7 Stalls Required			126

PARKING ALLOCATION



BREAKDOWN BY LEVELS



PLAN (linear)

- Bus movements
- Auto movements
- Shared lane
- Sidewalk
- One way bike lane
- Planting strip/buffer
- Pedestrian bridge
- Building access
- Flood control easement
- Powerline pole
- Pick up / drop off zone
- Solar carports
- Structured parking
- Proposed bus park with transition plaza
- Plaza/ Event space/ Multipurpose area
- Transit facilities
- Office
- Residential
- Community retail
- Co-working Space
- Supportive Services for Housing

Summary	Area (SF)	Area/Unit or Stall (SF)	Units	Stalls
One/Two Bedroom Unit	93,350	700	130	160
Micro-unit	30,890	350	88	44
Permanent Supportive Housing	12,990	450	28	14
Supportive Services for Housing	32,590			93
General & Community Retail	18,000	-	-	79
Co-working Space	12,990	-	-	37
Office	36,960	-	-	105
OCTA Stalls Required	-	-	-	409
Non OCTA Stalls Required	-	300	-	497
Total Stalls Required	-	-	-	906
Total Stalls Provided	-	-	-	913

Not To Scale



### 3.2.1 PROFORMA (LINEAR OPTION)\*

Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS

Item	Land Use						
	Apartments	Micro Units	Permanent Supportive Housing	Office	Retail	Private Structured Parking	OCTA Structured Parking
<b>Revenues</b>							
Annual Net Operating Income	\$1,909,309	\$720,762	\$0	\$1,284,449	\$393,984		
Desired Yield on Cost*	5.50%	5.50%	5.50%	7.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$34,714,716	\$13,104,756	\$0	\$17,125,992	\$5,253,120		
Net Building Value per Unit/Building SF	<b>\$267,036</b>	<b>\$152,381</b>	<b>\$0</b>	<b>\$246.24</b>	<b>\$291.84</b>	<b>N/A</b>	<b>N/A</b>
<b>Costs</b>							
Total Development Costs	\$29,672,994	\$10,715,940	\$4,176,533	\$15,829,024	\$3,509,818	\$16,153,800	\$1,831,200
TDC per Residential Unit/Commercial SF/Stall	<b>\$228,254</b>	<b>\$124,604</b>	<b>\$149,162</b>	<b>\$227.59</b>	<b>\$194.99</b>	<b>\$32,700</b>	<b>\$32,700</b>
<b>Land Value</b>							
Supportable Residual Land Value	<b>\$5,041,722</b>	<b>\$2,388,816</b>	<b>\$0</b>	<b>\$1,296,968</b>	<b>\$1,743,302</b>	<b>-\$16,153,800</b>	<b>-\$1,831,200</b>
Land Value per Unit or Bldg SF	\$38,782	\$27,777	\$0	\$18.65	\$96.85		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>				PRIVATE	<b>\$10,470,808</b>	PARKING	<b>-\$17,985,000</b>
Starting Annual Ground Lease at 6% of Value					\$628,248		
Annual Debt Service on Parking Costs**							-\$1,169,950
Years of Ground Lease Payment until OCTA Parking Costs are Repaid***							38
<b>NPV of OCTA Revenues over 50 Years at 5% Discount Rate</b>							<b>-\$1,958,727</b>

Table 3.2. Proforma Summary (Linear Option)

\*Based on recent property sale transactions in the area and EPS professional judgment.

\*\*Assumes OCTA issues debt for full structured parking cost at 5% interest with 30-year amortization.

\*\*\*Assumes ground lease payments escalate 2% annually while debt service payment remain constant.



## ASSUMPTIONS

*Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS*

[1] For these calculations, the parking costs for housing and commercial spaces are assumed to be provided as structured parking. Site plan shows 550 structured parking spaces and 363 retained surface spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction.

[3] All Building Direct Costs assume prevailing wage requirements and are based on the following sources:

- Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories, plus a 10% premium per sq. ft. for micro units.

- Office based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles.

- Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings.

- Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking



*Figure 3.3. Rendered view of the proposed bus parking*



### 3.3 LAYERED



Figure 3.4. Built form context

ELEMENT	STRENGTHS	WEAKNESSES
<b>BUS OPERATIONS</b>	14 bus pads with a layered parking layout	Requires a disruption to existing bus service to change operational configuration
<b>CIRCULATION</b>	Centralizes bus operations thereby reducing the walking distances from parking areas.	Disrupts the existing bus layout
<b>COMMUNITY</b>	Addresses the goal of community by satisfying demands of affordable housing and supportive services	-
<b>DEVELOPMENT DENSITY</b>	High-density development allowing for more residents and employees thereby increasing transit ridership	-
<b>ECONOMICS</b>	-	Requires structured parking for full buildout
<b>PARK-AND-RIDE</b>	-	Requires a parking structure to support the density
<b>PARKING</b>	Parking structure wrapped with active uses. Distinct parking areas defined by uses	-
<b>PUBLIC SPACE</b>	Increased open space opportunities	Core of activity missing around the bus parking

Table 3.3. Strength and Weakness Analysis

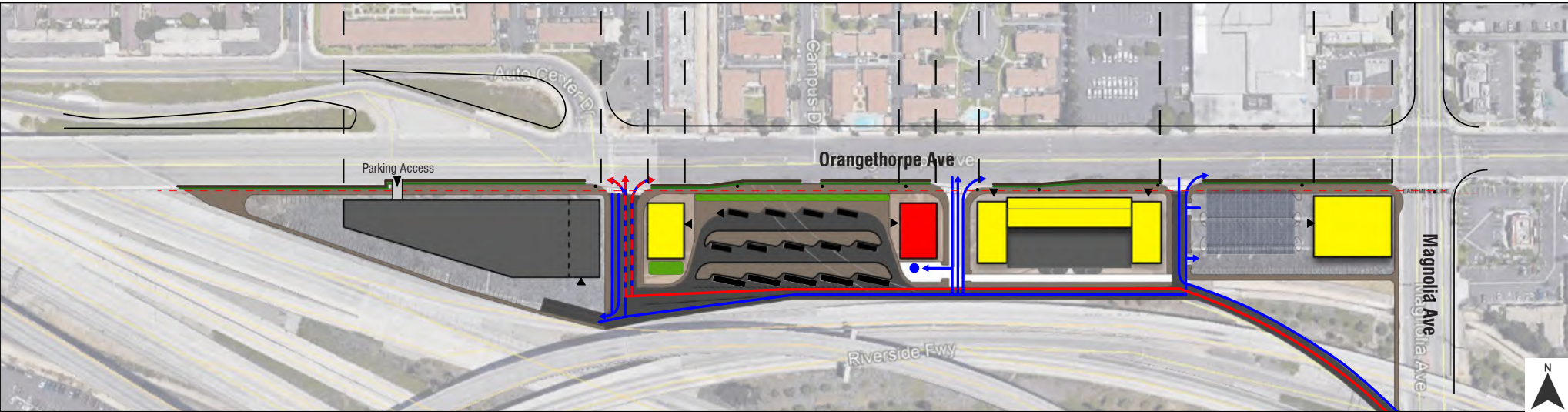


Required	+/- (15-18) Stalls	66 Stalls	41 Stalls	OCTA 409 Stalls	20 Stalls	+/- (164-188) Stalls	53 Stalls	4 Stalls Available	+/- (46-59) Stalls	77 Stalls
Provided	550 Stalls				4 Stalls Required	241 Stalls		140 Stalls		

PARKING ALLOCATION

58,500 SF Structured Parking (195 Stalls)		7,200 SF Permanent Supportive Housing (16 Units)	7,200 Office	26,600 SF One/Two Bedroom (38 Units)	26,400 SF Structured Parking (88 stalls)	17,370 SF One/Two Bedroom (50 Units)
58,500 SF Structured Parking (195 Stalls)		7,200 SF Micro unit Housing (20 Units)	7,200 Office	26,600 SF One/Two Bedroom (38 Units)	26,400 SF Structured Parking (88 stalls)	17,370 SF One/Two Bedroom (50 Units)
48,000 SF Structured Parking (160 Stalls)	7,600 SF Retail	7,200 SF Supportive Services for Housing	7,200 Retail	18,290 SF Co-working Space	19,500 SF Structured Parking (65 stalls)	Existing Surface Parking (126 Stalls)

BREAKDOWN BY LEVELS



PLAN (layered) Not To Scale

- Bus movements
  - Auto movements
  - Shared lane
  - Sidewalk
  - One way bike lane
  - Planting strip/buffer
  - Pedestrian bridge
  - Building access
  - Flood control easement
  - Powerline pole
  - Pick up / drop off zone
- Solar carports
  - Structured parking
  - Proposed bus park with transition plaza
  - Plaza/ Event space/ Multipurpose area
  - Transit facilities
  - Office
  - Residential
  - Community retail
  - Co-working Space
  - Supportive Services for Housing

Summary	Area (SF)	Area/Unit or Stall (SF)	Units	Stalls
One/Two Bedroom Unit	141,140	700	200	246
Micro-unit	7,200	350	20	10
Permanent Supportive Housing	7,200	450	16	8
Supportive Services for Housing	7,200			20
General & Community Retail	32,170	-	-	142
Co-working Space	18,290	-	-	52
Office	14,400	-	-	41
OCTA Stalls Required	-	-	-	409
Non OCTA Stalls Required	-	300	-	519
Total Stalls Required	-	-	-	928
Total Stalls Provided	-	-	-	931



### 3.3.1 PROFORMA (LAYERED OPTION)\*

Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS

Item	Land Use						
	Apartments	Micro Units	Permanent Supportive Housing	Office	Retail	Private Structured Parking	OCTA Structured Parking
<b>Revenues</b>							
Annual Net Operating Income	\$2,919,925	\$170,932	\$0	\$736,689	\$704,137		
Desired Yield on Cost*	5.50%	5.50%	5.50%	7.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$53,089,554	\$3,107,847	\$0	\$9,822,514	\$9,388,493		
Net Building Value per Unit/Building SF	<b>\$265,448</b>	<b>\$155,392</b>	<b>\$0</b>	<b>\$246.24</b>	<b>\$291.84</b>	<b>N/A</b>	<b>N/A</b>
<b>Costs</b>							
Total Development Costs	\$45,379,200	\$2,541,330	\$2,314,937	\$9,078,645	\$6,272,825	\$16,971,300	\$8,894,400
TDC per Residential Unit/Commercial SF/Stall	<b>\$226,896</b>	<b>\$127,066</b>	<b>\$144,684</b>	<b>\$227.59</b>	<b>\$194.99</b>	<b>\$32,700</b>	<b>\$32,700</b>
<b>Land Value</b>							
Supportable Residual Land Value	<b>\$7,710,355</b>	<b>\$566,518</b>	<b>\$0</b>	<b>\$743,869</b>	<b>\$3,115,668</b>	<b>-\$16,971,300</b>	<b>-\$8,894,400</b>
Land Value per Unit or Bldg SF	\$38,552	\$28,326	\$0	\$18.65	\$96.85		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>				PRIVATE	<b>\$12,136,409</b>	PARKING	<b>-\$25,865,700</b>
Starting Annual Ground Lease at 6% of Value					\$728,185		
Annual Debt Service on Parking Costs**							-\$1,682,601
Years of Ground Lease Payment until OCTA Parking Costs are Repaid***							44
<b>NPV of OCTA Revenues over 50 Years at 5% Discount Rate</b>							<b>-\$7,290,113</b>

Table 3.4. Proforma Summary (Layered Option)

\*Based on recent property sale transactions in the area and EPS professional judgment.

\*\*Assumes OCTA issues debt for full structured parking cost at 5% interest with 30-year amortization.

\*\*\*Assumes ground lease payments escalate 2% annually while debt service payment remain constant.



# ASSUMPTIONS

*Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS*

[1] For these calculations, the parking costs for housing and commercial spaces are assumed to be provided as structured parking. Site plan shows 791 structured parking spaces and 140 retained surface spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction. Micro-units get another 10% premium. PSH units are priced at 30% AMI for a 1-person household.

[3] All Building Direct Costs assume prevailing wage requirements and are based on the following sources:

- Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories, plus a 10% premium per sq. ft. for micro units.

- Office based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles.

- Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings.

- Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking



*Figure 3.5. Rendered view of the proposed transition plaza*



3.4 HORSE-SHOE I



Figure 3.6. Proposed Retail (East District)

ELEMENT	STRENGTHS	WEAKNESSES
BUS OPERATIONS	Compact bus parking layout	Requires a disruption to existing bus service to change operational configuration
CIRCULATION	Centralizes bus operations thereby reducing the walking distances from parking areas	Disrupts the existing bus layout
COMMUNITY	Addresses the goal of community by satisfying demands of affordable housing and supportive services	-
DEVELOPMENT DENSITY	High activity non-residential uses engage the street. Local retail adjacent to the bus parking	Difficult to meet the criteria of +/- 150 Units/district
ECONOMICS	-	Requires a parking structure to support the density
PARK-AND-RIDE	Distinct Park-and-Ride allocated near the bus parking	-
PARKING	-	Requires structured parking for full buildout
PUBLIC SPACE	Increased open space opportunities around the bus plaza	Public space concentrated in west central district

Table 3.5. Strength and Weakness Analysis



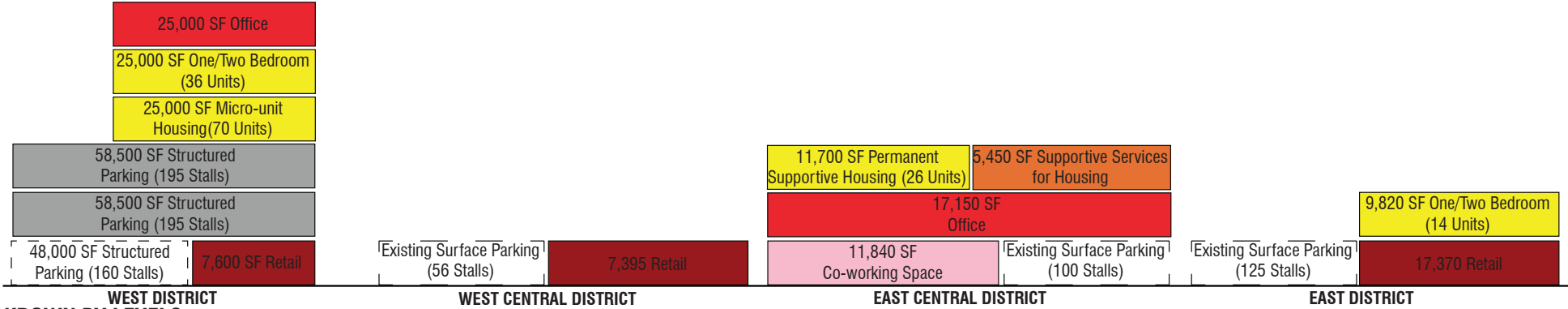
Required **+/- (67-79) Stalls** **34 Stalls** **71 Stalls** **OCTA 409 Stalls**  
 Provided **550 Stalls** **43 Stalls Required**

**33 Stalls** **23 Stalls Available**  
**56 Stalls**

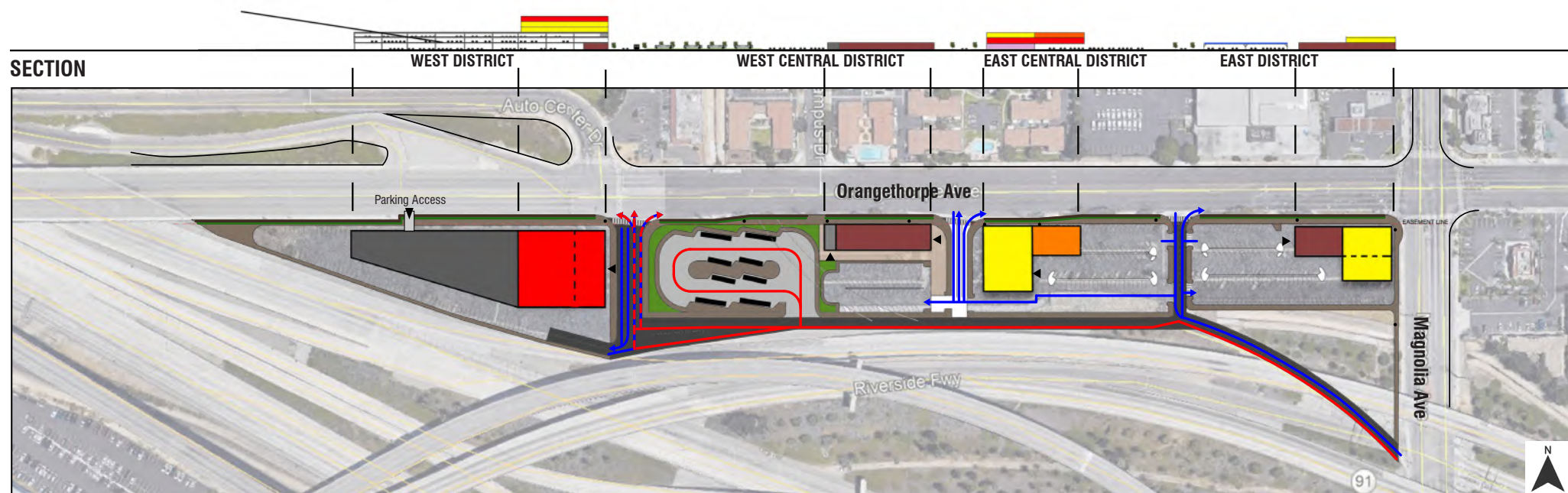
**+/- (10-13) Stalls** **34 Stalls** **49 Stalls** **15 Stalls**  
**100 Stalls** **11 Stalls Required**

**31 Stalls Available** **+/- (14-17) Stalls** **77 Stalls**  
**125 Stalls**

## PARKING ALLOCATION



## BREAKDOWN BY LEVELS



## PLAN (Horseshoe 1)

- Bus movements
- Auto movements
- Shared lane
- Sidewalk
- One way bike lane
- Planting strip/buffer
- Pedestrian bridge
- Building access
- Flood control easement
- Powerline pole
- Pick up / drop off zone
- Solar carports
- Structured parking
- Proposed bus park with transition plaza
- Plaza/ Event space/ Multipurpose area
- Transit facilities
- Office
- Residential
- Community retail
- Co-working Space
- Supportive Services for Housing

Summary	Area (SF)	Area/Unit or Stall (SF)	Units	Stalls
One/Two Bedroom Unit	34,820	700	50	62
Micro-unit	25,000	350	70	35
Permanent Supportive Housing	11,700	450	26	13
Supportive Services for Housing	5,450	-	-	15
General & Community Retail	32,365	-	-	143
Co-working Space	11,840	-	-	34
Office	42,150	-	-	120
OCTA Stalls Required	-	-	-	409
Non OCTA Stalls Required	-	300	-	421
Total Stalls Required	-	-	-	830
Total Stalls Provided	-	-	-	831

Not To Scale



### 3.4.1 PROFORMA (HORSESHOE I OPTION)\*

Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS

Item	Land Use						
	Apartments	Micro Units	Permanent Supportive Housing	Office	Retail	Private Structured Parking	OCTA Structured Parking
<b>Revenues</b>							
Annual Net Operating Income	\$720,361	\$593,513	\$0	\$1,097,738	\$708,405		
Desired Yield on Cost*	5.50%	5.50%	5.50%	7.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$13,097,480	\$10,791,136	\$0	\$14,636,506	\$9,445,402		
Net Building Value per Unit/Building SF	<b>\$261,950</b>	<b>\$154,159</b>	<b>\$0</b>	<b>\$246.24</b>	<b>\$291.84</b>	<b>N/A</b>	<b>N/A</b>
<b>Costs</b>							
Total Development Costs	\$11,195,294	\$8,824,062	\$3,761,773	\$13,528,068	\$6,310,848	\$13,766,700	\$4,218,300
TDC per Residential Unit/Commercial SF/Stall	<b>\$223,906</b>	<b>\$126,058</b>	<b>\$144,684</b>	<b>\$227.59</b>	<b>\$194.99</b>	<b>\$32,700</b>	<b>\$32,700</b>
<b>Land Value</b>							
Supportable Residual Land Value	<b>\$1,902,186</b>	<b>\$1,967,075</b>	<b>\$0</b>	<b>\$1,108,437</b>	<b>\$3,134,554</b>	<b>-\$13,766,700</b>	<b>-\$4,218,300</b>
Land Value per Unit or Bldg SF	\$38,044	\$28,101	\$0	\$18.65	\$96.85		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>				<b>PRIVATE</b>	<b>\$8,112,252</b>	<b>PARKING</b>	<b>-\$17,985,000</b>
Starting Annual Ground Lease at 6% of Value					\$486,735		
Annual Debt Service on Parking Costs**							-\$1,169,950
Years of Ground Lease Payment until OCTA Parking Costs are Repaid***							46
<b>NPV of OCTA Revenues over 50 Years at 5% Discount Rate</b>							<b>-\$5,568,655</b>

Table 3.6. Proforma Summary (Horseshoe 1 Option)

\*Based on recent property sale transactions in the area and EPS professional judgment.

\*\*Assumes OCTA issues debt for full structured parking cost at 5% interest with 30-year amortization.

\*\*\*Assumes ground lease payments escalate 2% annually while debt service payment remain constant.



# ASSUMPTIONS

*Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS*

[1] For these calculations, the parking costs for housing and commercial spaces are assumed to be provided as structured parking. Site plan shows 550 structured parking spaces and 281 retained surface spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction. Micro-units get another 10% premium. PSH units are priced at 30% AMI for a 1-person household.

[3] All Building Direct Costs assume prevailing wage requirements and are based on the following sources:

- Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories, plus a 10% premium per sq. ft. for micro units.

- Office based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles.

- Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings.

- Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking



*Figure 3.7. Rendered view of the proposed transition plaza along Orangethorpe Ave*



3.5 HORSE-SHOE II



Figure 3.8. View of the proposed retail and surface parking with carports from Orangethorpe Avenue

ELEMENT	STRENGTHS	WEAKNESSES
BUS OPERATIONS	Compact bus parking layout	Requires a disruption to existing bus service to change operational configuration
CIRCULATION	Centralizes bus operations thereby reducing the walking distances from parking areas	-
COMMUNITY	Addresses the goal of community by satisfying demands of affordable housing and supportive services	-
DEVELOPMENT DENSITY	High activity non-residential uses engage the street	Difficult to meet the criteria of +/- 150 Units/district
ECONOMICS	-	Doesn't meet the requirement of +/- 150 units/district
PARK-AND-RIDE	Distinct Park-and-Ride allocated near the bus parking	-
PARKING	Retains some of the existing parking layout	Requires structured parking for full buildout
PUBLIC SPACE	Consolidated open space around the bus operations	-

Table 3.7. Strength and Weakness Analysis



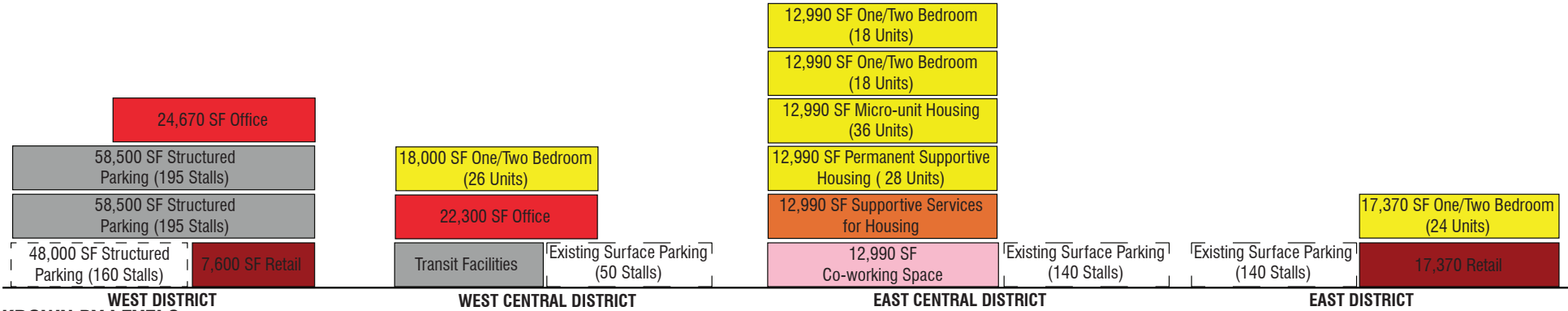
Required 34 Stalls 70 Stalls OCTA 409 Stalls 37 Stalls Available  
 Provided 550 Stalls

63 Stalls +/- (27-32) Stalls  
 45 Stalls Required 50 Stalls

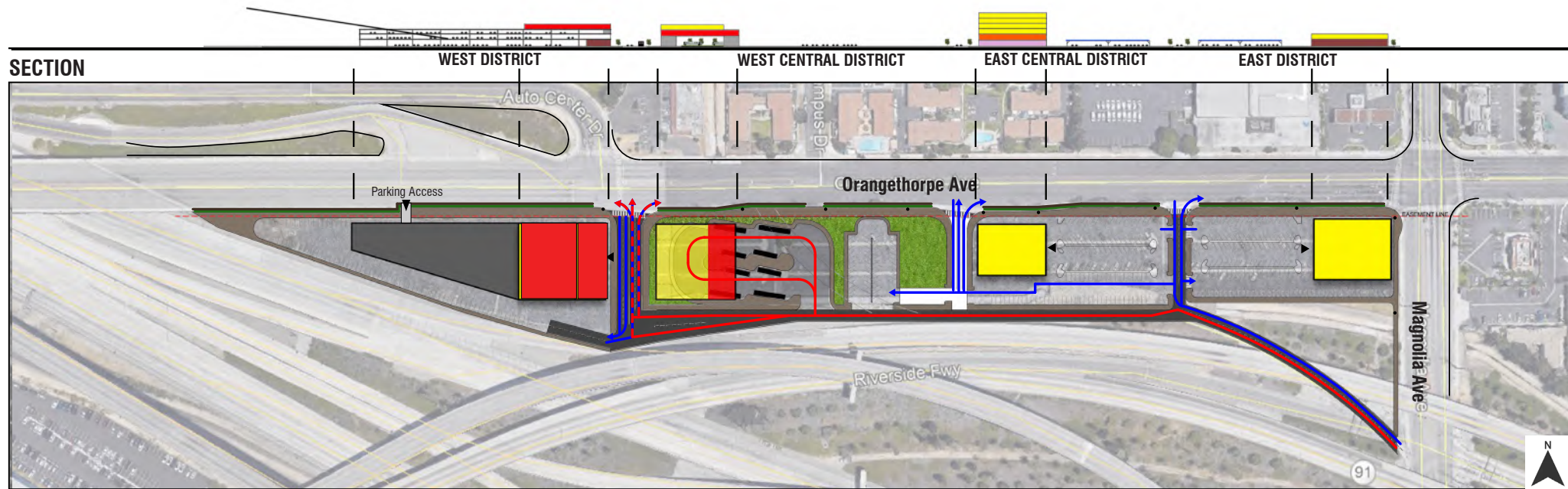
+/- (67-79) Stalls 37 Stalls 37 Stalls  
 140 Stalls 12 Stalls Required

32 Stalls Available +/- (26-31) Stalls 77 Stalls  
 140 Stalls

## PARKING ALLOCATION



## BREAKDOWN BY LEVELS



## PLAN (Horseshoe II)

- Bus movements
- Auto movements
- Shared lane
- Sidewalk
- One way bike lane
- Planting strip/buffer
- Pedestrian bridge
- Building access
- Flood control easement
- Powerline pole
- Pick up / drop off zone
- Solar carports
- Structured parking
- Proposed bus park with transition plaza
- Plaza/ Event space/ Multipurpose area
- Transit facilities
- Office
- Residential
- Community retail
- Co-working Space
- Supportive Services for Housing

Summary	Area (SF)	Area/Unit or Stall (SF)	Units	Stalls
One/Two Bedroom Unit	46,970	700	82	108
Micro-unit	12,990	350	36	19
Permanent Supportive Housing	12,990	450	28	14
Supportive Services for Housing	12,990			37
General & Community Retail	24,970	-	-	143
Co-working Space	12,990	-	-	37
Office	46,970	-	-	133
OCTA Stalls Required	-	-	-	409
Non OCTA Stalls Required	-	300	-	458
Total Stalls Required	-	-	-	867
Total Stalls Provided	-	-	-	880

Not To Scale



3.6 DEVELOPER I



Figure 3.9. Rendered view of the existing bus parking from Orangethorpe Avenue

ELEMENT	STRENGTHS	WEAKNESSES
BUS OPERATIONS	Retains the existing bus operations layout	-
CIRCULATION	Retained the existing bus parking (10 bus pads)	-
COMMUNITY	-	Lacks gathering spaces for the community
DEVELOPMENT DENSITY	Consistent with the market demand for the market study (+/-150 Units/district)	-
ECONOMICS	Meets the requirement of +/-150 units/district	Requires structured parking for full buildout
PARK-AND-RIDE	Distinct Park-and-Ride allocated near the bus parking	-
PARKING	Retains some of the existing parking layout	Large, uninviting parking areas
PUBLIC SPACE	-	Core of activity missing around the bus parking

Table 3.8. Strength and Weakness Analysis

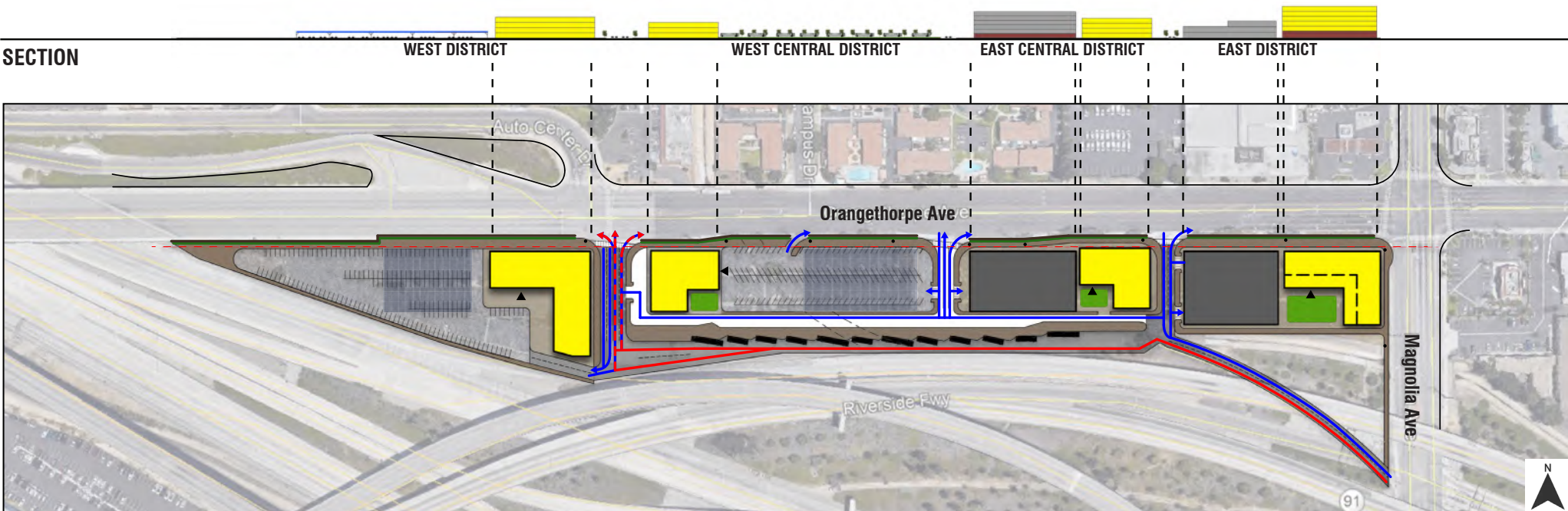


Required	+/- (131-151) Stalls	OCTA 9 Stalls	+/- (53-59) Stalls	OCTA 165 Stalls	71 Stalls Available	OCTA 235 Stalls	+/- (68-79) Stalls	27 Stalls	17 Stalls Available	+/- (128-145) Stalls	45 Stalls
Provided	160 Stalls		59 Stalls Required	165 Stalls		385 Stalls				209 Stalls	

## PARKING ALLOCATION

Existing Surface Parking (160 Stalls)	22,800 SF Two Bedroom (28 Units)			23,220 SF Structured Parking (77 Stalls)				17,600 SF Two Bedroom (22 Units)
	22,800 SF One Bedroom (38 Units)			23,220 SF Structured Parking (77 Stalls)				17,600 SF One Bedroom (28 Units)
	22,800 SF One Bedroom (38 Units)	12,000 SF Two Bedroom (14 Units)		23,220 SF Structured Parking (77 Stalls)	12,000 SF Two Bedroom (14 Units)			17,600 SF One Bedroom (28 Units)
		12,000 SF One Bedroom (20 Units)		23,220 SF Structured Parking (77 Stalls)	12,000 SF One Bedroom (20 Units)		12,300 SF Structured Parking (41 Stalls)	17,600 SF One Bedroom (28 Units)
	22,800 SF Studio (44 Units)	12,000 SF Studio (24 Units)	Existing Surface Parking (165 Stalls)	23,220 SF Structured Parking (77 Stalls)	12,000 SF One Bedroom (20 Units)		25,110 SF Structured Parking (84 Stalls)	17,600 SF Studio (34 Units)
WEST DISTRICT		WEST CENTRAL DISTRICT		EAST CENTRAL DISTRICT		EAST DISTRICT		
				9,100 Retail	12,000 SF Studio (24 Units)		25,110 SF Structured Parking (84 Stalls)	15,000 Retail

## BREAKDOWN BY LEVELS



## PLAN

- Bus movements
- Auto movements
- Shared lane
- Sidewalk
- One way bike lane
- Planting strip/buffer
- Pedestrian bridge
- Building access
- Flood control easement
- Powerline pole
- Pick up / drop off zone
- Solar carports
- Structured parking
- Proposed bus park with transition plaza
- Plaza/ Event space/ Multipurpose area
- Transit facilities
- Office
- Residential
- Community retail

Summary	Area (SF)	Area/Unit or Stall (SF)	Units	Stalls
Studio Unit	64,400	500	126	95
One Bedroom Unit	134,400	600	220	220
Two Bedroom Unit	64,400	800	78	117
General & Community Retail	24,100		-	72
OCTA Stalls Required	-		-	409
Non OCTA Stalls Required	-	300	-	504
Total Stalls Required	-		-	913
Total Stalls Provided	-		-	919

Table 3.2. Summary (Developer I Option)



### 3.6.1 PROFORMA (DEVELOPER I OPTION)\*

Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS

Item	Land Use			
	Apartments	Commercial	Private Structured Parking	OCTA Structured Parking
<b>Revenues</b>				
Annual Net Operating Income	\$5,445,121	\$527,501		
Desired Yield on Cost*	5.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$99,002,201	\$7,033,344		
Net Building Value per Unit/Building SF	\$233,496	\$292	N/A	N/A
<b>Costs</b>				
Total Development Costs	\$84,623,816	\$4,699,256	\$16,546,200	\$2,877,600
TDC per Residential Unit/Commercial SF/Stall	\$199,584	\$195	\$32,700	\$32,700
Land Value				
Supportable Residual Land Value	\$14,378,386	\$2,334,088	-\$16,546,200	-\$2,877,600
Land Value per Unit or Bldg SF	\$33,911	\$97		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>	PRIVATE	\$16,712,473	PARKING	-\$19,423,800
Starting Annual Ground Lease at 6% of Value		\$1,002,748		
Annual Debt Service on Parking Costs**				-\$1,263,546
Years of Ground Lease Payment until OCTA Parking Costs are Repaid***				24
<b>NPV of OCTA Revenues over 50 Years at 5% Discount Rate</b>				<b>\$6,155,760</b>

Table 3.9. Proforma Summary (Developer 1 Option)

\*Based on recent property sale transactions in the area and EPS professional judgment.

\*\*Assumes OCTA issues debt for full structured parking cost at 5% interest with 30-year amortization.

\*\*\*Assumes ground lease payments escalate 2% annually while debt service payment remain constant.



## ASSUMPTIONS

*Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS*

[1] For these calculations, the parking costs for housing and commercial spaces are assumed to be provided as structured parking. Site plan shows 594 structured parking spaces and 325 retained surface spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction.

[3] All Building Direct Costs assume prevailing wage requirements and are based on the following sources:

- Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories.

- Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings."

- Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking

## 3.6.2 ALTERNATIVES

*Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS*

Alternative I: OCTA will be funding all of the structured parking required for private uses as well as any structured spaces required to provide 409 total spaces for OCTA. For example, this diagram shows 919 total spaces, of which 325 are surface and the remaining 594 are structured. Let's consider the cost of all that structured parking (about \$19.5M as of right now), assume that OCTA is financing that over 30 years, and compare that to the ground lease a private developer may be willing to pay for the rights to develop the indicated amount of housing and commercial space. As of right now, it appears that the total "residual land value" of the development program in Developer Option 1 does not exceed the cost of the structured parking, and OCTA would not be recouping its investment through ground lease payments for 20+ years, but after that the garage would be paid off and net ground lease revenues would accrue to OCTA.

Alternative II: The alternative to this approach is that the developer would have to pay for the structured parking, at least their own, but that essentially wipes out the residual land value entirely (the land for development is worth less than the cost of the parking) plus the developer's return threshold is higher than OCTA's, and OCTA essentially would not expect to get any ground lease revenue ever.



