



# Orange County Transportation Authority

## Board Agenda

**Monday, March 25, 2024 at 9:00 a.m.**

550 South Main Street, Orange, California

### **Board Members**

Tam T. Nguyen, Chair  
Doug Chaffee, Vice Chair  
Ashleigh Aitken  
Valerie Amezcua  
Andrew Do  
Jon Dumitru  
Jamey Federico  
Katrina Foley  
Patrick Harper  
Michael Hennessey  
Fred Jung  
Farrah N. Khan  
Stephanie Klopfenstein  
Vicente Sarmiento  
John Stephens  
Donald P. Wagner  
Vacant, Ex-Officio

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the Orange County Transportation Authority (OCTA) Clerk of the Board's office at (714) 560-5676, no less than two business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

### **Agenda Descriptions**

Agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Committee may take any action which it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

### **Public Availability of Agenda Materials**

All documents relative to the items referenced in this agenda are available for public inspection at [www.octa.net](http://www.octa.net) or through the Clerk of the Board's office at the OCTA Headquarters, 600 South Main Street, Orange, California.

# **BOARD MEETING AGENDA**

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## **Meeting Access and Public Comments on Agenda Items**

Members of the public can either attend in-person or listen to audio live streaming of the Board and Committee meetings by clicking this link: <https://octa.legistar.com/Calendar.aspx>

## **In-Person Comment**

Members of the public may attend in-person and address the Board regarding any item within the subject matter jurisdiction of the Orange County Transportation Authority. Please complete a speaker's card and submit it to the Clerk of the Board and notify the Clerk regarding the agenda item number on which you wish to speak. Speakers will be recognized by the Chair at the time of the agenda item is to be considered by the Board. Comments will be limited to three minutes. The Brown Act prohibits the Board from either discussing or taking action on any non-agendized items.

## **Written Comment**

Written public comments may also be submitted by emailing them to [ClerkOffice@octa.net](mailto:ClerkOffice@octa.net), and must be sent by 5:00 p.m. the day prior to the meeting. If you wish to comment on a specific agenda item, please identify the item number in your email. All public comments that are timely received will be part of the public record and distributed to the Board. Public comments will be made available to the public upon request.

## **Call to Order**

## **Invocation**

Director Wagner

## **Pledge of Allegiance**

Director Harper

## **Closed Session**

### **1. Closed Session**

#### ***Overview***

A Closed Session will be held as follows:

- A. Pursuant to Government Code Section 54956.9(d)(1) - Conference with General Counsel - Existing Litigation - Orange County Transportation Authority v. Hyundai Motor America - OCSC Case No. 30-2019-01053132.
- B. Pursuant to Government Code 54957.6 to discuss collective bargaining agreement negotiations with the Transportation Communications International Union regarding the parts/stock room clerks and facilities maintenance employee unit. The lead negotiator for the Orange County Transportation Authority is Maggie McJilton, Executive Director of People and Community Engagement and Transportation Communications International Union representative.

# BOARD MEETING AGENDA

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## Special Calendar

### Orange County Transportation Authority Special Calendar Matters

#### 2. Presentation of Resolutions of Appreciation for Employees of the Month

##### **Overview**

Present Orange County Transportation Authority Resolutions of Appreciation Nos. 2024-019, 2024-020, and 2024-018 to Jose Contreras, Coach Operator; Robert Rodriguez, Maintenance; Elia Verduzco, Administration, as Employees of the Month for March 2024.

#### Consent Calendar (Items 3 through 17)

All matters on the Consent Calendar are to be approved in one motion unless a Board Member or a member of the public requests separate action on a specific item.

### Orange County Transportation Authority Consent Calendar Matters

#### 3. Approval of Minutes

Clerk of the Board

##### **Recommendation**

Approve the minutes of the March 11, 2024 Orange County Transportation Authority and affiliated agencies' regular meeting.

##### **Attachments:**

[Minutes](#)

#### 4. 91 Express Lanes Update for the Period Ending - December 31, 2023

Kirk Avila

##### **Overview**

The Orange County Transportation Authority has owned and managed the operations of the 91 Express Lanes since January 2003. Since then, traffic volumes and toll revenues have fluctuated with the changes in the economy and the added capacity to the State Route 91 corridor. Over the last quarter, approximately 5.2 million trips were taken on the 91 Express Lanes in Orange County. This report focuses on the operational and financial activities for the period ending December 31, 2023.

##### **Recommendation**

Receive and file as an information item.

##### **Attachments:**

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

## BOARD MEETING AGENDA

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### 5. Agreement for Oversight of Orange County Transportation Authority Express Lanes Roadside Services

Kirk Avila

#### **Overview**

On December 11, 2023, The Orange County Transportation Authority released a request for proposals for a firm to provide oversight of the Orange County Transportation Authority's 91 Express Lanes and 405 Express Lanes in Orange County. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for these services.

#### **Recommendations**

- A. Approve the selection of California Highway Products as the firm to provide oversight of Orange County Transportation Authority Express Lanes roadside services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-3-3010 between the Orange County Transportation Authority and California Highway Products to provide oversight of Orange County Transportation Authority roadside services, in the amount of \$3,381,978, for a five-year term, effective April 1, 2024, through March 31, 2029.

#### **Attachments:**

[Transmittal](#)

[Staff Report](#)

### 6. Orange County Transportation Authority Investment and Debt Programs Report - January 2024

Robert Davis/Andrew Oftelie

#### **Overview**

The Orange County Transportation Authority has a comprehensive investment and debt program to fund its immediate and long-term cash flow demands. Each month, the Treasurer submits a report detailing investment allocation, performance, compliance, outstanding debt balances, and credit ratings for the Orange County Transportation Authority's debt program. This report is for the month ending January 31, 2024. The report has been reviewed and is consistent with the investment practices contained in the investment policy.

#### **Recommendation**

Receive and file as an information item.

