



November 4, 2019

To: Regional Planning and Highways Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Cooperative Agreement with the California Department of Transportation for the Interstate 5 Widening Project Between Alicia Parkway and El Toro Road

Overview

The Orange County Transportation Authority proposes to enter into a cooperative agreement with the California Department of Transportation for construction capital and construction management support services for Segment 3 of the Interstate 5 widening project between Alicia Parkway and El Toro Road.

Recommendations

- A. Authorize the use of \$4,728,000 in Highway Infrastructure Program funds in place of Measure M2 funds for the Interstate 5 widening project between Alicia Parkway and El Toro Road.
- B. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-9-1600 between the Orange County Transportation Authority and California Department of Transportation, in the amount of \$136,615,000, comprised of a construction capital share of \$117,000,000, and a construction management services share of \$19,615,000, for Segment 3 of the Interstate 5 widening project between Alicia Parkway and El Toro Road.
- 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 action.

Discussion

The Orange County Transportation Authority (OCTA), in partnership with the California Department of Transportation (Caltrans), is implementing the Interstate 5 (I-5) widening project between State Route 73 (SR-73) and El Toro Road (Project). The Project is part of Projects C and D in the Measure M2 (M2) freeway program and is being advanced through the updated Next 10 Delivery Plan approved by the OCTA Board of Directors (Board) in November 2017.

The Project will add one general purpose lane in each direction on I-5 between Avery Parkway and Alicia Parkway, extend the second high-occupancy vehicle lane from El Toro Road to Alicia Parkway in each direction, re-establish existing auxiliary lanes, and construct new auxiliary lanes at various locations. In addition, the Project will reconstruct the Avery Parkway and La Paz Road interchanges, improve several existing on- and off-ramps, and convert existing and proposed carpool lanes to continuous access.

The Project will be constructed in three segments with the following Project limits:

- Segment 1 extends from SR-73 to south of Oso Parkway
- Segment 2 extends from south of Oso Parkway to south of Alicia Parkway
- Segment 3 extends from south of Alicia Parkway to El Toro Road

On July 14, 2014, the Board authorized Cooperative Agreement No. C-4-1667 with Caltrans to provide oversight of the plans, specifications, and estimates (PS&E), and to advertise and award the construction contract for the Project. On October 12, 2015, the Board authorized Cooperative Agreement No. C-5-3661 with Caltrans to complete the Project's right-of-way (ROW) acquisition.

In 2018, the Federal Highway Administration (FHWA) required that a Cost Estimate Review workshop be conducted, which was carried out by the FHWA, Caltrans, and OCTA to determine the estimated cost based on a risk-based approach to review major risks and opportunities within the Project. As a result of that workshop, the Board approved programming \$179,480,000 in local, state, and federal funds to the Project for support of PS&E, ROW, and construction.

Staff is recommending that the Board approve the use of \$4,728,000 in Highway Infrastructure Program (HIP) funds in place of M2 funds for the Project. The use of HIP funds is consistent with the Board-approved

Capital Programming Policies regarding the use of HIP funds for the M2 Freeway Program, and this action would allow OCTA to preserve M2 funds for future freeway projects. Attachment A provides the updated Capital Funding Plan which includes funding information for OCTA's freeway programs and the recommended funding changes for the Project.

OCTA and Caltrans are proposing to enter into a cooperative agreement to define the specific roles and funding responsibilities for each agency to provide the construction capital and construction management support services for Segment 3 between Alicia Parkway and El Toro Road.

Bid documents for Segment 3 are being prepared for the construction contract and are expected to be advertised by mid-2020. The total construction capital funding required for Segment 3 is \$117,000,000, comprised of \$20,768,000 in Surface Transportation Block Grant (STBG) funds, \$9,388,000 in Senate Bill 1 funds, \$4,728,000 in HIP funds, and \$82,116,000 in M2 funds.

As the implementing agency for construction of the Project, Caltrans will be responsible for advertisement, award, approval, and administration of the construction contract. Under the proposed cooperative agreement, Caltrans and OCTA have agreed to share in the construction management support services for the Project.

Caltrans, as the construction phase implementing agency, will provide the resident engineer, structures representative, and other field personnel, along with construction administrative support, environmental and paleontology monitoring for the Project, at an estimated cost of \$10,993,000, comprised of \$8,993,000 in STBG funds and \$2,000,000 in HIP funds. Caltrans will draw down these federal funds directly.

OCTA will retain a consultant firm to augment Caltrans field staff with electrical, structural and roadway inspection, office engineering, field surveying, materials testing, and claims support services. OCTA's consultant will also provide a field office to house construction staff on the Project. The total estimated cost of OCTA consultant construction support is \$8,622,000 in M2 funds. Through separate contracts, OCTA will lead the public outreach and freeway service patrol efforts.

The total construction support funding for the Project is \$19,615,000, comprised of \$8,993,000 in STBG funds, \$2,000,000 in HIP funds, and \$8,622,000 in M2 funds.

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Fiscal Impact

The Project will be included in OCTA's Fiscal Year (FY) 2020-21 Budget and subsequent FYs budget, Capital Programs Division, accounts 0017-9084-FC106-06W and 0017-9085-FC106-06W, and will be funded with a combination of federal, state, and local funds.

Summary

Staff requests Board authorization to program \$4,728,000 in HIP funds in place of M2 funds for the Project, and approval for the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-9-1600 between OCTA and Caltrans, in the amount of \$136,615,000, comprised of a construction capital share of \$117,000,000, and a construction management services share of \$19,615,000, for Segment 3 of the Project.

Attachment

A. Capital Funding Program Report

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