## 3.7 DEVELOPER II



Figure 3.10 Rendered view of the transition plaza and bus parking

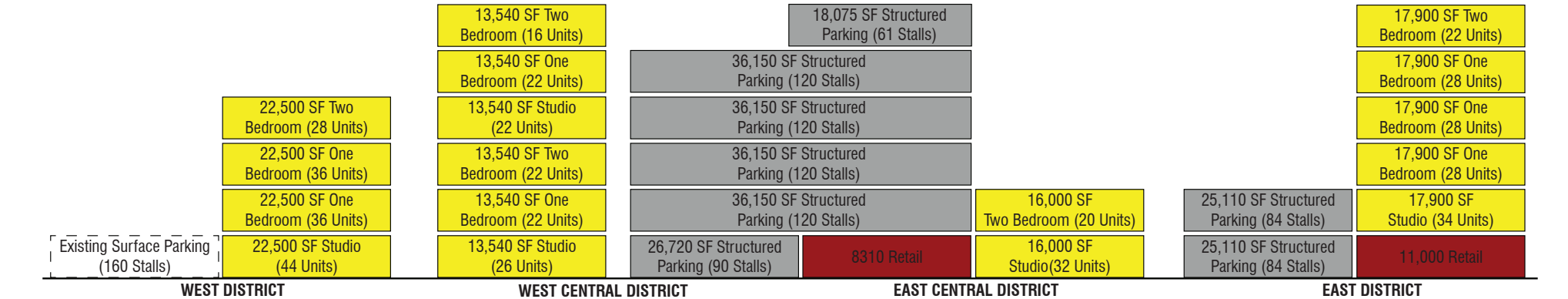
ELEMENT	STRENGTHS	WEAKNESSES
<b>BUS OPERATIONS</b>	14 bus pads with a layered parking layout	Requires a disruption to existing bus service to change operational configuration
<b>CIRCULATION</b>	Centralizes bus operations thereby reducing the walking distances from parking areas.	Disrupts the existing bus layout
<b>COMMUNITY</b>	Addresses the goal of community by providing gathering spaces for neighborhood uses	-
<b>DEVELOPMENT DENSITY</b>	High-density development allowing for more residents and employees thereby increasing transit ridership (+/- 150 Units/district)	-
<b>ECONOMICS</b>	Meets the requirement of +/-150 units/district	Requires structured parking for full buildout
<b>PARK-AND-RIDE</b>	-	Park-and-Ride not in close proximity to the bus plaza
<b>PARKING</b>	Parking structure wrapped with active uses	Requires structured parking for full buildout
<b>PUBLIC SPACE</b>	Increased open space opportunities around the bus plaza	Public space concentrated in west central district

Table 3.10. Strength and Weakness Analysis

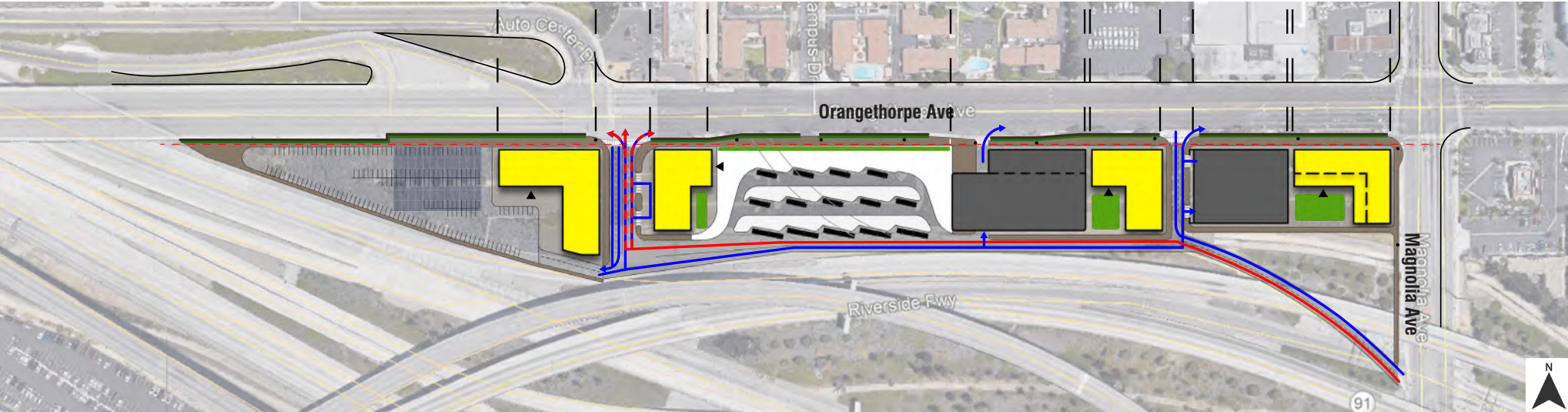


Required	+/- (129-147) Stalls	13 Stalls Available	7 Stalls Available	OCTA 409 Stalls	+/- (167-190) Stalls	25 Stalls	+/- (129-147) Stalls	33 Stalls
Provided	160 Stalls				631 Stalls		12 Stalls Required	168 Stalls

PARKING ALLOCATION



SECTION



PLAN

- Bus movements
- Auto movements
- Shared lane
- Sidewalk
- One way bike lane
- Planting strip/buffer
- Pedestrian bridge
- Building access
- Flood control easement
- Powerline pole
- Pick up / drop off zone
- Solar carports
- Structured parking
- Proposed bus park with transition plaza
- Plaza/ Event space/ Multipurpose area
- Transit facilities
- Office
- Residential
- Community retail

Summary	Area (SF)	Area/Unit or Stall (SF)	Units	Stalls
Studio Unit	69,940	500	138	104
One Bedroom Unit	152,860	600	248	248
Two Bedroom Unit	69,940	800	88	132
General & Community Retail	19,310	-	-	58
OCTA Stalls Required	-	-	-	409
Non OCTA Stalls Required	-	300	-	541
Total Stalls Required	-	-	-	950
Total Stalls Provided	-	-	-	959



### 3.7.1 PROFORMA (DEVELOPER II OPTION)\*

Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS

Item	Land Use			
	Apartments	Commercial	Private Structured Parking	OCTA Structured Parking
<b>Revenues</b>				
Annual Net Operating Income	\$6,056,249	\$422,657		
Desired Yield on Cost*	5.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$110,113,619	\$5,635,430		
Net Building Value per Unit/Building SF	<b>\$236,295</b>	<b>\$291.84</b>	<b>N/A</b>	<b>N/A</b>
<b>Costs</b>				
Total Development Costs	\$94,121,489	\$3,765,255	\$17,429,100	\$8,698,200
TDC per Residential Unit/Commercial SF/Stall	<b>\$201,977</b>	<b>\$194.99</b>	<b>\$32,700</b>	<b>\$32,700</b>
<b>Land Value</b>				
Supportable Residual Land Value	<b>\$15,992,130</b>	<b>\$1,870,176</b>	<b>-\$17,429,100</b>	<b>-\$8,698,200</b>
Land Value per Unit or Bldg SF	\$34,318	\$96.85		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>	PRIVATE	<b>\$17,862,306</b>	PARKING	<b>-\$26,127,300</b>
Starting Annual Ground Lease at 6% of Value		\$1,071,738		
Annual Debt Service on Parking Costs**				-\$1,699,618
Years of Ground Lease Payment until OCTA Parking Costs are Repaid***				34
<b>NPV of OCTA Revenues over 50 Years at 5% Discount Rate</b>				<b>\$1,212,155</b>

Table 3.11. Proforma Summary (Developer 2 Option)

\*Based on recent property sale transactions in the area and EPS professional judgment.

\*\*Assumes OCTA issues debt for full structured parking cost at 5% interest with 30-year amortization.

\*\*\*Assumes ground lease payments escalate 2% annually while debt service payment remain constant.



# ASSUMPTIONS

Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS

[1] For these calculations, the parking costs for housing and commercial spaces are assumed to be provided as structured parking. Site plan shows 799 structured parking spaces and 160 retained surface spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction.

[3] All Building Direct Costs assume prevailing wage requirements and are based on the following sources:

- Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories.

- Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings."

- Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking



Figure 3.11 Rendered view of the proposed bus parking layout



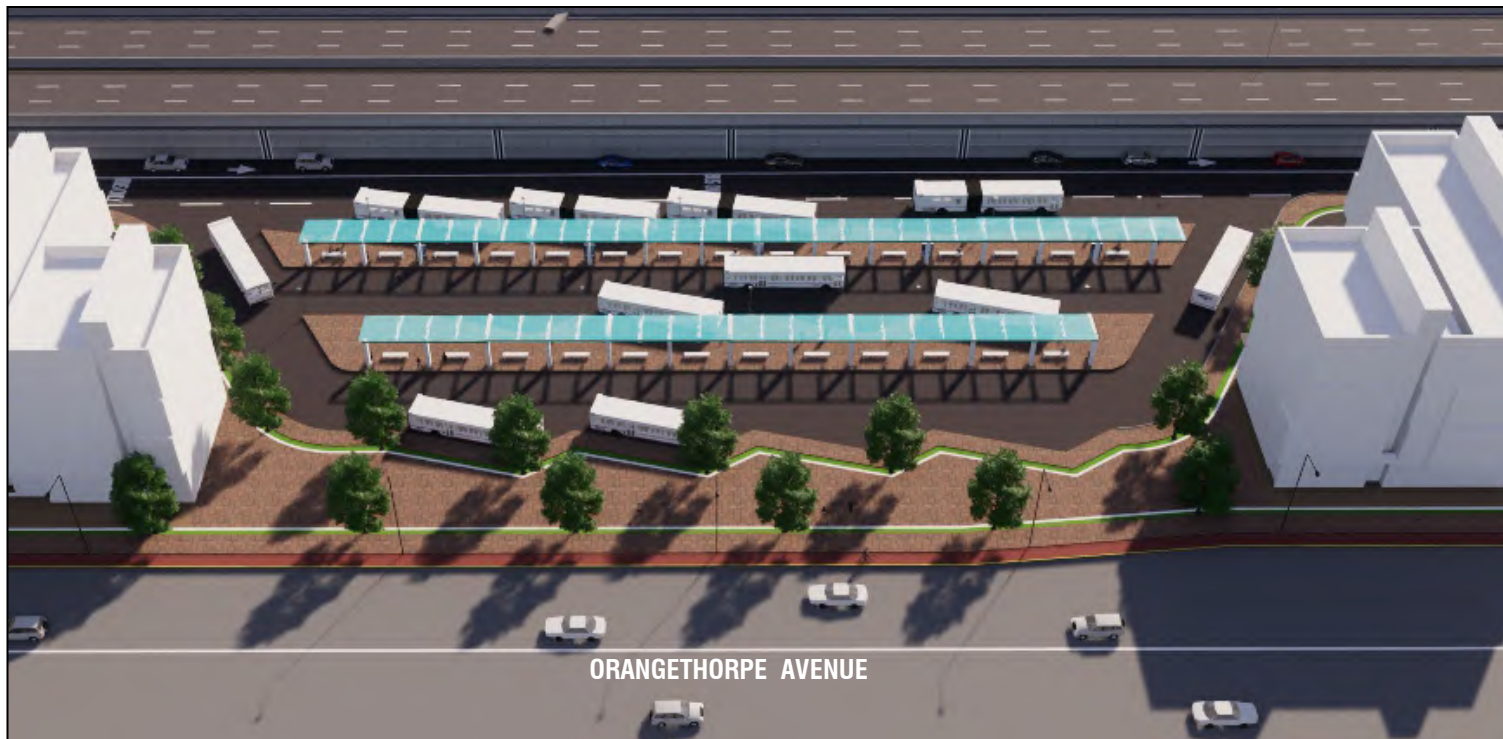


Figure 3.12. Rendered view of the proposed bus parking layout (West Central District)



Figure 3.13. Rendered view of surface parking with proposed solar carports (East District)





Figure 3.14. Rendered view of the transition plaza from West District



Figure 3.15. Rendered view of the proposed bus parking layout from Riverside Fwy



### 3.8 PHASED OPTION

The Phased Option keeps OCTA parking requirements (409 stalls) in mind, with only a portion of the site (East District and East Central District) built with existing surface parking supporting it, as illustrated in Figure 3.16.



Figure 3.16. View of the proposed development with surface parking

ELEMENT	STRENGTHS	WEAKNESSES
BUS OPERATIONS	Retains the existing bus circulation layout	-
CIRCULATION	Retains the existing bus parking (10 bus pads)	-
COMMUNITY	-	Lack of proper transition between areas with different types of land uses
DEVELOPMENT DENSITY	Consistent with the market study demand analysis	Difficult to meet the criteria of +/- 150 Units/district
ECONOMICS	-	Requires shared land-uses between districts to meet +/- 150 unit requirement
PARK-AND-RIDE	Distinct Park-and-Ride allocated near the bus parking	-
PARKING	Retains the existing surface parking	Large, uninviting parking areas
PUBLIC SPACE	-	Core of activity missing around the bus parking

Table 3.12. Strength and Weakness Analysis (Phased Option)



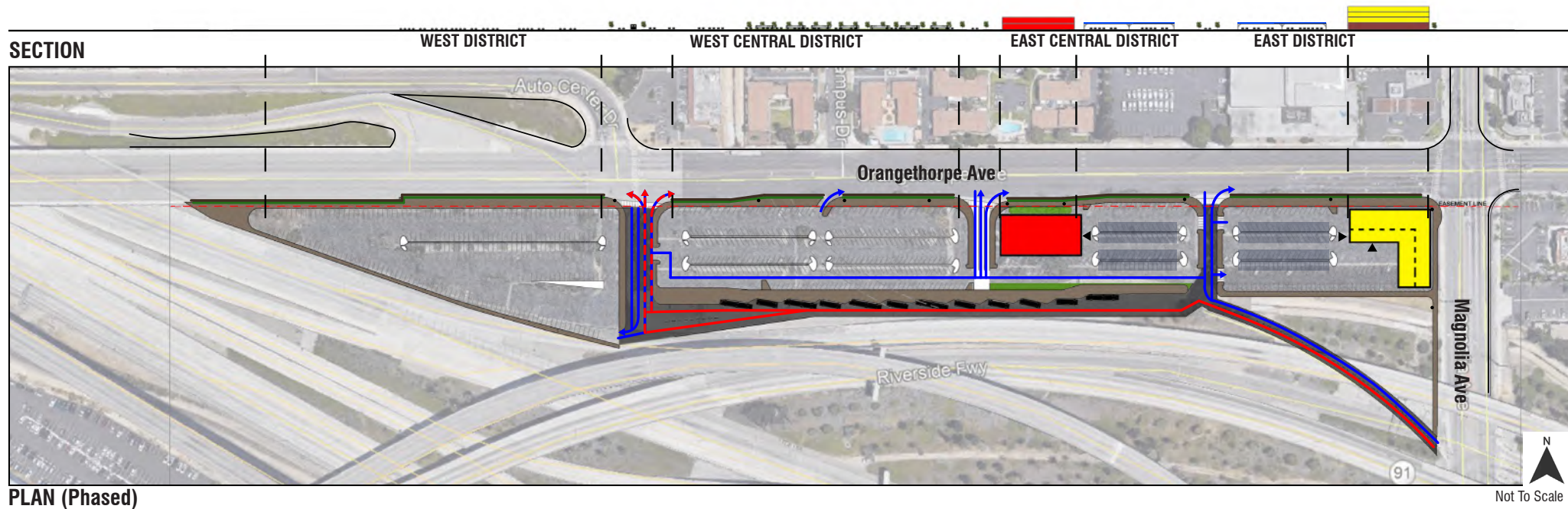
Required	409 Stalls
Provided	409 Stalls

90 Stalls	8 Stalls Available
98 Stalls	

+/- (71-84) Stalls	32 Stalls
120 Stalls	

## PARKING ALLOCATION

## BREAKDOWN BY LEVELS



## PLAN (Phased)

- Bus movements
- Auto movements
- Shared lane
- Sidewalk
- One way bike lane
- Planting strip/buffer
- Pedestrian bridge
- Building access
- Flood control easement
- Powerline pole
- Pick up / drop off zone
- Solar carports
- Structured parking
- Proposed bus park with transition plaza
- Plaza/ Event space/ Multipurpose area
- Transit facilities
- Office
- Residential

Summary	Area (SF)	Area/Unit or Stall (SF)	Units	Stalls
One/Two Bedroom Unit	33,600	700	48	67
Studio	16,800	350	34	17
Office	31,000	-	-	90
General & Community Retail	10,800	-	-	32
OCTA Stalls Required	-	-	-	409
Non OCTA Stalls Required	-	300	-	206
Total Stalls Required	-	-	-	615
Total Stalls Provided	-	-	-	627

## Summary (Phased Option)



### 3.8.1 PROFORMA (PHASED OPTION)\*

Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS

	Land Use				
Item	Apartments	Office	Retail	Private Structured Parking	OCTA Structured Parking
<b>Revenues</b>					
Annual Net Operating Income	\$1,042,683	\$572,508	\$236,390		
Desired Yield on Cost*	5.50%	7.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$18,957,868	\$7,633,440	\$3,151,872		
Net Building Value per Unit/Building SF	<b>\$231,194</b>	<b>\$246.24</b>	<b>\$291.84</b>	<b>N/A</b>	<b>N/A</b>
<b>Costs</b>					
Total Development Costs	\$16,204,560	\$7,055,352	\$2,105,891	\$0	\$0
TDC per Residential Unit/Commercial SF/Stall	<b>\$197,617</b>	<b>\$227.59</b>	<b>\$194.99</b>		
<b>Land Value</b>					
Supportable Residual Land Value	<b>\$2,753,308</b>	<b>\$578,088</b>	<b>\$1,045,981</b>	<b>\$0</b>	<b>\$0</b>
Land Value per Unit or Bldg SF	\$33,577	\$18.65	\$96.85		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>		<b>PRIVATE</b>	<b>\$4,377,377</b>	<b>PARKING</b>	<b>\$0</b>
Starting Annual Ground Lease at 6% of Value			\$262,643		
Annual Debt Service on Parking Costs**					\$0
Years of Ground Lease Payment until OCTA Parking Costs are Repaid***					0
<b>NPV of OCTA Revenues over 50 Years at 5% Discount Rate</b>					<b>\$6,699,869</b>

Table 3.13. Proforma Summary (Phased Option)

\*Based on recent property sale transactions in the area and EPS professional judgment.

\*\*Assumes OCTA issues debt for full structured parking cost at 5% interest with 30-year amortization.

\*\*\*Assumes ground lease payments escalate 2% annually while debt service payment remain constant.



# ASSUMPTIONS

*Data Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018, EPS*

[1] For these calculations, the housing, office, and retail developments are assumed to utilize existing spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction.

[3] All Building Direct Costs assume prevailing wage requirements and are based on the following sources:

- Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories.

- Office based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles.

- Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings.

- Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking



# 04 MARKET STUDY



## 4.1 EPS MARKET STUDY FINDINGS

Data Source: EPS Market Study

LAND USE	FINDINGS	CONCLUSIONS
<b>MULTIFAMILY RESIDENTIAL (lower density)</b>	<b>High</b> market demand demonstrated by healthy rent growth and low vacancy rates.	Economically viable up to 35 units/acre
<b>AFFORDABLE HOUSING</b>	<b>High</b> market demand due to the needs of homeless populations.	Economically viable up to 35 units/acre
<b>OFFICE</b>	<b>Low</b> market demand as the site's relatively small size doesn't resonate with the new speculative Class A office development.	Dropped from further consideration
<b>HOTEL</b>	<b>Low</b> market demand due to the site's distance from major tourist destinations and employment centers.	Dropped from further consideration
<b>NON RESIDENTIAL</b>	<b>High</b> market demand due to the site's visibility from the freeways and access to transit through the Park-and-Ride.	Economically viable within retail and light industrial uses

Table 4.1. Findings from the EPS Market Study (part I)



OCTA Objective	LAND USE				
	Multifamily Residential			Nonresidential	
	35 Units/Acre	70 Units/Acre	120 Units/Acre	Retail	Light Industrial
Potential Land Value to OCTA	High	Low	Low	Medium	High
Potential OCTA Ridership Gains	Medium	High	High	Low	Low
Mixed-Use & Pedestrian-Friendly	High	High	High	Medium	Low
Provides Community Amenity	Medium	Medium	Medium	Medium	Low
Compatible with Park & Ride	High	High	High	Medium	Low

Table 4.2. Findings from the EPS Market Study (part II)



## 4.2 SUMMARY

*Data Source: EPS Market Study*

1. The market position of the Fullerton Park-and-Ride is strengthened by its strong accessibility and visibility due to its transit service and adjacency to the region's freeway system (the I-5 / SR-91 interchange), as well as frontage on significant surface streets.

2. Residential development appears to be in demand at and around the OCTA site, given regional and local growth patterns, and can yield strong benefits to OCTA in terms of transit ridership. However, local market-rate rents are modest compared to some other areas, which will affect the financial feasibility of new housing, particularly at higher densities that cost more to construct (due to structured parking, life safety requirements, etc.).

3. Office development does not appear to be in high demand in the vicinity of the OCTA property, and is not recommended as a prioritized land use.

4. Hotel use is also not recommended as a prioritized use, as the local area commands relatively low room rates and the site is not competitive in terms of convenience with the many other hotels serving tourist destinations in the vicinity.

5. Retail development does appear to be in demand, given the site's strong accessibility and visibility, and should be considered a viable use as a stand-alone development or as part of a mixed-use development.

6. Light industrial development is also in demand, though such use may not be optimally compatible with the typical ridership and placemaking goals of transit-oriented development.

7. The OCTA site could also be an appropriate location for affordable housing or various housing solutions meant to serve the County's homeless population, but would not be expected to generate significant land revenues for OCTA.

8. A financial analysis was prepared that compares the value of potential market-supported developments to their construction costs, and yields "residual land values" estimating what OCTA might expect to receive for the sale or lease of the property. This analysis indicated that lower-density multifamily may yield the highest land values, followed by light industrial uses. Higher-density housing with structured parking appears to have feasibility challenges in the near term, as this development type has higher construction costs while the value of the units does not increase proportionately.

9. As market conditions evolve, developers may be more optimistic about higher density housing or other uses than this analysis suggests. It is recommended that OCTA be realistic in its expectations regarding financial returns from the land itself, but also aspirational about the long-term use of the property. A developer solicitation process that encourages creativity to meet a variety of objectives, rather than simply maximizing land value, may yield very positive results for OCTA and the local community.

10. When considering the potential disposition of its property at the Fullerton Park-and-Ride, OCTA should account for a variety of factors including transit ridership impacts, placemaking and community compatibility, and local and regional needs in addition to maximizing revenue from the land disposition. Table 4.3 below characterizes how each land use tested for the Site addresses a variety of OCTA goals.



## 4.3 PROFORMAS FINDINGS\*

Data Source: EPS

	Item	Office	Retail	Private Structured Parking	OCTA Structured Parking
Linear Option	SUM OF TOTAL PROGRAM LAND VALUES	PRIVATE	\$10,470,808	PARKING	-\$17,985,000
	Annual Debt Service on Parking Costs [5]				-\$1,169,950
	Years of Ground Lease Payment until OCTA Parking Costs are Repaid [6]				38
	NPV of OCTA Revenues over 50 Years at 5% Discount Rate				<b>-\$1,958,727</b>
Layered Option	SUM OF TOTAL PROGRAM LAND VALUES	PRIVATE	\$12,136,409	PARKING	-\$25,865,700
	Annual Debt Service on Parking Costs [5]				-\$1,682,601
	Years of Ground Lease Payment until OCTA Parking Costs are Repaid [6]				77
	NPV of OCTA Revenues over 50 Years at 5% Discount Rate				<b>-\$7,290,113</b>
Horseshoe I Option	SUM OF TOTAL PROGRAM LAND VALUES	PRIVATE	\$8,112,252	PARKING	-\$17,985,000
	Annual Debt Service on Parking Costs [5]				-\$1,169,950
	Years of Ground Lease Payment until OCTA Parking Costs are Repaid [6]				46
	NPV of OCTA Revenues over 50 Years at 5% Discount Rate				<b>-\$5,568,655</b>
	Item	Apartments	Commercial	Private Structured Parking	OCTA Structured Parking
Developer I Option	SUM OF TOTAL PROGRAM LAND VALUES	PRIVATE	\$16,712,473	PARKING	-\$19,423,800
	Annual Debt Service on Parking Costs [5]				-\$1,263,546
	Years of Ground Lease Payment until OCTA Parking Costs are Repaid [6]				24
	NPV of OCTA Revenues over 50 Years at 5% Discount Rate				<b>\$6,155,760</b>
Developer II Option	SUM OF TOTAL PROGRAM LAND VALUES	PRIVATE	\$17,862,306	PARKING	-\$26,127,300
	Annual Debt Service on Parking Costs [5]				-\$1,699,618
	Years of Ground Lease Payment until OCTA Parking Costs are Repaid [6]				34
	NPV of OCTA Revenues over 50 Years at 5% Discount Rate				<b>\$1,212,155</b>
	Item	Office	Retail	Private Structured Parking	OCTA Structured Parking
Phased Option	SUM OF TOTAL PROGRAM LAND VALUES	PRIVATE	\$4,377,377	PARKING	\$0
	Annual Debt Service on Parking Costs [5]				\$0
	Years of Ground Lease Payment until OCTA Parking Costs are Repaid [6]				0
	NPV of OCTA Revenues over 50 Years at 5% Discount Rate				<b>\$6,699,869</b>

Table 4.3. Proformas Summary

\*Please refer to the appendix section 7.4 for all the proformas.



## 4.3.1 ASSUMPTIONS\*

Data Source: EPS

- All structured parking is considered a cost to the project that OCTA pays for either directly or through discounted land value. As such, the positive land values associated with private development (which are assumed to NOT have to pay their own parking development costs) are contrasted against the cost of the structured parking. In every case except the “Phased” plan that does not involve any structured parking, the aggregate cost of parking structures exceeds the value of the land for private development.
- The land value for permanent supportive housing (PSH) is assumed to be zero, as in OCTA would effectively donate the land for such development. In reality, those types of developments require significant subsidy because their income-restricted rents barely cover their operating expenses, so the entire construction cost must be subsidized. Rather than assuming OCTA provides that subsidy by actually paying the PSH developer several million dollars, it is assumed that OCTA gives the land for free but the actual development and operating cost subsidy comes from other sources.
- The amount that a developer would pay for the rights to develop the land on a ground lease is estimated at 6% of total “fee simple” land value. This ratio is pretty standard for ground leases, but is subject to negotiation and could conceivably be at least a little higher. The ground lease payments are then assumed to escalate at 2% per year over time, which again is pretty standard.
- The ground lease payments are then compared to the estimated amount that OCTA would pay in debt service on the parking structures. Those payments are assumed to be fixed rather than escalating, and the garages would be fully amortized over 30 years. In some cases, the garage costs so greatly exceed the land values that even though the ground lease revenues escalate over time, it still takes over 30 years before the nominal cumulative value of the ground leases exceeds the costs to finance the garages. Only the phased approach (which has no structured parking) and developer option 1 (which has a moderate amount of structured parking and does NOT include affordable housing) generate positive revenues to OCTA in less than 30 years.



# 05 FINDINGS AND RECOMMENDATIONS



## 5.1 FINDINGS

- Uses that appear to be feasible include\*\*:
  1. Market-rate apartments (with and without structured parking)
  2. Market-rate micro-units (with and without structured parking)
  3. Retail (with surface parking)
  4. Co-working space (with surface parking)
  5. Mixed-use housing over commercial (with structured parking)
- Uses clearly requiring subsidy include:
  1. Affordable housing
  2. Permanent supportive housing
  3. Supportive services for housing
  4. Stand-alone retail (with structured parking)
  5. Stand-alone co-working office (with structured parking)
- Cost of Structured Parking can be prohibitive.
- Market-rate residential uses seem to generate the most value.
- A phased approach to development of the site is also recommended with options for shared parking.

\*\*None of these uses appear to have enough value to contribute significantly to the costs of structured parking for transit riders, so an optimally feasible scenario would retain transit parking in a surface configuration OR identify another source of funding

## 5.2 RECOMMENDATIONS

- **Develop Joint-development policies** specific to the site. Also, maximize shared parking options with Private-Public and Private-Private Parking Agreements.
- **Coordinate with the City** to identify expectations, requirements, and potential variances for parking, etc.
- **Prepare and release a Request for Information or Request for Proposals** to identify developers interested in the site.



Figure 5.1. Fullerton Park-and-Ride site context



# 06 JOINT DEVELOPMENT POLICIES



## 6.1 POLICIES

*Data Source: MARTA'S TOD guidelines, METRO Los Angeles policies, VTA's Transit-Oriented Development program*

Case study research from Santa Clara Valley Transportation Authority (VTA) , Los Angeles County Metropolitan Transit Authority (METRO) and Metropolitan Atlanta Rapid Transit Authority (MARTA) reveal some policies adopted that OCTA should be aware of as they embark on joint development.

### FINANCIAL

- METRO: Long term ground lease, and collaborative contribution to create greater community economic benefit.
- MARTA: Retains fee ownership of joint development parcels and conveys their development rights through long-term lease rather than sale.

### PARKING

- VTA: Facilitate the creation of new TOD projects in VTA-owned land.
- MARTA: Limit parking capacity, and encourage shared parking.

### TRANSIT

- METRO: Preserve and maximize connections to transit facilities via Transit Prioritization and Integration.
- VTA: Development projects will include Physical Improvements and/or Transit Programs.

### AFFORDABLE HOUSING

- METRO: Affordable Housing Policies encourages a range of housing types, and discount joint development ground leases below the fair market value.
- MARTA: Applies a policy goal of 20% affordability, on average, to joint development projects through affordable housing policies.



# 07 APPENDICES



# 7.1.1 SITE ASSESSMENT

IBI GROUP – TECHNICAL MEMORANDUM  
FULLERTON PARK AND RIDE JOINT DEVELOPMENT STUDY SITE ASSESSMENT  
Prepared for Orange County Transportation Authority

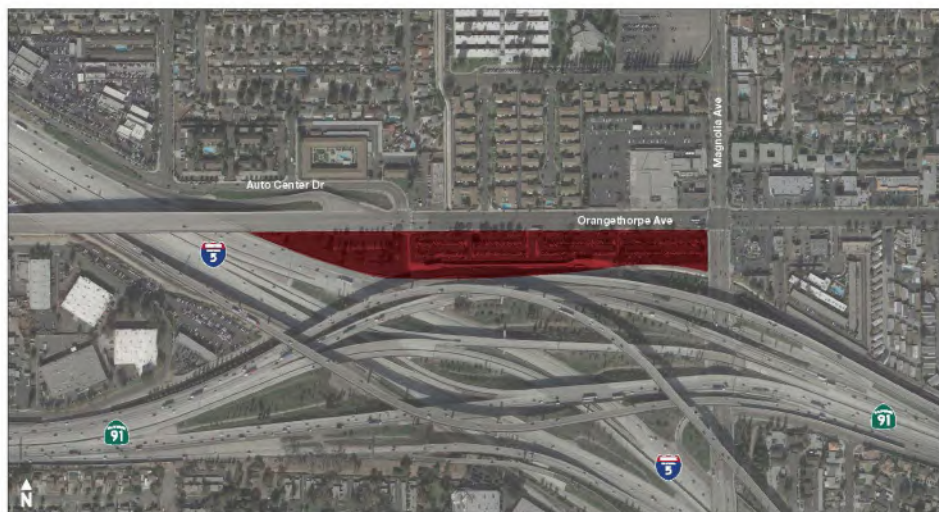
## 1 INTRODUCTION

This memorandum summarizes the results of an initial site assessment conducted for the Fullerton Park and Ride. The Fullerton Park and Ride is owned and operated by the Orange County Transportation Authority (OCTA) and is located at the southwest corner of Orangethorpe Avenue and South Magnolia Avenue in Fullerton. The purpose of the site assessment is to evaluate existing site conditions and conduct an initial qualitative and quantitative review of the project site to analyze conditions at and surrounding the site. This task identifies and discusses issues, opportunities and potential constraints to joint-development improvements at this site.

The Fullerton Park and Ride facility is located in Fullerton, California on 11.1 acres of land. The facility was constructed in two phases. Phase I in 1974 consisted of two covered 1,000 square feet bus shelters with four bus docks, waiting areas, restrooms, benches, and paved parking. Phase II in 1981 added 10 permanent bus berths, modifications to traffic flow pattern, additional parking canopies, and modifications to lighting, landscape, and irrigation systems. The facility serves as a regional transfer point for Los Angeles County Metropolitan Authority (Metro) and OCTA bus operations. The facility provides a total of 745 parking spaces, including 29 ADA spaces to park and ride customers. Figure 1.1 shows the location of the facility.

The Fullerton Park and Ride is being studied to identify the potential feasibility for joint development and improvements to the function and operations of the transit facility. This memorandum reviews existing data related to traffic volumes, mode of access, and transit boardings, as well as future conditions surrounding the site, including transportation and land use projects.

FIGURE 1.1 Fullerton Park and Ride Location



Legend  
Study Area

IBI GROUP – TECHNICAL MEMORANDUM  
FULLERTON PARK AND RIDE JOINT DEVELOPMENT STUDY SITE ASSESSMENT  
Prepared for Orange County Transportation Authority

## 2 EXISTING NETWORK CONDITIONS

This section details the existing street conditions within the Fullerton Park and Ride study area, defined as ½ mile surrounding the facility. The existing transportation environment consists of an extensive network of arterials and local streets, bus transit services provided by OCTA, bikeways, and pedestrian pathways.

### 2.1 STREET NETWORK

**Magnolia Avenue** – Magnolia Avenue is classified as a primary arterial that travels north and south throughout the study area. The roadway is a four lane divided roadway with raised landscaped median islands. The posted speed limit is 40 miles per hour. On-street parking is not permitted along the roadway. No bikeways are currently located along Magnolia Avenue. OCTA operates local bus routes 25, 26, 33, 35, and 721 along the roadway.

**Orangethorpe Avenue** – Orangethorpe Avenue is classified as a major arterial that travels east and west throughout the study area. The roadway is currently constructed as a six lane divided roadway. The posted speed limit is 45 miles per hour. On-street parking is not permitted along the roadway. Existing Class II bikeways are located along Orangethorpe Avenue from South Vine Avenue to Basque Street. OCTA operates local bus Route 30 along the roadway.

**Gilbert Street** – Gilbert Street is a local road that travels north and south throughout the study area. It is a two lane undivided roadway. The posted speed limit is 30 miles per hour. On-street parking is permitted along a portion of the roadway.

**Auto Center Drive** – Auto Center Drive is a local road that travels north and south throughout the study area. It is a two lane undivided roadway. The posted speed limit is 25 miles per hour. On-street parking is permitted along a portion of the roadway.

The Fullerton Park and Ride is served by four access driveways. There are three access driveways located along Orangethorpe Avenue, and one access located off of Magnolia Drive on the SR-91 on-ramp.

Magnolia Avenue provides access to SR-91 and I-5 in the vicinity of the project site. Additional access to I-5 is provided via Auto Center Drive to the north.

### 2.2 BIKEWAY NETWORK

While the study area contains a network of bikeways along several arterials throughout the City, there is a lack of bikeways on the immediate surrounding streets on Orangethorpe Avenue and Magnolia Avenue. However, there is bicycle infrastructure present, as there are two standard bike racks, one at each end of the transit boarding area.

The City of Fullerton has an existing bikeway network that provides circulation and internal community links as well as access to the regional bikeway network. The City utilizes the standards developed by Caltrans to classify its bikeways and is defined as follows:

**Class I (Bike Path):** Provides a completely separated right-of-way for the exclusive use of bicycles and pedestrians with cross flow minimized.

**Class II (Bike Lane):** Provides a striped lane for one-way bike travel on a street or highway.

**Class III (Bike Route):** Provides for shared use with pedestrian or motor vehicle traffic.

Figure 2.1 illustrates the existing and proposed bikeway network located within the Fullerton Park and Ride study area.

Existing bikeways/trails in the vicinity of the Fullerton Park and Ride include the following:

OCTOBER 2019

3

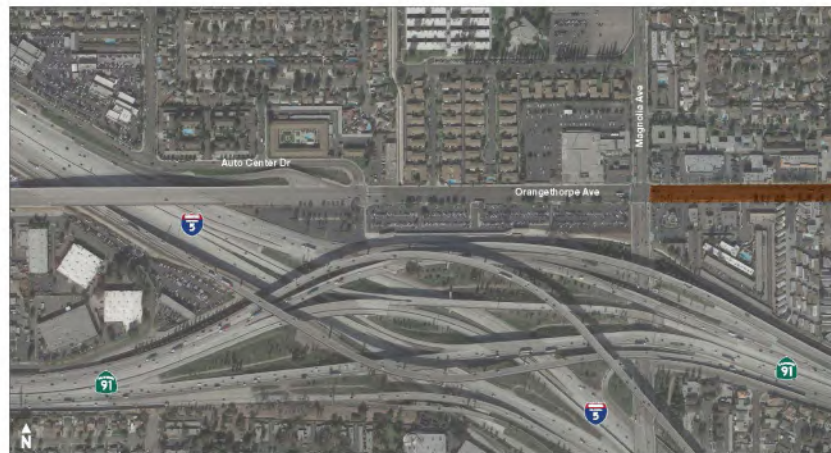


- Class II on-street bike lane on Orangethorpe Avenue between South Vine Avenue and Basque Avenue
- Class III bike route on Gilbert Street between Orangethorpe Avenue and Valencia Drive
- Class III bike route on Valencia Drive between Magnolia Avenue and Brookhurst Street
- Class III bike route on Brookhurst Road between Orangethorpe Avenue and Valencia Drive

The City of Fullerton adopted an updated General Plan in 2012, which included the adoption of a Bicycle Master Plan to guide bikeway planning within the city. Planned bikeways in the vicinity of the Fullerton Park and Ride are noted as the following:

- Class I bike path on Olive Avenue from Magnolia Avenue to Basque Street
- Class II on-street bike lane on Orangethorpe Avenue between Auto Center Drive and Magnolia Avenue
- Class II on-street bike lane on Valencia Drive between Gilbert Street and Brookhurst Road
- Class III bike route on Magnolia Avenue between Orangethorpe Avenue and Valencia Drive

FIGURE 2.1 Fullerton Bikeway Network



Legend  
Class 2 Existing Bikeway

## 2.3 PEDESTRIAN NETWORK

The Fullerton Park and Ride serves as an active pedestrian zone, but the site is challenged by its immediate surroundings. The site is bounded by residential and commercial uses to the north and east. The I-5 and SR-91 freeways border the site to the south and west. Existing infrastructure, such as sidewalks, along major corridors support pedestrian activity in the area. Additionally, pedestrian crosswalks are also present at all major intersection crossings. Consideration should be given to improving wayfinding signage to assist transit patrons and visitors. Consideration should also be given to improving the lighting conditions within the area. Improved lighting conditions could help enhance pedestrian comfort and safety within the study area.

