



MINUTES

Transit Committee Meeting

Committee Members Present

Via Teleconference

Tim Shaw, Chairman
Harry S. Sidhu, Vice Chairman
Doug Chaffee
Andrew Do
Steve Jones
Tam Nguyen
Vicente Sarmiento

Staff Present

Jennifer L. Bergener, Deputy Chief Executive Officer
Sahara Meisenheimer, Deputy Clerk of the Board
Gina Ramirez, Deputy Clerk of the Board

Via Teleconference

Darrell E. Johnson, Chief Executive Officer
Cassie Trapesonian, Assistant General Counsel

Committee Members Absent

None

Call to Order

The June 10, 2021 regular meeting of the Transit Committee (Committee) was called to order by Committee Chairman Shaw at 9:01 a.m.

Roll Call

The Deputy Clerk of the Board conducted an attendance roll call and announced a quorum of the Committee.

Pledge of Allegiance

Director Nguyen led the Pledge of Allegiance.

1. Public Comments

No public comments were received.

Special Calendar

There were no Special Calendar matters.

Calendar (Items 2 through 7)

2. Approval of Minutes

A motion was made by Committee Vice Chairman Sidhu, seconded by Director Sarmiento, and following a roll call vote, declared passed 7-0, to approve the minutes of the Transit Committee meeting of May 13, 2021.

3. Award of Agreement for the Purchase of Battery Chargers for 40-Foot Plug-In Battery-Electric Buses

A motion was made by Committee Vice Chairman Sidhu, seconded by Director Sarmiento, and following a roll call vote, declared passed 7-0, to:

- A. Find La Marche Manufacturing Co. and Siemens Industry Inc., the apparent low bidders, as non-responsive for failure to bid on approved equipment that meets the technical specifications as identified in the invitations for bid.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2731 between the Orange County Transportation Authority and One Source Distributors, in the amount of \$863,079, to provide ten battery chargers for 40-foot plug-in battery-electric buses.

4. Amendment to Agreement for 40-Foot Compressed Natural Gas-Powered Buses

A motion was made by Committee Vice Chairman Sidhu, seconded by Director Sarmiento, and following a roll call vote, declared passed 7-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-9-1836 between the Orange County Transportation Authority and GILLIG LLC, in the amount of \$1,486,105, for configuration changes on up to 165, 40-foot compressed natural gas-powered buses with an option to purchase up to 134 additional buses. This will increase the maximum obligation of the agreement to a total contract value of \$101,857,705.

5. Joint Agreement with the County of Orange for the Operation, Maintenance, and Financial Management of the Orange County 800 Megahertz Countywide Coordinated Communications System

A motion was made by Committee Vice Chairman Sidhu, seconded by Director Sarmiento, and following a roll call vote, declared passed 7-0, to authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-1-3535 between the Orange County Transportation Authority and the County of Orange, in the amount of \$90,315, to share in the cost of the operation, maintenance, and repair of the Orange County Transportation Authority equipment used on the system, equipment replacement, and financial management of the Countywide Coordinated Communications System for fiscal year 2021-22. Amendments for each subsequent fiscal year budget will be brought forth to the Board of Directors for consideration on an annual basis.

6. Federal Transit Administration Program of Projects for Federal Fiscal Year 2020-21, Federal Coronavirus, Response and Relief Supplemental Appropriations Act of 2021 and American Rescue Plan Act of 2021 Transit Funding

A motion was made by Committee Vice Chairman Sidhu, seconded by Director Sarmiento, and following a roll call vote, declared passed 7-0, to:

- A. Approve the federal fiscal year 2020-21 Federal Transit Administration Section 5307 Urbanized Area Formula, Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities, Section 5337 State of Good Repair, and Section 5339 Bus and Bus Facilities Program of projects, including federal and local funds, and the use of match credit for projects included in this report.
- B. Approve the five-year programming plans for Federal Transit Administration Sections 5307, 5310, 5337, and 5339.
- C. Authorize the acceptance and use of \$1.207 million in Federal Transit Administration Section 5339 Bus and Bus Facilities Competitive Program funds and \$0.386 million of local match funds for rehabilitation and renovation projects at the Orange County Transportation Authority bus facilities.
- D. Authorize the use of \$43.489 million in Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (Public Law 116-260) funds and \$186.658 million in American Rescue Plan Act of 2021 (Public Law 117-2) funds for bus and rail operating expenses.
- E. Authorize staff to adjust individual project funding consistent with final apportionments and eligibility determinations through the Fixing America's Surface Transportation Act, and direct staff to include updated numbers in grant and programming status reports.
- F. Authorize the Chief Executive Officer to submit the Federal Transit Administration grant applications required for the recommendations above to the Federal Transit Administration.
- G. 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.

