

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 May 22, 2020 regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Jones at 9:03 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 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
Gregory T. Winterbottom
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 Operation Officer
Laurena Weinert, Clerk of the Board (COB)
Martha Ochoa, Assistant COB
James Donich, General Counsel (teleconference)

Invocation

Director Chaffee gave the invocation.

Pledge of Allegiance

Chairman Jones led in the Pledge of Allegiance.

Special Calendar

Orange County Transportation Authority Special Calendar Matters

1. Coronavirus (COVID-19) Update

Darrell E. Johnson, CEO, provided an update on OCTA's efforts to proactively respond to the COVID-19 pandemic.

A lengthy discussion ensued regarding requiring bus passengers to wear a face cover, and several Board Members provided their concerns and suggestions. Mr. Johnson highlighted the State's and Federal Transit Administration's face cover requirements along with OCTA's efforts to help prevent the spread of COVID-19 by promoting wearing a face cover on the bus.

No action was taken on this information item.

Consent Calendar (Items 2 through 21)

Orange County Transportation Authority Consent Calendar Matters

2. Approval of Minutes

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of May 11, 2020.

3. Amendment to the 91 Express Lanes Riverside County Transportation Commission/Orange County Transportation Authority Facility Agreement

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Agreement No. C-5-3828 between the Orange County Transportation Authority and Riverside County Transportation Commission, in the amount of \$1,130,500, for the reimbursement of shared operational expenses through June 30, 2021.

4. Agreement for Average Vehicle Ridership Services

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to:

- A. Approve the selection of Innovative TDM Solutions as the firm to provide consulting services for the Orange County Transportation Authority's Average Vehicle Ridership (AVR) Program.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2167 between the Orange County Transportation Authority and Innovative TDM Solutions, in the amount of \$380,000, for the initial two-year term, with two, one-year option terms.

5. Fiscal Year 2019-20 Third Quarter Grant Reimbursement Status Report

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to receive and file as an information item.

6. State Legislative Status Report

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to receive and file as an information item.

7. Federal Legislative Status Report

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to receive and file as an information item.

8. Sole Source Agreement for Health Insurance Brokerage Services

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2078 between the Orange County Transportation Authority and Alliant Insurance Services, Inc., in the amount of \$342,000, for a three-year initial term, effective June 1, 2020 through May 31, 2023, with one, two-year option term, to provide health insurance brokerage services.

Orange County Transit District Consent Calendar Matters

9. Agreement for Bus Hoist Replacement at the Garden Grove and Irvine Construction Circle Bus Bases

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1814 between the Orange County Transportation Authority and Southwest Lift & Equipment, Inc., the lowest responsive, responsible bidder, in the amount of \$314,810, for bus hoist replacement at the Garden Grove and Irvine Construction Circle bus bases.

10. Agreement for Power Generator Replacement at the Anaheim and Irvine Construction Circle Bus Bases

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to:

- A. Find RT Contractor Corp., the apparent low bidder, as non-responsive for failure to sign and submit the Disclosure of Lobbying Activities form as required by the bid instructions, and for failure to submit Iran Contracting Act exemption documentation.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2074 between the Orange County Transportation Authority and Global Power Group, Inc., the lowest responsive, responsible bidder, in the amount of \$1,374,200, for power generator replacement at the Anaheim and Irvine Construction Circle bus bases.
- C. Authorize the use of \$574,200, in additional Senate Bill 1, Chapter 5, Statutes of 2017, State of Good Repair funds for a total of \$1,374,200, to support the above recommendations.
- D. 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.

11. Agreement for Electric Vehicle Charging Stations at the Garden Grove and Santa Ana Bus Bases

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2071 between the Orange County Transportation Authority and Caliba, Inc., the lowest responsive, responsible bidder, in the amount of \$1,348,000, for electric vehicle charging stations at the Garden Grove and Santa Ana bus bases.

12. Agreement for Replacement of Heating and Ventilation Units at the Anaheim Bus Base Maintenance Building

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2083 between the Orange County Transportation Authority and F.M. Thomas Air Conditioning, Inc., the lowest responsive, responsible bidder, in the amount of \$482,033, for replacement of heating and ventilation units at the Anaheim Bus Base maintenance building.

13. Amendment to Cooperative Agreement with the City of Laguna Beach for Public Transit Services

Director Bartlett pulled this item and on behalf of the City of Laguna Beach, that is part of the Fifth Supervisorial District she serves, thanked OCTA for the pass-through of the Coronavirus Aid, Relief, and Economic Security Act funds for the continuing of the public transit services.

A motion was made by Director Bartlett, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1679 between the Orange County Transportation Authority and the City of Laguna Beach, in the amount of \$599,381, for the pass through of Coronavirus Aid, Relief, and Economic Security Act funding. This will increase the maximum obligation of the cooperative agreement to a total contract value of \$3,199,381.

14. Agreement for Technical Consulting Services for a Next Generation Fare Collection System and OC Streetcar Ticket Vending Machines

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 15-1, to:

- A. Approve the selection of Jacobs Engineering Group, Inc., as the firm to provide technical consulting services for the next generation fare collection system.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2047 between the Orange County Transportation Authority and Jacobs Engineering Group, Inc., in the amount of \$870,000, for a three-year initial term with two, one-year option terms, to provide technical consulting services for the next generation fare collection system.