## 2.4 TRANSIT NETWORK

Seven OCTA bus routes and one LA Metro bus route serve the Fullerton Park and Ride site, as illustrated in Figure 2.2. Buses currently enter the site via the 91 West Freeway/Park and Ride entrance ramp, just south of the Park and Ride off Magnolia Street, or through the access driveways along Orangethorpe Avenue. Route 30 is the only route that does not enter the site, as it passes along Orangethorpe Avenue. Once at the Fullerton Park and Ride site, buses dock at one of fourteen existing bus bays located along the southern edge of the site. The seven OCTA bus routes and one LA Metro bus route that serve the Fullerton Park and Ride site are summarized in Table 2.1 below.

The Fullerton Park and Ride has covered bus bays for seven routes, including routes to Anaheim (including Disneyland), Buena Park (including Knott's Berry Farm), Placentia, Stanton, Westminster, Fountain Valley, Anaheim, Garden Grove, and Huntington Beach. Express bus service is offered to and from Los Angeles six times daily. In addition, OCTA recently included the Bravo! 529 rapid bus route that originates at the Fullerton Park and Ride and extends to the Goldenwest Transportation Center. The site is easily accessible from local freeways via the I-5/Magnolia interchange.

The eight bus routes that serve the Fullerton Park and Ride are described below:

**OCTA Route 25:** This route provides weekday and Saturday, Sunday, and Holiday services from Fullerton to Huntington Beach. It starts at the Fullerton Park and Ride, travels west then southerly through the cities of Buena Park and Cypress, then ends at the station of Pacific Coast Highway/1<sup>st</sup> in Huntington Beach. This route operates at approximately 55-minute headways at the Fullerton Park and Ride and provides 21 trips from this site on a daily basis.

**OCTA Route 26:** This route provides weekday and Saturday, Sunday, and Holiday services from Fullerton to Placentia. It starts at the Fullerton Park and Ride, travels west and northerly through the cities of Buena Park, Fullerton, then ends at the Rose/Yorba Linda station in Placentia. This route operates at approximately 25-minute headways at the Fullerton Park and Ride and provides 41 trips to this site on a daily basis.

**OCTA Route 30:** This route provides weekday and Saturday, Sunday, and Holiday services from Cerritos to Anaheim. It starts at the Los Cerritos Center, travels northerly through the cities of La Palma, Fullerton, and Placentia, then ends at the station of Esperanza/Fairlynn in the City of Anaheim. This route operates at approximately 30-minute headways at the Fullerton Park and Ride and provides 53 trips to this site on a daily basis.

**OCTA Route 33:** This route provides weekday and Saturday, Sunday, and Holiday services from Fullerton to Huntington Beach. It starts at the Fullerton Park and Ride, travels southerly through the cities of Stanton, Westminster, Fountain Valley, and ends at the Magnolia/Coast Highway station in Huntington Beach. This route operates at approximately 40-minute headways at the Fullerton Park and Ride and provides 23 trips to this site on a daily basis.



**OCTA Route 35:** This route provides weekday services from Fullerton to Costa Mesa. It starts at the Fullerton Park and Ride, travels easterly and southerly through the City of Anaheim, Garden Grove, Westminster, Fountain Valley, and ends at the 19<sup>th</sup>/Meyer station at in Huntington Beach. This route operates at approximately 30-minute headways at the Fullerton Park and Ride and provides 36 trips to this site on a daily basis.

**OCTA Route 721:** This route provides express weekday services from Fullerton to Los Angeles. It starts at the Fullerton Park and Ride, travels easterly and southerly to Los Angeles, and makes two stops at Flower/7<sup>th</sup> and Beaudry/5<sup>th</sup>. This route operates at approximately 30-minute headways at the Fullerton Park and Ride and provides 36 trips to this site on a daily basis. This route operates at approximately 1-hour headways during peak times at the Fullerton Park and Ride and provides 6 trips to this site on a daily basis.

**OCTA Bravo! 529 Route:** This route provides rapid weekday service from the Fullerton Park and Ride to the Golden West Transit Center in Huntington Beach. The bus travels westerly along Orangethorpe Ave, and south on Beach, making key stops at Knott's Berry Farm, Beach/Katella, and Beach/Westminster. This route provides 12 minute headways during peak hours and 18 minute headway for off-peak hours. Bravo! 529 provides 51 trips each weekday.

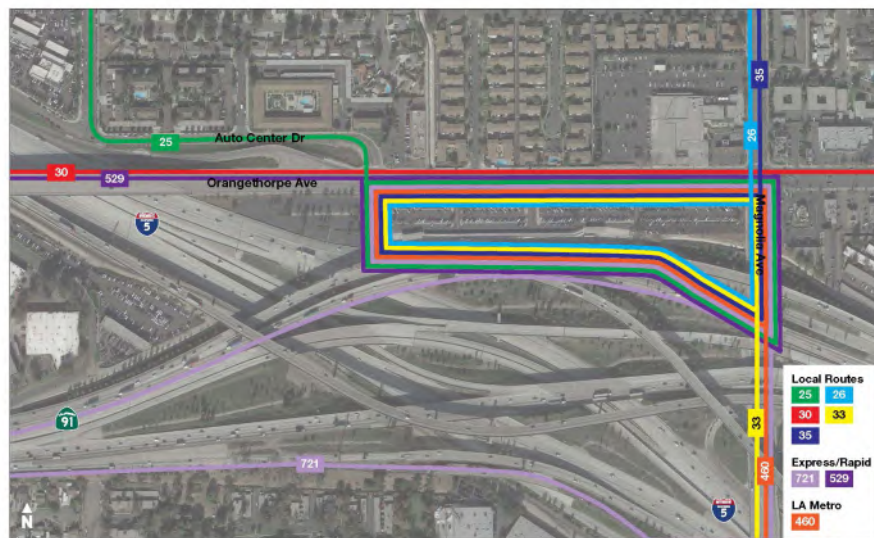
**LA Metro Route 460:** This Los Angeles Metro route provides weekday, Saturday, Sunday and holiday express services from Disneyland to Downtown Los Angeles. It starts at Disneyland, travels northerly through the cities of Fullerton and Norwalk, and ends at 6<sup>th</sup> & Los Angeles. This route operates at approximately 20-minute headways at the Fullerton Park and Ride and provides 35 trips to this site on a daily basis.

**TABLE 2.1: TRANSIT OPERATIONS**

OCTA ROUTE	STREETS	WEEKDAY PEAK HEADWAY	NUMBER OF DAILY TRIPS
25	First, Goldenwest, Knott, Artesia, Dale, Magnolia	55 minutes	21
26	Magnolia, Commonwealth, Nutwood, State College, Placentia, Bradford, Yorba Linda, Linda Vista, Rose	25 minutes	41
30	Orangethorpe, Gridley, 183rd	30 minutes	53
33	Magnolia	40 minutes	23
35	Magnolia, Commonwealth, Brookhurst, Victoria, Placentia, 19 <sup>th</sup> , Newport	30 minutes	36
721	Magnolia, SR-91, I-110, Figueroa, 4 <sup>th</sup> , 5 <sup>th</sup> , Flower	30 minutes	36
529	Orangethorpe, Beach, Center	12 minutes	51
LA Metro 460	Disneyland, I-105, I-110, Downtown Los Angeles	20 minutes	35



FIGURE 2.2 Fullerton Park and Ride Transit Network



## 3 EXISTING PARKING CONDITIONS

This section details the existing parking conditions at the Fullerton Park and Ride. It includes an assessment of existing parking supply and demand at the facility. This section also summarizes the data collection process and parking analysis methodology.

### 3.1 METHODOLOGY

Parking occupancy counts were conducted during the day at the Fullerton Park and Ride site on a weekday. The daytime parking surveys were performed between 7:00 AM and 6:00 PM to provide information on variations in parking demand between AM/PM peak hours. The parking surveys were conducted while schools were in session on:

- Wednesday, September 19, 2018

The detailed parking count survey can be found in Appendix A of this report.

### 3.2 EXISTING PARKING SUPPLY

The Fullerton Park and Ride site offers 745 off-street parking spaces in its surface parking lot. Of the 745 parking spaces, 29 parking spaces are reserved for ADA parking. Access to the parking site is not controlled and no fees are charged for parking at the site. On-street parking is not permitted on any of the streets adjacent to the Fullerton Park and Ride site.

### 3.3 EXISTING PARKING DEMAND

The following section summarizes existing parking occupancy observed on a weekday. Results of the parking occupancy survey revealed occupancy percentages of 40% to 50% for the peak hours between 7:00 AM and 6:00 PM. Table 3.1 summarizes the results of the parking occupancy survey. The numbers below reflect the number of occupied spaces and the ratio of occupancy including all spaces in the lot (both standard and ADA spaces).



**TABLE 3.1: PARKING OCCUPANCY SURVEY**

TIME	09/19/2018 SURVEY	
	OCCUPIED SPACES	PERCENTAGE
7:00 AM	311	42%
8:00 AM	345	46%
9:00 AM	346	46%
10:00 AM	337	45%
11:00 AM	341	46%
12:00 PM	330	44%
1:00 PM	332	45%
2:00 PM	319	43%
3:00 PM	305	41%
4:00 PM	266	36%
5:00 PM	188	25%
6:00 PM	144	19%

The survey reported peak parking demand occurred from 8:00 AM to 11:00 AM with an occupancy rate of approximately 46%. Parking occupancy percentages equal to or greater than 85% is typically considered to be reflective of at capacity or near capacity conditions.

There is the potential for parking demand to change in the future. The Draft OCTA 2018 Long Range Transportation Plan (LRTP) identifies two new high-quality transit projects that would serve the Fullerton Park and Ride. These two projects include a high quality transit service along Beach Boulevard project between the Fullerton Park and Ride and Downtown Huntington Beach and a Freeway BRT operating in the Interstate 5 Corridor between the Fullerton Park and Ride and Mission Viejo/Laguna Niguel Metrolink Station. If these projects are implemented, there could be a future increase in parking demand at the Fullerton Park and Ride.

## 4 EXISTING TRAFFIC CONDITIONS

This section summarizes the existing traffic conditions within the Fullerton Park and Ride area, including AM and PM peak traffic volumes for vehicles, bicyclists, and pedestrians, as well as an assessment of existing mode split for persons accessing the site.

### 4.1 METHODOLOGY

#### 4.1.1 TRAFFIC COUNT DATA

The existing intersection turning movement counts were taken on Wednesday, September 19, 2018 during the morning peak period (7:00 AM to 9:00 AM) and the afternoon peak period (4:00 PM to 6:00 PM) for vehicular, bicycle, and pedestrian traffic. The counts were conducted to capture peak weekday travel behavior when school was in session. The detailed traffic count data can be found in Appendix B of this report.

#### 4.1.2 EXISTING GEOMETRY AND CONTROL

The intersection analysis includes an assessment of 3 study intersections:

1. Auto Center Drive and Orangethorpe Avenue
2. Magnolia Avenue and Orangethorpe Avenue
3. Magnolia Avenue and SR-91 Westbound Off-Ramp

Figure 4.1 illustrates the study intersections along with the existing intersection geometry and control.



FIGURE 4.1 Existing Intersection Geometry and Control



FIGURE 4.4 Existing Active Transportation Volumes – AM Peak Period

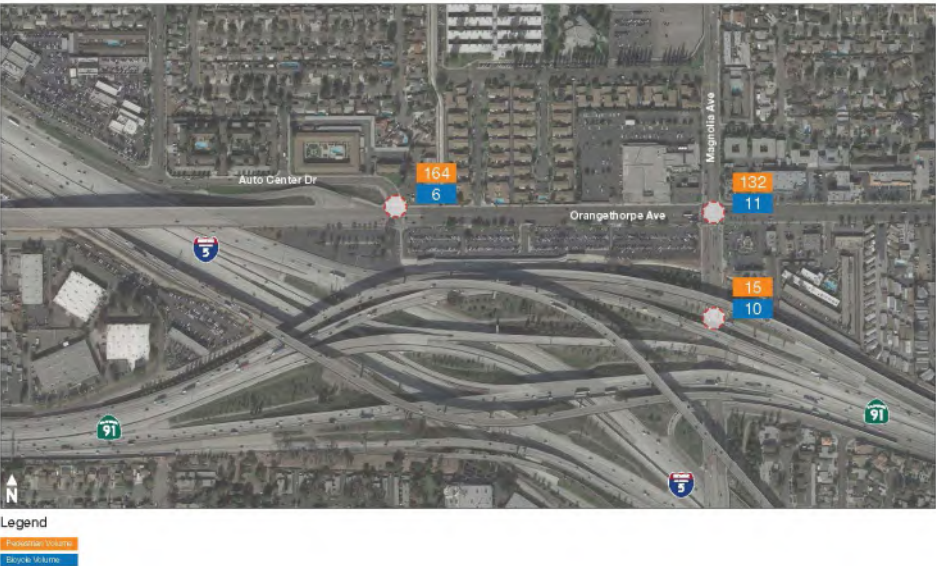
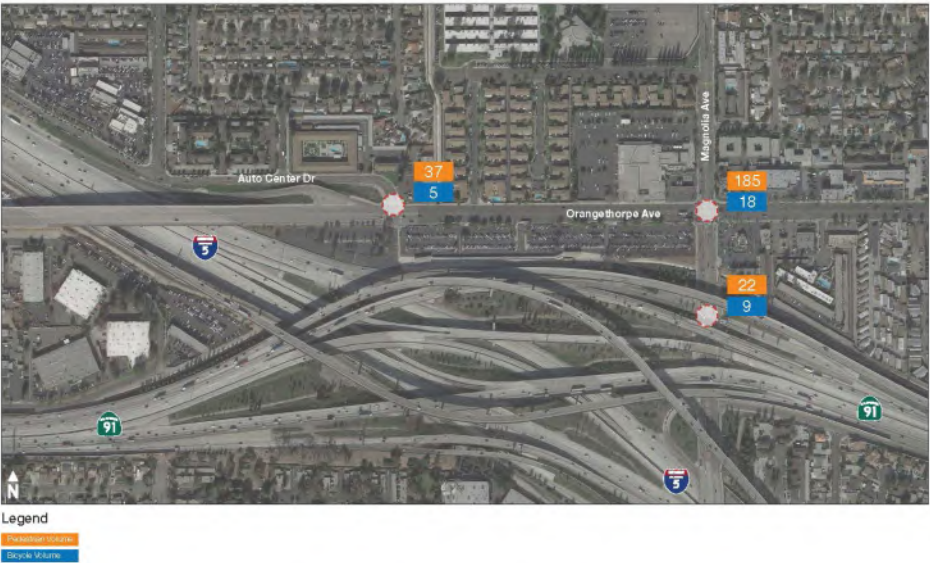


FIGURE 4.5 Existing Active Transportation Volumes – PM Peak Period





### 4.3 SITE ACCESS MODE SPLIT

In addition to AM and PM peak period traffic volume counts, a survey of arrival trip types was also conducted to evaluate the modal share of the Fullerton Park and Ride site. The survey assessed what mode of transportation visitors used to travel to the Fullerton Park and Ride site. The survey was conducted on the same weekday as the traffic volume counts, between the AM peak hours of 7:00 AM to 9:00 AM and between the PM peak hours of 4:00 PM and 6:00 PM. An evaluation of the AM peak period shows a majority of users, approximately 54%, drove and parked at the Fullerton Park and Ride site before riding transit. In contrast, during the PM peak period, a majority of users, approximately 57%, were dropped off at the Fullerton Park and Ride site. The results of the modal share evaluation are illustrated in Figures 4.6 and 4.7 below. The detailed modal share survey can be found in Appendix C of this report.

FIGURE 4.6: MODAL SHARE – AM PEAK

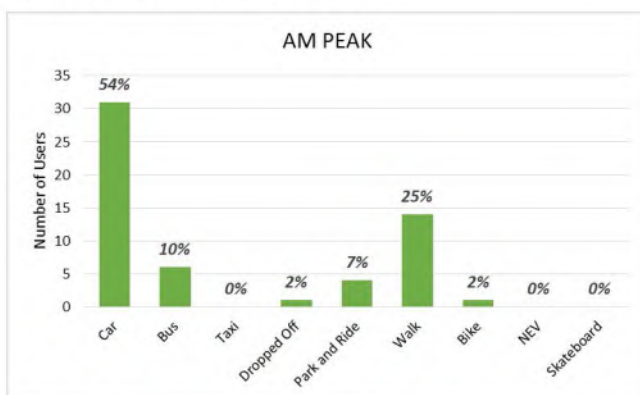
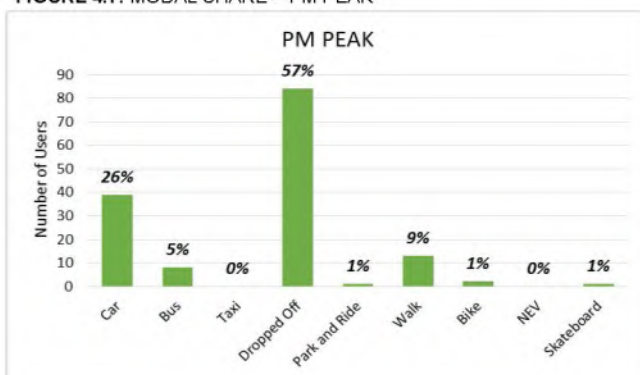


FIGURE 4.7: MODAL SHARE – PM PEAK



## 5 COLLISION HISTORY

As a part of the Fullerton Park and Ride site assessment, collision history data was also collected and evaluated. Collision data involving vehicles, bicyclists and pedestrians was collected from the Statewide Integrated Traffic Records System (SWITRS) for the five-year time ending on December 31, 2015. This section summarizes the collision history involving vehicles, bicyclists, and pedestrians within the Fullerton Park and Ride vicinity.

### 5.1 VEHICULAR COLLISION SUMMARY

As indicated by the modal share assessment, a majority of users arrive to the Fullerton Park and Ride site by driving. Upon review of the five-year SWITRS collision history data, it was noted that approximately 592 vehicular collisions occurred within a 1-mile radius of the Fullerton Park and Ride site. A majority of the reported collisions occurred on the 91 Freeway and I-5 Interchange. Figure 5.1 illustrates the locations of vehicular collisions within the vicinity of the Fullerton Park and Ride site for the five-year period from January 1, 2011 to December 31, 2015.

### 5.2 BICYCLE COLLISION SUMMARY

Upon review of the five-year SWITRS collision history data, it was noted that approximately 49 bicycle collisions occurred within a 1-mile radius of the Fullerton Park and Ride site. Figure 5.2 illustrates the locations of bicycle collisions within the vicinity of the Fullerton Park and Ride site for the five-year period ending from January 1, 2011 to December 31, 2015.

### 5.3 PEDESTRIAN COLLISION SUMMARY

Upon review of the five-year SWITRS collision history data, it was noted that approximately 43 pedestrian collisions occurred within a 1-mile radius of the Fullerton Park and Ride site. Figure 5.3 illustrates the locations of pedestrian collisions within the vicinity of the Fullerton Park and Ride site for the five-year period from January 1, 2011 to December 31, 2015.



FIGURE 5.1 2011 -2015 Vehicular Collision Locations

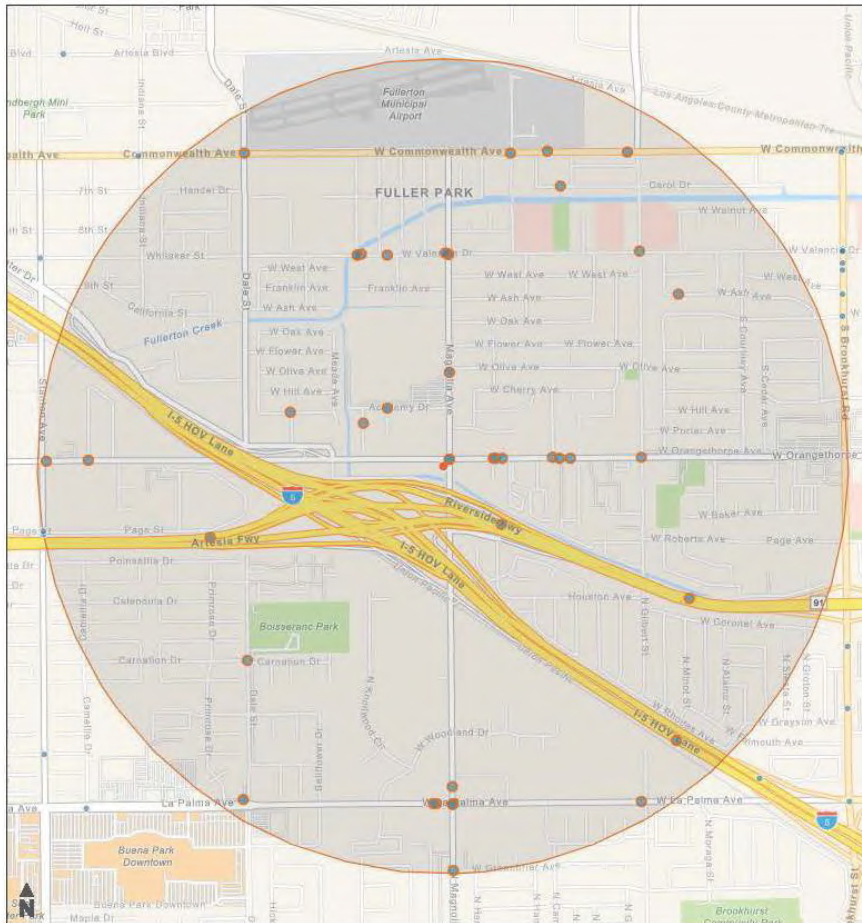


FIGURE 5.2 2011 -2015 Bicycle Collision Locations





FIGURE 5.3 2011 -2015 Pedestrian Collision Locations



## 6 ON SITE ASSESSMENT

A site visit was conducted on October 9th, 2018 between 8:30am and 10:00pm to assess existing transit and bicycle/pedestrian conditions at the transit center site and connections to the transit center from the surrounding community.

### 6.1 EXISTING TRANSIT CONDITIONS

The following observations were made regarding existing transit access and circulation conditions at the transit center:



- There are signs that indicate the presence of the park and ride from nearby freeway exits. The SR-91 Freeway shows a sign for a park and ride off the Magnolia westbound exit. A second freeway sign is visible to northbound vehicles on Magnolia Avenue. There is another park and ride sign southbound on Magnolia Avenue. A potential location for park and ride signage would be at the approach to all four Magnolia Avenue off-ramps on the I-5 and 91 Freeways.

- The bus docks are designed in a way to promote easy and quick loading and unloading.
- Transit signs are plentiful on the site, whether they are within the park and ride or on Orangethorpe Avenue.
- There is a passenger loading zone that spans nearly the entirety of the bus dock.
- The parking lot is not inherently easy to maneuver in.

Entrances into parking zones and drive aisles do not necessary line up to entry points.

- All street painting could be upgraded. It was either faded, difficult to understand, or misleading.
- The furthest section of parking from the Orangethorpe/ Magnolia intersection experienced very little parking utilization.
- There are protected turnouts on Orangethorpe Avenue.
- Some bus stops on Orangethorpe Avenue have no waiting area. All bus stops on the same street have congested walled configurations.
- Signage around the transit center is clearly marked which bus bays (dock number) that drivers pull into. However, the signage was not as clear for passengers to understand where to stand to catch the right bus. Signage showing bus route numbers in addition to the existing directory board may improve customer experience.





## 6.2 EXISTING BICYCLE CONDITIONS

The following observations were made regarding bicycle access at the site:

- There are two bike racks, one at each shelter on the ends. There were no bicycles observed to be parked at any of the racks provided.
- The bike racks are a style manufactured widely in the 1950's that hold only a portion of the bike's front tire. These racks are named "schoolyard" racks by the Association of Pedestrian and Bicycle Professionals (APBP), and should be avoided because they do not secure the bike frame in two places, but only lock the front wheel. Front wheels can be detached from the rest of the bike when the frame is not secured.
- There are no bike lockers on the site. Bike lockers are advantageous to have when customers lock their bikes for longer periods of time.
- Bicycle connections to the park and ride from the surrounding community were found to be lacking. There are no designated bicycle lanes on streets immediately adjacent to the park and ride on Magnolia Avenue and Orangethorpe Avenue.
- Cyclists can cross under I-5 using the Magnolia Avenue; however, there are no existing bikeway facilities to support this travel.
- Wayfinding signage directing cyclists and pedestrians to the Fullerton Park and Ride, restaurants and employment centers near the transit center were absent.
- There is no internal bicycle circulation signage or striping once inside the park and ride area.
- There were no bike racks observed at other destinations in the larger planning area.



## 6.3 EXISTING PEDESTRIAN CONDITIONS

The following observations were made regarding pedestrian access at the site:

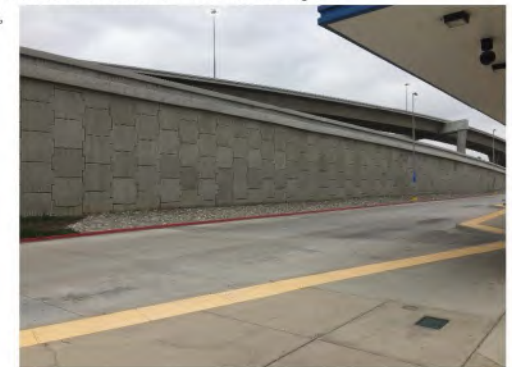
- There is an ample supply of sidewalks well connected through the site on the street frontages.
- Internal pedestrian circulation is not guided by designated pathways or signage. Striped crosswalks are present in certain, but not all locations. Pedestrians are observed walking through parking lots and crossing at mid-block locations.
- There are narrow sidewalks on the main dock, located to the north side of the bathrooms.
- The bathrooms building facilities were designed in a way that inhibit openness of pedestrian traffic and general transparency.
- There are plenty of benches and trashcans present. However, a pedestrian would have to sit at a different dock's bench if more than 4 other people are waiting for the same bus.
- There are no pamphlets for transit info in the pamphlet container.

- ADA yellow bumper strips are plentiful.
- Dock signs could be upgraded.
- The 2 ADA ramps to get onto the dock are far away from the majority of ADA parking spaces. The priority goes is to the passenger loading zone.
- Marked crosswalks are provided at multiple locations so that pedestrians can access the bus shelters using designated pathways instead of walking through the parking lot.

## 6.4 EXISTING AESTHETIC CONDITIONS

The following observations were made regarding aesthetic conditions at the site:

- The Fullerton Park and Ride has decently landscaped buffers along the Magnolia Avenue and Orangethorpe Avenue frontage. However, landscaping within the site is sporadic.
- Sidewalks are provided along the frontage of the site on both Orangethorpe Avenue and Magnolia Avenue, but narrow down at bus stations that have restricting blue colored walls.
- General street painting of the site could use a full update.
- The location of the Fullerton Park and Ride at the intersection of two major freeways and two major arterial streets creates a fairly noisy environment.
- While waiting for a bus, people face the grey wall of the 91 Freeway West/ I-5 North interchange ramp. Perhaps a mural on this wall could improve the waiting experience.
- There is light graffiti in multiple locations on the site.
- The bathroom areas on the west and east sides do not smell good.
- The site, in its entirety, is relatively clean.





## 7 CURRENT TRANSIT RIDERSHIP AND DEMAND

Current transit ridership for the Fullerton Park and Ride is calculated from boardings and alightings provided by OCTA by transit stop number within Transportation Analysis Zone (TAZ) number 127. Seven different routes (25, 26, 33, 35, 721, 527, and Metro 460) dock at the Fullerton Park and Ride, in Docks 6/7, 5, 11, 10, 8, 11, and 3/4, respectively. Route 30 travels on Orangethorpe Avenue, but does not go within the Fullerton Park and Ride Facility. There are 3 bus stops on Orangethorpe directly adjacent to the Fullerton Park and Ride, one of which is eastbound.

### 7.1 FUTURE TRANSIT RIDERSHIP

In general, transit ridership or demand for transit in a given region will parallel the overall population growth of the area. OCTA's 2018 LRTP predicts a 10% growth in population, a 11% growth in housing and a 17% increase in employment in Orange County forecast to 2040. The forecasted growth is predicted to create increased travel demand and increased congestion along already congested regional highways, local roadways, rail lines, and bus systems.

Local area ridership forecasts, such as for the routes serving the Fullerton Park and Ride and its vicinity, are driven by a combination of both local and regional growth factors. The Fullerton Park and Ride serves as a regional transit hub for destinations outside of Fullerton and will experience some regional growth. However, the area immediately surrounding the transit center is generally built out, so limited increases to local transit trips is anticipated as a result of local population growth. Transit trip growth would be anticipated to result more from the introduction of new transit services, including the Beach Boulevard transit corridor project and the Freeway BRT project identified in the 2018 LRTP.

## 8 PROJECTED TRAVEL CONDITIONS BY MODE

The OCTA 2018 LRTP forecasts increased trips and anticipated congestion for all modes of travel resulting from continued development of the remaining vacant land in Orange County, and the increased densification of already built-out areas. Table 8.1 below identifies expected growth of 16,000 transit trips per day, which will cause a 6.2% increase in delay as a percent of travel time. In addition, average freeway speed during peak morning traffic is expected to reduce from from the 38.3mph to just 36.4mph by 2040. Future additional congestion and delay on freeways is an issue to consider for all drivers and potential joint development at the Fullerton Park and Ride.

**TABLE 8.1: PERFORMANCE OF FREEWAYS AND ARTERIALS IN THE 2015 BASE YEAR AND 2040 BASELINE SCENARIO**

TRANSPORTATION SYSTEM PERFORMANCE SUMMARY			
Metrics (daily)	2015 Base Year	2040 Baseline	Trend 2040
Vehicle passenger delay per capita (minutes)	8.3	12.5	8.7
Vehicle passenger travel time per capita (minutes)	54.5	58.5	55.9
Delay as a percent of travel time	15.2%	21.4%	15.5%
Transit trips	149,000	165,000	174,000
Freeways - AM peak average speed (mph)	38.3	36.2	39.5
Managed lanes - AM peak capacity utilization	77%	83.6%	60%
Arterials - AM peak average speed (mph)	25.7	24.3	25.8

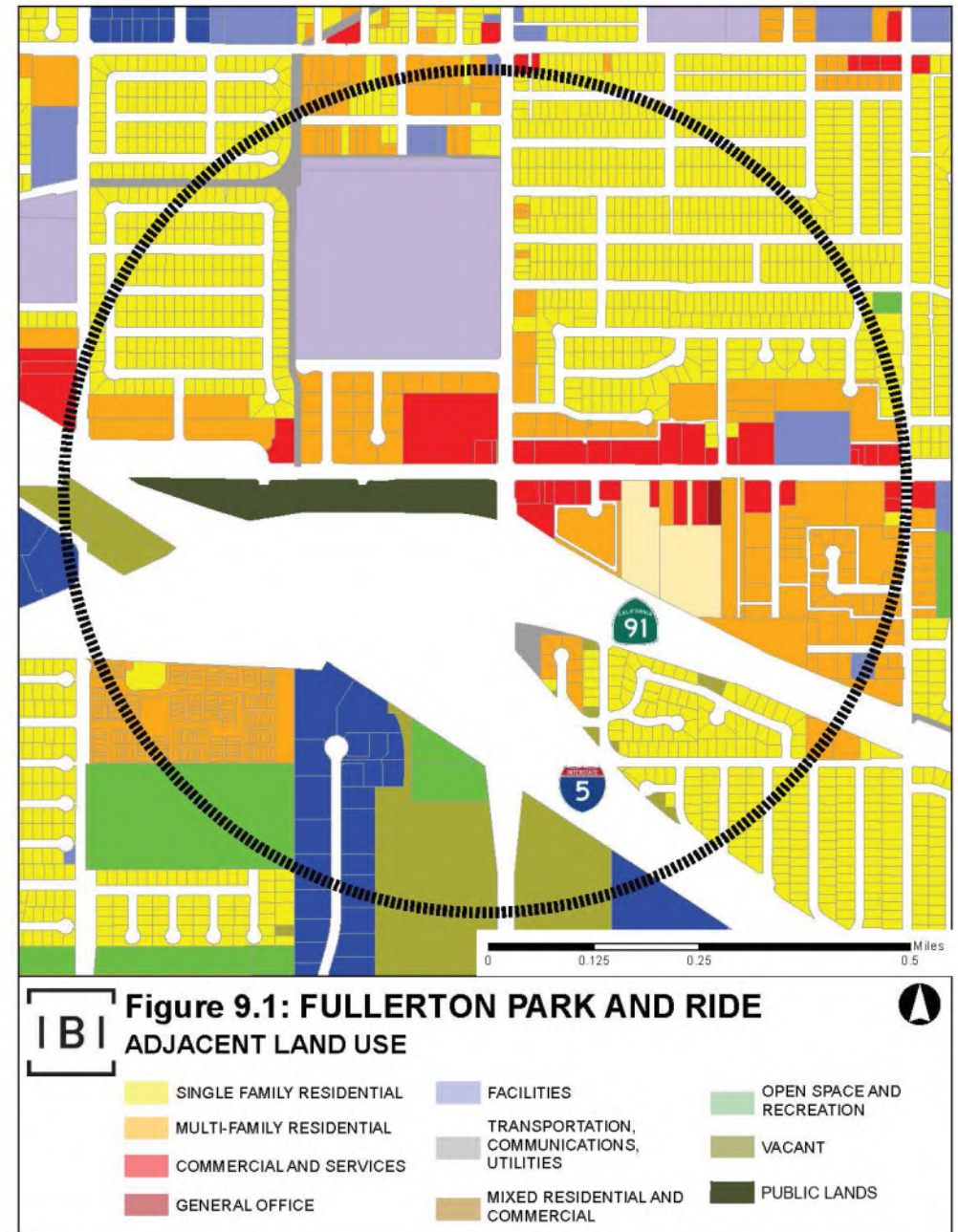
Note: Trend 2040 assumes managed lanes are operated as tolled express lanes by 2040

Source: OCTA 2018 LRTP<sup>4</sup>



## 9 LAND USE

The Fullerton Park and Ride site is located on an 11.1-acre parcel of land zoned for public land use. The area within a half-mile radius of the Fullerton Park and Ride site consists of mostly commercial, multi-family residential, single family residential, and public facilities uses. Figure 10.1 illustrates the various land uses within a half-mile radius of the Fullerton Park and Ride site as set forth by the City of Fullerton Zoning Code.





## 10 POTENTIAL OPPORTUNITIES AND CONSTRAINTS

The Fullerton Park and Ride has been identified by OCTA as a potential location for joint development opportunity.

### 10.1 JOINT DEVELOPMENT LITERATURE REVIEW

Several recent publications have provided guidance on the opportunities and recommended planning processes for joint public/private development projects in transit rich zones, summarized below:

**1. Moving Ahead for Progress in the 21st Century Act (MAP-21), Pub. L. 112-141 (2012),** informs FTA recipients of opportunities for private sector participation in public transportation projects, and includes the most current guidance for the federal public transportation program.

As a matter of policy, FTA encourages project sponsors to undertake joint development, and promotes the project sponsor's ability to work with the private sector and others to pursue joint development. Project sponsors can pursue joint development through new grants or with property previously acquired with FTA assistance. The project sponsor maintains satisfactory continuing control over such property used in a joint development project by ensuring that the property continues to serve its originally authorized purpose. Proceeds derived from an FTA-assisted joint development project are considered program income, which the project sponsor may apply to eligible FTA capital or operating expenses.

FTA assistance may not be used in construction of TOD projects, although it may be used to plan TOD in conjunction with transit projects. Thus, while joint development can be considered a form of TOD, it is much smaller in scope and uses project property or grant funds owned by the recipient. When the joint development incorporates either real property or other project property for which FTA assistance has been provided, or a direct investment of FTA grant funds, federal requirements apply to the joint development project. The involvement of federal assistance notwithstanding,

FTA's policy is to encourage TOD. Both joint development and TOD leverage FTA assisted projects to develop local economies and to encourage private investment near public transportation.

**2. FTA Circular 7050.1 Federal Transit Administration Guidance on Joint Development, published August 25, 2014** provides the following definitions of joint transit development opportunities:

Joint Development definition: "A public transportation project that integrally relates to, and often co-locates with commercial, residential, mixed-use, or other non-transit development. Joint development may include partnerships for public or private development associated with any mode of transit system that is being improved through new construction, renovation, or extension. Joint development may also include intermodal facilities, intercity bus and rail facilities, transit malls, or historic transportation facilities".

Shared Use: "Instances in which a project partner, separate from the recipient, occupies part of a facility and pays for its' pro rata share of the construction, maintenance, and operations costs. Shared uses must be declared at the time of grant award. Shared use and incidental use are distinguishable."

Value Capture: "The term "value capture" means recovering the increased value of property located near public transportation resulting from the investments in public transportation. While value capture on the large scale often occurs through a special assessment district, tax-increment

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financing, or similar mechanisms, joint development is a meaningful value capture mechanism readily available to a project sponsor to be applied on the small scale of one or more parcels of real property it owns. Joint development is the value capture mechanism used most often for public transportation purposes. FTA encourages all forms of value capture that can contribute to the operation, maintenance, or expansion of public transportation service."

**3. The Federal Transit Administration's Planning for Transit-Supportive Development: A Practitioner's Guide (2014)** offers a number of lessons learned for integration of local land use planning and policy with strategies for transit investment. The relevant lessons for effective partnerships are summarized below. An education and outreach strategy is recommended in order for agency partners/community stakeholders to participate in making transit-supportive land uses a part of the community fabric. Educating and engaging with partners and the public is a prerequisite to forming a transit-supportive community.

Develop a community of champions. Assemble a collaborative team of forward thinking and dedicated community members. Select champions from the public, private and not-for-profit sectors and who represent a broad range of interests. Seek to ensure that the champions communicate frequently, collaborate closely on goals and agendas, and trust each other. Consider engaging champions through small task forces or committees that meet regularly and can provide information, support, and inspiration.

Educate and engage the public. Educating the public early and often is critical in gaining support. Clearly and effectively articulate the long-term vision for the transit system. Develop a clear and well-defined transit and/or transit-supportive development message. It is essential that the message be understandable and valuable to a large constituency. Images, key messaging, numbers, quantified results and benefits need to be carefully planned and consistent. Since there are many challenges in implementing a new transit system or transit-supportive developments, performance outcomes are often the best way to explain the objectives, choices and support needed. Place an emphasis on protecting and enhancing the existing community.