#### **Attachments:**



## BOARD MEETING AGENDA

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[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

### 7. **Second Quarter Fiscal Year 2023-24 Procurement Status Report**

Pia Veasapen/Andrew Oftelie

#### **Overview**

The second quarter procurement status report summarizes the procurement activities for information purposes to the Orange County Transportation Authority Board of Directors. This report focuses on procurement activity from October 1, 2023 through December 31, 2023, that was approved by the Board of Directors during this period. The second quarter procurement status report also projects future procurement activity for the third quarter as identified in the fiscal year 2023-24 budget.

#### **Recommendation**

Receive and file as an information item.

#### **Attachments:**

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

[Attachment E](#)

[Attachment F](#)

[Attachment G](#)

### 8. **State Legislative Status Report**

Alexis Leicht/Lance M. Larson

#### **Overview**

The Orange County Transportation Authority provides regular updates to the Legislative and Communications Committee on policy issues directly impacting its overall programs, projects, and operations. Staff recommends a support position on three pieces of legislation: the first related to non-emergency medical transportation reimbursements, the second related to developing and distributing a handbook for bicycle and electric bicycle safety, and the third which would make it a conditional prohibition for a person to unlawfully occupy a public space, including public transit stops, open space, and schools. An overview is provided and direction is requested on legislation that would create several reporting requirements for the California State Transportation Secretary and regional governments pertaining to the planning, operations, and management of the Los Angeles - San Diego - San Luis Obispo Rail Corridor.

## BOARD MEETING AGENDA

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### ***Recommendations***

- A. Adopt a SUPPORT position on AB 2043 (Boerner, D-Solana Beach), which would require Medi-Cal Managed Care Plans to reimburse public transit operators for nonmedical transportation and nonemergency medical transportation services.
- B. Adopt a SUPPORT position on AB 2259 (Boerner, D-Solana Beach), which would require CalSTA to develop and distribute a bicycle safety handbook on or before September 1, 2025.
- C. Adopt a SUPPORT position on SB 1011 (Jones, R-San Diego), which would make a conditional prohibition for a person to unlawfully occupy a public space, including public transit stops, open spaces, and schools.
- D. Direct staff to engage with the author's office and work with Los Angeles - San Diego - San Luis Obispo Rail Corridor member agencies to help inform and identify any potential improvements to SB 1098 (Blakespear, D-Encinitas).

### ***Attachments:***

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

[Attachment E](#)

## **9. Federal Legislative Status Report**

Clara Brotcke/Lance M. Larson

### ***Overview***

The Orange County Transportation Authority regularly updates the Legislative and Communications Committee on policy and regulatory issues directly impacting the agency's programs, projects, and operations. An update is provided on the funding deal reached as it pertains to programs included in the Transportation, Housing, and Urban Development appropriations bill. Information is provided on the United States Environmental Protection Agency's proposed disapproval of the South Coast Air Quality Management District contingency measure state implementation plan. A House Transportation and Infrastructure Subcommittee hearing related to the implementation of Buy America is summarized.

### ***Recommendation***

Receive and file as an information item.

### ***Attachments:***

## BOARD MEETING AGENDA

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[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

### Orange County Transit District Consent Calendar Matters

**10. Amendment to Agreement for Mobile Ticketing Validators Extended Warranty Coverage Period**

Sam Kaur/Andrew Oftelie

***Overview***

The Orange County Transportation Authority implemented the use of mobile ticketing stand-beside validators to validate mobile fare media. Staff is requesting Board of Directors' approval to exercise the fourth option term to extend warranty coverage for the current mobile ticketing validators for a one-year period effective May 1, 2024 through April 30, 2025.

***Recommendation***

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Agreement No. C-6-0942 between the Orange County Transportation Authority and Init Innovations in Transportation, Inc., to exercise the fourth option term in the amount of \$158,769, for extended warranty coverage and annual maintenance for mobile ticketing validators effective May 1, 2024 through April 30, 2025. Amending this agreement will increase the maximum cumulative payment obligation to a total contract value of \$3,364,110.

***Attachments:***

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

**11. Approval of Local Transportation Fund Fiscal Year 2024-25 Apportionment Estimates Amendment**

Sam Kaur/Andrew Oftelie

***Overview***

The Orange County Transportation Authority, as the transportation planning agency and county transportation commission for Orange County, is responsible for developing estimates used in apportioning revenues earned and deposited in the Orange County Local Transportation Fund. Transportation Development Act regulations require that the apportionments for fiscal year 2024-25 be determined, and prospective claimants be advised of the amounts. On February 26, 2024, the Orange County Transportation Authority Board of Directors approved the fiscal year 2024-25 Local Transportation Fund apportionment amounts. An amendment to these apportionment amounts is presented for approval.

## BOARD MEETING AGENDA

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### ***Recommendation***

Approve the amendment to the Local Transportation Fund fiscal year 2024-25 apportionment estimates.

### ***Attachments:***

[Transmittal](#)

[Staff Report](#)

## **12. Local Transportation Fund Claims for Fiscal Year 2024-25**

Sam Kaur/Andrew Oftelie

### ***Overview***

The Orange County Transit District is eligible to receive funding from the Local Transportation Fund for providing public transportation services throughout Orange County. To receive these funds, the Orange County Transit District, as the public transit and community transit services operator, must file claims with the Orange County Transportation Authority, the transportation planning agency for Orange County.

### ***Recommendation***

Adopt Orange County Transit District Resolution No. 2024-008 authorizing the filing of Local Transportation Fund claims, in the estimated amounts of \$212,667,523 to support public transportation and \$11,273,686 for community transit services.

### ***Attachments:***

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

## **13. Approval to Release Invitation for Bids for Battery Electric Bus Chargers**

Cliff Thorne/Johnny Dunning, Jr.

### ***Overview***

The Orange County Transportation Authority is underway with efforts to procure up to ten, 40-foot battery electric buses, which require battery charging stations. Staff has developed project specifications and is requesting Board of Directors' approval to release an invitation for bids for battery chargers necessary to support the planned battery electric bus procurement.