Due to the Levine Act, Director Wagner did not vote on this item.

Director Steel voted in opposition.

15. Approval to Release Request for Proposals for Armored Vehicle Transportation and Fare Collection Counting Services

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to:

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2256 for selection of a contractor to provide armored vehicle transportation and fare collection counting services.
- B. Approve the release of Request for Proposals 0-2256 to select a contractor to provide armored vehicle transportation and fare collection counting services for a term of seven years.

16. Amendment to Agreement for Mobility Management Services

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-9-1244 between the Orange County Transportation Authority and Mobility Management Partners, Inc., in the amount of \$735,084, to exercise the option term of the agreement and include additional travel training services, from August 1, 2020 to July 31, 2022. This will increase the maximum obligation of the agreement to a total contract value of \$983,995.

17. Sole Source Agreements for the Purchase of Trapeze Software Group, Inc., Software Modules

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to:

- A. Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2125 between the Orange County Transportation Authority and Trapeze Software Group, Inc., in the amount of \$104,356, for the sole source purchase and installation of the Trapeze DriverMate software module.
- B. Authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2126 between the Orange County Transportation Authority and Trapeze Software Group, Inc., in the amount of \$93,388, for the sole source purchase and installation of the Trapeze Eligibility Management and the Trapeze Service Infractions software modules.

18. Amendment to Cooperative Agreement with the Regional Center of Orange County

Director Bartlett pulled this item and inquired about the Regional Center of Orange County (Regional Center) paratransit ridership status.

Jack Garate, Department Manager of Paratransit Services, stated that ridership is significantly down, and per the Regional Center, the California Department of Development Services issued a guidance that absentee participation to the Regional Center will be paid through June 2020.

A discussion ensued that for the Regional Center paratransit riders, regardless of the ridership numbers, service will be funded, the fee is on a per trip basis and payment is based on ridership count, and if ridership is low, they would pay less than as ridership increases.

A motion was made by Director Bartlett, seconded by Director Steel, and following a roll call vote, declared passed 17-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1735 between the Orange County Transportation Authority and the Regional Center of Orange County to exercise the first option term to share in the cost of paratransit services provided to Regional Center of Orange County consumers through June 30, 2022.

19. Sole Source Agreement for the Purchase of HASTUS Operations Scheduling Software Upgrade Version 2020

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to authorize the Chief Executive Officer to negotiate and execute sole source Agreement No. C-0-2001 between the Orange County Transportation Authority and GIRO, Inc., in the amount of \$1,360,799, for the upgrade of the HASTUS operations scheduling software from version 2013 to version 2020.

20. Amendment to Cooperative Agreements with Special Agencies for the Provision of Special Transportation Services

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to:

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1917 between the Orange County Transportation Authority and Acacia Adult Day Services, for continued services in the amount of \$626,620, and to adjust the per trip rate to \$16.49, effective July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$1,302,621.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No.1 to Cooperative Agreement No. C-8-1918 between the Orange County Transportation Authority and Alzheimer's Family Service Center, for continued services in the amount of \$610,130, and to adjust the per trip rate to \$16.49, effective from July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$ 1,343,599.
- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1919 between the Orange County Transportation Authority and Alzheimer's Orange County, for continued services in the amount of \$206,125, and to adjust the per trip rate to \$16.49 effective from July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$566,323.
- D. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1920 between the Orange County Transportation Authority and Community SeniorServ, for continued services in the amount of \$593,640, and to adjust the per trip rate to \$16.49 effective from July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$1,362,793.

20. (Continued)

- E. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Cooperative Agreement No. C-8-1921 between the Orange County Transportation Authority and My Day Counts, for continued services in the amount of \$1,406,007, and to adjust the per trip rate to \$16.07, and the Regional Center of Orange County pass-through per trip rate to \$6.14 effective from July 1, 2020 through June 30, 2021. This will increase the maximum obligation of the agreement to a total contract value of \$3,111,668.

21. Amendment to Cooperative Agreements with Non-Profit Agencies to Provide Senior Mobility Program Services

A motion was made by Vice Chairman Do, seconded by Director Pulido, and following a roll call vote, declared passed 17-0, to:

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Cooperative Agreement No. C-1-2490 between the Orange County Transportation Authority and Abrazar, Inc., in the amount of \$91,989, to provide funding through June 30, 2021.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 8 to Cooperative Agreement No. C-1-2491 between the Orange County Transportation Authority and Korean American Senior Association, in the amount of \$113,092, to provide funding through June 30, 2021.
- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Cooperative Agreement No. C-1-2492 between the Orange County Transportation Authority and Southland Integrated Services, Inc., in the amount of \$99,441, to provide funding through June 30, 2021.

Regular Calendar

Orange County Transportation Authority Regular Calendar Matters

22. Agreement for Operations and Maintenance Services for the OC Streetcar Project

Jennifer L. Bergener, Deputy CEO, presented a PowerPoint as follows:

- Background;
- Board Approved: Evaluation Criteria and Weights;
- Scoring Summary;
- Overview of Cost; and
- Recommendation.