Emphasize the community context. Many components are needed to create a livable community. Transit is an important component but it is not the only piece of a sustainable community. Throughout the design and planning processes for transit systems and transit-supportive development, transit agencies and local governments should engage the community in developing plans and designs that reflect diverse neighborhoods with a strong sense of community. Give attention to community building goals instead of focusing solely on mobility objectives. The perspectives of transit agencies and other planning departments should be broadened so that transit is taken as a consideration and not the only driver of community goals.

Coordinate and collaborate with public agencies. Public agency coordination and collaboration are critical. Organizational structure and institutional policies can help ensure integrated land use and transit planning and implementation. In many cases, even within a single jurisdiction, it is difficult to work past the silos of multiple departments, each with its own mission and obligations. A municipality's organizational structure that places planning, economic development, transportation, and transit all under the municipality's purview can greatly streamline the way that transit planning is coordinated.

Form partnerships among agencies. For transit projects controlled by a municipality, coordination between the transit agency and the other departments, such as planning, should help streamline the planning efforts. Policies to prioritize transit improvements along select corridors and activity centers should be incorporated into citywide plans and programs and translated to street infrastructure investments as well as the new transit service. Cross-departmental coordination can facilitate efficient planning activities for route selections and station locations, as well as actions to encourage and enable transit-supportive development.

**4. TRB Report 182: Linking Transit Agencies and Land Use Decision-Making: A Guidebook for Transit Agencies (October 2015)** This guidebook presents a range of tools and

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tips for enhancing communication and coordination as well as building a transit-supportive community. While transit agencies lack the jurisdictional authority to ensure that land use decisions are transit-supportive, they can collaborate with and proactively engage a broad range of major stakeholders and the general public to achieve the desired land use outcomes. The key tools for enhancing communication and coordination include:

Partnering - Early and sustained communication provides the best outcomes and increases chances of better land use decisions. Formal and informal processes of engaging transit agencies in the decision making process can both be effective in fostering early communication. Informal structures of coordination can be as equally worthwhile as formal structures of coordinating if both the transit agency and the local government value the participation and comments provided by the other. Encouraging cities to incorporate transit considerations during their development review process can allow local jurisdictions to identify potential transit issues early on. Key tools include working groups, workshops and educational programs, and monitoring and referrals.

Strategic guidebooks - Many local governments, transit agencies, and non-profit advocacy groups have developed handbooks and guidebooks related to transit-supportive development. The use of a guidebook and/or a website to highlight the importance of inter-agency communication, collaboration, and coordination are common strategies used to address challenges and overcome barriers associated with implementing transit-supportive development projects.

Articulating the costs and benefits - Local government land use planners and/or private developers may not fully understand the service and operational issues related to their land use decisions, the benefits and need for transit, or the relationship between transit and land use. Transit agencies can explain various transit requirements and make the case for including transit officials in future land use decisions. In making their case, transit agencies can explain the costs and benefits.

## 10.2 SUMMARY OF OPPORTUNITIES

The timing of this study examining options and joint development for the Fullerton Park and Ride affords OCTA with several opportunities to design a transit site that would meet the needs of its customers in the future and allow OCTA the ability to evolve with changing trends in mobility and transportation that are currently underway.

Transit centers and transportation facilities need to incorporate flexibility to meet current transportation needs and to accommodate the rapid changing landscape of individual mobility. The Fullerton Park and Ride has not drastically changed since the 1980's, making the current site infrastructure limited in its ability to adequately serve rapid expanding markets for electric vehicles, shared ride services, and active transportation modes.

The site planning efforts will explore not only opportunities for joint development on the Fullerton Park and Ride, but strategies and opportunities for improving the form and function of the site. A summary of the opportunities identified by this study, previous studies, and the literature review for the Fullerton Park and Ride include:

- Joint development and public private partnership opportunities
- Integrate transit rider needs for signs and benches into redevelopment plans
- Integrate bicycle pathways and parking into the redevelopment plans
- Designate pedestrian pathways throughout the site
- Excess parking supply can be redeveloped
- Community and local employer participation in the planning process
- Expand parking for a Park and Fly operation

- Redesign Fullerton Park and Ride to better serve future bus operation needs
- "Right size" parking and promote flexibility in design to meet today's needs, as well as the changing needs for parking in the future
- Identify the appropriate location and configuration of additional customer parking
- Improve wayfinding signage from the freeways to the Fullerton Park and Ride
- Explore potential for revenue capture opportunities of an updated Park and Ride
- Formalize shared use agreements with various transit operators
- Improve the environment and public health with more opportunities to walk and bicycle
- Current Fullerton Park and Ride does not reach capacity
- FTA grant funding available for joint development projects

## 10.3 SUMMARY OF CONSTRAINTS

The list of issues and constraints summarized below is drawn from the research and data collected for this task, in addition to the observations made at the site:

- OCTA doesn't own the land around the Park and Ride
- Free parking encourages driving and doesn't allow for revenue capture from parking fees
- Multiple parties are not communicating their interests and needs for this site, missing joint planning opportunities
- Private transit operators function separately
- OCTA may be financially constrained to buy more land for transit parking
- The site is physically constrained by the freeway and existing development and there is no undeveloped land in the vicinity



## 10.4 MATRIX OF OPPORTUNITIES AND CONSTRAINTS

OPPORTUNITIES AND CONSTRAINTS	TRANSIT	BICYCLES & PEDESTRIANS	CARS
<b>Opportunities</b>			
Joint development and public private partnership opportunities			
Integrate transit rider needs for signs and benches into redevelopment plans			
Integrate bicycle pathways and parking into the redevelopment plans			
Designate pedestrian pathways throughout the site			
Excess parking supply can be redeveloped			
Community and local employer participation in the planning process			
Expand parking for a Park and Fly operation			
Redesign Fullerton Park and Ride to better serve future bus operation needs			
"Right size" parking and promote flexibility in design to meet today's needs, as well as the changing needs for parking in the future			
Identify the appropriate location and configuration of additional customer parking			
Improve wayfinding signage from the freeways to the Fullerton Park and Ride			
Explore potential for revenue capture opportunities of an updated Park and Ride			
Formalize shared use agreements with various transit operators			
Improve the environment and public health with more opportunities to walk and bicycle			
Current Fullerton Park and Ride does not reach capacity			
FTA grant funding available for joint development projects			
<b>Constraints</b>			
OCTA doesn't own the land around the Park and Ride			
The site is physically constrained by the freeway and existing development and there is no undeveloped land in the vicinity			
Free parking encourages driving and doesn't allow for revenue capture from parking fees			
Private transit operators function separately			
OCTA may be financially constrained to buy more land for transit parking			

## 11 APPENDIX

### 11.1 APPENDIX A: PARKING SURVEY

Fullerton Park and Ride

Wednesday, September 10th, 2015

Zone	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM
Zone 1	150	150	150	150	150	150	150	150	150	150	150	150
Zone 2	150	150	150	150	150	150	150	150	150	150	150	150
Zone 3	150	150	150	150	150	150	150	150	150	150	150	150
Zone 4	150	150	150	150	150	150	150	150	150	150	150	150
Zone 5	150	150	150	150	150	150	150	150	150	150	150	150
Total Capacity	750	750	750	750	750	750	750	750	750	750	750	750
Total Demand	150	150	150	150	150	150	150	150	150	150	150	150
Inventory	150	150	150	150	150	150	150	150	150	150	150	150
Usage	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Empty	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Full	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Zone 1	150	150	150	150	150	150	150	150	150	150	150	150
Zone 2	150	150	150	150	150	150	150	150	150	150	150	150
Zone 3	150	150	150	150	150	150	150	150	150	150	150	150
Zone 4	150	150	150	150	150	150	150	150	150	150	150	150
Zone 5	150	150	150	150	150	150	150	150	150	150	150	150
Total Capacity	750	750	750	750	750	750	750	750	750	750	750	750
Total Demand	150	150	150	150	150	150	150	150	150	150	150	150
Inventory	150	150	150	150	150	150	150	150	150	150	150	150
Usage	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Empty	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Full	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%



## 11.2 APPENDIX B: TRAFFIC COUNT DATA

Counts Unlimited  
PO Box 1178  
Corona, CA 92878  
(951) 268-6268

City of Fullerton  
N/S: Auto Center Drive  
E/W: Orangethorpe Avenue  
Weather: Clear

File Name : 01\_FLN\_Auto Center\_Orangethorpe AM  
Site Code : 20218690  
Start Date : 9/19/2018  
Page No : 1

Groups Printed- Total Volume																	
	Auto Center Drive Southbound				Orangethorpe Avenue Westbound				Auto Center Drive Northbound				Orangethorpe Avenue Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
07:00 AM	83	1	6	90	1	188	26	195	1	1	5	7	12	203	3	218	510
07:15 AM	125	1	21	147	0	227	29	256	7	1	8	16	11	243	7	261	690
07:30 AM	111	1	20	132	1	294	45	340	11	3	6	20	11	305	19	335	827
07:45 AM	102	2	25	129	0	339	64	403	2	5	5	12	17	242	5	264	808
Total	421	5	72	498	2	1028	164	1194	21	10	24	55	51	993	34	1078	2825
08:00 AM	117	1	20	138	0	174	32	207	2	0	4	6	12	189	1	202	553
08:15 AM	78	0	18	96	0	157	20	177	0	0	5	5	17	178	0	195	473
08:30 AM	73	0	11	84	1	142	20	163	1	0	4	5	7	162	0	169	421
08:45 AM	68	1	15	84	1	139	17	157	3	2	4	9	18	123	1	142	392
Total	336	2	64	402	3	612	89	704	6	2	17	25	54	652	2	708	1839
Grand Total	757	7	136	900	5	1640	253	1898	27	12	41	80	105	1645	36	1786	4664
Approch %	84.1	0.8	15.1		0.3	86.4	13.3		33.8	15	51.2		5.9	92.1	2		
Total %	16.2	0.2	2.9	19.3	0.1	35.2	5.4	40.7	0.6	0.3	0.9	1.7	2.3	35.3	0.8	38.3	

Auto Center Drive Southbound				Orangethorpe Avenue Westbound				Auto Center Drive Northbound				Orangethorpe Avenue Eastbound					
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:15 AM																	
07:15 AM	125	1	21	147	0	227	29	256	7	1	8	16	11	243	7	261	690
07:30 AM	111	1	20	132	1	294	45	340	11	3	6	20	11	305	19	335	827
07:45 AM	102	2	25	129	0	339	64	403	2	5	5	12	17	242	5	264	808
08:00 AM	117	1	20	138	1	174	32	207	2	0	4	6	12	189	1	202	553
Total Volume	455	5	86	546	2	1034	170	1206	22	9	23	54	51	979	32	1062	2888
% App. Total	83.3	0.9	15.8		0.2	85.7	14.1		40.7	16.7	42.6		4.8	92.2	3		
PHF	.910	.625	.860	.929	.500	.763	.664	.748	.500	.450	.719	.675	.750	.802	.421	.793	.867

Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1

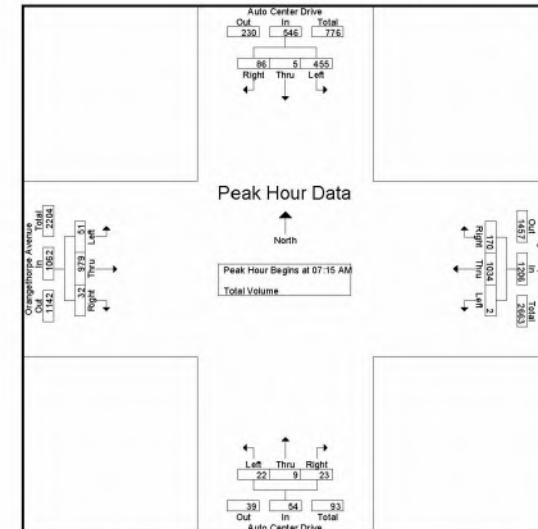
Peak Hour for Entire Intersection Begins at 07:15 AM

07:15 AM	125	1	21	147	0	227	29	256	7	1	8	16	11	243	7	261	690
07:30 AM	111	1	20	132	1	294	45	340	11	3	6	20	11	305	19	335	827
07:45 AM	102	2	25	129	0	339	64	403	2	5	5	12	17	242	5	264	808
08:00 AM	117	1	20	138	1	174	32	207	2	0	4	6	12	189	1	202	553
Total Volume	455	5	86	546	2	1034	170	1206	22	9	23	54	51	979	32	1062	2888
% App. Total	83.3	0.9	15.8		0.2	85.7	14.1		40.7	16.7	42.6		4.8	92.2	3		
PHF	.910	.625	.860	.929	.500	.763	.664	.748	.500	.450	.719	.675	.750	.802	.421	.793	.867

City of Fullerton  
N/S: Auto Center Drive  
E/W: Orangethorpe Avenue  
Weather: Clear

Counts Unlimited  
PO Box 1178  
Corona, CA 92878  
(951) 268-6268

File Name : 01\_FLN\_Auto Center\_Orangethorpe AM  
Site Code : 20218690  
Start Date : 9/19/2018  
Page No : 2



Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1  
Peak Hour for Each Approach Begins at:

	07:15 AM				07:30 AM				07:45 AM				08:00 AM			
+0 mins.	125	1	21	147	0	227	29	256	1	1	5	7	12	203	3	218
+15 mins.	111	1	20	132	1	294	45	340	7	1	8	16	11	243	7	261
+30 mins.	102	2	25	129	0	339	64	403	11	3	6	20	11	305	19	335
+45 mins.	117	1	20	138	1	174	32	207	2	5	5	12	17	242	5	264
Total Volume	455	5	86	546	2	1034	170	1206	21	10	24	55	51	993	34	1078
% App. Total	83.3	0.9	15.8		0.2	85.7	14.1		38.2	18.2	43.6		4.7	92.1	3.2	
PHF	.910	.625	.860	.929	.500	.763	.664	.748	.477	.500	.750	.688	.750	.814	.447	.804



Counts Unlimited  
PO Box 1178  
Corona, CA 92678  
(951) 268-6268

City of Fullerton  
N/S: Auto Center Drive  
E/W: Orangethorpe Avenue  
Weather: Clear

File Name : 01\_FLN\_Auto Center\_Orangethorpe PM  
Site Code : 20218690  
Start Date : 9/19/2018  
Page No : 1

Groups Printed- Total Volume													
Start Time	Auto Center Drive Southbound				Orangethorpe Avenue Westbound				Auto Center Drive Northbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
04:00 PM	84	0	25	109	0	281	51	332	1	3	3	7	665
04:15 PM	75	0	29	104	2	278	41	321	1	0	3	4	634
04:30 PM	74	0	24	98	0	265	33	298	5	2	5	12	656
04:45 PM	67	0	30	97	0	288	41	329	2	1	6	9	671
Total	300	0	108	408	2	1112	166	1280	9	6	17	32	2626
05:00 PM	75	0	23	98	0	288	38	326	7	1	6	14	678
05:15 PM	67	0	21	88	1	313	41	355	2	0	4	6	687
05:30 PM	80	1	24	105	0	277	50	327	4	3	3	10	708
05:45 PM	79	0	20	99	1	266	37	304	9	1	8	18	654
Total	301	1	88	390	2	1144	166	1312	22	5	21	48	2727
Grand Total	601	1	196	798	4	2256	332	2592	31	11	38	80	5353
Approach %	75.3	0.1	24.6		0.2	87	12.8		38.8	13.8	47.5		
Total %	11.2	0	3.7	14.9	0.1	42.1	6.2	48.4	0.6	0.2	0.7	1.5	35.2

Start Time	Auto Center Drive Southbound				Orangethorpe Avenue Westbound				Auto Center Drive Northbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
04:00 PM	84	0	25	109	0	281	51	332	1	3	3	7	665
04:15 PM	75	0	29	104	2	278	41	321	1	0	3	4	634
04:30 PM	74	0	24	98	0	265	33	298	5	2	5	12	656
04:45 PM	67	0	30	97	0	288	41	329	2	1	6	9	671
Total	300	0	108	408	2	1112	166	1280	9	6	17	32	2626
05:00 PM	75	0	23	98	0	288	38	326	7	1	6	14	678
05:15 PM	67	0	21	88	1	313	41	355	2	0	4	6	687
05:30 PM	80	1	24	105	0	277	50	327	4	3	3	10	708
05:45 PM	79	0	20	99	1	266	37	304	9	1	8	18	654
Total	301	1	88	390	2	1144	166	1312	22	5	21	48	2727
Grand Total	601	1	196	798	4	2256	332	2592	31	11	38	80	5353
Approach %	75.3	0.1	24.6		0.2	87	12.8		38.8	13.8	47.5		
Total %	11.2	0	3.7	14.9	0.1	42.1	6.2	48.4	0.6	0.2	0.7	1.5	35.2

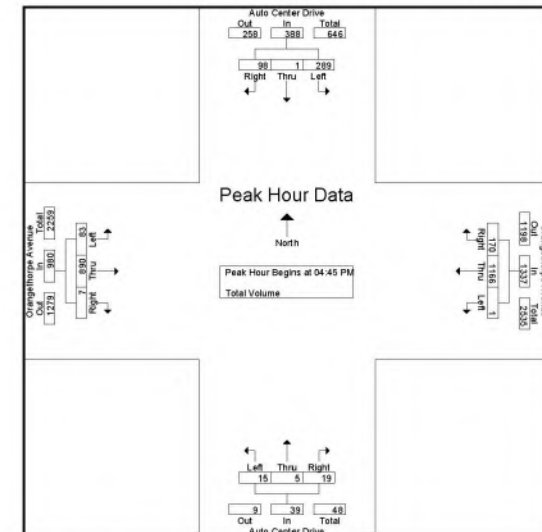
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1  
Peak Hour for Entire Intersection Begins at 04:45 PM

Start Time	Auto Center Drive Southbound				Orangethorpe Avenue Westbound				Auto Center Drive Northbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
04:45 PM	67	0	30	97	0	288	41	329	2	1	6	9	671
05:00 PM	75	0	23	98	0	288	38	326	7	1	6	14	678
05:15 PM	67	0	21	88	1	313	41	355	2	0	4	6	687
05:30 PM	80	1	24	105	0	277	50	327	4	3	3	10	708
05:45 PM	79	0	20	99	1	266	37	304	9	1	8	18	654
Total	289	1	98	388	1	1166	170	1337	15	5	19	39	2744
% App. Total	74.5	0.3	25.3		0.1	87.2	12.7		38.5	12.8	48.7		
PHF	.903	.250	.817	.924	.250	.931	.850	.942	.536	.417	.792	.696	.921

Counts Unlimited  
PO Box 1178  
Corona, CA 92678  
(951) 268-6268

City of Fullerton  
N/S: Auto Center Drive  
E/W: Orangethorpe Avenue  
Weather: Clear

File Name : 01\_FLN\_Auto Center\_Orangethorpe PM  
Site Code : 20218690  
Start Date : 9/19/2018  
Page No : 2



Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1  
Peak Hour for Each Approach Begins at:

	04:00 PM				04:45 PM				05:00 PM				05:45 PM			
+0 mins.	84	0	25	109	0	288	41	329	7	1	6	14	18	217	1	236
+15 mins.	75	0	29	104	0	288	38	326	2	0	4	6	25	212	3	240
+30 mins.	74	0	24	98	1	313	41	355	4	3	3	10	21	217	0	238
+45 mins.	67	0	30	97	0	277	50	327	9	1	8	18	19	244	3	266
Total Volume	300	0	108	408	1	1166	170	1337	22	5	21	48	83	890	7	980
% App. Total	73.5	0	26.5		0.1	87.2	12.7		45.8	10.4	43.8		8.5	90.8	0.7	
PHF	.893	.000	.900	.936	.250	.931	.850	.942	.611	.417	.656	.667	.830	.912	.583	.921



Counts Unlimited  
PO Box 1178  
Corona, CA 92678  
(951) 268-6268

City of Fullerton  
N/S: Magnolia Avenue  
E/W: Orangethorpe Avenue  
Weather: Clear

File Name : 02\_FLN\_Magnolia\_Orangethorpe AM  
Site Code : 20218690  
Start Date : 9/19/2018  
Page No : 1

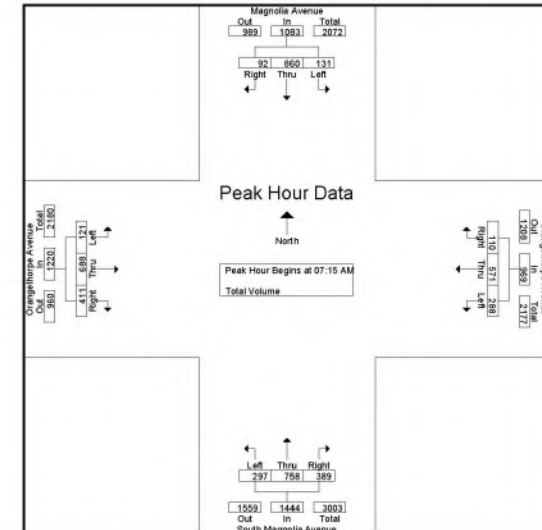
Groups Printed- Total Volume																	
	Magnolia Avenue Southbound				Orangethorpe Avenue Westbound				South Magnolia Avenue Northbound				Orangethorpe Avenue Eastbound				
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
07:00 AM	22	225	11	258	69	107	7	183	69	177	69	315	18	143	93	254	1010
07:15 AM	26	222	12	260	85	129	25	239	75	205	78	358	32	175	118	325	1182
07:30 AM	41	189	36	266	76	160	46	282	68	165	96	329	37	183	88	308	1185
07:45 AM	37	214	33	284	59	165	20	244	91	205	117	413	29	167	99	295	1236
Total	128	850	92	1068	289	561	98	948	303	752	360	1415	116	668	398	1182	4613
08:00 AM	27	235	11	273	68	117	19	204	63	183	98	344	23	163	106	292	1113
08:15 AM	26	224	16	266	48	98	17	163	55	170	103	328	19	152	79	250	1007
08:30 AM	18	228	17	263	45	86	19	150	49	126	88	263	22	125	86	233	909
08:45 AM	19	194	19	232	45	90	14	149	48	178	59	285	12	104	68	184	850
Total	90	881	63	1034	206	391	69	666	215	657	348	1220	76	544	339	959	3879
Grand Total	216	1731	155	2102	495	952	167	1614	518	1409	708	2635	192	1212	737	2141	8492
Apprch %	10.3	82.4	7.4		30.7	59	10.3		19.7	53.5	26.9		9	56.6	34.4		
Total %	2.5	20.4	1.8	24.8	5.8	11.2	2	19	6.1	16.6	8.3	31	2.3	14.3	8.7	25.2	

Magnolia Avenue Southbound				Orangethorpe Avenue Westbound				South Magnolia Avenue Northbound				Orangethorpe Avenue Eastbound				Int. Total	
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:15 AM																	
07:15 AM	26	222	12	260	85	129	25	239	75	205	78	358	32	175	118	325	1182
07:30 AM	41	189	36	266	76	160	46	282	68	165	96	329	37	183	88	308	1185
07:45 AM	37	214	33	284	59	165	20	244	91	205	117	413	29	167	99	295	1236
08:00 AM	27	235	11	273	68	117	19	204	63	183	98	344	23	163	106	292	1113
Total Volume	131	860	92	1063	288	571	110	969	297	755	389	1444	121	688	411	1220	4716
% App. Total	12.1	79.4	8.5		29.7	58.9	11.4		20.6	52.5	26.9		9.9	56.4	33.7		
PHF	.799	.915	.639	.953	.847	.865	.598	.859	.816	.924	.831	.874	.818	.940	.871	.938	.954

Counts Unlimited  
PO Box 1178  
Corona, CA 92678  
(951) 268-6268

City of Fullerton  
N/S: Magnolia Avenue  
E/W: Orangethorpe Avenue  
Weather: Clear

File Name : 02\_FLN\_Magnolia\_Orangethorpe AM  
Site Code : 20218690  
Start Date : 9/19/2018  
Page No : 2



Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1  
Peak Hour for Each Approach Begins at:

	07:30 AM				07:15 AM				07:15 AM				07:15 AM			
+0 mins.	41	189	36	266	85	129	25	239	75	205	78	358	32	175	118	325
+15 mins.	37	214	33	284	76	160	46	282	68	165	96	329	37	183	88	308
+30 mins.	27	235	11	273	59	165	20	244	91	205	117	413	29	167	99	295
+45 mins.	26	224	16	266	68	117	19	204	63	183	98	344	23	163	106	292
Total Volume	131	862	96	1089	288	571	110	969	297	758	389	1444	121	688	411	1220
% App. Total	12	79.2	8.8		29.7	58.9	11.4		20.6	52.5	26.9		9.9	56.4	33.7	
PHF	.799	.917	.667	.959	.847	.865	.598	.859	.816	.924	.831	.874	.818	.940	.871	.938



Counts Unlimited  
PO Box 1178  
Corona, CA 92678  
(951) 268-6268

City of Fullerton  
N/S: South Magnolia Avenue  
E/W: SR-91 Westbound Ramps  
Weather: Clear

File Name : 03\_FLN\_Magnolia\_91WAM  
Site Code : 20218690  
Start Date : 9/19/2018  
Page No : 1

Groups Printed- Total Volume																
	South Magnolia Avenue Southbound				SR-91 Westbound Off Ramp Westbound				South Magnolia Avenue Northbound				SR-91 Westbound On Ramp Eastbound			
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total
07:00 AM	0	267	112	379	75	1	29	105	68	270	0	336	0	0	0	0
07:15 AM	0	327	109	436	96	6	47	149	47	316	0	363	0	0	0	0
07:30 AM	0	277	81	358	110	4	37	151	47	317	0	364	0	0	0	0
07:45 AM	0	305	74	379	94	2	41	137	45	367	0	412	0	0	0	0
Total	0	1176	376	1552	375	13	154	542	205	1270	0	1475	0	0	0	0
08:00 AM	0	335	74	409	87	2	32	121	55	304	0	359	0	0	0	0
08:15 AM	0	268	83	351	74	2	29	105	39	306	0	345	0	0	0	0
08:30 AM	0	267	97	364	86	0	21	107	43	234	0	277	0	0	0	0
08:45 AM	0	244	72	316	92	1	28	121	34	261	0	295	0	0	0	0
Total	0	1114	326	1440	339	5	110	454	171	1105	0	1276	0	0	0	0
Grand Total	0	2290	702	2992	714	18	264	996	376	2375	0	2751	0	0	0	0
Apprch %	0	76.5	23.5		71.7	1.8	26.5		13.7	86.3	0		0	0	0	
Total %	0	34	10.4	44.4	10.6	0.3	3.9	14.8	5.6	35.2	0	40.8	0	0	0	0

	South Magnolia Avenue Southbound				SR-91 Westbound Off Ramp Westbound				South Magnolia Avenue Northbound				SR-91 Westbound On Ramp Eastbound			
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																
Peak Hour for Entire Intersection Begins at 07:15 AM																
07:15 AM	0	327	109	436	96	6	47	149	47	316	0	363	0	0	0	0
07:30 AM	0	277	81	358	110	4	37	151	47	317	0	364	0	0	0	0
07:45 AM	0	305	74	379	94	2	41	137	45	367	0	412	0	0	0	0
08:00 AM	0	335	74	409	87	2	32	121	55	304	0	359	0	0	0	0
Total Volume	0	1244	338	1582	387	14	157	558	194	1304	0	1498	0	0	0	0
% App. Total	0	78.6	21.4		69.4	2.5	28.1		13	87	0		0	0	0	
PHF	.000	.928	.775	.907	.880	.583	.835	.924	.882	.888	.000	.909	.000	.000	.000	.959

Counts Unlimited  
PO Box 1178  
Corona, CA 92678  
(951) 268-6268

City of Fullerton  
N/S: South Magnolia Avenue  
E/W: SR-91 Westbound Ramps  
Weather: Clear

File Name : 03\_FLN\_Magnolia\_91WPM  
Site Code : 20218690  
Start Date : 9/19/2018  
Page No : 1

Groups Printed- Total Volume																
	South Magnolia Avenue Southbound				SR-91 Westbound Off Ramp Westbound				South Magnolia Avenue Northbound				SR-91 Westbound On Ramp Eastbound			
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total
04:00 PM	0	272	55	327	108	1	54	163	53	360	0	413	0	0	0	0
04:15 PM	0	289	54	343	112	1	58	171	45	366	0	411	0	0	0	0
04:30 PM	0	281	39	320	126	2	50	178	51	386	0	437	0	0	0	0
04:45 PM	0	301	39	340	109	1	53	163	38	397	0	435	0	0	0	0
Total	0	1143	187	1330	455	5	215	675	187	1509	0	1696	0	0	0	0
05:00 PM	0	288	48	336	111	2	45	158	59	419	0	478	0	0	0	0
05:15 PM	0	307	59	366	129	1	59	189	52	435	0	487	0	0	0	0
05:30 PM	0	317	45	362	132	3	62	197	33	365	0	398	0	0	0	0
05:45 PM	0	285	42	327	145	3	59	207	37	408	0	443	0	0	0	0
Total	0	1197	194	1391	517	9	225	751	181	1625	0	1806	0	0	0	0
Grand Total	0	2340	381	2721	972	14	440	1426	368	3134	0	3502	0	0	0	0
Apprch %	0	86	14		68.2	1	30.9		10.5	89.5	0		0	0	0	
Total %	0	30.6	5	35.6	12.7	0.2	5.8	18.6	4.8	41	0	45.8	0	0	0	0

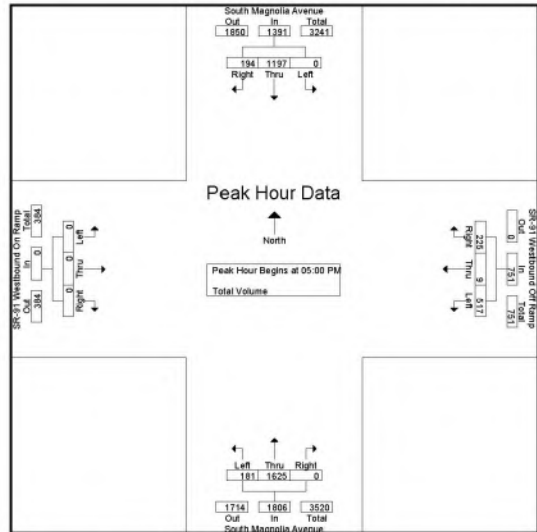
	South Magnolia Avenue Southbound				SR-91 Westbound Off Ramp Westbound				South Magnolia Avenue Northbound				SR-91 Westbound On Ramp Eastbound			
Start Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																
Peak Hour for Entire Intersection Begins at 05:00 PM																
05:00 PM	0	288	48	336	111	2	45	158	59	419	0	478	0	0	0	0
05:15 PM	0	307	59	366	129	1	59	189	52	435	0	487	0	0	0	0
05:30 PM	0	317	45	362	132	3	62	197	33	365	0	398	0	0	0	0
05:45 PM	0	285	42	327	145	3	59	207	37	408	0	443	0	0	0	0
Total Volume	0	1197	194	1391	517	9	225	751	181	1625	0	1806	0	0	0	0
% App. Total	0	86.1	13.9		68.8	1.2	30		10	90	0		0	0	0	
PHF	.000	.944	.822	.950	.891	.750	.907	.907	.767	.934	.000	.927	.000	.000	.000	.947



Counts Unlimited  
PO Box 1178  
Corona, CA 92878  
(951) 268-6268

City of Fullerton  
N/S: South Magnolia Avenue  
E/W: SR-91 Westbound Ramps  
Weather: Clear

File Name : 03\_FLN\_Magnolia\_91WPM  
Site Code : 20218690  
Start Date : 9/19/2018  
Page No : 2



Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1  
Peak Hour for Each Approach Begins at:

	04:45 PM				05:00 PM				04:30 PM				04:00 PM			
+0 mins.	0	301	39	340	111	2	45	158	51	366	0	437	0	0	0	0
+15 mins.	0	288	46	336	129	1	59	189	38	397	0	435	0	0	0	0
+30 mins.	0	307	59	366	132	3	62	197	59	419	0	478	0	0	0	0
+45 mins.	0	317	45	362	145	3	59	207	52	435	0	487	0	0	0	0
Total Volume	0	1213	191	1404	517	9	225	751	200	1637	0	1837	0	0	0	0
% App. Total	0	86.4	13.6		68.8	1.2	3.0		10.9	89.1	0		0	0	0	0
PHF	.000	.957	.809	.959	.891	.750	.907	.907	.847	.941	.000	.943	.000	.000	.000	.000

Location: Fullerton  
N/S: Auto Center Drive  
E/W: Orangethorpe Avenue



Date: 9/19/2018  
Day: Wednesday

#### PEDESTRIANS

	North Leg Auto Center Drive Pedestrians	East Leg Orangethorpe Avenue Pedestrians	South Leg Auto Center Drive Pedestrians	West Leg Orangethorpe Avenue Pedestrians	
7:00 AM	4	21	2	0	27
7:15 AM	4	24	4	0	32
7:30 AM	11	52	2	0	65
7:45 AM	4	8	1	0	13
8:00 AM	0	5	0	0	5
8:15 AM	0	7	2	0	9
8:30 AM	0	11	0	0	11
8:45 AM	0	2	0	0	2
TOTAL VOLUMES	23	130	11	0	164

	North Leg Auto Center Drive Pedestrians	East Leg Orangethorpe Avenue Pedestrians	South Leg Auto Center Drive Pedestrians	West Leg Orangethorpe Avenue Pedestrians	
4:00 PM	0	2	0	0	2
4:15 PM	3	8	0	0	11
4:30 PM	1	3	0	0	4
4:45 PM	0	1	1	0	2
5:00 PM	2	6	1	0	9
5:15 PM	0	1	2	0	3
5:30 PM	0	1	0	0	1
5:45 PM	0	5	0	0	5
TOTAL VOLUMES	6	27	4	0	37

Location: Fullerton  
N/S: Auto Center Drive  
E/W: Orangethorpe Avenue



Date: 9/19/2018  
Day: Wednesday

#### BICYCLES

	Southbound Auto Center Drive			Westbound Orangethorpe Avenue			Northbound Auto Center Drive			Eastbound Orangethorpe Avenue			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
7:00 AM	0	0	0	0	1	0	0	0	0	0	1	0	2
7:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30 AM	0	0	0	0	0	0	0	0	0	0	1	0	1
7:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 AM	0	0	0	0	1	0	0	0	0	0	0	0	1
8:30 AM	0	0	0	0	2	0	0	0	0	0	0	0	2
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL VOLUMES	0	0	0	0	4	0	0	0	0	0	2	0	6

	Southbound Auto Center Drive			Westbound Orangethorpe Avenue			Northbound Auto Center Drive			Eastbound Orangethorpe Avenue			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
4:00 PM	0	0	0	0	0	0	0	1	0	0	0	0	1
4:15 PM	0	1	0	0	0	0	1	0	0	0	0	0	2
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	1	0	0	0	0	0	0	1
5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:45 PM	0	0	0	0	0	1	0	0	0	0	0	0	1
TOTAL VOLUMES	0	1	0	0	0	2	1	1	0	0	0	0	5



Location: Fullerton  
N/S: Magnolia Avenue  
E/W: Orangethorpe Avenue



Date: 9/19/2018  
Day: Wednesday

PEDESTRIANS

	North Leg Magnolia Avenue Pedestrians	East Leg Orangethorpe Avenue Pedestrians	South Leg Magnolia Avenue Pedestrians	West Leg Orangethorpe Avenue Pedestrians	
7:00 AM	0	3	0	0	3
7:15 AM	6	7	2	2	17
7:30 AM	19	35	5	5	64
7:45 AM	2	7	0	0	9
8:00 AM	5	15	3	2	25
8:15 AM	2	1	1	0	4
8:30 AM	2	1	2	0	5
8:45 AM	2	3	0	0	5
TOTAL VOLUMES	38	72	13	9	132

	North Leg Magnolia Avenue Pedestrians	East Leg Orangethorpe Avenue Pedestrians	South Leg Magnolia Avenue Pedestrians	West Leg Orangethorpe Avenue Pedestrians	
4:00 PM	8	36	2	1	47
4:15 PM	2	13	5	4	24
4:30 PM	5	9	1	3	18
4:45 PM	8	13	2	1	24
5:00 PM	4	11	4	4	29
5:15 PM	3	5	5	3	16
5:30 PM	2	5	5	0	12
5:45 PM	2	5	5	0	12
TOTAL VOLUMES	36	100	31	18	185

Location: Fullerton  
N/S: Magnolia Avenue  
E/W: Orangethorpe Avenue



Date: 9/19/2018  
Day: Wednesday

BICYCLES

	Southbound Magnolia Avenue			Westbound Orangethorpe Avenue			Northbound Magnolia Avenue			Eastbound Orangethorpe Avenue			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
7:00 AM	0	0	0	0	1	0	0	0	0	0	0	0	1
7:15 AM	0	0	0	0	0	0	1	0	0	0	0	1	1
7:30 AM	0	0	0	0	0	0	0	2	0	0	0	0	2
7:45 AM	1	0	0	0	0	0	0	0	1	0	0	0	2
8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 AM	0	0	0	0	0	0	1	1	0	0	0	0	2
8:30 AM	0	0	0	0	3	0	0	0	0	0	0	0	3
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL VOLUMES	1	0	0	0	4	0	1	3	1	0	0	1	11

	Southbound Magnolia Avenue			Westbound Orangethorpe Avenue			Northbound Magnolia Avenue			Eastbound Orangethorpe Avenue			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
4:00 PM	1	0	1	0	0	0	0	1	0	0	1	0	4
4:15 PM	0	0	0	0	0	0	1	0	0	0	0	0	1
4:30 PM	0	0	0	0	0	0	0	0	0	0	2	0	2
4:45 PM	0	0	0	0	1	0	1	0	0	0	1	0	3
5:00 PM	0	1	0	0	1	0	1	0	0	0	0	0	3
5:15 PM	0	1	0	0	0	0	0	0	0	0	0	0	1
5:30 PM	0	1	0	1	0	0	0	0	0	0	1	0	3
5:45 PM	0	0	0	0	1	0	0	0	0	0	0	0	1
TOTAL VOLUMES	1	3	1	1	3	0	3	1	0	0	5	0	18

OCTOBER 2019

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Location: Fullerton  
N/S: Magnolia Avenue  
E/W: SR-91 Westbound Ramps



Date: 9/19/2018  
Day: Wednesday

PEDESTRIANS

	North Leg Magnolia Avenue Pedestrians	East Leg SR-91 Westbound Ramps Pedestrians	South Leg Magnolia Avenue Pedestrians	West Leg SR-91 Westbound Ramps Pedestrians	
7:00 AM	0	0	0	1	1
7:15 AM	0	4	0	1	5
7:30 AM	0	1	0	0	1
7:45 AM	0	2	0	0	2
8:00 AM	0	2	0	0	2
8:15 AM	0	1	0	0	1
8:30 AM	0	3	0	0	3
8:45 AM	0	3	0	0	3
TOTAL VOLUMES	0	13	0	2	15

	North Leg Magnolia Avenue Pedestrians	East Leg SR-91 Westbound Ramps Pedestrians	South Leg Magnolia Avenue Pedestrians	West Leg SR-91 Westbound Ramps Pedestrians	
4:00 PM	0	0	0	0	0
4:15 PM	0	6	0	1	7
4:30 PM	0	2	0	2	4
4:45 PM	0	1	0	0	1
5:00 PM	0	3	0	1	4
5:15 PM	0	0	0	0	0
5:30 PM	0	3	0	2	5
5:45 PM	0	1	0	0	1
TOTAL VOLUMES	0	16	0	6	22

Location: Fullerton  
N/S: Magnolia Avenue  
E/W: SR-91 Westbound Ramps



Date: 9/19/2018  
Day: Wednesday

BICYCLES

	Southbound Magnolia Avenue			Westbound SR-91 Westbound Ramps			Northbound Magnolia Avenue			Eastbound SR-91 Westbound Ramps			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
7:00 AM	0	0	0	0	0	0	0	2	0	0	0	0	2
7:15 AM	0	2	0	0	0	0	0	0	0	0	0	0	2
7:30 AM	0	0	0	0	0	0	0	1	0	0	0	0	1
7:45 AM	0	0	0	0	0	0	0	1	0	0	0	0	1
8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 AM	0	0	0	1	0	0	0	1	0	0	0	0	2
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	1	0	0	0	1	2
TOTAL VOLUMES	0	2	0	1	0	0	0	5	0	0	0	1	10

	Southbound Magnolia Avenue			Westbound SR-91 Westbound Ramps			Northbound Magnolia Avenue			Eastbound SR-91 Westbound Ramps			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
4:00 PM	0	0	0	0	0	0	0	1	0	0	0	0	1
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	1	0	0	0	0	0	0	0	0	0	0	1
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	1	0	0	0	0	1
5:15 PM	0	1	0	0	0	0	0	0	0	0	0	0	1
5:30 PM	0	3	0	0	0	0	0	0	0	0	0	0	3
5:45 PM	0	1	0	0	0	0	0	1	0	0	0	0	2
TOTAL VOLUMES	0	6	0	0	0	0	0	3	0	0	0	0	9

OCTOBER 2019

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## 7.1.2 CIVIL SITE ASSESSMENT

Data Source: VCA

### 2.1.1 DOMESTIC WATER

There is one existing 8" Cast Iron City water main fronting the property on Orangethorpe Avenue as shown in Exhibit C1.1.