### ***Recommendation***

Approve the release of Invitation for Bids 3-3067 to procure 11 battery chargers for 40-foot plug-in battery electric buses.

### ***Attachments:***

[Staff Report](#)

[Attachment A](#)

## BOARD MEETING AGENDA

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### 14. Amendment to Agreement for Detail Bus Cleaning and Pesticide Application Services

Cliff Thorne/Johnny Dunning, Jr.

#### **Overview**

On April 12, 2021, the Orange County Transportation Authority Board of Directors approved an agreement with Gamboa Services, Inc. doing business as Corporate Image Maintenance, to provide detail bus cleaning and pesticide application services for a three-year initial term with one, two-year option term. The initial term expires April 30, 2024. Staff is requesting Board of Directors' approval to exercise the two-year option term.

#### **Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-0-2702 between the Orange County Transportation Authority and Gamboa Services, Inc., doing business as Corporate Image Maintenance, in the amount of \$810,550, to exercise the two-year option term of the agreement effective May 1, 2024 through April 30, 2026, for continued detail bus cleaning and pesticide application services. This will increase the maximum obligation of the agreement to a total contract value of \$1,887,276.

#### **Attachments:**

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

### 15. May 2024 OC Bus Service Change

Eric Hoch/Kia Mortazavi

#### **Overview**

The proposed May 2024 OC Bus service change consists of the implementation of minor adjustments in response to customer comments and operator feedback. These upcoming changes are consistent with the regular service change process.

#### **Recommendation**

Receive and file as an information item.

#### **Attachments:**

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

## BOARD MEETING AGENDA

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### Orange County Local Transportation Authority Consent Calendar Matters

#### 16. Consultant Selection for Real Property Management Services

Joe Gallardo/James G. Beil

##### **Overview**

On October 20, 2023, the Orange County Transportation Authority issued a request for proposals for consultant services to provide real property management services for Orange County Transportation Authority-owned properties. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute the agreement for these services.

##### **Recommendations**

- A. Approve the selection of Cal Pacific Land Services, Inc., as the firm to provide real property management services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-3-2807 between the Orange County Transportation Authority and Cal Pacific Land Services, Inc., as the firm to provide real property management services, in the amount of \$750,000, for a five-year term.

##### **Attachments:**

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

#### 17. Amendments to Agreements for Design Support Services and Construction Management Services for the OC Streetcar Project

Jeff Mills/James G. Beil

##### **Overview**

The Orange County Transportation Authority is currently underway with the implementation of the OC Streetcar project. Staff is seeking Board of Directors' approval for two contract amendments for design support services and construction management services needed to support the ongoing delivery of the OC Streetcar project.

##### **Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 14 to Agreement No. C-5-3337 between the Orange County Transportation Authority and HNTB Corporation, in the amount of \$2,000,000, and extend the agreement term through August 31, 2025, 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 \$34,083,841.

## BOARD MEETING AGENDA

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- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 21 to Agreement No. C-6-0926 between the Orange County Transportation Authority and PGH Wong Engineering, Inc., in the amount of \$7,700,000, and extend the agreement term through February 28, 2025, for continued OC Streetcar project construction management services. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$42,782,570.

***Attachments:***

[Transmittal](#)

[Staff Report](#)

[Attachment A](#)

[Attachment B](#)

### **Regular Calendar**

There are no Regular Calendar matters.

### **Discussion Items**

**18. Public Comments**

**19. Chief Executive Officer's Report**

**20. Directors' Reports**

**21. Adjournment**

The next regularly scheduled meeting of this Board will be held:

**9:00 a.m., on Monday, April 8, 2024**

OCTA Headquarters

Board Room

550 South Main Street

Orange, California



## **Call to Order**

The March 11, 2024, regular meeting of the Orange County Transportation Authority (OCTA) Board of Directors and affiliated agencies was called to order by Chair Nguyen at 9:00 a.m. at the OCTA Headquarters, 550 South Main Street, Orange, California.

**Directors Present:** Tam T. Nguyen, Chair  
Doug Chaffee, Vice Chair  
Ashleigh Aitken  
Valerie Amezcua  
Andrew Do  
Jamey Federico  
Katrina Foley  
Patrick Harper  
Michael Hennessey  
Fred Jung  
Farrah N. Khan  
Stephanie Klopfenstein  
Vicente Sarmiento  
John Stephens  
Donald P. Wagner

**Directors Absent:** Jon Dumitru

**Staff Present:** Darrell E. Johnson, Chief Executive Officer  
Jennifer L. Bergener, Deputy Chief Executive Officer  
Andrea West, Clerk of the Board  
Gina Ramirez, Assistant Clerk of the Board  
Allison Cheshire, Clerk of the Board Specialist, Senior  
James Donich, General Counsel

## **Special Calendar**

### **1. Headquarters Real Estate Update**

Andrew Oftelie, Chief Financial Officer, presented the long-term options for the Orange County Transportation Authority Administrative Headquarters.

No action was taken on this item.



## **2. Closed Session**

A Closed Session was held as follows:

Pursuant to Government Code Section 54956.8 - Conference with real property negotiators for the following properties:

1. 2677 North Main Street, Santa Ana CA 92705 - The negotiator for this property is the Muller Company.
2. 550 & 600 South Main Street, Orange CA 92868 - The negotiator for this property is the Lincoln Property Company.
3. Parcel No. APN 253-532-07 - The negotiator for this property is Trammel Crow. Negotiators for the Orange County Transportation Authority are Andrew Oftelie, Peter Andrich, and Rick Warner.

All were present except Director Dumitru.

There was no report out on this item.

## **3. Presentation of Resolutions of Appreciation to Employees of the Year for 2023**

Resolutions of Appreciation were presented to Manuel "Manny" Lara, Coach Operator, Carlos Palacios, Maintenance, and Jeff Mills, Administration, as Employees of the Year for 2023.

