



**May 24, 2023**

**To:** Finance and Administration Committee

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

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

### **Overview**

The 91 Express Lanes Riverside County Transportation Commission/ Orange County Transportation Authority Facility Agreement prescribes the funding transfers between the two agencies for costs incurred for the rent and any shared operational expenses in relation to the 91 Express Lanes. An amendment is needed to account for the reimbursement of shared operating costs incurred by the Riverside County Transportation Commission for the period July 1, 2023 through June 30, 2024.

### **Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 8 to Agreement No. C-5-3828 between the Orange County Transportation Authority and Riverside County Transportation Commission, in the amount of \$1,452,388, for the reimbursement of shared operational expenses through June 30, 2024.

### **Discussion**

In order to facilitate the exchange of funds between the two agencies, the 91 Express Lanes Riverside County Transportation Commission (RCTC)/ Orange County Transportation Authority (OCTA) Facility Agreement (ROFA) was executed in November 2015. This agreement prescribes the funding transfers between the two agencies for costs incurred for the rent and any shared operational expenses in relation to the 91 Express Lanes. As an example, RCTC contracts with a vendor for the procurement of transponders which are to be provided to the 91 Express Lanes' accountholders. Under the ROFA arrangement, OCTA will reimburse RCTC for half of the purchase cost. On the other hand, since

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OCTA is the lessee of the 91 Express Lanes administrative office in Anaheim, RCTC will reimburse OCTA for half of the rent.

Under the terms of ROFA, both agencies are to establish an annual fiscal year amount for the funding and payment of joint operating costs each year. Staff has identified the shared operational expenses and has assigned responsibility for the administration and payment of these expenses. An amendment to the ROFA is required in the amount of \$1,452,388 to reimburse RCTC for joint operating costs incurred through June 30, 2024, by RCTC.

Funding for Amendment No. 8 to Agreement No. C-5-3828 is included in OCTA's proposed Fiscal Year 2023-24 Budget, 91 Express Lanes Account.

***Summary***

Staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Amendment No. 8 to Agreement No. C-5-3828 between the Orange County Transportation Authority and Riverside County Transportation Commission, in the amount of \$1,452,388, for the reimbursement of shared operational expenses through June 30, 2024.

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***Attachments***

- A. Riverside County Transportation Commission – Orange County Transportation Authority Facility Agreement No. C-5-3828 Fact Sheet
- B. Draft Amendment No. 8 to 91 Express Lanes RCTC-OCTA Facility Agreement (“ROFA”)

***Prepared by:***



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