During our site visit, four existing water meters and four existing 2" domestic water backflow preventers were located along Orangethorpe Avenue. In addition, one existing 2" irrigation backflow preventer was located along Orangethorpe Avenue. An existing water meter was also located near the existing on-site restrooms. See Exhibits C4.1, C4.2 and C4.3 for the location of these existing on-site utilities. All existing domestic and irrigation water utilities are marked in cyan.

### 2.1.2 FIRE WATER

There is one existing 8" Cast Iron City water main fronting the property on Orangethorpe Avenue as shown in Exhibit C1.1.

One existing fire hydrant was located during our site visit on the south east corner of the intersection of Orangethorpe Avenue and Auto Center Drive. The location of the existing fire hydrant is shown in red in Exhibit C4.2. Currently, there are no existing fire water lines on the project site.

### 2.1.3 SANITARY SEWER

There is one existing 39" Vitrified Clay sanitary sewer main line on Magnolia Avenue, one existing 39" Vitrified Clay sanitary sewer main line on Orangethorpe Avenue and one existing 24" Vitrified Clay sanitary sewer main line that runs along Magnolia Avenue, crosses into the project site at the western edge and continues under the I-5 Freeway. All of the existing sanitary sewer main lines surrounding the project site belong to the Orange County Sanitation District. Information gathered from the City of Fullerton and Orange County Sanitation District is shown in Exhibits C2.1 and C2.2.

During our site visit, two sanitary sewer cleanouts were located near the existing restrooms. Also, two existing sanitary sewer manholes were located during the site visit. One sewer manhole is located at the west end of the project site and the other sewer manhole is located on the public right of way along Orangethorpe Avenue. See Exhibits C4.1 and C4.2 for the location of these existing on-site utilities. All existing sanitary sewer utilities are marked in green.

### 2.1.4 STORM WATER

There are no existing off-site storm water lines fronting the project site. There is an existing flood channel that belongs to the Orange County Flood Control District (OCFCD) that runs from the north, underneath Orangethorpe Avenue and the project site and underneath Magnolia Avenue. Exhibit C3.1 shows the location of the existing flood channel that is labeled "Carbon Creek". Because the existing flood channel runs underneath the project site, no structures shall be built within the flood channel's easement. All proposed foundation type and location shall be designed to avoid surcharging the existing flood channel. Four (4) off-site side-opening catch basins were located during our site visit. The location of the off-site side-opening catch basins are shown on Exhibits C4.1 and C4.2. All storm water utilities are marked in blue.

Within the project site, one existing stormwater manhole, existing catch basins, existing v-gutters, and existing parkway drains were located during our site visit. The locations of these existing on-site utilities are shown in Exhibits C4.1, C4.2 and C4.3. All storm water utility features are marked in blue. The existing

catch basins on the west end of the project site are connected by an 18" reinforced concrete pipe. The existing stormwater lines are shown in Exhibit C3.1.

### 2.2 EXISTING DRAINAGE

Existing grades on the project site were verified in the field. The existing site utilizes gutters, ridges, and catch basins located throughout the site to capture stormwater. Exhibits C5.1, 5.2, and 5.2 shows the existing flow paths and grades that were verified at the project site.

### 3.0 PROPOSED IMPROVEMENT

#### 3.1 PROPOSED UTILITIES

This section discusses all proposed wet utilities for the OCTA Fullerton Park & Ride Joint Development. This includes the following: domestic water, fire water, and sanitary sewer. All proposed schematic utility plans are based on information was obtained from the City of Fullerton Public Works Engineering Department and the Orange County Sanitation District, our site visit and limited as-built information. There was no underground utility survey performed at this site.

##### 3.1.1 DOMESTIC WATER

The proposed domestic water system shall provide adequate water supply for operation of the buildings' domestic water requirements. Each proposed building shall have its own domestic water line and connection to the existing 8" water main line on Orangethorpe Avenue that belongs to the City of Fullerton. The existing domestic water backflow preventers are not sized to meet the demands of the proposed buildings. Thus, the existing domestic water backflow preventers cannot be used for the new development. All proposed domestic water lines will require the installation of a new water lateral, water meter and backflow preventer per the local water purveyor. Exhibit C6.0 shows the proposed utilities. Proposed domestic water lines are shown in Cyan.

##### 3.1.2 FIRE WATER

The proposed fire water system shall provide adequate water supply for operation of the buildings' fire water requirements for sprinklers. Each proposed building shall have its own fire water line and connection to the existing 8" water main line on Orangethorpe Ave that belongs to the City of Fullerton. All proposed fire water lines will require the installation of a new water lateral, water meter and Double Check Detector Assembly backflow preventer per the local water purveyor. Exhibit C6.0 shows the proposed utilities. Proposed fire water lines are shown in Red. The proposed fire water system shall be coordinated with the local fire department.

##### 3.1.3 SANITARY SEWER

The proposed sanitary sewer system shall be sized to meet the sewer demands of each building. A new sanitary sewer connection is proposed for each new building. Each proposed on-site sanitary sewer line will connect to an existing County sanitary sewer line per Orange County Sanitation District. Exhibit C6.0 shows the proposed utilities. Proposed sanitary sewer lines are shown in Green.

#### 3.2 PROPOSED DEMOLITION

The proposed demolition plan for the project is shown in Exhibit CD1.0.



### 3.3 PROPOSED DRAINAGE

All site drainage shall be collected and controlled in non-erosive drainage devices. Drainage shall not be allowed to pond anywhere on the site, and especially not against any foundation or retaining wall. The site shall be graded and maintained such that surface drainage is directed away from structures in accordance with 2016 CBC 1804.4 or other applicable standards. In addition, drainage shall not be allowed to flow uncontrolled over any descending slope. Discharge from downspouts, roof drains and scuppers are not recommended onto unprotected soils within 5 feet of the building perimeter. Landscape irrigation shall not be within 5 feet of the building perimeter footings except when enclosed in protected planters.

Positive site drainage shall be provided away from structures, pavement, and the tops of slopes to swales or other controlled drainage structures. The building pad and pavement areas shall be fine graded such that water is not allowed to pond.

Landscaping planters immediately adjacent to paved areas are not recommended due to the potential for surface or irrigation water to infiltrate the pavement's subgrade and base course. Either a subdrain, which collects excess irrigation water and transmits it to drainage structures, or an impervious above-grade planter box shall be used.

Proposed grading shall comply with the following grading design guidelines:

- a. Planes shall be sloped for drainage, typically between 1% and 1.8%, with 1.5% considered optimum.
- b. Entrance walks and ramps will not be designed to maximum allowable slope requirements, to minimize potential non-compliant as built conditions. If the space allows, slopes will be reduced as much as possible, or grading will be designed to avoid the need for ramps.
- c. Door landings, paved lunch areas, and similar areas will be graded between 0.5% to 1.8% maximum slopes. Planes will be shaped to accommodate tables and benches.
- d. Asphalt paving flow lines will be 1% minimum to accommodate construction tolerances. If less, concrete gutter will be used with a flow line minimum slope of 0.5% to accommodate construction tolerances.

### 4.0 WATER QUALITY MANAGEMENT PLAN

Per the City of Fullerton, a WQMP (Water Quality Management Plan) is required if there is an addition or replacement of 5,000 or more square feet of impervious surface on an already developed site. This project site exceeds 5,000 square feet; therefore a WQMP is required. This will be accomplished by the implementation of Best Management Practices (BMPs). The determination of the type and size of BMPs will occur during the design phase of the project. A percolation test shall be performed to assess the infiltration feasibility of the site.

### 5.0 STORMWATER POLLUTION PREVENTION PLAN

An SWPPP (Stormwater Pollution Prevention Plan) will be required, per the State of California, if the construction area of the project exceeds 1 acre. The construction area of this project site does exceed 1 acre; therefore, SWPPP is required for this project.

## 6.0 DESIGN GUIDELINES

### 1. Demolition

- a. Perform investigation of existing conditions to assure full extent of demolition work, especially with regard to sub-surface conditions such as concrete paving overlain with asphalt, foundations of demolished buildings, and utility lines. If existing data is insufficient, additional information will be requested such as potholing, underground utility survey, or other investigation from the District.
- b. All existing site features that are to remain or to be removed will be clearly identified and defined in the demolition documents.

### 2. Grading

- a. Grading will be designed to facilitate staking and construction; plane grades shall be uniform to avoid warped surfaces and grade changes minimized.
- b. All areas will be graded for drainage. Walks, stairways, ramps, and other surfaces will slope away from buildings.
- c. Planes shall be sloped for drainage, typically between 1% and 1.8%, with 1.5% considered optimum.
- d. Entrance walks and ramps will not be designed to maximum allowable slope requirements, to minimize potential non-compliant as built conditions. If the space allows, slopes will be reduced as much as possible, or grading will be designed to avoid the need for ramps.
- e. Door landings, paved lunch areas, and similar areas will be graded between 0.5% to 1.8% maximum slopes. Planes will be shaped to accommodate tables and benches.
- f. Asphalt paving flow lines will be 1% minimum to accommodate construction tolerances. If less, concrete gutter will be used with a flow line minimum slope of 0.5% to accommodate construction tolerances.

### 7. Storm Drainage Design

- a. Site will be designed using WQMP storm water mitigation requirements.

### 5. Sanitary Sewers

- a. Sanitary sewers fixture units will be shown at building and street points of connection. Sewer lines will be sized per code, or hydraulic calculations shall be provided.

### 6. Surface Drainage

- a. Sheet flow will be directed from paved areas onto planted areas.
- b. Flow lines will be located to avoid concentration on pedestrian walks.
- c. Flow lines will be located to avoid tree wells and other objects that might obstruct drainage flow and cause ponding.
- d. Drainage from planting areas across paved areas will be avoided.
- e. Drainage over public sidewalks will be avoided. Concentrated flow over driveways and pedestrian walkways will be avoided.

### 7. Catch Basins, Floor Drains and Parkway Drain:

- a. Catch basins grate will be called out to withstand the load to which it will be subjected. Grate openings will be minimum opening 1/4" to 1/2" inch maximum within the direction of travel.
- b. Catch basin will be offset from main line to minimize its size and depth, and to minimize blockage of system.



- c. Cast-in-place or precast concrete catch basins will be used.
- d. If possible, drains and swales will not be located in the accessible parking areas and path of travel. If this is unavoidable, grates will be oriented 90 degrees to the direction of travel, or will be multidirectional if there is no predominant direction of travel.

#### 8. Underground Drainage

- a. Design of drainage structures and piping systems will be based on hydrologic and hydraulic calculations. Minimum flow velocity will be 3 feet per second.
- b. Cleanouts will be installed in yard boxes at maximum spacing of 100 feet in straight runs and at each aggregate change of direction exceeding 135 degrees.

#### 9. Water Distribution

- a. Meter Protection
  - i. An approved reduced pressure principal backflow assembly will be installed at service connection for domestic and irrigation services.
  - ii. An approved double detector assembly will be installed at service connection for fire services.

#### 10. Water Service

- a. One meter will be provided for each domestic water, fire-protection water, and irrigation water service.
- b. The local water supplier shall be contacted for main, pressure and flow information.
- c. Meter locations shall be indicated on drawings and require approval by the water supplier.
- d. Service Control (Shut off) valve, strainers, pressure reducing valves, backflow prevention assemblies, etc. will be installed as a dual (parallel) configuration to avoid service interruptions during testing and servicing of devices. Devices will be designed and installed in an above ground, compact, low profile and serviceable valve station.

#### 11. Piping and Design

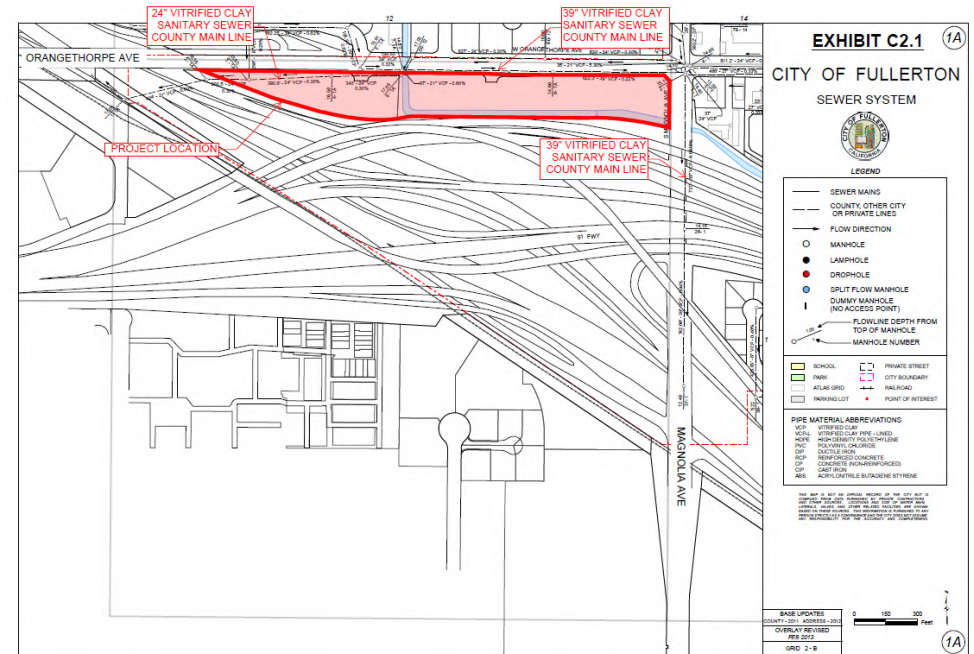
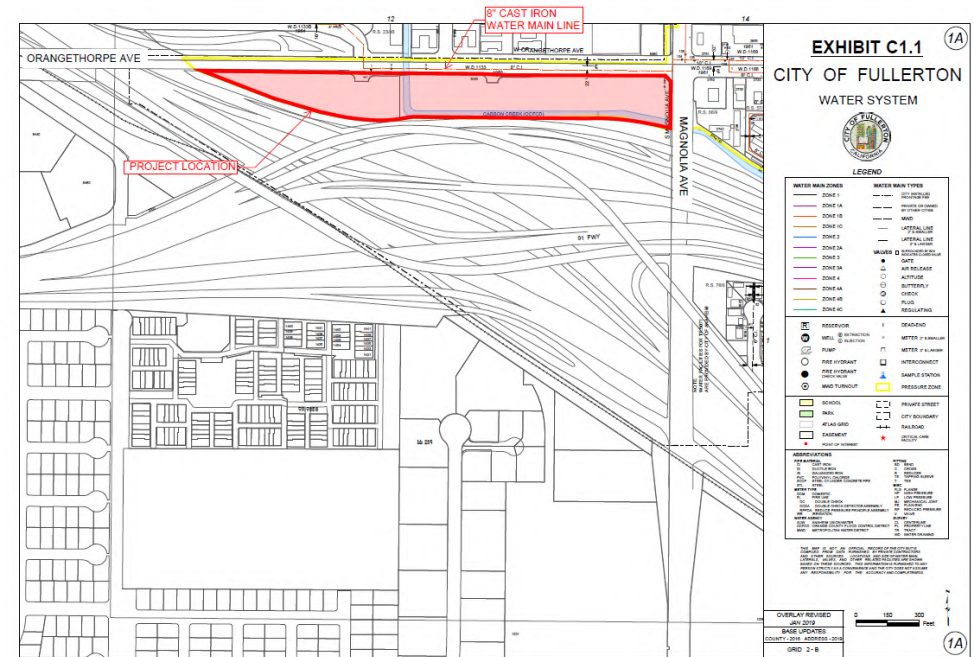
- a. Location of pressure-reducing valves will be coordinated with plumbing engineer.
- b. Tandem installations will be provided for pressure regulators, backflow preventers and strainers, to avoid shut-down testing and servicing of equipment.

#### 12. Flood Channel

- a. No structures shall be constructed within the existing flood channel easement.
- b. Foundation type and location shall be designed to avoid surcharging the existing flood channel.

#### 13. Code Requirements

- a. ADA Standards for Accessible Design
- b. 2019 California Building Code
- c. 2019 California Plumbing Code
- d. Water Quality Management Plan Requirements per the County of Orange National Pollutant Discharge Elimination System (NPDES) Stormwater Program
- e. Stormwater Pollution Prevention Plan per the California State Water Resources Control Board





[illegible]

**Facility sites**

- Pumping Station
- Wastewater Treatment Plant

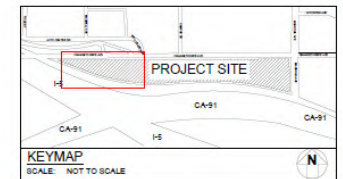
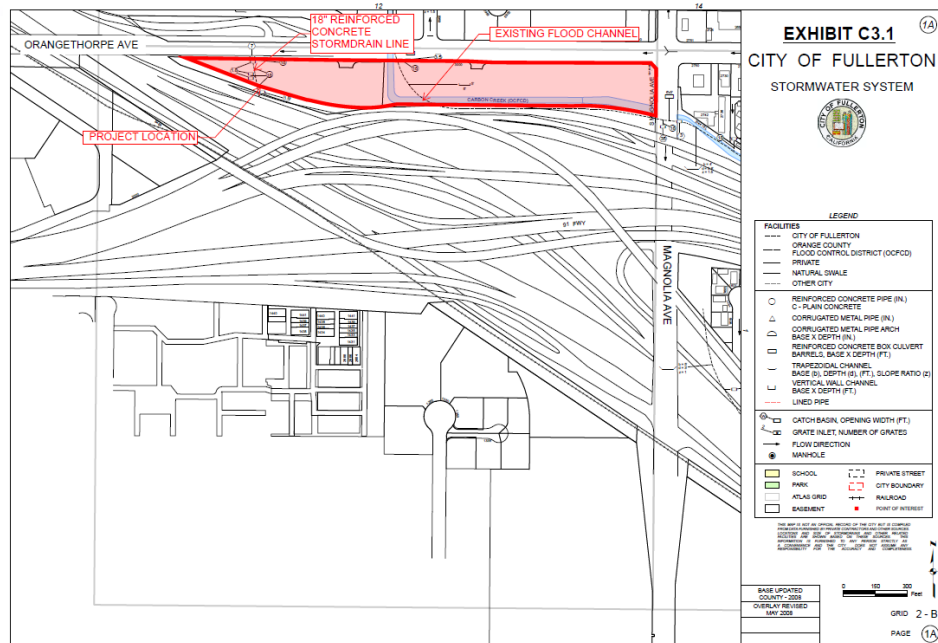
Casings/Protective sleeves  
Vaults/Boxes

Abandoned sewers  
Abandoned manholes

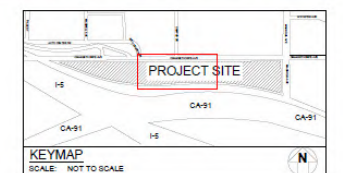
Flow direction  
Sewer Lines (Temp Out-of-Service)

Sources: Est. HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Esri Korea, Esri Thailand,  
Esri India, DeLorme, NAVTECH, IGN, ESRI, USA, AeroGRID, IGN, Esri, MapBox,

0 0.1 0.2 0.3 0.4 mi



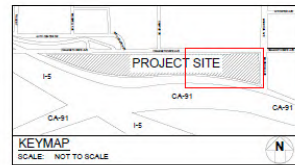
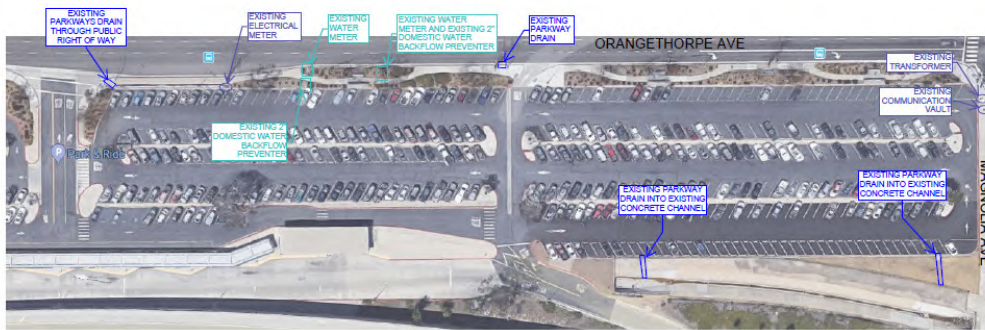
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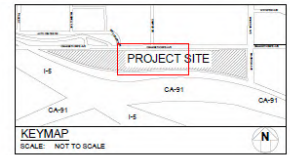
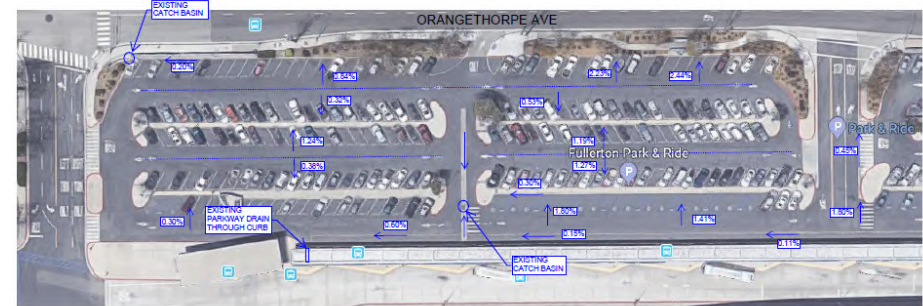
**EXHIBIT C4.3: EXISTING UTILITIES**



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**EXHIBIT C5.2: EXISTING DRAINAGE PATTERNS**

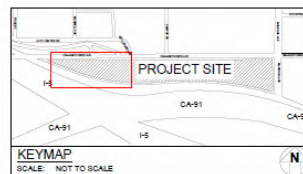
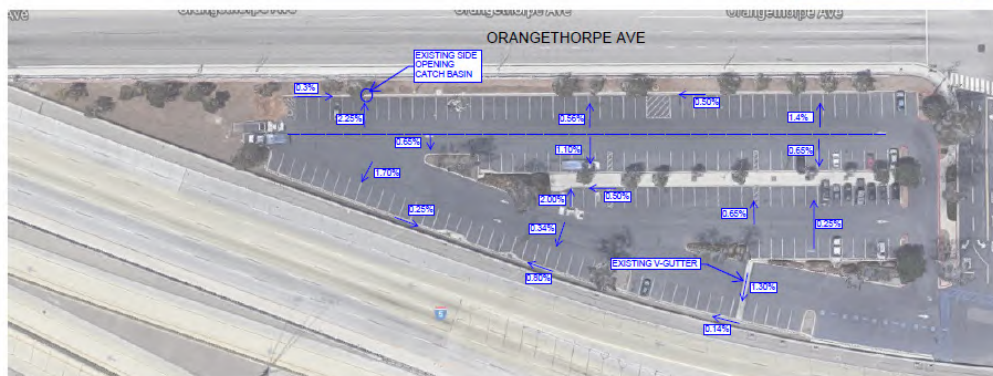
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**EXHIBIT C5.1: EXISTING DRAINAGE PATTERNS**

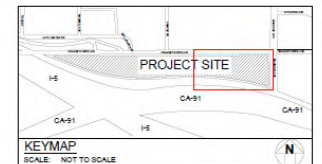
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**EXHIBIT C5.3: EXISTING DRAINAGE PATTERNS**

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DRAINAGE PATTERNS →



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# 7.2.1 MARKET STUDY AND FEASIBILITY ANALYSIS

Data Source: EPS

Case Study: Crest Apartments (13604 Sherman Way, Van Nuys)

Crest Apartments is a 64-unit PSH building located in the Van Nuys community of the City of Los Angeles. The building was developed by Skid Row Housing Trust, a non-profit focused on developing PSH units. The organization has developed 26 PSH properties, with the majority located in Downtown Los Angeles. Crest Apartments is one of only three of the organization’s properties located outside of Downtown, and the only one in the San Fernando Valley.

Crest Apartments was designed by Michael Maltzan Architects, which has designed a number of buildings for Skid Row Housing Trust. The buildings have been featured in architectural blogs and magazines, and demonstrate the possibility and potential of architectural sophistication in affordable housing development. With this approach, buildings can be designed in a thoughtful way that fit the site and surrounding area, and also create a space that is nurturing and supportive of its residents.

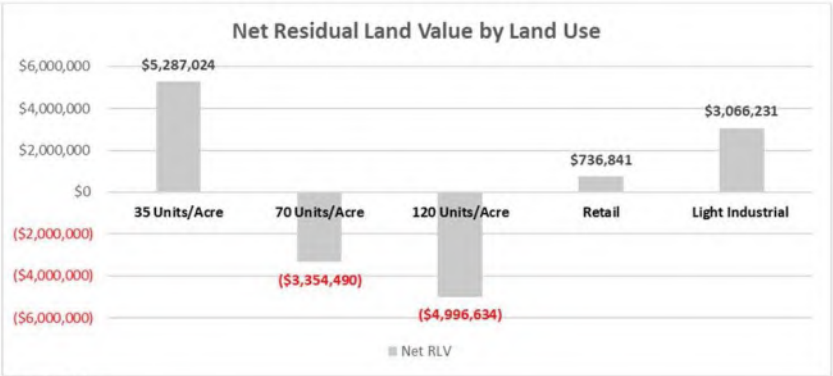
The development of the project was financed through a variety of public programs, including the Low-Income Housing Tax Credit program and the HOME Investment Partnership program administered by the city’s Housing and Community Investment Department. Funding for support services came from the Los Angeles County Department of Health Services, and are being administered by L.A. Family Housing. Subsidies for residents’ rent is being provided through project-based vouchers from the Housing Authority of the City of Los Angeles.

Table 1. Summary of Land Uses

Item	LAND USE				
	35 Units/Acre	Multifamily Residential 70 Units/Acre	120 Units/Acre	Nonresidential Retail	Light Industrial
Ability to Generate Revenue: Net Residual Land Value	\$5,287,024	(\$3,354,490)	(\$4,996,634)	\$736,841	\$3,066,231
Potential to Increase OCTA Ridership	Medium	High	High	Low	Low
Mixed-Use and Pedestrian-Friendly Development	High	High	High	Medium	Low
Provides Community Amenity	Medium	Medium	Medium	Medium	Low
Compatibility with Park & Ride Function	High	High	High	Medium	Low

Source: EPS.

Figure 1. Net Residual Land Value by Land Use



Source: EPS.

Methodology

EPS made several key assumptions to ensure that the market overview focuses on use-types that are consistent with the OCTA’s goals for developing the Fullerton Park & Ride Site. Specifically, this memorandum focuses on existing market conditions affecting demand for multifamily housing, small-scale retail, office, hotel, and small-scale industrial uses near the project site. To review these conditions, EPS evaluated residential and commercial development and pricing information to analyze market trends affecting North Orange County, including the following steps:



- Evaluated current demographics, economic activity, and growth trends in areas surrounding the OCTA Fullerton Park & Ride Site to understand opportunities and constraints associated with onsite development potential;
- Reviewed pricing, vacancy, and absorption data for various land uses in North Orange County;
- Used pro forma models to provide range of achievable residual land values for uses deemed to have market demand;
- Assessed development prototypes according to economic feasibility as well as potential to meet OCTA goals.

## Site Context

The Site sits at two important intersections in North Orange County. On a regional level, the Site's location on the northern side of the I-5 and SR-91 interchange provides great access to employment and population centers as well as commercial destinations in Orange County and beyond. Additionally, the Site is located at the southwest intersection of Orangethorpe Avenue and Magnolia Avenue, two major thoroughfares in North Orange County.

Although the Site is within the city limits of Fullerton, it borders the City of Buena Park to the west. Just across the I-5/SR-91 interchange to the south and southeast is the City of Anaheim.

### Map 1. Site Context



Source: Google Earth; EPS.

## Map 2. Regional Context



Source: Google Earth; EPS.

## Area Demographics

A review of the area's demographics indicates that the area immediately surrounding the Site is home to lower income residents when compared to the County as a whole. As shown in the table below, the median household income within 1 mile of the site is approximately \$58,000 and the median household income increases as you move farther away from the Site. The median household income within 5 miles of the Site is approximately \$71,000, roughly 83 percent of Orange County's median household income of approximately \$85,000.

Homeownership rates also increase with distance from the site. Owner-occupied units comprise 42 percent of the occupied housing stock within 1 mile from the site and 51 percent within 5 miles from the site. This compares to a County-wide homeownership rate of 54 percent. Despite lower incomes and property values near the Site, vacancy rates are consistent with regional levels at 4 percent.

North County's distance from the major employment hubs in Orange County and its historically affordable rents relative to other submarkets both play a prominent role in the more blue-collar demographic profile. However, developers are turning to in-fill sites throughout Orange County as the availability of greenfield land diminishes. Collectively, Fullerton, Buena Park, and Anaheim have had collective population growth slower than the rest of the County since 2000, as seen in **Table 3**. However, these three cities, as well as the County, have seen an accelerated rate of growth since the year 2010, and are projected to have an even higher average annual rate of population growth through 2023. This acceleration of growth in the adjacent cities will require a continued emphasis on densifying existing neighborhoods in light of an urban condition that is nearly built out.



**Table 2. Demographic Profile**

Demographic Variable	1-Mile	3-Mile	5-Mile	Orange County
Population	29,061	249,543	636,886	3,132,211
Households	7,550	71,296	185,654	1,017,012
Total Housing Units	7,840	74,462	193,621	1,072,121
Owner-Occupied Units	3,315	33,760	99,708	581,506
% of Homes Owner-Occupied	42%	45%	51%	54%
Renter-Occupied Units	4,234	37,536	85,947	435,506
% of Homes Renter-Occupied	54%	50%	44%	41%
Vacant Units	291	3,166	7,966	55,109
% of Homes Vacant	4%	4%	4%	5%
Owner-occupied Housing Unit Median Value [1]	\$454,244	\$489,889	\$531,750	\$666,984
Renter-occupied Housing Unit Median Contract Rent	\$1,280	\$1,288	\$1,288	\$1,499
Median Household Income	\$57,776	\$63,798	\$70,948	\$85,323
Average Household Income	\$74,407	\$84,465	\$93,604	\$119,319
Per Capital Income	\$20,614	\$24,885	\$27,804	\$39,365

Source: ESRI Business Analyst Online; US Census Bureau, 2012-2016 American Community Survey.

[1] ESRI 2018 Estimate

**Table 3. Historical and Projected Population**

Area [1]	2000	2010	2018	2023	Avg. Annual Growth %		
					2000-18	2010-18	2018-23
Fullerton	126,003	135,108	144,214	151,258	0.75%	0.82%	0.96%
Buena Park	77,962	80,477	83,995	88,501	0.41%	0.54%	1.05%
Anaheim	328,014	336,208	357,084	375,151	0.47%	0.76%	0.99%
<b>Subtotal</b>	<b>531,979</b>	<b>551,793</b>	<b>585,293</b>	<b>614,910</b>	<b>0.53%</b>	<b>0.74%</b>	<b>0.99%</b>
Orange County	2,846,289	3,008,855	3,221,103	3,396,718	0.69%	0.86%	1.07%

Source: California Department of Finance Historical Population Estimates; EPS.

[1] Historical population estimated for January 1 of each year according to California DOF. Projected 2023 population provided by ESRI Business Analyst.

### Employment and Commercial Market Trends

According to the California Economic Development Department, Orange County had an extremely low unemployment rate of 2.8 percent in September 2018, 110 basis points lower than California's unemployment rate of 3.9 percent. Over the course of the year, Orange County had large employment gains in the business and financial service industries. However, North County is heavily reliant on the industrial and service sectors, while most white-collar employment is located in South County submarkets such as Irvine, Newport Beach, and Costa Mesa as well as north in LA. The largest employment declines over the year in Orange County were in manufacturing, with a decrease of over 3,000 jobs.

The Site sits at the convergence of two office submarkets—Fullerton and Buena Park/La Habra — neither of which are particularly choice locations for Class A Office in Orange County, and both of which have significant industrial tenant bases. In Fullerton, it has been years since office developers have brought a project of any size to market, with little in the pipeline to change this course. Developers have focused on adding apartments in this submarket instead. There is no 4 & 5 Star office inventory in Fullerton, and little likely to be added to the pipeline in the near term—there has not been any new office product delivered in the Fullerton submarket since 2008 and negative net absorption over this same period.

Although Buena Park/La Habra has seen positive absorption for office product in the submarket, rents have been flat. Buena Park/La Habra received its first injection of speculative development this cycle with the arrival of The Source Tower in 2016. The 450,000-sf project includes a mall, various entertainment and dining options, a hotel (under construction), and 96,000 sf of office. The office space is designed with tech and creative office users in mind, but as of August 2018, the project was still looking for an anchor tenant.

Cal State Fullerton (CSUF) provides a pipeline of educated employees, and supports the overall demand for commercial and rental residential real estate around the university. With an undergraduate student body of over 30,000 students, and only about 2,000 residents living in college housing, the university provides a steady stream of employees and renters. In addition to CSUF, other major office tenants and employers in Fullerton include Raytheon and St. Jude Medical Group. As such, Fullerton has become a focus for multifamily developers as these demand drivers generate strong fundamentals not found in other North County cities where employment is heavily comprised of lower paying retail, hospitality, and service jobs.

### Real Estate Market Conditions

Orange County's strong economy is reflected in its real estate market. However, the prospects for certain land uses vary by submarket and site-specific characteristics. Given the Site's location and basic market indicators, EPS conducted market analysis for office, hotel, multifamily residential, retail, and light industrial uses. This section describes the market conditions for office and hotel uses, two land uses that EPS did not continue to evaluate due to our market findings of inferior site suitability for such uses.

This section provides more detail on key real estate performance indicators for multifamily residential, retail, and light industrial land uses, uses that have been judged to have potential market support on the Site. A 3-mile radius from the center of the site is used to define the trade area for multifamily residential and retail uses. The trade area for light industrial uses is comprised of the city limits of Fullerton, Buena Park, and La Palma.

### Office

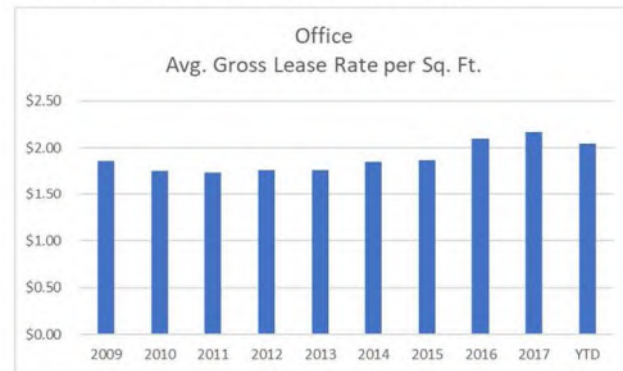
Despite the strength of the County's economy, much of the development activity has centered in submarkets not near the Site area, with strong activity in South County submarkets, Anaheim's Platinum Triangle, and the areas immediately surrounding major tourist destinations. For example, over the last several years, Orange County has experienced heavy commercial development, completing 2.7 million square feet of office space countywide. Nearly all of this development occurred in South County, with 2.1 million square feet of Class A office space located in Irvine Spectrum alone.