## **Consent Calendar (Items 4 through 13)**

### **4. Approval of Minutes**

A motion was made by Director Foley, seconded by Director Jung, and declared passed, by those present, to approve the minutes of the February 26, 2024 Orange County Transportation Authority and affiliated agencies' regular meeting.

Director Wagner was not present to vote on this item.

### **5. Amendment to Agreement for General Counsel Legal Services**

A motion was made by Director Foley, seconded by Director Jung, and declared passed, by those present, authorize the Chief Executive Officer to negotiate and execute Amendment No. 13 to Agreement No. C-4-1816 between the Orange County Transportation Authority and Woodruff and Smart to extend the agreement for five years to provide general counsel legal services for the Orange County Transportation Authority.

Director Wagner was not present to vote on this item.

**6. Fiscal Year 2023-24 Second Quarter Grant Reimbursement Status Report**

A motion was made by Director Foley, seconded by Director Jung, and declared passed, by those present, to receive and file as an information item.

Director Wagner was not present to vote on this item.

**7. Consultant Selection for the Harbor Boulevard Pilot Innovative Transit Signal**

A motion was made by Director Foley, seconded by Director Jung, and declared passed, by those present, to:

- A. Approve the selection of Arcadis U.S., Inc., as the firm to conduct the Harbor Boulevard Pilot Innovative Transit Signal Priority Study.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-3-2944 between the Orange County Transportation Authority and Arcadis U.S., Inc., in the amount of \$1,197,912, for a two-year term, to conduct the Harbor Boulevard Pilot Innovative Transit Signal Priority Study.

Director Wagner was not present to vote on this item.

**8. Approval to Release Invitation for Bids for Construction of the Transit Security and Operations Center**

A motion was made by Director Foley, seconded by Director Jung, and declared passed, by those present, to approve the release of Invitation for Bids 4-2097 for construction of the Transit Security and Operations Center.

Director Wagner was not present to vote on this item.

**9. Approval to Release Invitation for Bids for Building Repairs at the Santa Ana Bus Base**

A motion was made by Director Foley, seconded by Director Jung, and declared passed, by those present, to approve the release of Invitation for Bids 4-2093 for building repairs at the Santa Ana Bus Base.

Director Wagner was not present to vote on this item.

**10. Amendment to Agreement for Additional Design Services for the Interstate 5 Improvement Project Between Yale Avenue and State Route 55**

A motion was made by Director Foley, seconded by Director Jung, and declared passed, by those present, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-0-2371 between the Orange County Transportation Authority and TranSystems Corporation, in the amount of \$1,194,527, for additional design services for the Interstate 5 Improvement Project between Yale Avenue and State Route 55. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$14,653,412.

Director Wagner was not present to vote on this item.

**11. Environmental Mitigation Program Endowment Fund Investment Report for December 31, 2023**

A motion was made by Director Foley, seconded by Director Jung, and declared passed, by those present, to receive and file as an information item.

Director Wagner was not present to vote on this item.

**12. Measure M2 Quarterly Progress Report for the Period October 2023 through December 2023**

A motion was made by Director Foley, seconded by Director Jung, and declared passed, by those present, to receive and file as an information item.

Director Wagner was not present to vote on this item.

**13. Revisions to the Measure M2 Eligibility Guidelines**

A motion was made by Director Foley, seconded by Director Jung, and declared passed, by those present, to:

- A. Approve proposed revisions to the Measure M2 Eligibility Guidelines.
- B. Approve proposed revisions to the countywide Pavement Management Plan Guidelines.

Director Wagner was not present to vote on this item.

## **Regular Calendar**

### **14. Board of Directors' Meeting Streaming**

Darrell E. Johnson, Chief Executive Officer, provided opening comments and introduced Ron Wolf, Section Manager, who provided a presentation on this item.

Mr. Johnson, CEO, stated that staff will take the information from today and come back with recommendations, implementation plans, and options.

Public comment was received from David Martinez.

No action was taken on this receive and file as an informational item.

### **15. Adopt Executive-level Salary Ranges to Satisfy a California Public Employees' Retirement System Requirement**

Andrew Oftelie, Chief Financial Officer, provided a report on this item.

A motion was made by Director Hennessey, seconded by Director Foley, and declared passed, by those present, to adopt executive-level salary ranges for fiscal years 2018-19 through 2023-24 (July 1, 2018 through June 30, 2024).

Directors Aitken, Jung, and Wagner were not present to vote on this item.

## **Discussion Items**

### **16. Update on the Interstate 5 Improvement Project Between State Route 73 and El Toro Road**

Niall Barrett, Program Manager, Highways, and Chris Boucly, Section Manager, Public Outreach, provided a presentation on this item.

No action was taken on this item.

### **17. Emergency Coastal Rail Projects Update and Planning for the Future**

Dan Phu, Program Manager, Planning and Christina Byrne, Department Manager, Public Relations, provided a presentation on this topic.

Public comment was received via email from Toni Nelson of Capo Cares.

Public comments were received from the following:

- Joe Wilson, Save Our Beaches
- Laurie Girand, Capo Cares
- Lisa Gant, resident of San Clemente
- Brett Sanders, Professor at University of California, Irvine
- Steve Stewart

No action was taken on this item.

**18. Public Comments**

Public comments were received from:

- David Martinez
- Tiberio Esparza

**19. Chief Executive Officer's Report**

Darrell E. Johnson, Chief Executive Officer, reported on the following:

- Federal budget update
- Transit Employee Appreciation Day on March 18

**20. Directors' Reports**

Director Hennessey requested that staff follow up with the public speaker regarding the outstanding invoice.

**21. Adjournment**

The meeting adjourned at 11:24 a.m. in honor of Women's History Month.