7. Amendments to Cooperative Agreements with Special Agencies for the Provision of Transportation Services

A motion was made by Committee Vice Chairman Sidhu, seconded by Director Sarmiento, and following a roll call vote, declared passed 7-0, to:

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No C-8-1917 between the Orange County Transportation Authority and North County Senior Services, LLC, doing business as Acacia Adult Day Services, for continued services and to adjust the per trip rate to \$16.55, effective July 1, 2021 through June 30, 2022. This increase in rate will not change the current contract maximum obligation of \$1,302,621 due to sufficient underruns that cover the projected expenses due to the coronavirus pandemic.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-8-1918 between the Orange County Transportation Authority and Alzheimer's Family Center for continued services and to adjust the per trip rate to \$16.55, effective July 1, 2021 through June 30, 2022. This increase in rate will not change the current contract maximum obligation of \$1,343,599 due to sufficient underruns that cover the projected expenses due to the coronavirus pandemic.
- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-8-1919 between the Orange County Transportation Authority and Alzheimer's Orange County for continued services and to adjust the per trip rate to \$16.55, effective July 1, 2021 through June 30, 2022. This increase in rate will not change the current contract maximum obligation of \$566,323, due to sufficient underruns that cover the projected expenses due to the coronavirus pandemic.
- D. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-8-1920 between the Orange County Transportation Authority and Community SeniorServ, doing business as Meals on Wheels Orange County, for continued services and to adjust the per trip rate to \$16.55, effective July 1, 2021 through June 30, 2022. This increase in rate will not change the current contract maximum obligation of \$1,362,793, due to sufficient underruns that cover the projected expenses due to the coronavirus pandemic.

7. (Continued)

- E. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-8-1921 between the Orange County Transportation Authority and Orange County Adult Achievement Center, doing business as My Day Counts, for continued services and to adjust the per trip rate to \$16.18, and the Regional Center of Orange County pass-through per trip rate to \$6.18, for continued services effective July 1, 2021 through June 30, 2022. This increase in rate will not change the contract maximum obligation of \$3,111,668, due to sufficient underruns that cover the projected expenses due to the coronavirus pandemic.

Regular Calendar

8. Amendment to Agreement for the Design of the OC Streetcar Project

Ross Lew, Senior Program Manager of the OC Streetcar Project, reported on the following:

- Overview of HNTB Corporation and the design support they have provided during the construction of the OC Streetcar Project.
- Examples of the complexities of the OC Streetcar Project and the areas that require an unanticipated increased effort including: utility conflicts and the discovery of unsuitable materials and treated wood waste.
- The budget for the construction services will be depleted by the end of July and Amendment No. 11 is required to continue services and not delay construction. The amendment will also extend the terms of the agreement by six months.

A discussion ensued regarding the funding for this project. It will be funded through local Measure M2 and federal Congestion Mitigation and Air Quality (CMAQ) funds. The Orange County Transportation Authority (OCTA) utilizes the federal funds first before utilizing Measure M2 funds. There is a match requirement on federal CMAQ funds and the Measure M2 funds matches that requirement.

A motion was made by Director Do, seconded by Director Sarmiento, and following a roll call vote, declared passed 7-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 11 to Agreement No. C-5-3337 between the Orange County Transportation Authority and HNTB Corporation, in the amount of \$2,500,000, and extend the agreement term through September 30, 2022, for continued OC Streetcar project design support services during construction. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$26,083,841.

9. Bus Operations Performance Measurements Report for the Third Quarter of Fiscal Year 2020-21

Johnny Dunning, Jr., Department Manager of Scheduling and Bus Operations Support, provided a PowerPoint presentation.

