



***April 22, 2020***

**To:** Finance and Administration Committee

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

**Subject:** Cooperative Agreement with the Riverside County Transportation Commission for the State Route 91 Corridor Operations Project

***Overview***

The Orange County Transportation Authority proposes to enter into a cooperative agreement with the Riverside County Transportation Commission to define the roles, responsibilities, and funding obligations for the construction of the State Route 91 Corridor Operations Project between the Green River on-ramp and southbound State Route 241 toll road.

***Recommendation***

Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-0-2227, to define roles and responsibilities between the Orange County Transportation Authority and the Riverside County Transportation Commission, in the amount of \$15,000,000, for the construction of the State Route 91 Corridor Operations Project between the Green River on-ramp and southbound State Route 241 toll road.

***Discussion***

The Measure M2 (M2) Next 10 Delivery Plan was approved by the Orange County Transportation Authority (OCTA) Board of Directors (Board) on November 14, 2016, and provided for the continued acceleration of the delivery of M2 freeway, streets and roads, transit, and environmental projects through the year 2026. Included in the M2 Next 10 Delivery Plan was Board approval to allocate net excess 91 Express Lanes revenue to the M2 Freeway Program, in an amount not to exceed the project costs of the State Route 91 (SR-91), Project I and Project J. In October 2017, the Board approved the establishment of a 91 Express Lanes Capital Reserve that funds future SR-91, Project I, and Project J expenditures, estimated to total \$748.73 million. An update to the M2 Next 10 Delivery Plan was presented and approved by the Board in November 2019.

On January 6, 2020, the Board authorized the use of up to \$15 million in 91 Express Lanes excess toll revenues for the westbound Orange County portion of Project J, SR-91 between State Route 241 (SR-241) and Interstate 15. The Orange County portion adds one additional lane on the SR-91 between Green River Road and the SR-241 toll road and is referred to as the SR-91 Corridor Operations Project (Project). This Project is included in the most recently approved SR-91 Implementation Plan.

The Riverside County Transportation Commission (RCTC) is the lead agency for the Project. The lead agency is responsible for procuring all design and construction management services and providing staff resources necessary to complete the Project. RCTC will be responsible for the process of selecting and contracting with a design firm, construction management firm, and contractor to complete the Project in compliance with all applicable local, state, and federal laws. The total estimated cost is approximately \$44 million with OCTA contributing \$15 million towards the cost of the Project.

The cooperative agreement describes the responsibilities of OCTA and RCTC. OCTA is responsible for making 15 monthly payments to RCTC, each in the amount of one million dollars for a total of \$15 million for the Project. OCTA will also allow for the closure of the westbound 91 Express Lanes in Orange County for approximately ten nights and accommodate for any eastbound closures, as well. The closures are required for the installation of temporary and final striping for the construction of the Project. The closures will occur during late night and early morning hours.

In return for the closures, RCTC agrees to reimburse OCTA for lost toll revenues. A predetermined closure reimbursement schedule is included in the agreement and is based upon historical traffic volumes. If the closures extend beyond the approved hours, a penalty has been included for those occurrences.

#### **Fiscal Impact**

The contribution of funds for the Project will be included in OCTA's proposed Fiscal Year 2020-21 and Fiscal Year 2021-22 Budgets and will be funded with excess toll revenues from the 91 Express Lanes Capital Reserve fund.

***Summary***

Staff is recommending the Board authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-0-2227, to define roles and responsibilities between the Orange County Transportation Authority and the Riverside County Transportation Commission, in the amount of \$15,000,000, for the construction of the State Route 91 Corridor Operations Project between the Green River on-ramp and southbound State Route 241 toll road.

***Attachment***

None.

**Prepared by:**



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