The next regularly scheduled meeting of this Board will be held at:

**9:00 a.m., on Monday, March 25, 2024**

OCTA Headquarters  
Board Room  
550 South Main Street  
Orange, California



## COMMITTEE TRANSMITTAL

***March 25, 2024***

**To:** Members of the Board of Directors

**From:** Andrea West, Clerk of the Board *Andrea West*

**Subject:** 91 Express Lanes Update for the Period Ending –  
December 31, 2023

Finance and Administration Committee Meeting of March 13, 2024

**Present:** Directors Do, Federico, Harper, Hennessey, Klopfenstein,  
Nguyen, and Sarmiento

**Absent:** None

**Committee Vote**

This item was passed by the Members present.

**Committee Recommendation**

Receive and file as an information item.



**March 13, 2024**

**To:** Finance and Administration Committee

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

**Subject:** 91 Express Lanes Update for the Period Ending –  
December 31, 2023

### **Overview**

The Orange County Transportation Authority has owned and managed the operations of the 91 Express Lanes since January 2003. Since then, traffic volumes and toll revenues have fluctuated with the changes in the economy and the added capacity to the State Route 91 corridor. Over the last quarter, approximately 5.2 million trips were taken on the 91 Express Lanes in Orange County. This report focuses on the operational and financial activities for the period ending December 31, 2023.

### **Recommendation**

Receive and file as an information item.

### **Background**

The Orange County segment of the 91 Express Lanes (EL) is a four-lane, ten-mile tolled facility built in the median of State Route 91 (SR-91) between the State Route 55 (SR-55)/SR-91 interchange and the Orange/Riverside County Line. The 91 EL was built by the California Private Transportation Company (CPTC) for a cost of approximately \$135 million. The Orange County section of the project was authorized as a toll road by the State of California in 1989 and opened in 1995. An agreement with the California Department of Transportation (Caltrans) included a non-compete provision that created a 1.5-mile protection zone along each side of SR-91. This zone prohibited improvements along the corridor and created mobility problems as the region and corresponding transportation demands grew.

To mitigate growing concerns over congestion, the Orange County Transportation Authority (OCTA) acquired the 91 EL franchise rights from the CPTC in January 2003. This eliminated the non-compete provision, clearing the

way for future enhancements to increase capacity and improve traffic flow along the SR-91 corridor.

With the non-compete provisions removed, the Riverside County Transportation Commission (RCTC) received authority to extend the 91 EL to Interstate 15 (I-15) in 2008. At a cost of \$1.4 billion, the RCTC 91 Corridor Improvement Project added general purpose lanes, tolled express lanes, auxiliary lanes, and direct express lane connectors from the Orange/Riverside County Line to I-15. The Riverside County segment of the 91 EL opened in 2017, providing customers with eight additional miles of travel on SR-91. To provide 91 EL customers with a seamless experience, OCTA and RCTC entered into a three-party operating agreement with one firm to service both facility segments.

Historically, the 91 EL has used congestion management pricing to adjust tolls quarterly based on the number of vehicles traveled. Since 2003, OCTA and RCTC in 2017, have used this tolling method to provide our customers with a safe, reliable, and predictable trip on the 91 EL. In November 2023, the RCTC 91 EL segment transitioned to dynamic pricing, which adjusts toll rates based on traffic volumes to maintain free-flowing trips in accordance with RCTC's 91 Express Lanes Toll Policy and Toll Schedule. The OCTA 91 EL segment still utilizes congestion management pricing, adjusting tolls quarterly.

Motorists pay tolls using a transponder that automatically deducts the toll amount from a prepaid account. The transponder can be used on any California tolled facility through existing interoperability agreements.

OCTA and RCTC's tolling agreements allow both agencies to operate the 91 EL well into the future (2065 for OCTA and 2067 for RCTC). This provides customers with transportation options for 18 miles of travel in one of California's busiest corridors.

### ***Discussion***

The sections below discuss various operational data and information for the 91 EL in greater detail.

#### **Traffic Volumes**

The total traffic volume on the OCTA 91 EL for the month of December 2023 was 1,705,918. This represents a daily average of 55,030 vehicles. This is an 8.8 percent increase in total traffic volume from the same period last year when traffic levels totaled 1,568,610. In looking at the 12-month period ending December 2023, traffic volumes totaled over 20.4 million, which was 5.7 percent



higher than the same period the prior year. The carpool percentage for the period ending December 2023 was 26.9 percent.

#### Gross Potential Toll Revenues (GPTR)

GPTR for the month of December 2023 was \$5,258,734, which represents an increase of 6.5 percent from the prior year's total of \$4,937,539 for the month of December. GPTR is equal to the toll rate times the number of vehicles traveling on the 91 EL (the amount does not consider violations or discounts). For the previous 12 months, GPTR totaled \$64.7 million, representing an increase of 6.7 percent from the same period the prior year.

#### Toll Adjustments

The Board of Directors (Board)-adopted Toll Policy requires staff to review traffic volumes on the Orange County segment of the 91 EL for potential toll adjustments on a quarterly basis. Based on the traffic volumes for the quarter-ending period of December 2023, there were no hours in the eastbound or westbound directions that reached the trigger point for a toll adjustment in January 2024. As of the end of December 2023, toll rates ranged from a minimum of \$1.85 to a maximum of \$8.85. The next scheduled toll adjustment will occur on April 1, 2024, and will be reported in the following quarterly report.

#### Number of Accounts and Transponders

The number of active accounts totaled 174,111, and 684,487 transponders were assigned to those accounts as of December 31, 2023. Over the past 12 months, the number of accounts increased by approximately 8,580, while the number of transponders in circulation increased by 27,071. There has been continued growth in the number of accounts and transponders over the past several years, primarily driven by the extension of the 91 EL into Riverside County and the opening of the 15 Express Lanes.

#### Outstanding Debt

As of December 31, 2023, the outstanding amount of the 91 EL tax-exempt 2023 Senior Lien Toll Road Revenue Refunding Bonds (Bonds) totaled \$47.5 million. The refinanced Bonds' first scheduled debt service payment was made on February 15, 2024.

