



Committee Members Present

Tim Shaw, Chairman

**Committee Members Present
Via Teleconference**

Harry S. Sidhu, Vice Chairman

Doug Chaffee

Andrew Do

Steve Jones

Tam Nguyen

Vicente Sarmiento

Staff Present

Darrell E. Johnson, Chief Executive Officer

Jennifer L. Bergener, Deputy Chief Executive Officer

Allison Cheshire, Clerk of the Board Specialist, Senior

Gina Ramirez, Clerk of the Board Specialist, Senior

Via Teleconference

James Donich, General Counsel

OCTA Staff

Committee Members Absent

None

Call to Order

The August 12, 2021, regular meeting of the Transit Committee (Committee) was called to order by Committee Chairman Shaw at 9:01 a.m.

Roll Call

The Clerk of the Board Specialist, Senior (COB), conducted an attendance roll call and announced a quorum of the Committee.

Pledge of Allegiance

Committee Vice Chairman Sidhu led in the Pledge of Allegiance.

1. Public Comments

The COB noted that the COB Department received public comments on August 10, 2021, at 10:22 p.m. from Rhonda Shader, Councilmember with the City of Placentia. On August 12, 2021, at 6:52 a.m. from Angel Torres. The public comments were emailed to the Transit Committee Members on August 12, 2021, at 8:22 a.m. The public comments would be retained as part of the Transit Committee meeting record.

Chairman Shaw reminded Committee Members to review the public comments submitted.

Special Calendar

There were no Special Calendar matters.

Consent Calendar (Items 2 and 3)

2. Approval of Minutes

A motion was made by Committee Vice Chairman Sidhu, seconded by Director Nguyen, and following a roll call vote, declared passed 7-0, to approve the minutes of the Transit Committee meeting of July 8, 2021.

3. SB 1 (Chapter 5, Statutes of 2017) State of Good Repair Program Recommendations for Fiscal Year 2021 22 Funds

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

- A. Approve Resolution No. 2021-063 authorizing the use of fiscal year 2021-22 SB 1 State of Good Repair Program funding, which is estimated to provide approximately \$6.4 million, for the Transit Security and Operations Center Project.
- B. Authorize staff to make all necessary amendments to the Federal Transportation Improvement Program, and execute any necessary agreements to facilitate the above recommendation.

Regular Calendar

4. Contract Change Orders for Construction of the OC Streetcar Project

Ross Lew, Senior Program Manager of the OC Streetcar Project, reported that staff was seeking approval for contract change orders to address additional removal and disposal of contaminated materials and removal of buried man-made materials in the project area.

Director Do inquired if the contractor is moving expeditiously on the project.

Mr. Lew responded that there had not been any delays. The vendor is proactive about not impeding the project and noted that in cases of clear and large change orders associated with utilities or unknown utilities. There is a requirement for a pause and an order which determines who the owners are, what the utilities are, and how best to handle them. If abandoned, the process allows for removal. Still, if relocation is needed, it must be coordinated with the utility owner, or modifications must be made through project design to keep the utilities in place. Utilities generally may cause a delay due to unknown circumstances, including unknown utilities, that may be encountered.

4. (Continued)

Director Do stated his concerns about these delays for unknown utilities and requested clarification of the specific items at hand and what is being done presently.

Mr. Lew responded that OCTA staff have been proactive regarding the segments scheduled to be excavated and have initiated mini-trench work to excavate a two-foot wide area to help the contractor complete the full excavation on the site. The objects that could be encountered solely require that the contractor have equipment that breaks up concrete and disposes of contaminants, which with the appropriate equipment, could be done expeditiously. The process remains similar for man-made materials, and there is a workplan in place for which landfills particular material and waste can go.

Darrell E. Johnson, Chief Executive Officer (CEO), further clarified that man-made material, utilities, and/or contaminants relatively have no issues. Difficulties tend to arise regarding track work and more technical items, and this is where delay tends to be had due to the varying complexity of these more specialized items.