Although the County boasts low unemployment and major office development, Fullerton and Buena Park are not choice locations for new speculative Class A office development relative to other areas in the County. Overall, the two submarkets have a dated office stock. Fullerton has office rents that are among the bottom half of the County overall, even with healthy annual rent growth. Within 3-miles of the Site, historical rent growth has been modest for office space over the last three years, as seen in **Figure 2**. Office vacancy rates within 3-miles of the Site have been trending downward from 2009 to 2016, however, negative absorption in 2017 and 2018 has caused vacancy rates to approach 9 percent, as shown in **Figure 3**.

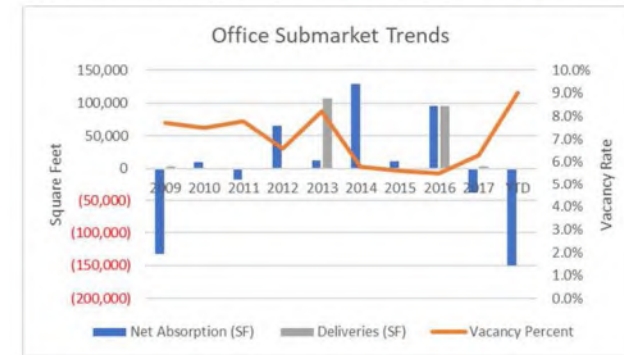
Additionally, the site's relatively small size and its distance from other Class A office parks are not in line with the characteristics typically found in the new highly-amenitized campus-like office developments being delivered in South County, whose larger footprints offer proximity to clusters of firms and landscaped open spaces to their tenants. For these reasons, EPS concludes that the OCTA site would not attract as much developer and investor interest for office use as it would for other uses.

**Figure 2. Historical Rent for Office within 3-Miles of Site**



Source: CoStar

**Figure 3. Historical Submarket Trends for Office within 3-Miles of Site**



Source: CoStar

## Hotel

According to CBRE, national lodging demand has grown every quarter since the beginning of 2010, a trend reflected in California's record-breaking year for hotel development in 2017. Demand for hotel uses in Orange County is particularly strong, buoyed by major tourist destinations such as the County's numerous theme parks and world-famous beaches. According to Atlas Hospitality Group, in Orange County there were 1,194 rooms under construction midway through 2017 compared to 2,391 rooms under construction midway through 2018, nearly doubling the number of hotel rooms under construction<sup>1</sup>. Midway through 2018, there were 72 hotels with 13,150 rooms planned or under construction in Orange County. Most of this activity is taking place near major tourist destinations, with the cities of Anaheim and Garden Grove jointly accounting for 7,600 rooms being planned or built in the County, or approximately 58 percent of the County's expected growth.

Consistent with this robust development activity, lenders and developers have been characterized as being bullish on new California hotel construction, as they see a very positive long-term outlook, in spite of hotel construction costs that are up 20-25 percent over the last 12 months, according to the Atlas Survey. However, hotel values continue to climb due to rising per-room prices.

Southern California hotel performance metrics, including occupancy and room pricing, remain historically strong, thanks in part to a nationwide travel economy that is still humming on both the leisure and corporate sides, along with group meetings and convention business. However, certain market conditions and site specifics draw questions about the OCTA Site's suitability for such uses. Countywide occupancy is between 79 percent to 82 percent, depending on the time of

<sup>1</sup> "California Hotel Development Survey 2018 Mid-Year" by Atlas Hospitality Group.



year (an 80 percent occupancy rate market-wide is generally considered full-utilization)<sup>2</sup>. Of the County's submarkets, North County actually had the highest rate—83 percent to 85 percent, depending on timeframe. Despite its high occupancy rate, North County had the lowest Revenue per Available Room (RevPAR) in the County at \$99 to \$103, compared to the Countywide RevPAR of \$155 to \$161, a gap likely due to a family travel market rather than being driven by business and luxury-driven hotel stays more common closer to the Class A office parks and main resort attractions<sup>3</sup>. The Site's distance from major tourist destinations and employment centers relative to competing existing and pipeline hotel supply are additional characteristics that are not particularly conducive to new hotel development in Orange County.

For these reasons, EPS concludes that the OCTA site would not attract as much developer and investor interest for hotel use as it would for other uses.

### Multifamily Residential

Market research indicates that multifamily residential is in high demand—demonstrated by healthy rent growth and low vacancy rates. Market-rate units in the cities of Buena Park, Fullerton, and Anaheim have a collective vacancy currently below 4 percent, with multifamily developments selling at cap rates below 5 percent. For multifamily residential units within 3-miles of the Site, average asking rents have grown by 25 percent over the last five years, as seen in **Figure 4** below. **Figure 5** shows downward trending vacancy rates over the last ten years, with little new supply being delivered in the same time frame.

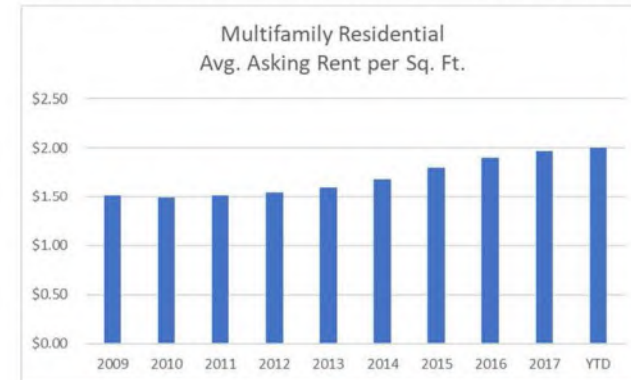
Within the North County, Buena Park, and North Anaheim Submarkets defined by CoStar, four market-rate multifamily projects have been delivered in the last five years. Project details for these projects are summarized in **Table 4**, showing monthly rents ranging from a high of \$3.05 per square foot to a low of \$1.97 per square foot.

In addition to healthy rent growth and growing demand for more housing throughout southern California, the Site seems well-suited for residential development because it is located in a predominantly residential area that is already connected to regional transportation. Multifamily residential development would be consistent with the apartments found across the street and in adjacent blocks. The Site is also near Buena Park High School, which is one block to the north. Residential land uses directly along freeways is common in the area and should not deter the marketability of residential development on the Site, especially in the current market of high demand for rental residential.

<sup>2</sup> "Hotel Markets Strong in April; CBRE Ups Outlook" by Paul Hughes. Orange County Business Journal. June 1, 2018.

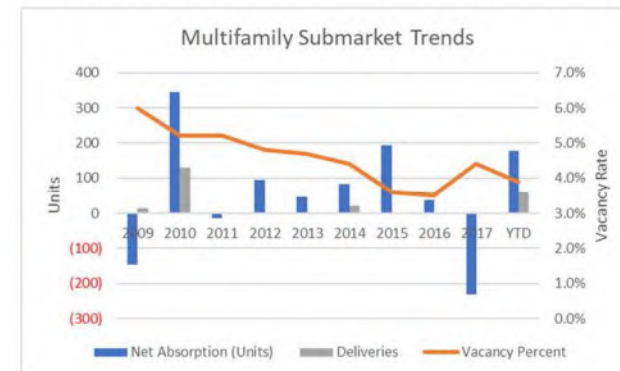
<sup>3</sup> Ibid.

**Figure 4. Historical Rent for Multifamily Residential within 3-Miles of Site**



Source: CoStar

**Figure 5. Historical Submarket Trends for Multifamily Residential within 3-Miles of Site**



Source: CoStar



**Table 4. Comparable Market-Rate Multifamily Residential Developments**

Property Name	Address	City	Year Built	Land (acres)	Total Units	Units per Acre	Asking Rent Per Sq. Ft.				
							Studio	1-Bed	2-Bed	3-Bed	Total
Pearl La Floresta	420 La Cresenta Dr	Brea	2018	2.9	204	70	\$0.00	\$3.05	\$2.76	\$2.70	\$2.94
Alexan Aspect	251 Orangefair Mall	Fullerton	2017	6.4	323	51	\$2.91	\$2.73	\$2.33	\$0.00	\$2.55
On Beach	5832 Beach Blvd	Buena Park	2018	0.8	60	75	\$2.65	\$2.06	\$1.87	\$0.00	\$2.25
Parkview Apartments	6785 Knott Ave	Buena Park	2014	1.1	22	20	\$0.00	\$0.00	\$1.97	\$0.00	\$1.97
<b>Weighted Average</b>							<b>\$2.73</b>	<b>\$2.79</b>	<b>\$2.41</b>	<b>\$2.70</b>	<b>\$2.63</b>

Source: CoStar Online

Homelessness is an important issue throughout southern California and the Site's redevelopment may present an opportunity to provide housing specific to the needs of homeless populations. EPS identified two types of housing programs for the homeless that may be appropriate to incorporate as a component of the redevelopment: Transitional/Bridge Housing and Permanent Supportive Housing. Such housing concepts develop and operate outside of market conditions, with substantial financial support from public entities, non-profit organizations, and other outside resources.

Transitional (or Bridge) housing is a medium-term model of providing housing to the homeless and unstably housed. Unlike crisis housing, where individuals are provided a bed on a night-to-night basis, residents in transitional housing typically have their own room or dwelling unit, and stay anywhere from a few weeks to a few years, depending on the facility. Many transitional housing facilities are developed and operated by non-profit and faith-based organizations.

Permanent Supportive Housing (PSH) is a long-term model of housing those who are homeless or unstably housed. The model includes providing affordable dwelling units along with support services that assist residents in areas such as mental and physical health, addiction treatment, education, and job training. Many PSH buildings are developed and/or operated by non-profit entities who can provide or coordinate the provision of supportive services. The units are rented in a manner similar to other forms of affordable housing, where the residents pay some portion of their income towards rent, typically Social Security disability income, with the remainder of the rent funded by public subsidies.

Given the non-market forces that support such developments, EPS did not quantitatively evaluate these housing concepts, but a qualitative discussion of these concepts as well as relevant development case studies are included in **Appendix A**.

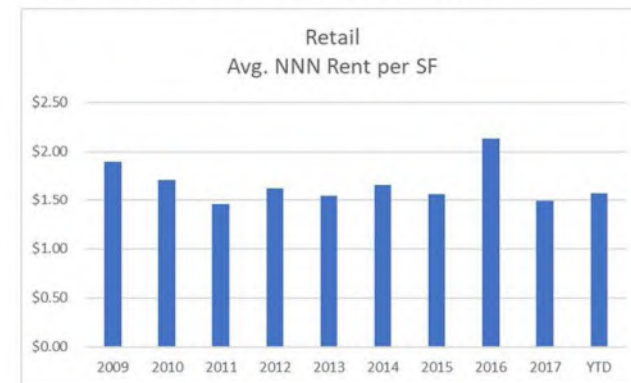
## Retail

The Site's location along two major thoroughfares, as well as its continuing function as a multi-modal transit hub, suggests that a retail component may be suitable at the intersection of Magnolia Avenue and Orangethorpe Avenue. For comparably sized retail properties within 3-miles of the site, asking rent growth has been flat while net absorption has been barely positive with very little new development over the last five years, as seen in **Figures 6 and 7** below. However, the high-traffic intersection and current vacancy rates nearing 6 percent within the trade area pose some promise for including some retail uses on site. Still, the site's small size will certainly limit the ability for on-site retail uses to compete with and/or cannibalize the area's existing retail offerings, especially with more robust retail destinations nearby such as Buena

Park Place (an approximately 250,000 square foot mall) and The Source at Beach (a 450,000 square foot mixed-use complex with substantial retail and entertainment offerings).

The rise of e-commerce has changed consumer behavior in regards to retail, marked by a noticeable closure of traditional retailers (e.g. clothes, consumer products) and an increase in merchants focused on providing experiences such as food and beverage establishments. Population growth has accelerated modestly in the area since 2010 and although average incomes are lower in the area immediately surrounding the site compared to the rest of the County, the average household income within 3-miles of the site is a healthy \$84,000. These market fundamentals, combined with the Site's visibility from the freeways and access to transit through the Park & Ride, suggest potential for viable retail uses on the Site. Nontraditional retail concepts such as small-scale fitness studios and/or coffee shops may find the Site particularly appealing for the commuting customer.

**Figure 6. Historical Rent for Retail within 3-Miles of Site**



Source: CoStar



**Figure 7. Historical Submarket Trends for Retail within 3-Miles of Site**



Source: CoStar

#### Light Industrial

Throughout southern California, there is a shortage of industrial properties, whose uses include everything from logistics and warehousing to a whole host of light to heavy manufacturing. The demand for industrial uses and warehouse space is strong throughout southern California, driven by high population concentration, shifting consumer buying patterns related to e-commerce, and the region's role as a logistics hub. This shortage of supply, caused by both increasing demand as well as diminishing availability of land for industrial uses, has pushed vacancies way down while also putting upward pressure on rents. The scarcity of available supply and developable sites in the best locations has pushed distributors to edge cities such as those in the Inland Empire, farther and farther from customers. Orange County's 200 million square feet is 97.6 percent occupied with 1.2 million more square feet in the pipeline.

Activity related to several large buildings in the Fullerton and Buena Park industrial market can have significant impact on vacancy rates and absorption, such as the Buena Park JC Penney west coast logistics hub, which totals approximately 1 million square feet and which JC Penney sold in 2017 and plans to vacate. Given the vast difference in size between these much larger industrial properties and the Site, this analysis evaluates the real estate performance metrics for industrial properties under 10 acres in land size, which is comparable to the Site's acreage.

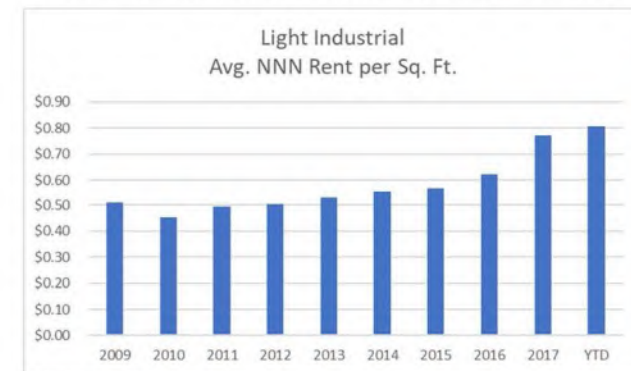
Historical rent growth for properties 10 acres and under in the cities of Fullerton and Buena Park are shown in **Figure 8** below. Industrial vacancy rates in the area have experienced a corresponding drop over the last ten years, as seen in **Figure 9**. Recent strength in the industrial sector has brought new supply to the area, with nearly 800,000 square feet delivered since 2017. The influx in new inventory explains the increase in vacancy rates over the last two years.

The Site's location in North County at the intersection of two arterial freeways, the I-5 and SR-91, makes it well-positioned to take advantage of traffic to and from LA's ports, supported by the area's industrial and service sectors. The Union Pacific Railroad also passes through a dense industrial node north of the Site in Buena Park—one of Orange County's densest concentrations of high-bay (28-foot clear height) warehouse space. For industrial uses, the Site is strategically

accessible to Los Angeles, the ports of LA and Long Beach to the west, and the Inland Empire to the east.

While the Site's location and surrounding uses and infrastructure are supportive of industrial uses, the Site's relatively small size may not be the most ideal for the type of large-scale warehouses typical of new light industrial development. Still, EPS has determined that strong regional and sub-regional demand for industrial space presents a development opportunity for OCTA's site, and thus has carried forward for feasibility and land value analysis below.

**Figure 8. Historical Rent for Light Industrial Uses in Fullerton and Buena Park**



Source: CoStar

**Figure 9. Historical Submarket Trends for Industrial in Buena Park and Fullerton**



Source: CoStar



## Residual Land Value Analysis

The following section details the pro forma analysis conducted to assess the feasibility of land uses judged to have potential market support at the Site. Multifamily residential land uses were evaluated at three densities: 35 units per acre, 70 units per acre, and 120 units per acre. Nonresidential land uses evaluated include retail and light industrial development prototypes.

### Methodology

Based on market information summarized in the previous section, EPS conducted a Residual Land Value (RLV) Analysis using static pro forma models. The analysis starts with five development prototypes. Residential development at 35 and 70 units per acre are representative of densities built in recently delivered multifamily developments in the area. Residential development at a higher density (120 units per acre) was also tested for feasibility purposes. Retail and industrial prototypes were tested according to site size and common floor to area ratios (FAR) for their respective land uses. The retail prototype is tested for 15,000 gross square feet of retail space at an FAR of 0.25. Feasibility of industrial uses were tested using a prototype based on an FAR of 0.4 on 3 acres of land.

The retail and industrial prototypes use parking standards consistent with the City of Fullerton Zoning Ordinance, which requires 1 parking space per 250 gross square feet of retail space and 1 parking space per 1,000 square feet of industrial space. The residential prototypes assume a City Conditional Use Permit to allow for the reduction of parking requirements to one space per unit.

Using lease rates based on market research of the surrounding area and cap rates on recent sales transactions, EPS estimated the capitalized market value of each prototype. These building values are compared to the costs to construct these development prototypes, resulting in residual land values for each prototype.

### RLV Analysis Results

The results of the RLV analysis are summarized in **Table 5** below, and indicate that lower-density housing, retail, and light industrial uses may yield positive land value for OCTA, while higher density housing (70 or more units per acre) faces a feasibility challenge in the near term. **Figure 9** further illustrates the building values, developments costs, and resulting residual land values for each of the development prototypes evaluated.

For residential development, the least dense multifamily prototype has the highest residual land value due to the lower cost to construct 2-3 story residential projects relative to residential projects taller than 3 stories. This analysis assumes that residential development at 70 units per acre and 120 units per acre on the Site would require 4-7 stories, resulting in the higher costs associated with that construction type. Additionally, residential development at 35 and 70 units per acre are assumed to be surface parked, whereas development of 120 units per acre requires structured parking. Given the high cost of structured parking, assumed to be \$25,000 per space compared to \$5,000 per space for surface parking, EPS assumed a parking strategy of half surface space and half structured spaces to improve the project economics of this particular prototype. However, the resulting residual land value remained negative.

This analysis also assumes the same residential rental rate per square foot for each of the three residential prototypes. The two denser residential prototypes would have to achieve higher rents in order to support their more expensive construction costs. If the two denser communities were able to command a premium over the achievable rent for the 35 unit per acre prototype, then

their respective residual land values would rise. However, such premiums are typically associated with better views, which the adjacent freeway greatly curtails at this Site.

Retail presents a positive residual land value, indicating that the rents achievable for this prototype can support the cost of new retail construction. The light industrial use commands a much lower lease rate than the retail prototype, but the significantly lower cost to build relatively simple industrial buildings results in a positive residual land value.

Although the modest residual land value for retail might raise concerns regarding the viability of new retail construction, on-site retail offerings can also serve as a community asset. The assumed monthly lease rate for the retail prototype of \$2.00 per square foot is based on historical rent trends and current market rents for retail uses within 3-miles of the Site. However, the Site's unique setting situated at a Park & Ride location may allow retail uses to attain a modest rent premium due to its increased visibility and exposure from the Park & Ride, freeways, and access to transit. Another potential way to improve the viability of retail is to include ground-floor retail as a component of a vertical mixed-use building, which may provide opportunities for cutting retail construction costs.

Non-traditional retail concepts that complement the function of the Park & Ride, such as a car wash or fitness center that transit-riders can use before or after their commutes, may be an appropriate fit for the site. The unique nature of these concepts may alter the economic viability for a potential retail component of the Site, but have not been considered in this analysis, which has focused on more traditional "strip" or "pad" retail.

Details of commercial land sales that have sold since 2015 and within 3-miles of the Site are summarized in **Table 6**. The properties proposed for residential uses sold at a range of \$40-\$119 per square foot of land. On the OCTA Site, only the residential prototype at 35 units per acre achieved a residual land value approaching this range. Considerable increases in lease rates or a reduction in total development costs would be needed to improve the residual land values of the denser residential prototypes.

**Table 6** also shows that properties proposed for retail uses sold at a range of \$21-73 per square foot of land. EPS has estimated retail rents for the OCTA Site to be \$2.00 per square foot, but on-site retail rents would have to reach \$2.50 per square foot in order to push residual land values within the range of these comparable recent commercial land sales. In the second quarter of 2018, retail rents in the Buena Park and Fullerton submarkets overall were \$2.44 per square foot and \$2.33 per square foot, respectively. However, these average submarket rents include larger retail development typologies that are not appropriate for the relatively small OCTA Site — such as malls, power centers, and neighborhood centers.

A reduction in parking requirements would alleviate the cost burden of parking and improve residual land values across all development prototypes evaluated, residential and nonresidential.



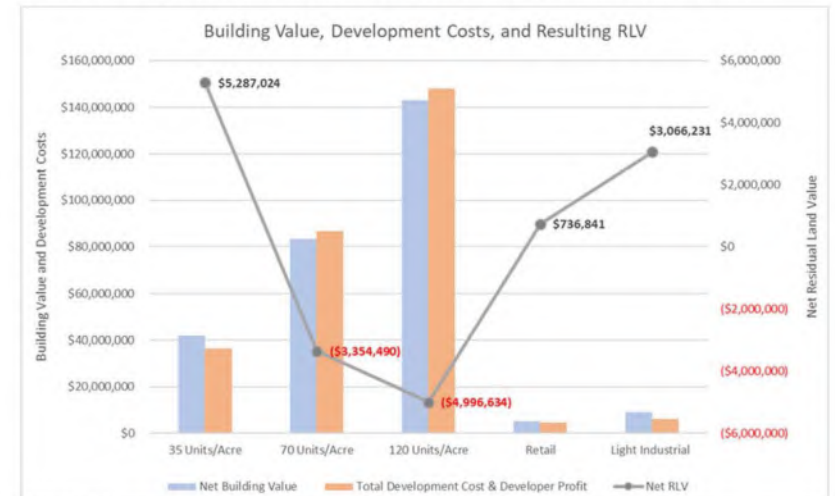
**Table 5. Residual Land Value Analysis Summary**

Item	LAND USE					
	Multifamily Residential			Nonresidential		
	35 Units/Acre	70 Units/Acre	120 Units/Acre	Retail	Light Industrial	
<b>Development Assumptions</b>						
Site Size (acres)	3.00	3.00	3.00	1.38	3.00	
Site Size (sq. ft.)	130,680	130,680	130,680	60,000	130,680	
Number of Residential Units	105	210	360			
Avg. Net Unit Size (sq. ft.)	900	900	900			
Building Efficiency Ratio	85%	85%	85%	100%	95%	
Gross Building Area	111,176	222,353	381,176	15,000	52,272	
Parking Spaces per Unit/per 1,000 SF nonresidential [1]	1.0	1.0	1.0	4.0	1.0	
<b>Operating Assumptions</b>						
Rent per Sq. Ft. per Month [2]	\$2.95	\$2.95	\$2.95	\$2.00	\$1.00	
Vacancy Rate	5%	5%	5%	5%	5%	
Operating Expenses	30%	30%	30%	4%	2%	
<b>Cost Assumptions</b>						
<b>Hard Costs</b>						
Basic Site Work per Sq. Ft. Land	\$5	\$5	\$5	\$5	\$5	
Building Direct Cost per gross Sq. Ft. [3]	\$194	\$222	\$222	\$169	\$62	
Soft Costs (% of Hard Costs)	30%	30%	30%	20%	20%	
<b>Other Costs</b>						
Development Contingency (% of Hard & Soft Costs)	5%	5%	5%	5%	5%	
Developer Fee (% of Hard and Soft Costs)	4%	4%	4%	4%	4%	
Structured Parking per Space [4]	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	
Surface Parking per Space	\$5,000	\$25,000	\$5,000	\$5,000	\$5,000	
<b>Revenues</b>						
Annual Net Operating Income	\$2,148,214	\$4,296,427	\$7,368,732	\$328,320	\$568,463	
Exit Cap Rate [5]	5%	5%	5%	5%	5%	
Net Building Value [6]	\$41,694,742	\$83,389,484	\$142,953,401	\$5,307,840	\$9,157,823	
Net Building Value per Unit/Building SF	\$397,093	\$397,093	\$397,093	\$354	\$175	
<b>Costs</b>						
Hard Costs	\$22,167,675	\$49,993,793	\$85,236,931	\$2,836,123	\$3,895,430	
Soft Costs	\$6,650,302	\$14,998,138	\$25,571,079	\$567,225	\$777,096	
Other Costs	\$3,118,618	\$11,099,274	\$18,972,721	\$606,301	\$880,988	
Total Development Costs (TDC)	\$31,936,595	\$76,091,205	\$129,780,732	\$4,009,648	\$5,343,502	
TDC per Residential Unit/Nonresidential Sq. Ft.	\$304,158	\$362,339	\$360,502	\$267	\$102	
<b>Land Value</b>						
Gross Residual Land Value	\$9,758,147	\$7,298,279	\$13,172,669	\$1,298,192	\$3,814,321	
Less Developer Profit of 14% [7]	(\$4,471,123)	(\$10,652,789)	(\$18,169,302)	(\$561,351)	(\$748,090)	
Net Residual Land Value	\$5,287,024	(\$3,354,490)	(\$4,996,634)	\$736,841	\$3,066,231	
RLV per Acre	\$1,762,341	(\$1,118,163)	(\$1,665,545)	\$534,946	\$1,022,077	
RLV per Land Sq. Ft.	\$40	(\$26)	(\$38)	\$12	\$23	

- [1] Residential uses assume City of Fullerton  
[2] Based on CoStar market research.  
[3] All Building Direct Costs assume a 10 percent premium to account for prevailing wage requirements. Direct costs based on the following sources:  
Residential at 35 units per acre based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 2-3 stories.  
Residential at 70 units per acre based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories.  
Residential at 120 units per acre based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories.  
Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail 2-3.  
Industrial Tiltup Construction 2015 Cost Estimate  
for a 50,000 sq ft building with 28 ft. clearance.  
[4] Residential development at 70 units and 120 units per acre are assumed to have all structured parking. All other prototypes are assume surface parking.  
[5] Based on recent property sale transactions in the area.  
[6] Includes a 3% disposition cost for the sale.  
[7] Net Residual Land Value is calculated as Net Building Value minus Total Development Costs minus a Developer Profit assumed at 14% of Total Development Costs.

Source: CoStar; City of Fullerton; Saylor's Current Construction Cost; Millie and Severson Industrial Tiltup Construction; EPS.

**Figure 9. Building Values, Development Costs, and Resulting Residual Land Values**



Source: EPS.

**Table 6. Commercial Land Sales Since 2015**

Address	City	Sale Date	Proposed Use	Land Area		Sale Price			
				Acres	Sq. Ft.	Total	Per Acre Land	Per SF Land	
Proposed Residential Uses									
8572 Stanton Ave	Buena Park	7/31/2018	Apartment	1.40	60,984	\$7,227,500	\$5,162,500	\$119	
600 W Commonwealth Ave (Part of Multi-Property Sale)	Fulleton	7/31/2018	Apartment	4.79	208,652	\$19,770,000	\$4,127,349	\$95	
2730 W Ball Rd	Anaheim	8/1/2017	Townhomes	1.84	80,150	\$4,000,000	\$2,173,924	\$50	
8572 Stanton Ave	Buena Park	4/13/2017	Apartment	1.40	60,984	\$2,410,000	\$1,721,429	\$40	
1007-1035 N Magnolia Ave	Anaheim	5/8/2015	Apartment	2.90	126,324	\$5,525,000	\$1,905,172	\$44	
8242 Orangethorpe Ave	Buena Park	2/20/2015	Condominiums	2.90	126,324	\$5,000,000	\$1,724,138	\$40	
Weighted Average						\$2,894,803	\$66		
Proposed Retail Uses									
7881 Beach Blvd	Buena Park	9/13/2017	Retail, F&B	2.92	127,195	\$8,400,000	\$2,876,712	\$68	
7113 Firestone Blvd	Buena Park	8/23/2016	Retail, auto	4.00	174,240	\$3,700,000	\$925,000	\$21	
924-926 S Beach Blvd	Anaheim	6/3/2016	Retail, car wash	1.07	46,809	\$3,400,000	\$3,177,570	\$73	
7640 Beach Blvd	Buena Park	1/15/2016	Retail, F&B	1.85	80,751	\$1,976,000	\$1,065,919	\$24	
Weighted Average						\$1,776,016	\$41		

Source: CoStar Online; EPS.

## Conclusion

The OCTA Fullerton Park and Ride Site offers economically feasible redevelopment potential for several land use prototypes, presenting OCTA with the opportunity to generate revenue and unlock the value of the Site's land. EPS evaluated the development feasibility of three prototypes for multifamily residential development at varying densities as well as nonresidential uses such as retail and light industrial uses. The results of the feasibility analysis are summarized in **Table 7** below, showing promise for residential development at 35 units per acre. Light industrial prototype also achieved a positive residual land value, while retail land uses resulted in a modest residual land value.



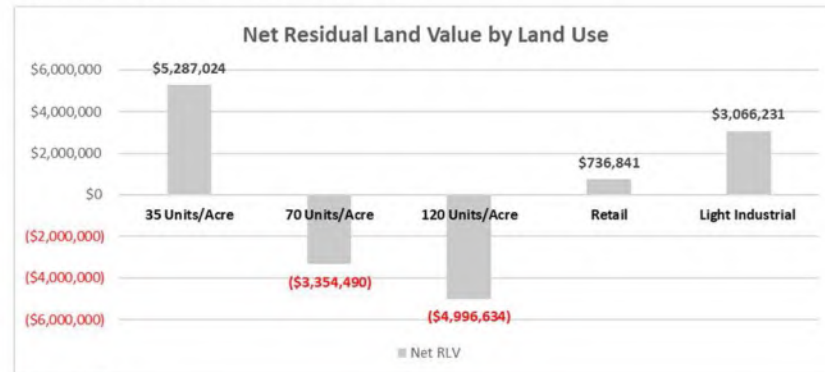
In addition to generating revenue, OCTA can also use the redevelopment of the Site to achieve a number of other goals. These goals range from increasing OCTA and transit ridership to creating a mixed-use and pedestrian-friendly environment. These goals are also listed in **Table 7**, along with the likelihood for each land use to be able to meet each goal. **Figure 10** displays the net residual value for each land use prototype analyzed.

**Table 7. Ability to Achieve OCTA Goals by Land Use**

Item	LAND USE			Nonresidential	
	35 Units/Acre	Multifamily Residential 70 Units/Acre	120 Units/Acre	Retail	Light Industrial
Ability to Generate Revenue: Net Residual Land Value	\$5,287,024	(\$3,354,490)	(\$4,996,634)	\$736,841	\$3,066,231
Potential to Increase OCTA Ridership	Medium	High	High	Low	Low
Mixed-Use and Pedestrian-Friendly Development	High	High	High	Medium	Low
Provides Community Amenity	Medium	Medium	Medium	Medium	Low
Compatibility with Park & Ride Function	High	High	High	Medium	Low

Source: EPS.

**Figure 10. Net Residual Land Value by Land Use**



Source: EPS.

### Recommendations

Redevelopment of the OCTA Fullerton Park & Ride Site has the potential to generate financial value for OCTA as well as meet a number of placemaking and economic development goals. These are near-term recommendations for OCTA to guide the implementation process so as to maximize the value unlocked from the Site's redevelopment:

**Prioritize Goals for Project Site.** Although generating revenue for OCTA is a priority, the Site's ability to meet OCTA's non-financial goals should be considered relative to the potential to achieve those goals by other means. For example, other OCTA redevelopment sites may be better suited for and more efficient at achieving certain goals (e.g. providing housing or community assets) than the development options being contemplated at the Fullerton Site.

**Evaluate Strategic Public Investment.** EPS conducted a pro forma analysis demonstrating that current market conditions produce a marginally feasible project for certain land uses. To the extent that OCTA, the City of Fullerton and the City of Buena Park have goals that can be achieved through the Site's redevelopment, a collaborative public investment strategy may help certain desired land use programs overcome development feasibility hurdles. Ultimately, the need to discount land, waive or defer impact fees, and contribute outside funding/grants to achieve public sector and community objectives should be based on a refined financial assessment.

**Initiate Developer Selection and Negotiations.** As similar infill development projects emerge and as other redevelopment opportunities for public-private partnerships are considered for other sites throughout the County, an important next step will be to evaluate specific attributes of such a project at the Fullerton Site and initiate developer discussions.



## APPENDIX A

### Multifamily Housing Concepts for the Homeless

Homelessness is an important issue throughout southern California and the Site's redevelopment may present an opportunity to provide housing specific to the needs of homeless populations. EPS identified two types of housing programs for the homeless that may be appropriate to incorporate as a component of the redevelopment: Transitional/Bridge Housing and Permanent Supportive Housing. Such housing concepts develop and operate outside of market conditions, with substantial financial support from public entities, non-profit organizations, and other outside resources. Given the non-market forces that support such developments, EPS did not quantitatively evaluate these housing concepts, but provided a qualitative discussion in its place. Below are descriptions of two types of housing solutions for the homeless, followed by three case studies of successful projects.

#### Transitional/Bridge Housing

Transitional (or Bridge) housing is a medium-term model of providing housing to the homeless and unstably housed. Unlike crisis housing, where individuals are provided a bed on a night-to-night basis, residents in transitional housing typically have their own room or dwelling unit, and stay anywhere from two weeks to two years, depending on the facility. The housing is also combined with the provision of support services, to help transition residents into a more permanent housing situation. Transitional housing facilities often target specific segments of the homeless population, such as women, youth, LGBT individuals, or veterans.

Many transitional housing facilities are developed and operated by non-profit and faith-based organizations. While in the past they have received funding through HUD, local housing authorities, and foundations, the model is beginning to fall out of favor, with a preference being given to funding Housing First Initiatives and Permanent Supportive Housing development (see below). As a result, many transitional housing facilities are losing funding and are unable to house and support as many individuals. According to organizations that operate transitional housing, losing this model, especially before a much greater number of PSH units become available, will have (and is already having) the effect of increasing the number of people living on the street.

#### Permanent Supportive Housing

Permanent Supportive Housing (PSH) is a long-term model of housing those who are homeless or unstably housed. The model includes providing affordable dwelling units along with support services that assist residents in areas such as mental and physical health, addiction treatment, education, and job training.

Many PSH buildings are developed and/or operated by non-profit entities who can provide or coordinate the provision of supportive services. The units are rented in a manner similar to other forms of affordable housing, where the residents pay some portion of their income towards rent, typically Social Security disability income, with the remainder of the rent funded by public subsidies. Development of PSH buildings is also typically financed through public or institutional and corporate philanthropic sources, including grants and tax credit programs. While providing much-needed capital, these sources often come with many bureaucratic requirements and have a finite amount of funding available. Therefore, there is an interest in finding other ways to finance PSH that can complement and expand the capacity of these traditional sources.

Developers have also utilized innovative approaches to building design and construction to help save time and cost.

#### Case Study: Potter's Lane

Located in Orange County's Midway City, Potter's Lane is a 15-unit housing development targeting chronically homeless veterans. The project was developed by American Family Housing, a non-profit providing housing and support services to homeless and low-income individuals and families in Los Angeles, Orange, and San Bernardino counties. Monthly rent is \$1,200, but tenants only pay up to 30% of their income towards it, with the rest subsidized through HUD's Veterans Affairs Supportive Housing Voucher program administered by the Orange County Housing Authority.

The innovation at Potter's Lane was the use of shipping containers as the raw materials for the building. GrowthPoint Structures, a Los Angeles-based company that manufactures modular buildings fabricated around used shipping containers, provided the pieces, and SVA Architects designed units utilizing three containers for a total size of 480 square feet. The use of GrowthPoint's containers were not only more cost-effective than traditional materials, but the prefabricated nature of the containers and the factory's proximity to the site reduced construction time to just five months.

Just over half of the financing for the project came from a variety of public funding sources, including, the State Veteran's Housing and Homeless Prevention Program, Orange County Housing Successor Agency funds, and the Federal Home Loan Bank (FHLB) Affordable Housing Program. The remainder of the financing came from the Home Depot Foundation, a conventional loan, and American Family Housing's own funding sources.

#### Case Study: PSH Colden

PSH Colden, located in South Los Angeles, is an eight-unit building under development by FlyAwayHomes targeting the chronically homeless. Like Potter's Lane, the building is being constructed using the modular fabricated shipping containers from GrowthPoint Structures. The eight four-bedroom units will each house four individuals, where residents have their own bedroom and share common living and kitchen space with the other three.

FlyAwayHomes is a social benefit organization founded by a local development company and property management company, in partnership with The People Concern, a Los Angeles social services agency. The innovation with PSH Colden is that, unlike the vast majority of PSH and other affordable housing projects, the development is being financed through private investment. FlyAwayHomes will lease the building to The People Concern, generating a cash flow and providing a modest return to investors. The People Concern will in turn find qualified residents, operate the building, and provide support services. It is anticipated that about one-third of the tenants will pay rent of \$550/month from their Social Security disability income, while the remaining two-thirds will have their rent of \$800/month paid for through LA County's Housing for Health project.

By using private financing, the developer did not need to go through the application process and adhere to all of the standards and requirements dictated by public financing, such as paying a prevailing wage. This led to a less expensive and accelerated development process. More importantly, the success of this model will significantly open up funding sources and lead to more PSH development than could be supported through the sole use of the finite funds available through public programs.



**Case Study: Crest Apartments (13604 Sherman Way, Van Nuys)**

Crest Apartments is a 64-unit PSH building located in the Van Nuys community of the City of Los Angeles. The building was developed by Skid Row Housing Trust, a non-profit focused on developing PSH units. The organization has developed 26 PSH properties, with the majority located in Downtown Los Angeles. Crest Apartments is one of only three of the organization's properties located outside of Downtown, and the only one in the San Fernando Valley.

Crest Apartments was designed by Michael Maltzan Architects, which has designed a number of buildings for Skid Row Housing Trust. The buildings have been featured in architectural blogs and magazines, and demonstrate the possibility and potential of architectural sophistication in affordable housing development. With this approach, buildings can be designed in a thoughtful way that fit the site and surrounding area, and also create a space that is nurturing and supportive of its residents.

The development of the project was financed through a variety of public programs, including the Low-Income Housing Tax Credit program and the HOME Investment Partnership program administered by the city's Housing and Community Investment Department. Funding for support services came from the Los Angeles County Department of Health Services, and are being administered by L.A. Family Housing. Subsidies for residents' rent is being provided through project-based vouchers from the Housing Authority of the City of Los Angeles.