## **91 Express Lanes Update for the Period Ending – Page 4 December 31, 2023**

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In April 2023, the Board approved the refinancing transaction, in early June 2023, OCTA received the ratings for the new debt transaction, and in late June 2023, the refinancing bonds were issued. The debt transaction closed in early July 2023 with an all-in true interest cost of 2.8 percent.

Refinancing the Bonds allowed for a reduction in the total outstanding debt from \$71.4 million to \$47.5 million. Furthermore, the annual debt service was reduced from \$10.8 million to \$8.1 million while maintaining the same maturity date. Refinancing the 2013 Series Bonds provided a net present value savings of \$5.5 million.

The 2023 Senior Lien Toll Road Revenue Refunding Bonds are rated “AA-” by Standard and Poor’s, “Aa3” by Moody’s, and “AA-” by Fitch Ratings. The next scheduled debt service payment is on August 15, 2024.

### **Reserve Funds**

The 2023 Bonds require three reserve funds: a major maintenance fund, an operating fund, and a debt service reserve fund. All three funds were fully funded with a total balance of approximately \$13.7 million as of December 31, 2023.

In addition to the required debt reserve funds, the OCTA Board elected to establish two additional reserve funds. An internal capital projects fund has a balance of \$25.7 million and is used for large capital projects for the 91 EL, such as pavement rehabilitation and back-office system (BOS) upgrades. The other reserve fund was established in 2017 for two future Measure M2 projects (Projects I and J) on the SR-91 corridor. Project I improves interchanges, on- and off-ramps, and bridges along SR-91 between SR-55 and State Route 57 and is estimated to cost approximately \$460 million. Project I is in final design and is expected to be completed in 2028. Project J includes operational improvements on SR-91 between State Route 241 and the Orange/Riverside County Line and is currently scheduled for completion in 2035. The balance in that reserve fund is \$94.8 million and is used as project expenses are incurred. Lastly, OCTA has approximately \$102.6 million set aside in excess toll revenues for SR-91 corridor projects.

### **Operations Update**

In 2022, Cofiroute USA, LLC (CUSA) deployed a new BOS for the 91 EL for both Orange and Riverside counties. Since deployment, CUSA, OCTA, RCTC, and project consultant staff have been continuously monitoring the system and actively implementing fixes for any issues that arise. Attachment A summarizes some key performance measure indicators over the past 12 months.

***Summary***

An operational report for the 91 Express Lanes for the period ending December 31, 2023, is provided for the Board of Directors' review. The report provides a summary of key operational and financial activities.

***Attachments***

- A. 91 Express Lanes, Key Performance Measures, December 2023
- B. 91 Express Lanes Status Report, December 2023

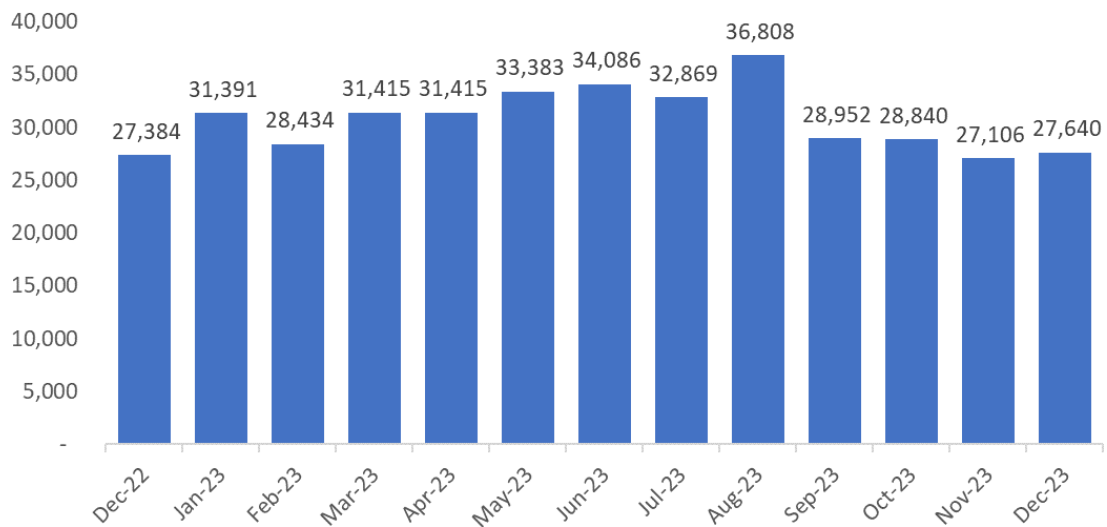
**Prepared by:**



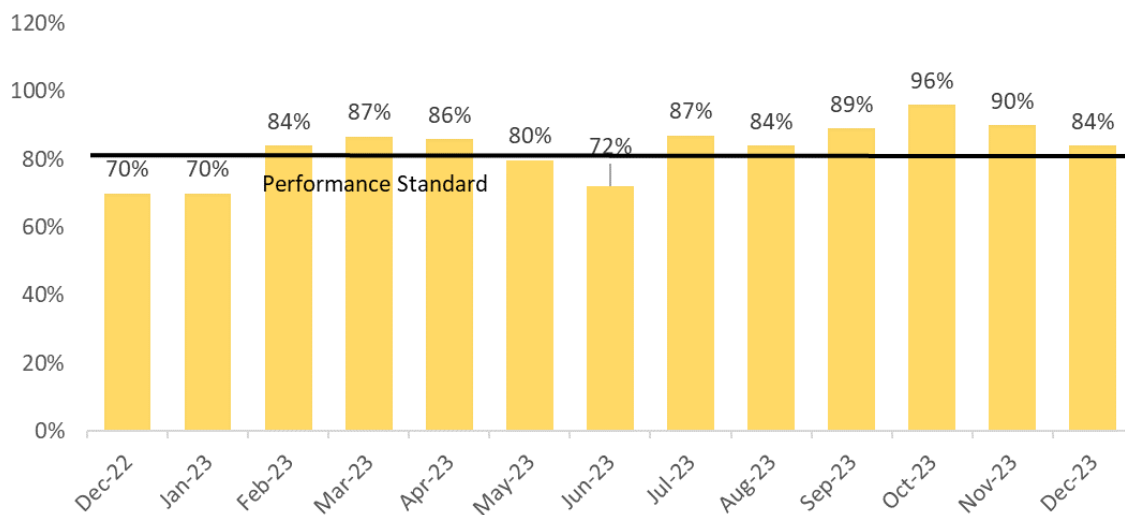
Kirk Avila  
General Manager,  
Express Lanes Programs  
(714) 560-5674