Committee Vice Chairman Sidhu inquired about how OCTA is doing on the contingency funding margin in this particular contract and the projections of those margins.

Mr. Johnson, CEO, stated that in March 2021, there was a request for supplemental contingency for the project based on the current rate and unknown issues that arose within the project. It was also stated then that there were plans for budget reassessment with the Federal Transit Administration (FTA), and it would be returning to the Board at a later date. In the fall, it is projected that staff will bring the FTA review and any modifications to the schedule or costs in the fall, forward to the Board of Directors (Board). The Board can expect an update on levels of contingency, schedule estimation, and time of completion in the fall.

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

- A. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 3.2 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$1,100,000, for additional removal and disposal of contaminated materials within the Orange County Transit District-owned Pacific Electric Right-of Way and other project areas.

4. (Continued)

- B. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 18.1 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$300,000, to increase the allowance for removal of buried man-made objects.

5. Agreement for OC ACCESS Paratransit and OC Flex Microtransit Services

Jack Garate, Manager of Paratransit Services, provided a PowerPoint presentation on this item.

Discussion ensued among the Committee Members and staff regarding the following:

- Retention of contracted employees when transitioning to a new vendor;
- Services provided to OCTA and performance history by both First Transit, Inc. and MV Transportation;
- How vendor transition would be handled due to serving a sensitive population;
- How disruption in service would be handled;
- Qualifications of each firm;
- How wages and benefits were addressed in the proposal assessment process;
- Consideration of past requests for amendments to contracts for wage and cost increases;
- Additional vetting of the proposals and extra time to review;
- How transition of service would be affected if a decision on this item is delayed one month;
- Service requirements prescribed by the Federal Transit Administration; and
- Parameters defined by the Americans with Disabilities Act for service delivery, compliance, performance standards, route efficiencies, and key performance metrics; and

A motion was made by Director Do, seconded by Director Chaffee, and following a roll call vote, declared passed 6-0, to continue this item to the next regularly scheduled meeting of the Transit Committee on September 9, 2021.

Committee Vice Chairman Sidhu was not present to vote on this item.

Discussion Items

6. OC Bus and OC ACCESS Services Update

Johnny Dunning, Jr., Department Manager, Scheduling and Bus Operations Support, and Ryan Maloney, Section Manager, Marketing and Customer Service, provided a PowerPoint presentation.

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

7. Chief Executive Officer's Report

Darrell Johnson, CEO, reported the following:

August Service Change

- A special August service change goes into effect on Sunday, August 15, to help increase ridership by providing additional service, schedule adjustments, and other improvements.
- A close eye will be kept on ridership levels, and plans for the October service change have begun.

Bipartisan Infrastructure Bill

- CEO email was sent out on Tuesday, August 10, following the Senate's bipartisan infrastructure bill.
- This legislation would provide \$550 billion in infrastructure spending above current levels, almost half of which will benefit transportation over the next five years.
- The bill now heads to the House of Representatives, which is not scheduled to resume floor votes until September 20.
- There is close monitoring of the bill's status, and there will be continued reports on any updates to the full Board.

Interstate 5 (I-5) South County Improvements Project

- Tonight, August 12, at 5:30 p.m., staff will host a Zoom meeting for the I-5 South County Improvements Project, stretching from the State Route 73 to El Toro Road.
- Staff will be discussing Stage 1 demolition of the Los Alisos Boulevard overcrossing and provide an overview of Segment 3 from Alicia Parkway to El Toro Road.

8. Committee Members' Reports

Committee Chairman Shaw commented that he has a video from his recent visit to Colorado that shows their light rail system and intends to show it at the next Transit Committee meeting.



8. (Continued)

Director Nguyen gave kudos to the OCTA Outreach teams' recent community event in Garden Grove and thanked staff for the recent tour he participated in of the Garden Grove bus base operations.

9. Closed Session

There were no Closed Session items scheduled.

10. Adjournment

The meeting adjourned at 10:21 a.m.

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

ATTEST

Tim Shaw
Committee Chairman

Allison Cheshire
Clerk of the Board Specialist, Senior