



March 2, 2020

To: Regional Planning and Highways Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Amendment to Cooperative Agreement with the City of Westminster for the Interstate 405 Improvement Project

Overview

On March 14, 2016, the Orange County Transportation Authority Board of Directors approved Cooperative Agreement No. C-5-3615 with the City of Westminster for city services required during the design-build implementation of the Interstate 405 Improvement Project. The cooperative agreement needs to be amended for additional city support services during the design and construction of the project.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-5-3615 between the Orange County Transportation Authority and the City of Westminster, in the amount of \$838,791, for additional city services for the Interstate 405 Improvement Project. This will increase the maximum obligation of the cooperative agreement to a total value of \$2,662,679.

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, city traffic facilities, and city utilities impacted by the Project.

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

The level of effort incorporated into the original cooperative agreement included only limited efforts for design review and construction inspection as these were not fully developed or understood at the time. Both OCTA and City staff now have a better understanding of the level of effort needed for the City to effectively provide the support necessary for successful delivery of the Project.

The original scope of work assumed the design period would span approximately 15 months, and the Project would be divided into large design segments. OC 405 Partners' (OC405) design period is currently about 30 months based on contractual requirements and the magnitude of the Project, which is 15 months longer than originally anticipated. Due to the complexity of the Project, OC405 also elected to divide the Project into smaller design packages to allow an earlier start date for certain construction elements, as allowed by the Project contract. This has resulted in additional City engineering support in terms of increased labor and time periods needed to review the increased number of design packages.

The complexity of the construction staging and resulting maintenance of traffic (MOT) requirements on the local streets has necessitated additional City engineering and construction support efforts beyond the original estimate. The numerous stages of construction each require detailed MOT plans for the contractor to stage and conduct the work. Temporary traffic control plans are also required to implement the various MOT elements. The City is required to review and approve the construction staging plans, MOT plans, and each temporary traffic control plan for work impacting City streets. City construction inspection and traffic signal operations support are also required for implementation of the MOT and temporary traffic control elements. Additionally, OCTA has requested engagement from the City on several potential schedule mitigation strategies.

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

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Fiscal Impact

Funding for this amendment is included in OCTA's Fiscal Year 2019-20 Budget, Capital Programs Division, accounts 0017-9084-FK101-012 and 0037-9017-A9510-012, and is funded with a combination of federal, state, and local funds.

Summary

Staff requests Board of Directors' approval for the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-5-3615 with the City of Westminster, in the amount of \$838,791, for additional city services during design and construction of the Interstate 405 Improvement Project

Attachments

- A. City of Westminster, Cooperative Agreement No. C-5-3615 Fact Sheet
- B. Revised Schedule A – Reimbursement Schedule for Combined City Services for the City of Westminster

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