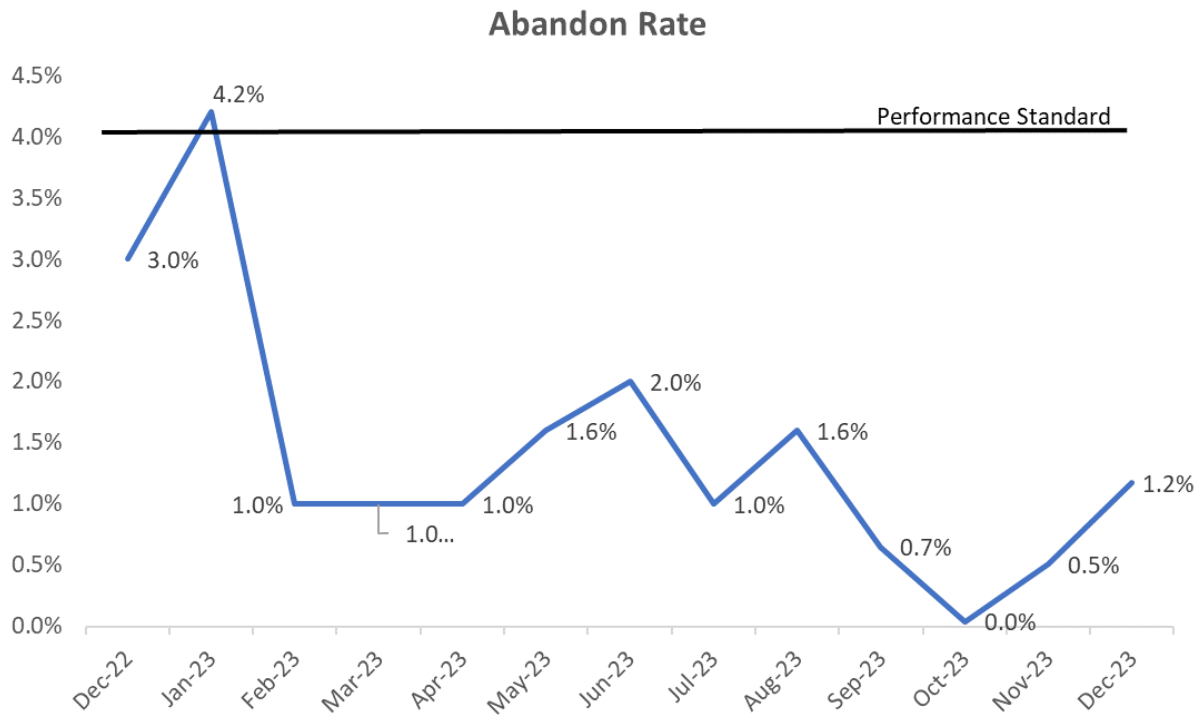
## 91 Express Lanes Key Performance Measures December 2023

Customer Service Center  
Number of Monthly Calls



Call Wait Times  
Answered Within 60 Seconds







**Orange County Transportation Authority  
Riverside County Transportation Commission**



Status Report

December 2023

As of December 31, 2023

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# OPERATIONS OVERVIEW OCTA

## TRAFFIC AND REVENUE STATISTICS FOR OCTA

Total traffic volume on the 91 Express Lanes (91 EL) for December 2023 was 1,705,918. This represents a daily average of 55,030 vehicles. This is an 8.8 percent increase in total traffic volume from the same period last year, which totaled 1,568,610. Potential toll revenue for December was \$5,258,734, which represents an increase of 6.5 percent from the prior year's total of \$4,937,539. Carpool percentage for December was 26.9 percent as compared to the previous year's rate of 25.4 percent.

Month-to-date (MTD) traffic and revenue data is summarized in the table below. The following trip and revenue statistics tables represent all trips taken on the Orange County Transportation Authority (OCTA) 91 EL and associated potential revenue for the month of December 2023.

### Current MTD as of December 31, 2023

	DEC-23 MTD Actual	DEC-22 MTD Actual	Yr-to-Yr % Variance
<b>Trips</b>			
Full Toll Lanes	1,247,005	1,170,734	6.5%
3+ Lanes	458,913	397,876	15.3%
Total Gross Trips	1,705,918	1,568,610	8.8%
<b>Revenue</b>			
Full Toll Lanes	\$5,185,550	\$4,869,354	6.5%
3+ Lanes	\$73,183	\$68,185	7.3%
Total Gross Revenue	\$5,258,734	\$4,937,539	6.5%
<b>Average Revenue per Trip</b>			
Average Full Toll Lanes	\$4.16	\$4.16	0.0%
Average 3+ Lanes	\$0.16	\$0.17	(5.9%)
Average Gross Revenue	\$3.08	\$3.15	(2.2%)



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The 2024 fiscal year-to-date (YTD) traffic volume increased by 7.7 percent, and potential toll revenue increased by 7.6 percent when compared with the same period the prior year. YTD average revenue per trip is \$3.16.