The COB stated that two public comments were received by the COB Department. On May 21, a comment was received from Scott Perry, President of Herzog Transit Services (Herzog) and emailed to the Board of Directors (Board) on May 21. The other public comment was received in the late evening on May 21 from Eric Jimenez, Secretary Treasurer of Teamsters Local 952 (Teamsters), and the Board was emailed the comment on May 22 at approximately 7:30 a.m.

The COB also stated that both comments will be retained as part of the record for today's Board meeting.

Director Bartlett asked that all the streetcar vehicles include hand sanitizer (dispensers) and refill on a regular basis.

Director Bartlett reported that she contacted Herzog's advocate about the Teamsters comment. Mr. Perry stated that Herzog would honor whatever union the employees choose, and many Herzog's projects are unionized.

A motion was made by Director Pulido, seconded by Director Bartlett, and following a roll call vote, declared passed 14-2, to:

- A. Approve the selection of Herzog Transit Services, Inc. as the firm to provide operations and maintenance services for the OC Streetcar Project.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-8-2039 between the Orange County Transportation Authority and Herzog Transit Services, Inc., in the amount of \$45,065,590, for operations and maintenance services for the OC Streetcar Project for an initial start-up and pre-revenue period, and a five-year revenue term, with two, two-year option terms.

Due to the Levine Act, Vice Chairman Do did not participate or vote on this item.

Directors Steel and Wagner voted in opposition.

Orange County Transit District Regular Calendar Matters

23. June 2020 Bus Service Change

Gary Hewitt, Transit Planning Manager, provided an overview on the June 2020 bus service change and communication efforts, as well as referenced Attachment A of the staff report.

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

Orange County Local Transportation Authority Regular Calendar Matters

24. Measure M2 Senior Mobility Program Temporary Guideline Requirement Suspension

Tami Warren, Manager of the Measure M Program, highlighted the reasons for the Measure M2 Senior Mobility Program temporary guideline requirement suspension.

Director Bartlett provided concerns about the seniors not having a transit program for traveling to doctor's appointments, etcetera and what is OCTA doing to fill the gap.

Darrell E. Johnson, CEO, stated that the recommendation is to modify the guidelines to allow the cities to react quickly through an expedited process in order to have no service gaps.

A motion was made by Vice Chairman Do, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to approve a temporary suspension effective June 1, 2020 to May 31, 2021 of the Senior Mobility Program guideline requirement related to procuring third-party contracted transportation service using a competitive bidding process. OCTA expects that best efforts are applied to ensure that contracts entered into are the most cost effective available.

25. Interstate 405 Improvement Project Update

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

- Project Location and Key Features;
- Background;
- Project Update;
- Construction Update:
 - Concrete Pavement Construction
 - Drainage and Other Roadway Construction
 - Wall Construction
 - Magnolia Street Bridge Demolition
 - McFadden Avenue Bridge Construction
 - Westminster Boulevard Bridge Construction
- Look Ahead for Bridge Construction;
- Bridge Construction Map;
- Project Challenges;
- Schedule Mitigations Implemented;
- Community Engagement; and
- Upcoming Outreach.

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

Discussion Items

26. 2020 Board of Directors and Chief Executive Officer Initiatives and Action Plan - First Quarter Progress Report and Revised Action Plan

Darrell E. Johnson, CEO, highlighted OCTA's adjustments due to COVID-19, as well as referenced Attachment B of the staff report.

No action was taken on this information item.

27. Public Comments

The Clerk of the Board stated that two public comments were received by the COB Department. One comment that included an attachment was received on May 18 from Michelle Schumacher and emailed to the Board on May 19. The second comment was received on May 19 from Maria and emailed to the Board on May 21.

The COB stated that both public comments will be retained as part of the record for today's Board meeting.

28. Chief Executive Officer's Report

Darrell E. Johnson, CEO, reported the following:

- Recognized and congratulated the May employees of the month as follows:
 - Jose Bedolla Lopez is the Operations Employee of the Month and a coach operator at the Santa Ana Base who joined OCTA in March 2016.
 - Scott Lake is the Maintenance Employee of the Month and a Rebuild Mechanic at the Santa Ana Base who joined OCTA in May 1990.
 - Jeannie Lee is the Administrative Employee of the Month and a project manager who joined OCTA in November 2012. She has overseen the delivery of several Measure M capital projects.
- Everyone was wished an enjoyable holiday weekend as we think about and honor those who served the military who are no longer with us.

29. Directors' Reports

Director Shaw requested the meeting be adjourned in memory of Norissa Cuyno Ennis a City of La Habra (La Habra) employee that recently passed away who helped promote the former La Habra express bus service.

30. Closed Session

There were no Closed Session items scheduled.

31. Adjournment

The meeting adjourned at 10:16 a.m. in memory of Norissa Cuyno Ennis, City of La Habra employee that worked on La Habra's former La Habra express bus service.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, June 8, 2020**, at the OCTA Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

ATTEST:

Laurena Weinert
Clerk of the Board

Steve Jones
Chairman