A lengthy discussion ensued regarding:

- The disparity between the directly-operated fixed-route and contracted fixed-route based on the number of preventable accidents. The contractor is running a lower number of revenue vehicle miles and they have a lower number of passengers.
- There is a number of contracted fixed route services that have longer routes which means more miles in areas of the county that have less traffic.
- Director Do requested that an explanation be added for different route profiles and Darrell E. Johnson, Chief Executive Officer (CEO), stated that staff can provide some narratives in the future.
- The farebox recovery requirement and the many discussions about reduced fares, free fares, or fareless transit. The Transportation Development Act reform task force is underway.

Following the discussion, no action was taken on this receive and file information item.

10. Amendment to the Agreement with First Transit, Inc., for the Provision of Contracted Fixed-Route Service

Eileen Bruggeman, Section Manager of Contracted Services and Operations, reported on the following:

- Overview of the recommendation.
- This item originally went to the May 13, 2021 Transit Committee and Mr. Johnson, CEO, commented that the table on page six of the staff report required a line of additional information which does not alter the maximum obligation requested in the original staff report.
- After adding the additional line of information to the table on page six of the staff report, it impacted the other numbers in the report so staff took the responsibility to be transparent and revise the entire staff report.
- Explanation of the revised staff report and adjusted table with corrected numbers for the estimated costs associated with the option term.
- First Transit, Inc. has not routinely met performance standards but they have been responsive and have taken a number of steps to remedy their performance.

10. (Continued)

A motion was made by Committee Chairman Shaw, seconded by Committee Vice Chairman Sidhu, and following a roll call vote, declared passed 7-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 14 to Agreement No. C-4-1737 between the Orange County Transportation Authority and First Transit, Inc., in the amount of \$69,714,520, to exercise the second two-year option term to provide contracted fixed-route services through May 31, 2023, with adjustment of the end date to June 10, 2023, and permit reimbursement of First Transit, Inc. expenses related to maintaining a state of readiness and eligible for federal funding at amounts not to exceed \$5,000,000 for the first and \$3,000,000 for the second year of the option term, increasing the maximum obligation of the agreement to a total contract value of \$315,856,805.

Discussion Items

11. Fiscal Year 2021-22 Budget Workshop Follow-up

Anthony Baruch, Section Manager of Financial Planning and Analysis, stated that this item previously went to the Finance and Administration Committee on April 28th. The Budget Workshop was held at the May 10th Board of Directors' (Board) meeting and several questions were raised at each of the meetings, those answers are answered in a handout. One-on-one meetings are offered to any of Board members for further discussion. On Monday, June 14th the Public Hearing on the budget will be held and the Board will be asked to approve the budget for Fiscal Year 2021-22.

12. Chief Executive Officer's Report

Mr. Johnson, CEO, reported on the following:

- On Tuesday, June 8th, the independent Taxpayer Oversight Committee (TOC) held its annual Measure M public hearing. The TOC found the OCTA in compliance with the ordinance for the 30th year in a row. He stated that staff takes this role of overseeing the use of Measure M funds very seriously and are pleased to be keeping their promises to Orange County voters.
- OCTA continues to advance the South Orange County Multimodal Transportation Study. OCTA will host a series of meetings, including:
 - Next Tuesday, June 15th at 9:00 a.m. an elected official roundtable via Zoom;
 - On Thursday, June 17th from 5:30 p.m. to 6:30 p.m., a telephone townhall. The townhall will be simulcast in Spanish and a recording of the presentation will be made available at octa.net/southocstudy following the meeting, and



12. (Continued)

- On Wednesday, June 23rd, at 9:00 a.m., a stakeholder roundtable via Zoom.
- OCTA will launch a virtual meeting room that would stay open through July 12th for people to learn more about the study and provide their feedback. For more information, please visit octa.net/southocstudy.

13. Committee Members' Reports

There were no Committee Members' Reports.

14. Closed Session

There were no Closed Session items scheduled.

15. Adjournment

The meeting adjourned at 9:32 a.m.

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, July 8, 2021**, at the Orange County Transportation Authority Headquarters, Conference Room 07, 550 South Main Street, Orange, California.

ATTEST

Tim Shaw
Committee Chairman

Sahara Meisenheimer
Deputy Clerk of the Board