# 7.2.2 MARKET STUDY AND FEASIBILITY ANALYSIS SUMMARY

Data Source: EPS

## EXECUTIVE SUMMARY

To: Ray Whitchurch, IBI Group  
From: Darin Smith and Julie Cooper  
Subject: OCTA Fullerton Park & Ride Joint Development Market Study and Feasibility Analysis; EPS #184011  
Date: July 11, 2019

The Orange County Transportation Authority (OCTA) is considering development options on its Fullerton Park & Ride property (Site) at the southwest corner of Orangethorpe and Magnolia Avenues. Although the Site is a functioning Park & Ride facility servicing several OCTA and Metro bus routes, the property's parking lots are underutilized, presenting the potential for development while retaining its role as a multi-modal transit hub. OCTA's goals for the site include a development that generates revenue as well as increases transit ridership.

As part of a consulting team led by IBI Group, Economic & Planning Systems, Inc. (EPS) has evaluated the market viability and financial feasibility of a variety of uses, including multifamily residential at various densities, retail, office, hotel, and light industrial uses. EPS produced a detailed memorandum on December 10, 2018, and the firm's conclusions are summarized in this Executive Summary.

## Summary of Findings

1. OCTA's Fullerton Park & Ride property's market position is strengthened by its strong accessibility and visibility due to its transit service and adjacency to the region's freeway system (the I-5 / SR 91 interchange) as well as frontage on significant surface streets.
2. Residential development appears to be in demand at and around the OCTA site, given regional and local growth patterns, and can yield strong benefits to OCTA in terms of transit ridership. However, local market-rate rents are modest compared to some other areas, which will affect the financial feasibility of new housing, particularly at higher densities that cost more to construct (due to structured parking, life safety requirements, etc.).
3. Office development does not appear to be in high demand in the vicinity of the OCTA property, and is not recommended as a prioritized land use.

Executive Summary  
OCTA Fullerton Park & Ride Joint Development Market Study and Feasibility Analysis

July 11, 2019  
Page 2

4. Hotel use is also not recommended as a prioritized use, as the local area commands relatively low room rates and the site is not competitive in terms of convenience with the many other hotels serving tourist destinations in the vicinity.
5. Retail development does appear to be in demand, given the site's strong accessibility and visibility, and should be considered a viable use as a stand-alone development or as part of a mixed-use development.
6. Light industrial development is also in demand, though such use may not be optimally compatible with the typical ridership and placemaking goals of transit-oriented development.
7. The OCTA site could also be an appropriate location for affordable housing or various housing solutions meant to serve the County's homeless population, but would not be expected to generate significant land revenues for OCTA.
8. EPS prepared financial analysis that compares the value of potential market-supported developments to their construction costs, and yields "residual land values" estimating what OCTA might expect to receive for the sale or lease of the property. This analysis indicated that lower-density multifamily may yield the highest land values, followed by light industrial uses. Higher-density housing with structured parking appears to have feasibility challenges in the near term, as they have higher construction costs while the value of the units does not increase proportionately.
9. When considering the potential disposition of its property at the Fullerton Park & Ride, OCTA will account for a variety of factors including transit ridership impacts, placemaking and community compatibility, and local and regional needs in addition to maximizing revenue from the land disposition. **Table 1** below characterizes how each land use tested for the Site addresses a variety of OCTA goals.

**Table 1. Summary of Land Uses and OCTA Objectives**

OCTA Objective	LAND USE				
	Multifamily Residential			Nonresidential	
	35 Units/Acre	70 Units/Acre	120 Units/Acre	Retail	Light Industrial
Potential Land Value to OCTA	High	Low	Low	Medium	High
Potential OCTA Ridership Gains	Medium	High	High	Low	Low
Mixed-Use & Pedestrian-Friendly	High	High	High	Medium	Low
Provides Community Amenity	Medium	Medium	Medium	Medium	Low
Compatible with Park & Ride	High	High	High	Medium	Low

Source: EPS.

10. As market conditions evolve, developers may be more optimistic about higher density housing or other uses than this analysis suggests. EPS recommends that OCTA be realistic in their expectations regarding financial returns from the land itself, but also aspirational about the long-term use of the property. A developer solicitation process that encourages creativity to meet a variety of objectives, rather than simply maximizing land value, may yield very positive results for OCTA and the local community.

The Economics of Land Use



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**FULLERTON PARK-AND-RIDE JOINT DEVELOPMENT STUDY (REPORT)**

Orange County Transportation Authority



7.3 PROFORMAS

Data Source: EPS

OCTA Fullerton Joint Development  
Land Use Prototypes and Residual Land Value Summary

LINEAR PLAN

Item	LAND USE						
	Apartments	Micro Units	Permanent Supportive Housing	Office	Retail	Private Structured Parking	OCTA Structured Parking
<b>Development Assumptions</b>							
Number of Residential Units	130	86	28				
Avg. Net Unit Size (sq. ft.)	603	300	394				
Rentable Sq. Ft.	78,447	25,806	11,042	62,595	18,000		
Building Efficiency Ratio	85%	85%	85%	90%	100%		
Gross Building Area	92,290	30,360	12,990	69,550	18,000		
Parking Spaces per Unit/per 1,000 SF nonresidential	0.00	0.00	0.00	0.00	0.00		
Total Parking Spaces	0	0	0			494	56
Net New Parking Spaces [1]	0	0	0	0	0	494	56
<b>Operating Assumptions</b>							
Rent per Sq. Ft. per Month [2]	\$3.05	\$3.50	\$1.23	\$2.25	\$2.00		
Vacancy Rate	5%	5%	5%	5%	5%		
Operating Expenses	30%	30%	100%	20%	4%		
<b>Cost Assumptions</b>							
<b>Hard Costs</b>							
Basic Site Work per gross Sq. Ft.	\$5	\$5	\$5	\$5	\$5		
Building Direct Cost per gross Sq. Ft. [3]	\$222	\$244	\$222	\$169	\$144		
Structured Parking per Space [3]	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Soft Costs (% of Hard Costs)	30%	30%	30%	20%	20%	20%	20%
<b>Other Costs</b>							
Development Contingency (% of Hard & Soft Costs)	5%	5%	5%	5%	5%	5%	5%
Developer Fee (% of Hard and Soft Costs)	4%	4%	4%	4%	4%	4%	4%
<b>Revenues</b>							
Annual Net Operating Income	\$1,909,309	\$720,762	\$0	\$1,284,449	\$393,984		
Desired Yield on Cost [4]	5.50%	5.50%	5.50%	7.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$34,714,716	\$13,104,756	\$0	\$17,125,992	\$5,253,120		
Net Building Value per Unit/Building SF	\$267,036	\$152,381	\$0	\$246.24	\$291.84	N/A	N/A
<b>Costs</b>							
Hard Costs (including Parking)	\$20,940,715	\$7,562,414	\$2,947,447	\$12,101,700	\$2,683,347	\$12,350,000	\$1,400,000
Soft Costs	\$6,262,215	\$2,268,724	\$884,234	\$2,420,340	\$536,569	\$2,470,000	\$280,000
Other Costs	\$2,450,064	\$884,802	\$344,851	\$1,306,984	\$289,801	\$1,333,800	\$151,200
Total Development Costs (TDC)	\$29,672,994	\$10,715,940	\$4,176,533	\$15,829,024	\$3,509,818	\$16,153,800	\$1,831,200
TDC per Residential Unit/Commercial SF/Stall	\$228,254	\$124,604	\$149,162	\$227.59	\$194.99	\$32,700	\$32,700
<b>Land Value</b>							
Supportable Residual Land Value	\$5,041,722	\$2,388,816	\$0	\$1,296,968	\$1,743,302	-\$16,153,800	-\$1,831,200
Land Value per Unit or Bldg SF	\$38,782	\$27,777	\$0	\$18.65	\$96.85		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>				<b>PRIVATE</b>	<b>\$10,470,808</b>	<b>PARKING</b>	<b>-\$17,985,000</b>
Starting Annual Ground Lease at 6% of Value					\$628,248		
Annual Debt Service on Parking Costs [5]							-\$1,169,950
Years of Ground Lease Payment until OCTA Parking Costs are Repaid [6]							38
<b>NPV of OCTA Revenues over 50 Years at 5% Discount Rate</b>							<b>-\$1,958,727</b>

[1] For these calculations, the parking costs for housing and commercial spaces are assumed to be provided as structured parking. Site plan shows 550 structured parking spaces and 363 retained surface spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction. Micro-units get another 10% premium. PSH units are priced at 30% AMI for a 1-person household.

[3] All building Direct Costs assume prevailing wage requirements and are based on the following sources:

Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories, plus a 10% premium per sq. ft. for micro units.

Office based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles.

Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings.

Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking.

[4] Based on recent property sale transactions in the area and LPS professional judgment.

[5] Assumes OCTA issues debt for full structured parking cost at 6% interest with 30-year amortization.

[6] Assumes ground lease payments escalate 2% annually while debt service payment remain constant.

Source: IBI Group; CoStar; Saylor's Current Construction Costs 2018; EPS.

OCTA Fullerton Joint Development  
Land Use Prototypes and Residual Land Value Summary

LAYERED PLAN

Item	LAND USE						
	Apartments	Micro Units	Permanent Supportive Housing	Office	Retail	Private Structured Parking	OCTA Structured Parking
<b>Development Assumptions</b>							
Number of Residential Units	200	20	16				
Avg. Net Unit Size (sq. ft.)	600	306	383				
Rentable Sq. Ft.	119,969	6,120	6,120	35,901	32,170		
Building Efficiency Ratio	85%	85%	85%	90%	100%		
Gross Building Area	141,140	7,200	7,200	39,690	32,170		
Parking Spaces per Unit/per 1,000 SF nonresidential	0.00	0.00	0.00	0.00	0.00		
Total Parking Spaces	0	0	0			519	272
Net New Parking Spaces [1]	0	0	0	0	0	519	272
<b>Operating Assumptions</b>							
Rent per Sq. Ft. per Month [2]	\$3.05	\$3.50	\$1.27	\$2.25	\$2.00		
Vacancy Rate	5%	5%	5%	5%	5%		
Operating Expenses	30%	30%	100%	20%	4%		
<b>Cost Assumptions</b>							
<b>Hard Costs</b>							
Basic Site Work per gross Sq. Ft.	\$5	\$5	\$5	\$5	\$5		
Building Direct Cost per gross Sq. Ft. [3]	\$222	\$244	\$222	\$169	\$144		
Structured Parking per Space [3]	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Soft Costs (% of Hard Costs)	30%	30%	30%	20%	20%	20%	20%
<b>Other Costs</b>							
Development Contingency (% of Hard & Soft Costs)	5%	5%	5%	5%	5%	5%	5%
Developer Fee (% of Hard and Soft Costs)	4%	4%	4%	4%	4%	4%	4%
<b>Revenues</b>							
Annual Net Operating Income	\$2,919,925	\$170,932	\$0	\$736,689	\$704,137		
Desired Yield on Cost [4]	5.50%	5.50%	5.50%	7.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$53,089,554	\$3,107,847	\$0	\$9,822,514	\$9,388,493		
Net Building Value per Unit/Building SF	\$265,448	\$155,392	\$0	\$246.24	\$291.84	N/A	N/A
<b>Costs</b>							
Hard Costs (including Parking)	\$32,024,841	\$1,793,458	\$1,633,689	\$6,940,860	\$4,795,738	\$12,975,000	\$6,800,000
Soft Costs	\$9,507,452	\$538,037	\$490,107	\$1,388,172	\$959,148	\$2,595,000	\$1,360,000
Other Costs	\$3,746,906	\$209,835	\$191,142	\$749,613	\$517,940	\$1,401,300	\$734,400
Total Development Costs (TDC)	\$45,379,200	\$2,541,330	\$2,314,937	\$9,078,645	\$6,272,825	\$16,971,300	\$8,894,400
TDC per Residential Unit/Commercial SF/Stall	\$228,896	\$127,066	\$144,684	\$227.59	\$194.99	\$32,700	\$32,700
<b>Land Value</b>							
Supportable Residual Land Value	\$7,710,355	\$566,518	\$0	\$743,869	\$3,115,668	-\$16,971,300	-\$8,894,400
Land Value per Unit or Bldg SF	\$38,552	\$28,326	\$0	\$18.65	\$96.85		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>				<b>PRIVATE</b>	<b>\$12,136,409</b>	<b>PARKING</b>	<b>-\$25,865,700</b>
Starting Annual Ground Lease at 6% of Value					\$728,185		
Annual Debt Service on Parking Costs [5]							-\$1,682,601
Years of Ground Lease Payment until OCTA Parking Costs are Repaid [6]							44
<b>NPV of OCTA Revenues over 50 Years at 5% Discount Rate</b>							<b>-\$7,290,113</b>

[1] For these calculations, the parking costs for housing and commercial spaces are assumed to be provided as structured parking. Site plan shows 791 structured parking spaces and 140 retained surface spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction. Micro-units get another 10% premium. PSH units are priced at 30% AMI for a 1-person household.

[3] All building Direct Costs assume prevailing wage requirements and are based on the following sources:

Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories, plus a 10% premium per sq. ft. for micro units.

Office based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles.

Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings.

Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking.

[4] Based on recent property sale transactions in the area and LPS professional judgment.

[5] Assumes OCTA issues debt for full structured parking cost at 6% interest with 30-year amortization.

[6] Assumes ground lease payments escalate 2% annually while debt service payment remain constant.

Source: IBI Group; CoStar; Saylor's Current Construction Costs 2018; EPS.



OCTA Fullerton Joint Development  
Land Use Prototypes and Residual Land Value Summary

HORSESHOE PLAN

Item	LAND USE						
	Apartments	Micro Units	Permanent Supportive Housing	Office	Retail	Private Structured Parking	OCTA Structured Parking
<b>Development Assumptions</b>							
Number of Residential Units	50	70	26				
Avg. Net Unit Size (sq. ft.)	592	304	383				
Rentable Sq. Ft.	29,597	21,250	9,945	53,496	32,365		
Building Efficiency Ratio	85%	85%	85%	90%	100%		
Gross Building Area	34,820	25,000	11,700	59,440	32,365		
Parking Spaces per Unit/per 1,000 SF nonresidential	0.00	0.00	0.00	0.00	0.00		
Total Parking Spaces	0	0	0	0	0	421	129
Net New Parking Spaces [1]	0	0	0	0	0	421	129
<b>Operating Assumptions</b>							
Rent per Sq. Ft. per Month [2]	\$3.05	\$3.50	\$1.27	\$2.25	\$2.00		
Vacancy Rate	5%	5%	5%	5%	5%		
Operating Expenses	30%	30%	100%	20%	4%		
<b>Cost Assumptions</b>							
<b>Hard Costs</b>							
Basic Site Work per gross Sq. Ft.	\$5	\$5	\$5	\$5	\$5		
Building Direct Cost per gross Sq. Ft. [3]	\$222	\$244	\$222	\$169	\$144		
Structured Parking per Space [3]	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Soft Costs (% of Hard Costs)	30%	30%	30%	20%	20%	20%	20%
<b>Other Costs</b>							
Development Contingency (% of Hard & Soft Costs)	5%	5%	5%	5%	5%	5%	5%
Developer Fee (% of Hard and Soft Costs)	4%	4%	4%	4%	4%	4%	4%
<b>Revenues</b>							
Annual Net Operating Income	\$720,361	\$593,513	\$0	\$1,097,738	\$708,405		
Desired Yield on Cost [4]	5.50%	5.50%	5.50%	7.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$13,097,480	\$10,791,136	\$0	\$14,636,506	\$9,445,402		
Net Building Value per Unit/Building SF	\$261,950	\$154,159	\$0	\$246.24	\$291.84	N/A	N/A
<b>Costs</b>							
Hard Costs (including Parking)	\$7,900,701	\$6,227,284	\$2,654,745	\$10,342,560	\$4,824,807	\$10,525,000	\$3,225,000
Soft Costs	\$2,370,210	\$1,868,185	\$796,423	\$2,068,512	\$964,951	\$2,105,000	\$645,000
Other Costs	\$924,382	\$729,592	\$310,695	\$1,116,998	\$521,078	\$1,136,700	\$348,300
Total Development Costs (TDC)	\$11,195,294	\$8,824,062	\$3,761,773	\$13,528,068	\$6,310,848	\$13,766,700	\$4,218,300
TDC per Residential Unit/Commercial SF/Stall	\$223,906	\$126,058	\$144,684	\$227.59	\$194.99	\$32,700	\$32,700
<b>Land Value</b>							
Supportable Residual Land Value	\$1,902,186	\$1,967,075	\$0	\$1,108,437	\$3,134,554	-\$13,766,700	-\$4,218,300
Land Value per Unit or Bldg SF	\$38,044	\$28,101	\$0	\$18.65	\$96.85		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>							
Starting Annual Ground Lease at 6% of Value				PRIVATE	\$8,112,252	PARKING	-\$17,985,000
Annual Debt Service on Parking Costs [5]					\$486,735		
Years of Ground Lease Payment until OCTA Parking Costs are Repaid [6]							46
NPV of OCTA Revenues over 50 Years at 5% Discount Rate							-\$5,568,655

[1] For these calculations, the parking costs for housing and commercial spaces are assumed to be provided as structured parking. Site plan shows 550 structured parking spaces and 281 retained surface spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction. Micro-units get another 10% premium. PSH units are priced at 30% AMI for a 1-person household.

[3] All Building Direct Costs assume prevailing wage requirements and are based on the following sources:

Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories, plus a 10% premium per sq. ft. for micro units.

Office based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles.

Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for store, retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings.

Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking

[4] Based on recent property sale transactions in the area and LPS professional judgment.

[5] Assumes OCTA issues debt for full structured parking cost at 5% interest with 30-year amortization.

[6] Assumes ground lease payments escalate 2% annually while debt service payment remain constant.

Source: IBI Group; CoStar; Saylor's Current Construction Costs 2018; EPS.

OCTA Fullerton Joint Development  
Land Use Prototypes and Residual Land Value Summary

DEVELOPER'S OPTION 1 PLAN

Item	LAND USE			
	Apartments	Commercial	Private Structured Parking	OCTA Structured Parking
<b>Development Assumptions</b>				
Number of Residential Units	424			
Avg. Net Unit Size (sq. ft.)	528			
Rentable Sq. Ft.	223,720	24,100		
Building Efficiency Ratio	85%	100%		
Gross Building Area	263,200	24,100		
Parking Spaces per Unit/per 1,000 SF nonresidential	0.00	0.00		
Total Parking Spaces	0	0	506	88
Net New Parking Spaces [1]	0	0	506	88
<b>Operating Assumptions</b>				
Rent per Sq. Ft. per Month [2]	\$3.05	\$2.00		
Vacancy Rate	5%	5%		
Operating Expenses	30%	4%		
<b>Cost Assumptions</b>				
<b>Hard Costs</b>				
Basic Site Work per gross Sq. Ft.	\$5	\$5		
Building Direct Cost per gross Sq. Ft. [3]	\$222	\$144		
Structured Parking per Space [3]	\$25,000	\$25,000	\$25,000	\$25,000
Soft Costs (% of Hard Costs)	30%	20%	20%	20%
<b>Other Costs</b>				
Development Contingency (% of Hard & Soft Costs)	5%	5%	5%	5%
Developer Fee (% of Hard and Soft Costs)	4%	4%	4%	4%
<b>Revenues</b>				
Annual Net Operating Income	\$5,445,121	\$527,501		
Desired Yield on Cost [4]	5.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$99,002,201	\$7,033,344		
Net Building Value per Unit/Building SF	\$233,496	\$291.84	N/A	N/A
<b>Costs</b>				
Hard Costs (including Parking)	\$59,720,406	\$3,592,704	\$12,650,000	\$2,200,000
Soft Costs	\$17,916,122	\$718,541	\$2,530,000	\$440,000
Other Costs	\$6,987,288	\$388,012	\$1,366,200	\$237,600
Total Development Costs (TDC)	\$84,623,816	\$4,699,256	\$16,546,200	\$2,877,600
TDC per Residential Unit/Commercial SF/Stall	\$199,584	\$194.99	\$32,700	\$32,700
<b>Land Value</b>				
Supportable Residual Land Value	\$14,378,386	\$2,334,088	-\$16,546,200	-\$2,877,600
Land Value per Unit or Bldg SF	\$33,911	\$96.85		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>				
Starting Annual Ground Lease at 6% of Value		\$1,002,748		
Annual Debt Service on Parking Costs [5]				-\$1,263,546
Years of Ground Lease Payment until OCTA Parking Costs are Repaid [6]				24
NPV of OCTA Revenues over 50 Years at 5% Discount Rate				\$6,155,760

[1] For these calculations, the parking costs for housing and commercial spaces are assumed to be provided as structured parking. Site plan shows 594 structured parking spaces and 325 retained surface spaces.



OCTA Fullerton Joint Development  
Land Use Prototypes and Residual Land Value Summary

DEVELOPER'S OPTION 2 PLAN

Item	LAND USE			
	Apartments	Commercial	Private Structured Parking	OCTA Structured Parking
<b>Development Assumptions</b>				
Number of Residential Units	466			
Avg. Net Unit Size (sq. ft.)	534			
Rentable Sq. Ft.	248,829	19,310		
Building Efficiency Ratio	85%	100%		
Gross Building Area	292,740	19,310		
Parking Spaces per Unit/per 1,000 SF nonresidential	0.00	0.00		
Total Parking Spaces	0	0	533	266
Net New Parking Spaces [1]	0	0	533	266
<b>Operating Assumptions</b>				
Rent per Sq. Ft. per Month [2]	\$3.05	\$2.00		
Vacancy Rate	5%	5%		
Operating Expenses	30%	4%		
<b>Cost Assumptions</b>				
<b>Hard Costs</b>				
Basic Site Work per gross Sq. Ft.	\$5	\$5		
Building Direct Cost per gross Sq. Ft. [3]	\$222	\$144		
Structured Parking per Space [3]	\$25,000	\$25,000	\$25,000	\$25,000
Soft Costs (% of Hard Costs)	30%	20%	20%	20%
<b>Other Costs</b>				
Development Contingency (% of Hard & Soft Costs)	5%	5%	5%	5%
Developer Fee (% of Hard and Soft Costs)	4%	4%	4%	4%
<b>Revenues</b>				
Annual Net Operating Income	\$6,056,249	\$422,657		
Desired Yield on Cost [4]	5.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$110,113,619	\$5,635,430		
Net Building Value per Unit/Building SF	\$236,295	\$291.84	N/A	N/A
<b>Costs</b>				
Hard Costs (including Parking)	\$66,423,069	\$2,878,635	\$13,325,000	\$6,650,000
Soft Costs	\$19,926,921	\$575,727	\$2,665,000	\$1,330,000
Other Costs	\$7,771,499	\$310,893	\$1,439,100	\$718,200
Total Development Costs (TDC)	\$94,121,489	\$3,765,255	\$17,429,100	\$8,698,200
TDC per Residential Unit/Commercial SF/Stall	\$201,977	\$194.99	\$32,700	\$32,700
<b>Land Value</b>				
Supportable Residual Land Value	\$15,992,130	\$1,870,176	-\$17,429,100	-\$8,698,200
Land Value per Unit or Bldg SF	\$34,318	\$96.85		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>				
Starting Annual Ground Lease at 6% of Value	PRIVATE	\$17,862,306	PARKING	-\$26,127,300
Annual Debt Service on Parking Costs [5]		\$1,071,738		
Years of Ground Lease Payment until OCTA Parking Costs are Repaid [6]				-1,699,618
NPV of OCTA Revenues over 50 Years at 5% Discount Rate				34
				\$1,212,155

[1] For these calculations, the parking costs for housing and commercial spaces are assumed to be provided as structured parking. Site plan shows 799 structured parking spaces and 160 retained surface spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction.

[3] All Building Direct Costs assume prevailing wage requirements and are based on the following sources:

Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories.

Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings.

Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking

[4] Based on recent property sale transactions in the area and EPS professional judgment.

[5] Assumes OCTA issues debt for full structured parking cost at 5% interest with 30-year amortization.

[6] Assumes ground lease payments escalate 2% annually while debt service payment remain constant.

Source: IBI Group, CoStar, Saylor's Current Construction Costs 2018; EPS.

OCTA Fullerton Joint Development  
Land Use Prototypes and Residual Land Value Summary

PHASED PLAN

Item	LAND USE				
	Apartments	Office	Retail	Private Structured Parking	OCTA Structured Parking
<b>Development Assumptions</b>					
Number of Residential Units	82				
Avg. Net Unit Size (sq. ft.)	522				
Rentable Sq. Ft.	42,840	27,900	10,800		
Building Efficiency Ratio	85%	90%	100%		
Gross Building Area	50,400	31,000	10,800		
Parking Spaces per Unit/per 1,000 SF nonresidential	0.00	0.00	0.00		
Total Parking Spaces	0	0	0	0	0
Net New Parking Spaces [1]	0	0	0	0	0
<b>Operating Assumptions</b>					
Rent per Sq. Ft. per Month [2]	\$3.05	\$2.25	\$2.00		
Vacancy Rate	5%	5%	5%		
Operating Expenses	30%	20%	4%		
<b>Cost Assumptions</b>					
<b>Hard Costs</b>					
Basic Site Work per gross Sq. Ft.	\$5	\$5	\$5		
Building Direct Cost per gross Sq. Ft. [3]	\$222	\$169	\$144		
Structured Parking per Space [3]	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Soft Costs (% of Hard Costs)	30%	20%	20%	20%	20%
<b>Other Costs</b>					
Development Contingency (% of Hard & Soft Costs)	5%	5%	5%	5%	5%
Developer Fee (% of Hard and Soft Costs)	4%	4%	4%	4%	4%
<b>Revenues</b>					
Annual Net Operating Income	\$1,042,683	\$572,508	\$236,390		
Desired Yield on Cost [4]	5.50%	7.50%	7.50%		
Net Building Value (Supportable Development Costs)	\$18,957,868	\$7,833,440	\$3,151,872		
Net Building Value per Unit/Building SF	\$231,194	\$246.24	\$291.84	N/A	N/A
<b>Costs</b>					
Hard Costs (including Parking)	\$11,435,822	\$5,394,000	\$1,610,008	\$0	\$0
Soft Costs	\$3,430,747	\$1,078,800	\$322,002	\$0	\$0
Other Costs	\$1,337,991	\$582,552	\$173,881	\$0	\$0
Total Development Costs (TDC)	\$16,204,560	\$7,055,352	\$2,105,891	\$0	\$0
TDC per Residential Unit/Commercial SF/Stall	\$197,617	\$227.59	\$194.99		
<b>Land Value</b>					
Supportable Residual Land Value	\$2,753,308	\$578,088	\$1,045,981	\$0	\$0
Land Value per Unit or Bldg SF	\$33,577	\$18.65	\$96.85		
<b>SUM OF TOTAL PROGRAM LAND VALUES</b>					
Starting Annual Ground Lease at 6% of Value		PRIVATE	\$4,377,377	PARKING	\$0
Annual Debt Service on Parking Costs [5]			\$262,643		
Years of Ground Lease Payment until OCTA Parking Costs are Repaid [6]					\$0
NPV of OCTA Revenues over 50 Years at 5% Discount Rate					0
					\$6,699,869

[1] For these calculations, the housing, office, and retail developments are assumed to utilize existing spaces.

[2] Based on CoStar market research for smaller units, with 10% premium for new construction.

[3] All Building Direct Costs assume prevailing wage requirements and are based on the following sources:

Residential based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Apartment, 4-7 stories.

Office based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles.

Retail based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Store, Retail, less an assumed savings of \$25 because the proposed retail is in the ground floor of residential and garage buildings.

Structured parking based on Saylor's Current Construction Costs 2018 in Zone 4 and Los Angeles for Garage, Parking

[4] Based on recent property sale transactions in the area and EPS professional judgment.







# Fullerton Park-and-Ride Joint Development Study



# OCTA's Joint Development Policy

- Purpose
  - Increase transit ridership
  - Generate transit-supportive revenue
  - Promote ridesharing
  - Support local community goals
  - Supplement OCTA transit services
- Policy Actions
  - Develop market feasibility studies and site assessments
  - Collaborate with local jurisdictions and public stakeholders
  - Pursue opportunities supported by the OCTA Board





# FTA Guidance/Limitations

- Promote joint development to:
  - Maximize utility of FTA-funded projects
  - Encourage transit agencies to generate program income
- Asset must retain function as a transit and rideshare facility





# Joint Development Process Overview

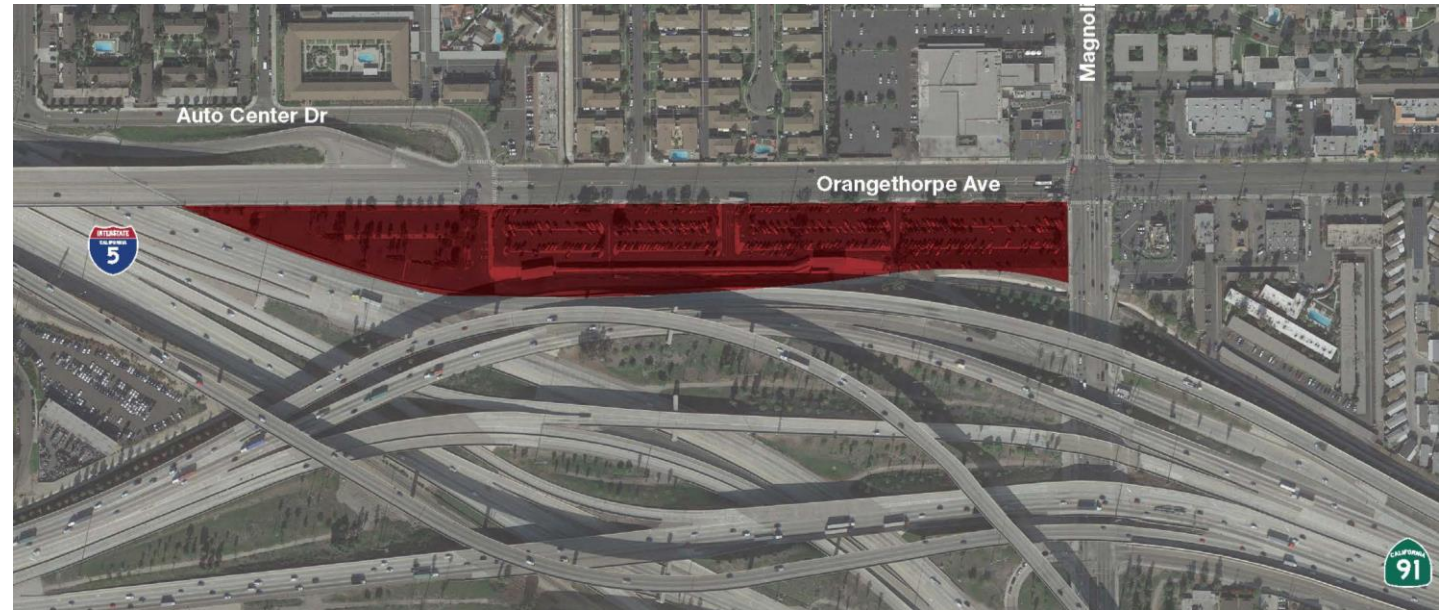


\*Dates are approximations



# Site History: Fullerton Park-and-Ride

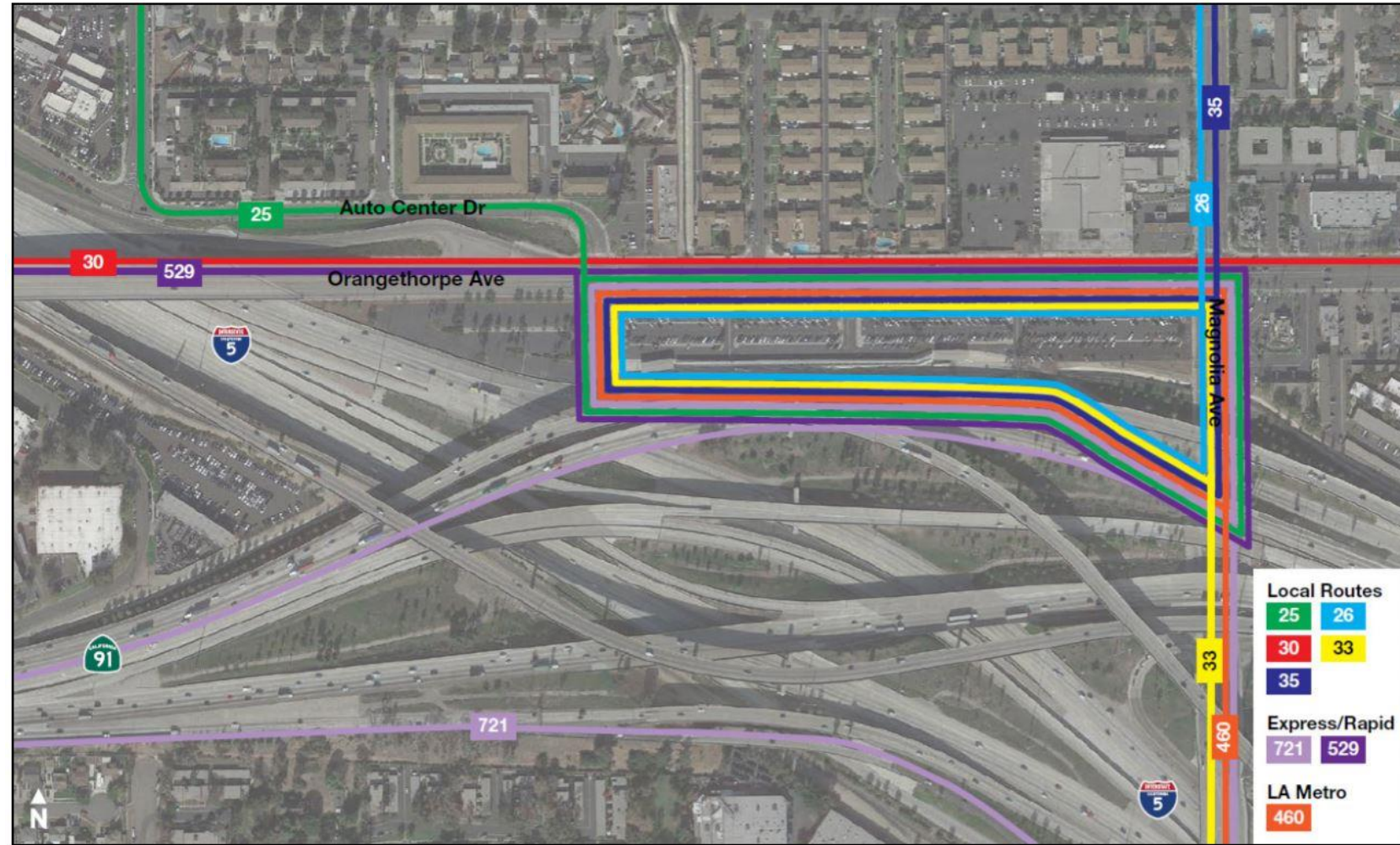
- 11.1-acre site
- Acquired with FTA grant
- Opened in 1974
- Primarily served commuters to LA
- Metrolink service reduced site demand
- Continues to serve carpoolers and express bus users





# Current Conditions

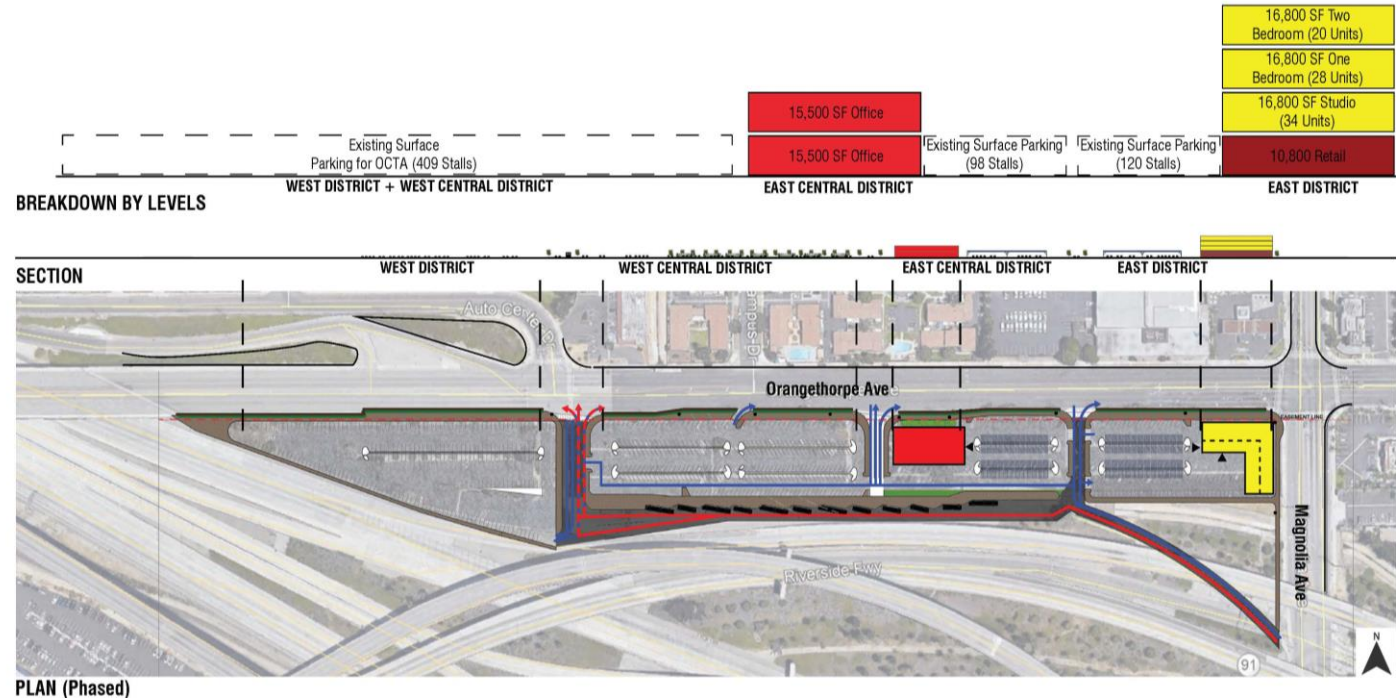
- Transit
  - 14 bus docks
  - Eight bus routes (OCTA and LA Metro)
  - Key transfer location
- Parking
  - 745 public parking spaces
  - Up to 55 percent utilized on weekdays
  - 20 percent on weekends





# Phase 1 Study

- Initiated in summer 2018
- Goals
  - Evaluate conceptual joint development scenarios
  - Determine if further analysis is merited
- Findings
  - Joint development is feasible and could provide significant value
  - Scenarios with limited or no structured parking perform best financially based on initial assumptions





# Phase 1 Assumptions

- 400 of 750 spaces needed to maintain transit and rideshare functions
- Scenarios assume a range of conceptual land-use mixes and densities
- Net present value used to determine merit of site for further consideration
  - Subsequent phases will analyze additional criteria





# City of Fullerton

- City staff input during Phase 1
  - Support exploring site development opportunities
  - Supportive of housing units in particular
  - Zoning adjustments would be required
  - Staff input to date and future city council direction required





# Future Phase 2 Study

- Purpose
  - Define a vision that addresses needs of:
    - OCTA/Customers
    - City/Community
    - FTA
  - Gauge developer interest in delivering on vision
- Approach
  - Establish internal guidelines
  - Identify alternatives
  - Stakeholder engagement
  - Developer engagement





# Joint Development Process Overview



\*Dates are approximations





## COMMITTEE TRANSMITTAL

**October 12, 2020**

**To:** Members of the Board of Directors  
**From:** *Lu*  
Laurena Weinert, Clerk of the Board  
**Subject:** Contract Change Orders for the Construction of the OC Streetcar Project

### Transit Committee Meeting of October 8, 2020

**Present:** Directors Davies, Do, Jones, Pulido, Shaw, and Sidhu  
**Absent:** None

### **Committee Vote**

Following the roll call vote, this item was declared passed 5-0 by the Members present.

Director Pulido abstained from voting on this item.

### **Committee Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 18 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$300,000, to increase the allowance for removal of man-made objects.
- B. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 24.1 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$845,985, for overhead contact system sectionalization.
- C. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 30.1 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$320,164, to conduct electrical continuity testing.

**NOTE:** Attachment A is corrected on the summary numbers at the end of the table (on Page 2) because the total for "CCOs" 12 and 13 were omitted from the final calculation.





**October 8, 2020**

**To:** Transit Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Contract Change Orders for the Construction of the OC Streetcar Project

### **Overview**

On September 24, 2018, the Orange County Transportation Authority Board of Directors authorized Agreement No. C-7-1904 with Walsh Construction Company II, LLC for construction of the OC Streetcar project. Contract change orders are required to increase the allowance for removal of buried man-made objects, modify the traction power and overhead contact system to enable a single track operation in the Pacific Electric Right-of-Way, and allow adjacent tracks to be de-energized for maintenance or emergencies and conduct electrical continuity testing.

### **Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 18 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$300,000, to increase the allowance for removal of man-made objects.
- B. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 24.1 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$845,985, for overhead contact system sectionalization.
- C. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 30.1 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$320,164, to conduct electrical continuity testing.



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***Discussion***

On September 24, 2018, the Orange County Transportation Authority (OCTA) Board of Directors (Board) awarded a contract to Walsh Construction Company II, LLC, (Walsh) to construct the OC Streetcar project (Project). The Notice to Proceed with construction was issued to Walsh on March 4, 2019.

**Removal of Buried Man-Made Objects**

The construction contract includes a \$100,000 allowance for the work to remove buried man-made objects that are encountered and were either unknown or could not be quantified during the Project's design. Examples of buried man-made objects encountered include stumps, non-contaminated railroad ties, rail, woody debris, pilings, and buried pavement. As construction progressed, a higher number of buried man-made objects have been encountered than anticipated, including an underground storage tank and an abandoned well at the maintenance and storage facility (MSF) site, resulting in the existing allowance being depleted.

The allowance needs to be increased by an estimated \$300,000 to fund work to remove additional buried man-made objects and/or obstructions encountered during excavations along the city street section of the alignment. The street alignments date back to the 1800's, and many man-made obstructions that have been covered over without record have been found. OCTA intends to track, review, and pay for labor material and equipment costs on a time-and-materials basis.

**Overhead Contact System Sectionalization**

The Project's design assumed that the traction power system delivering electrical power to the vehicles would be provided by the traction power substations (TPSS). Each of the four TPSS along the alignment energize the overhead contact system (OCS) within a specific segment of the alignment. When maintenance is needed, or if an emergency occurs that requires a single section of track to be de-energized, electrical power to the entire segment is required to be de-energized to ensure the safety of maintenance crews and/or emergency responders. This results in the service being disrupted for all tracks within the section. A subsequent operational efficiency review identified that there is an opportunity in the two-mile Pacific Electric Right-of-Way (PEROW) section of the Project to minimize potential disruptions by enabling service to be operated on one track when the other track is de-energized, given the presence of track cross-overs located within the PEROW.



Additional construction efforts are required to implement this sectionalization of the OCS, including modifying the equipment at the two TPSS facilities serving the PEROW, revising the traction power cabling to the OCS, and installing additional OCS electrical power disconnects. In addition to power that can be de-energized on one section of a track for maintenance or emergencies, it will also provide enhanced flexibility in construction in and around the PEROW for future construction projects and encroachment permit work by public utilities.

To keep work proceeding and minimize delays, an initial contract change order (CCO), in the amount of \$158,941, is being processed for the engineering work required to modify the TPSS equipment. This supplement to the original CCO covers manufacturing and installation costs to complete the OCS sectionalization. The cost of the additional work has been determined by the construction management team to be \$845,985, and includes materials, equipment, and labor for the OCS sectionalization. Walsh has not agreed to the CCO amount and may pursue additional costs at a later time; however, it is prudent to proceed with this supplement in order to allow the project to advance without further delay.

#### Electrical Continuity Testing

The power system for the Project uses electricity which, if not properly grounded, can induce a current to supporting structures, such as a bridge deck or reinforced concrete sections. Stray current, if not properly grounded, can create premature corrosion over time in the adjacent conduits, and reinforcing steel resulting in deterioration of the concrete. To mitigate the possibility of stray current, the reinforcing steel is welded together and then grounded.

The contract did not specify that specific continuity testing is required to verify adequate grounding is in place at longitudinal reinforced steel locations during construction. To keep work progressing and minimize delays, an initial CCO, in the amount of \$23,928, was issued for continuity testing at the Westminster Avenue Bridge, the Santa Ana River Bridge, and the demonstration section of track, which is the initial section of track that is constructed to confirm track installation procedures. This testing included visual and mechanical tests of all rebar connections.

This supplement to the CCO covers the cost of electrical continuity testing required on the remaining alignment. This includes the embedded track on the streets in the City of Santa Ana, the MSF yard track and three additional spans of the Santa Ana River Bridge. The cost of the additional work has been determined by the construction management team to be \$320,164, and includes materials, equipment, and labor for the testing. The contractor has not agreed with the CCO amount and may pursue additional costs at a later date; however,



it is prudent to proceed with this supplement in order to allow the project to advance without further delay.

The cost of the work associated with the three CCOs will be funded from the Project contingency because the work was not included in the Project cost estimate. It will not increase the Project cost of \$407,700,000 as defined in the Full Funding Grant Agreement.

### ***Procurement Approach***

The initial procurement was handled in accordance with OCTA's Board-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. On September 24, 2018, the Board authorized Agreement No. C-7-1904 with Walsh, in the amount of \$220,538,549, for construction of the Project.

Proposed CCO nos. 18, 24.1, and 30.1, in the amount of \$300,000, \$845,985, and \$320,164, respectively, will increase the cumulative value of the contract by \$1,466,149, to \$237,747,779, as shown in Attachment A. Board approval is required for CCO nos. 18, 24.1, and 30.1, pursuant to the State of California Public Contracting Code Section 20142.

### **Fiscal Impact**

The additional work for this Project is included in OCTA's Fiscal Year 2020-21 Budget, Capital Programs Division, accounts 0051-9017-TS010-Z1A, 0051-9017-TS010-Z14, 0051-9017-TS010-Z32, 0051-9017-TS010-Z53, and 0051-9017-TS010-Z54, and is funded with Federal Transit Administration Section 5309 New Starts and local Measure M2 funds.

### ***Summary***

Staff recommends Board of Directors' authorization for the Chief Executive Officer to negotiate and execute CCO No. 18, in the amount of \$300,000, CCO No. 24.1, in the amount of \$845,985, and CCO No. 30.1, in the amount of \$320,164, to Agreement No. C-7-1904 with Walsh Construction Company II, LLC.

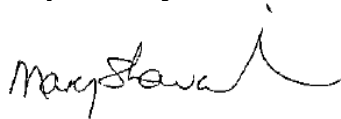


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***Attachment***

- A. Walsh Construction Company II, LLC, Agreement No. C-7-1904, Contract Change Order (CCO) Log

**Prepared by:**



Mary Shavalier  
Program Manager  
(714) 560-5856



Pia Veasapen  
Interim Director,  
Contracts Administration and  
Materials Management  
(714) 560-5619

**Approved by:**



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



**Walsh Construction Company II, LLC  
Agreement No. C-7-1904  
Contract Change Order (CCO) Log**

CCO No.	Title	Status	Date Executed	Cost	Remarks
1	Demolition, Removals, and Disposal at the Maintenance and Storage Facility (MSF) Property	Approved	6-20-2019	\$199,749.00	
1.1	Demolition, Removals, and Disposal at the MSF Property Additional Funding	Approved	6-25-2019	\$113,884.77	
2	Removal and Disposal of Contaminated Materials at the MSF Property	Approved	6-25-2019	\$200,000.00	
2.1	Removal and Disposal of Contaminated Materials at the MSF Property Additional Funding	Approved	8-15-2019	\$160,000.00	
3	Removal and Disposal of Contaminated Materials within the Orange County Transit District-Owned Pacific Electric Right-of-Way (PEROW)	Approved	9-12-2019	\$1,600,000.00	
3.1	Removal and Disposal of Contaminated Materials Within the Orange County Transit District-Owned PEROW and Other Project Areas	Approved	2-25-2020	\$7,278,795.00	
4	Required Work to Address Utility Conflicts	Approved	8-27-2019	\$200,000.00	
4.1	Required Work to Address Utility Conflicts Additional Funding	Approved	2-25-2020	\$833,300.00	
4.2	Required Work to Address Utility Conflicts Additional Funding	Approved	6-09-2020	\$2,426,000.00	
5	Tree Removal and Trimming	Approved	6-09-2020	\$129,215.52	
7	Orange County Sanitation District Specifications Revisions	Approved	6-09-2020	\$82,445.00	
8	Maintenance Path Profile	Approved	6-09-2020	\$6,055.00	
9	Vapor Barrier Installation	Pending		\$395,717.00	
10	Ultrasonic Testing	Approved	6-09-2020	\$0	
11	Opticom Vehicles	Approved	6-09-2020	\$40,120.00	
12	Santa Ana River Bridge Precast Girders	Approved	8-27-2020	\$88,877.00	
13	Retaining Wall 544 Reinforcing Steel	Approved	9-3-2020	\$2,321.30	
15	Overhead Contact System (OCS) and Traffic Signal Utility Conflicts	Approved	6-17-2020	\$195,723.00	
16	Hand digging and Survey for OCS and Traffic Signal Pole Foundation	Approved	6-23-2020	\$198,808.00	
16.1	Hand digging and Survey for OCS, Traffic Signal, and Streetlight Pole Foundations	Approved	6-26-2020	\$1,400,000.00	



17	Westminster Bridge OCS Diaphragm	Pending		\$1,682.00	
18	Removal of Man-Made Objects	Pending		\$300,000.00	
21	Changes to Turnout Geometry	Pending		\$0	
22	Railroad Crossing Gate Bells	Pending		\$0	
23	Santa Ana River Bridge, OCS Pole, and OCS Down Guy Diaphragms	Pending		\$7,419.00	
24	OCS Sectionalization – Siemens portion	Pending		\$158,941.00	
24.1	OCS Sectionalization	Pending		\$845,984.91	
30	Electrical Continuity Testing	Pending		\$23,928.10	
30.1	Electrical Continuity Testing	Pending		\$320,164.40	

Subtotal Executed CCOs	\$15,155,293.59
Subtotal Pending CCOs	<u>\$2,053,836.41</u>
TOTAL CCOs	\$17,209,130.00
ORIGINAL VALUE	\$220,538,649.00
PROPOSED REVISED VALUE	\$237,747,779.00



# Orange County Coronavirus Travel Trends





# ORANGE COUNTY COVID-19 TRAVEL IMPACTS

- Unprecedented nationwide, statewide, regional, and local travel changes
- Today's presentation focuses on unemployment and work-from-home as key drivers
- Use publicly available “big data” and surveys to describe current conditions in Orange County

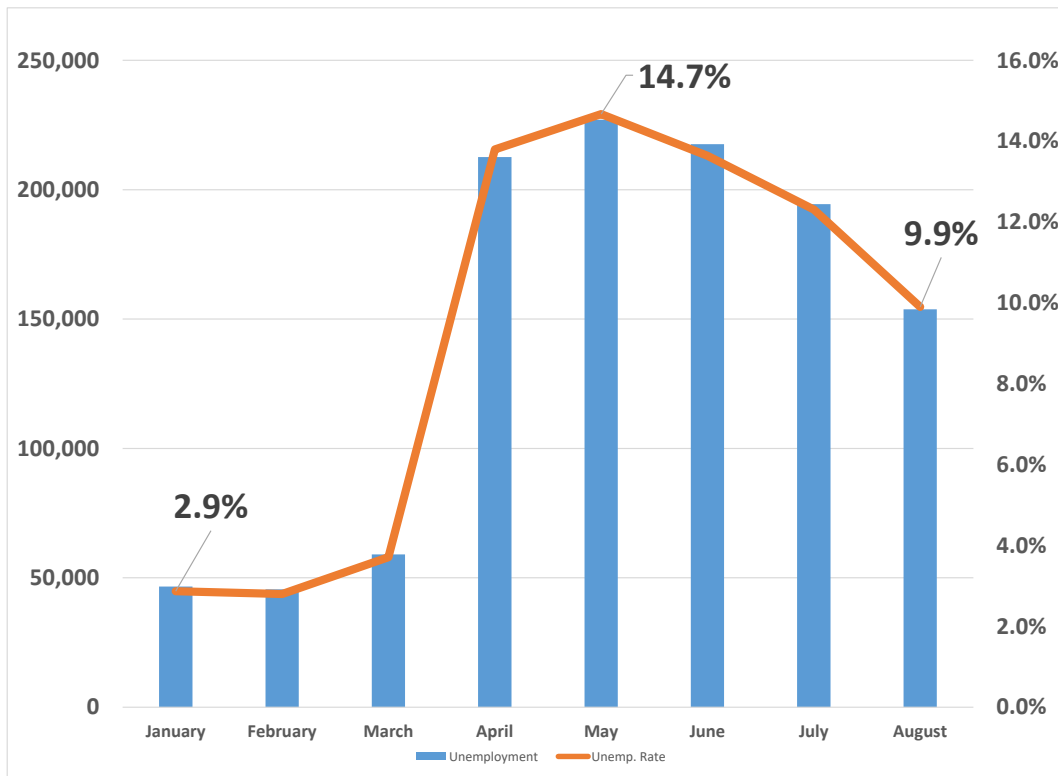


COVID-19 - Coronavirus



# UNEMPLOYMENT: A KEY DRIVER OF TRAVEL CHANGES

- January to August 2020, unemployed workers and rate
- Trending downward since May 2020
- Service sector hit the hardest



Source: State of California, Employment Development Department, data accessed 9/21/20





## JOB LOSSES: NOT EVENLY DISTRIBUTED

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- Between August 2019 and August 2020, employment decreased by 11.3 percent
- Key changes
  - Leisure and hospitality decreased the most, losing 75,400 jobs
  - Professional and business services decreased by 28,900 jobs over the year
  - Trade, transportation, and utilities posted a loss of 19,600 jobs

Source: State of California, Employment  
Development Department, data accessed 9/21/20



# GOOGLE MAPS: MOST ACTIVITIES DOWN IN OC WITH SOME EXCEPTIONS

## Retail & recreation

**-27%** compared to baseline



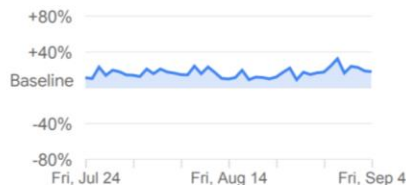
## Grocery & pharmacy

**-1%** compared to baseline



## Parks

**+18%** compared to baseline



Source:  
Google, Inc.

## Transit stations

**-42%** compared to baseline



## Workplaces

**-42%** compared to baseline



## Residential

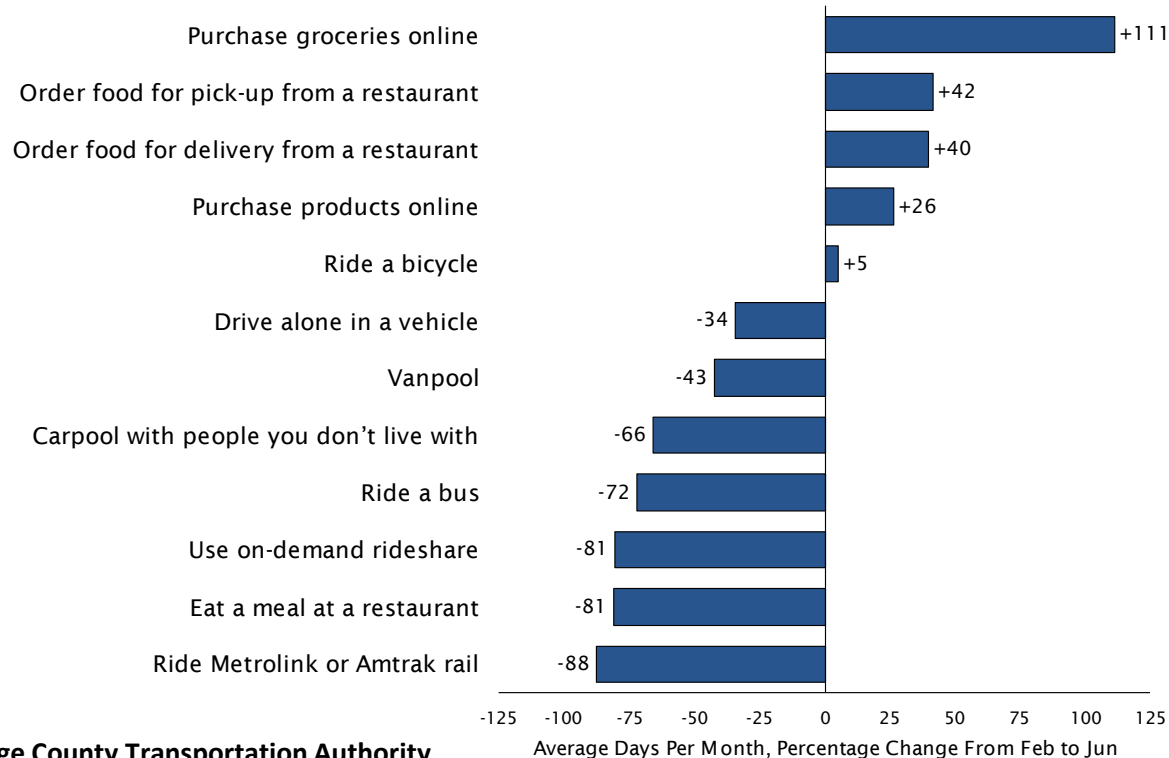
**+14%** compared to baseline



Baseline = the corresponding day of the week, during the five-week period, Jan 3 – Feb 6, 2020, compared to Sep 4, 2020



# OCTA SURVEY: SOME ACTIVITIES UP, OTHERS DOWN



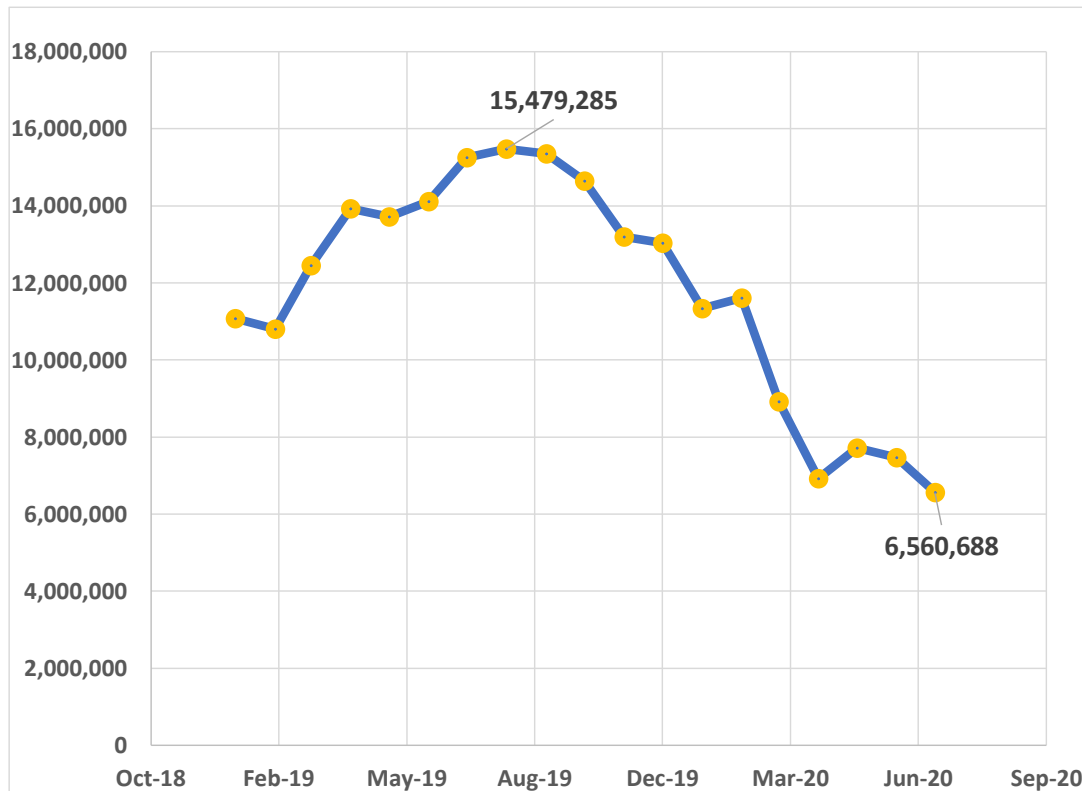
Source: OCTA Travel and Employment Survey, July 2020. The survey compared February and June 2020.

N= 2,548 randomly-selected residents representing a sample of all Orange County adults



## RESULTS: TOTAL TRAVEL IS DOWN (PERSON-TRIPS; ALL MODES)

- Average daily person trips by month from January 2019 to July 2020
- Peak travel occurred in August 2019 @ 15.48 million daily trips
- Low point in July 2020



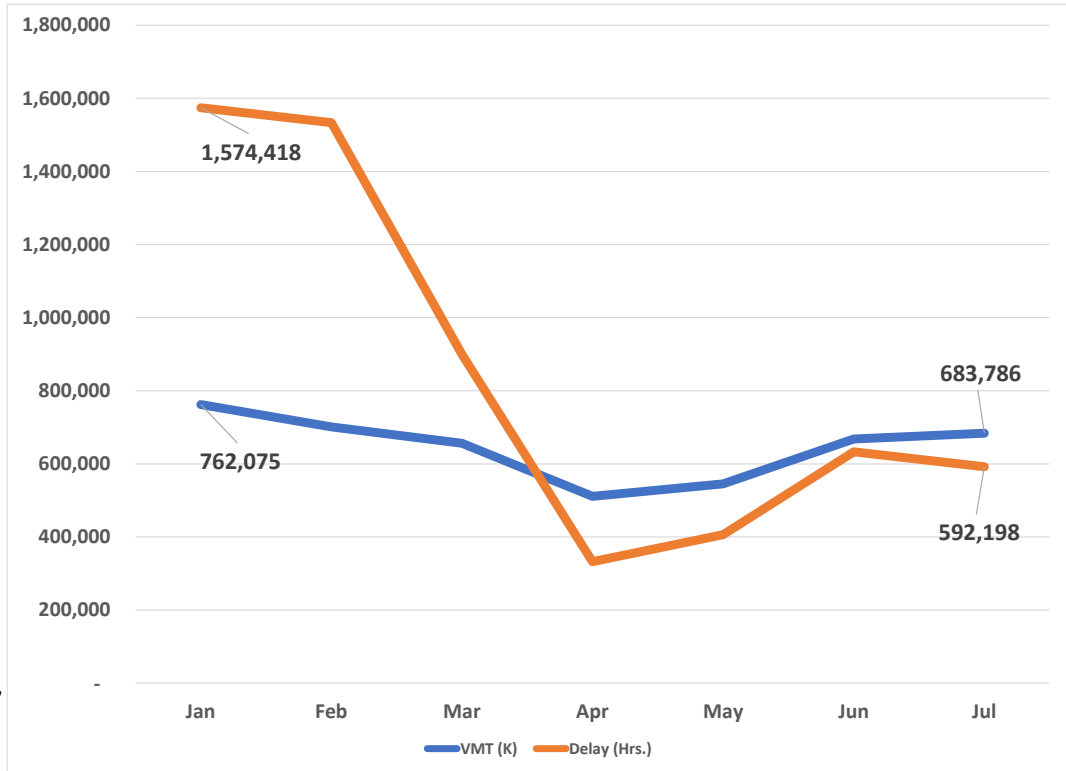
Source: Bureau of Transportation Statistics



## OC FREEWAYS: DEMAND/DELAY DOWN BUT TRENDING UPWARD

- OC freeway demand (vehicle miles traveled) down by 10.3 percent
- Delay (hours) down by over 62 percent
- Demand and delay trending upward
- July 2020 to January 2020 comparison

California Department of Transportation (Caltrans),  
PeMS version 20, Orange County, weekdays,  
January to July 2020, data accessed 9/17/20





# OC FREEWAYS: DELAY SHIFTING IN TIME (DELAY IN HOURS)

Starting Hour	Jan	Feb	Mar	Apr	May	Jun	Jul
00	2,216	1,162	1,165	717	778	1,062	972
01	1,772	886	1,068	651	989	1,049	827
02	1,680	723	994	673	813	929	848
03	2,246	1,091	1,202	819	876	1,134	945
04	4,653	2,038	2,182	1,271	1,254	1,724	1,825
05	10,322	4,391	4,738	2,170	2,681	4,154	4,120
06	60,263	58,851	46,058	17,162	21,200	25,495	23,083
07	134,908	148,579	93,773	22,820	26,404	34,908	34,157
08	152,181	161,132	90,548	25,038	27,055	36,983	38,520
09	87,048	89,921	53,210	28,225	28,559	38,121	39,239
10	51,623	53,063	41,443	26,518	29,054	39,317	40,464
11	47,313	43,719	39,430	25,059	29,379	42,126	42,079
12	46,820	42,190	39,685	23,048	28,532	43,132	42,416
13	52,450	50,228	42,533	21,033	28,287	44,930	41,398
14	84,215	83,383	56,932	21,890	32,227	58,298	52,101
15	143,829	144,890	81,083	29,607	44,113	72,552	65,252
16	193,298	196,151	97,452	30,652	44,855	75,238	62,029
17	253,124	231,695	112,968	31,868	37,354	69,453	59,587
18	167,454	154,183	61,070	12,618	11,446	21,990	21,165
19	45,870	43,851	17,200	3,713	3,226	6,039	7,765
20	13,789	11,455	7,660	3,030	2,950	5,126	5,759
21	6,254	3,307	2,984	1,557	1,588	3,853	2,946
22	6,525	4,171	2,606	1,408	1,634	3,060	2,703
23	4,569	2,636	1,642	1,065	1,199	2,193	1,999
Total:	1,574,418	1,533,694	899,625	332,610	406,453	632,865	592,198

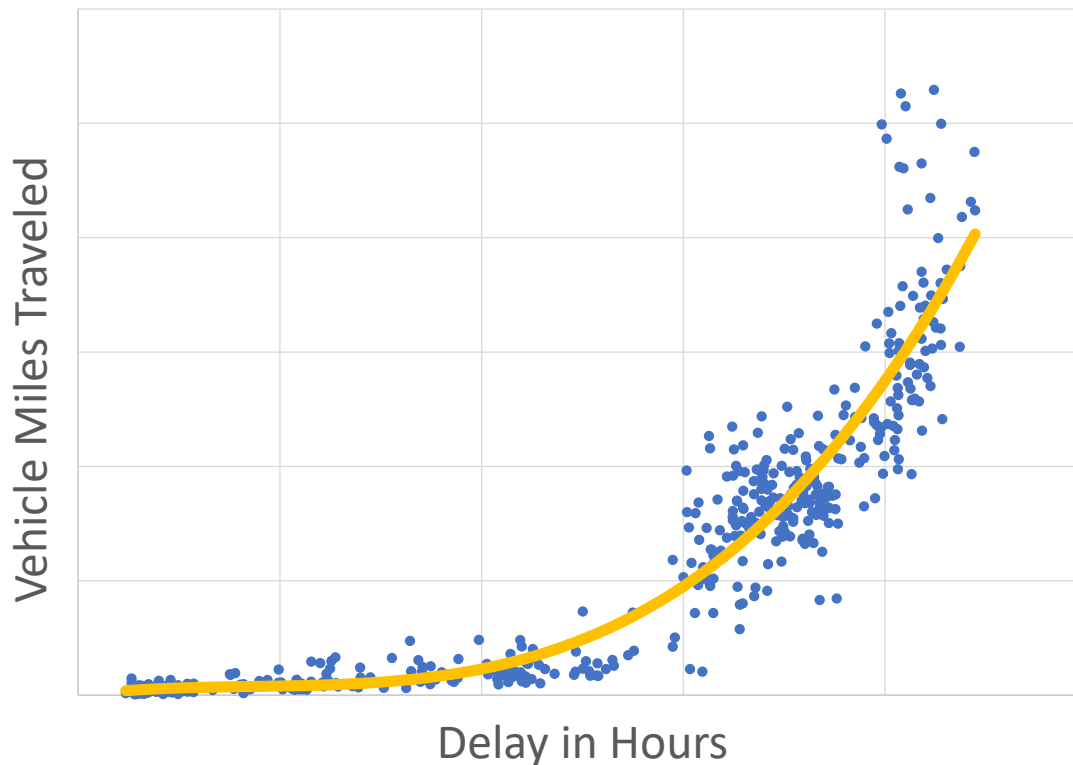
Delay in hours. Bars indicate higher values.  
Source: Caltrans, PeMS version 20, Orange County, weekdays, January to July 2020, data accessed September 17, 2020



# OC FREEWAYS: DELAY INCREASES EXPONENTIALLY AS TRAFFIC GROWS

Example using all  
OC freeway delay  
and vehicle miles  
traveled for  
June 2020  
(all weekdays and  
all hours)

Caltrans, PeMS version 20, Orange County,  
weekdays, June 2020, weekdays, all hours of  
the day; data accessed September 17, 2020

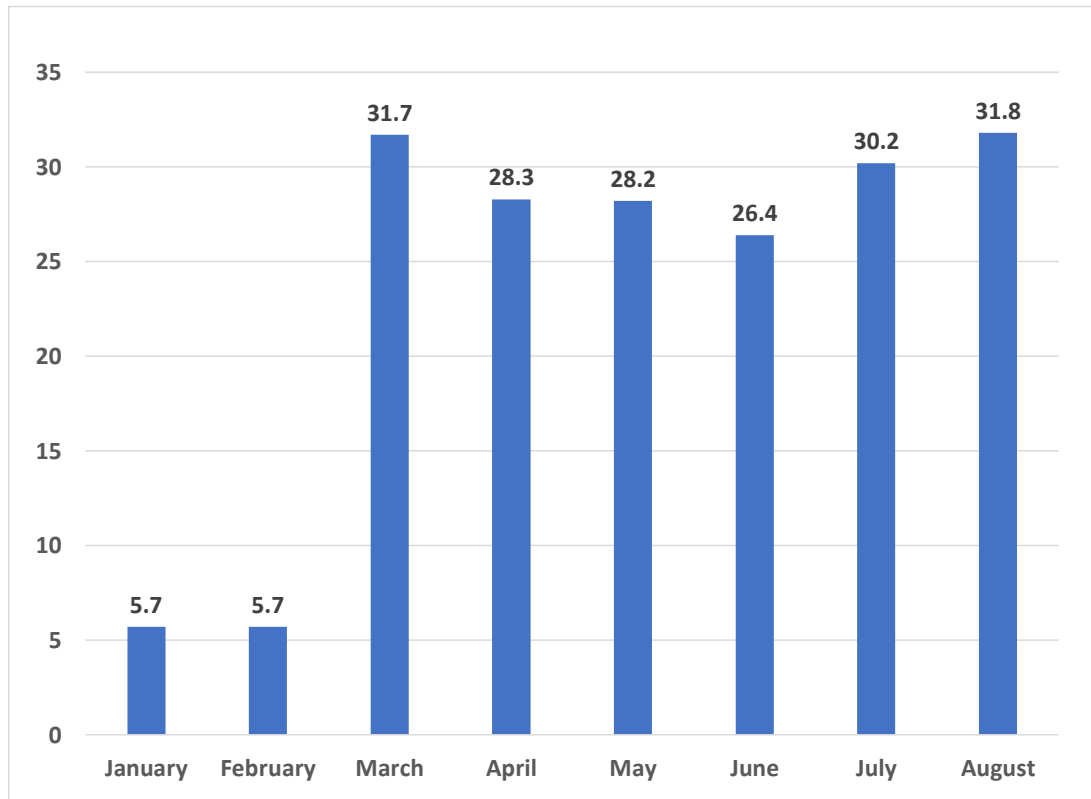




# OC WORK-FROM-HOME: FIVE-FOLD+ INCREASE

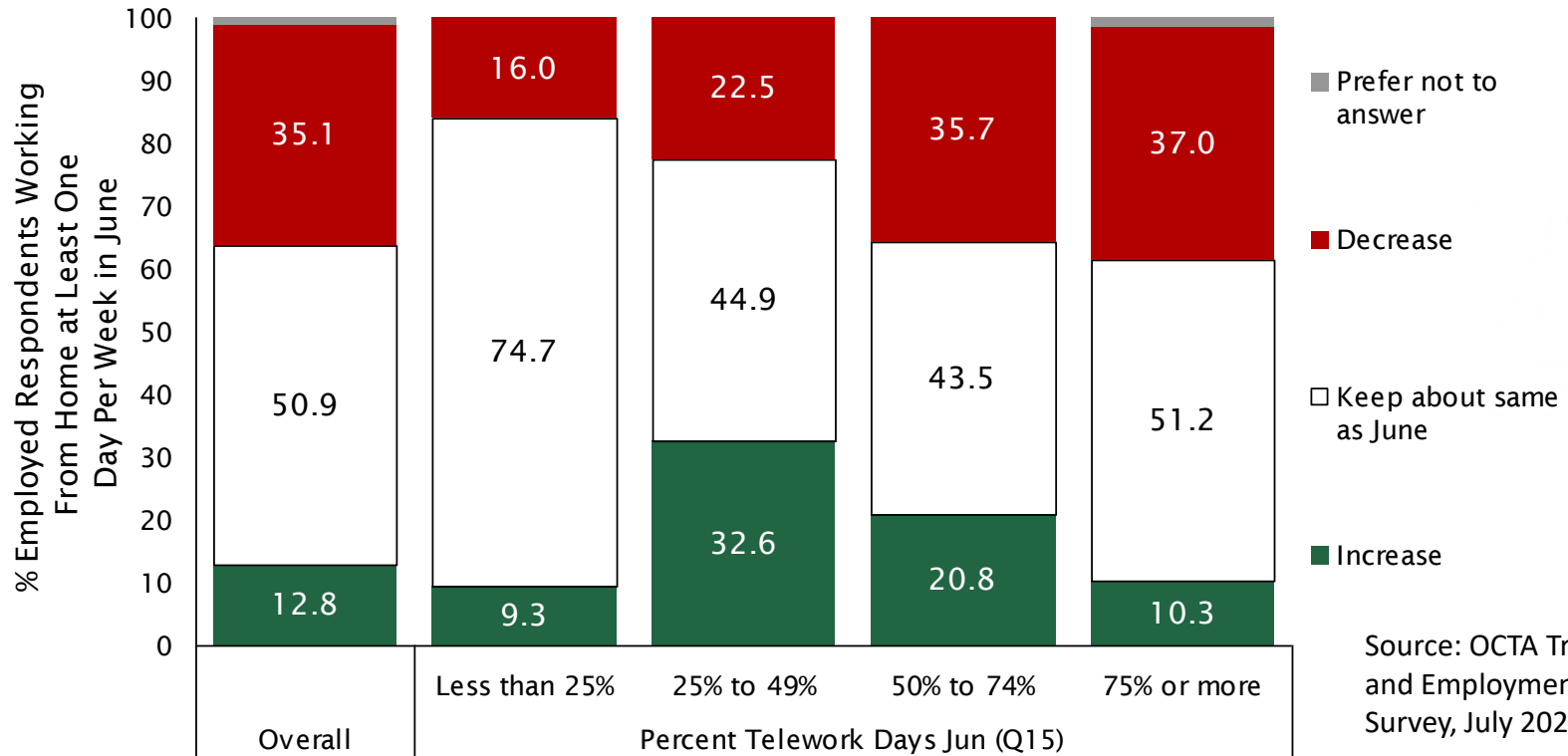
- OC work-from-home has increased from about six percent to nearly 32 percent of jobs (January to August 2020)

Maryland Transportation Institute (2020)  
University of Maryland COVID-19 Impact  
Analysis Platform, accessed August 31, 2020





# WORK-FROM-HOME: LIKELY TO CONTINUE BUT LESSEN







## SUMMARY

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- Work-from-home a larger factor in daily commute changes than unemployment (32 percent versus 9.9 percent of jobs)
- Work-from-home directly and indirectly benefits all travelers, and likely to continue in the future but at lower levels, subject to employer policies and other factors
- Rise in unemployment hit service sectors the hardest, a travel market served by local bus transit
- Future transit growth likely with increase in service sector employment
- Relatively small changes in demand can significantly increase freeway delay



## NEXT STEPS

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- Continue to monitor travel and traffic trends using publicly available data
- Evaluate timing of future employment and travel survey(s) to gauge changes since June 2020
- Use data and surveys to inform future short- and long-term planning and policy decisions