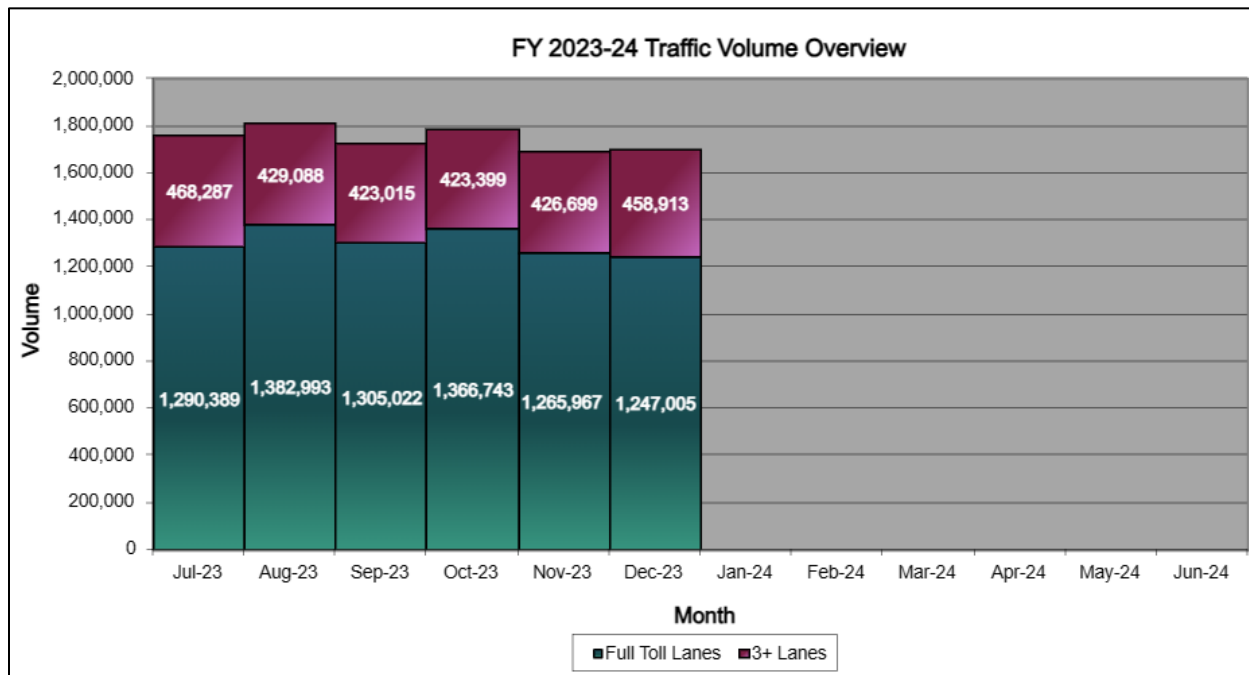
Fiscal YTD traffic and revenue data are summarized in the table below. The following trip and revenue statistics tables represent all trips taken on the OCTA 91 EL and associated potential revenue for the months of July 2023 through December 2023.

**Fiscal Year (FY) 2023-24 YTD as of December 31, 2023**

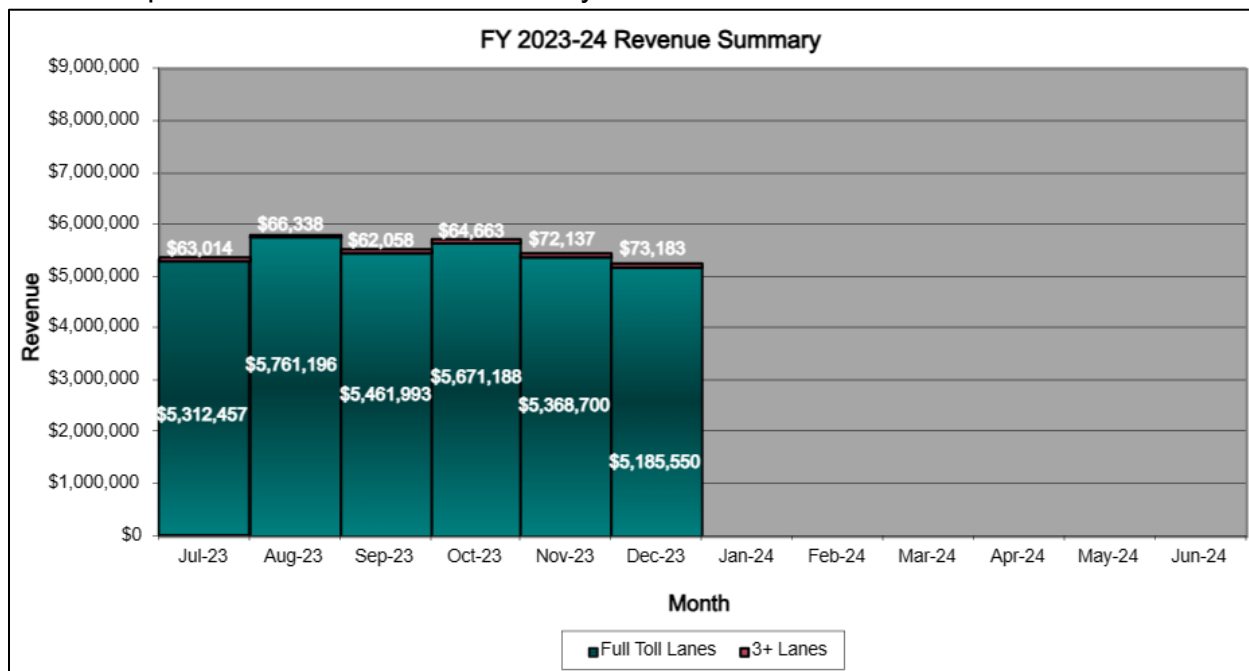
<b>Trips</b>	<b>FY 2023-24 YTD Actual (7/2023-12/2023)</b>	<b>FY 2022-23 YTD Actual (7/2022-12/2022)</b>	<b>Yr-to-Yr % Variance</b>
Full Toll Lanes	7,858,119	7,401,208	6.2%
3+ Lanes	2,629,401	2,332,699	12.7%
Total Gross Trips	10,487,520	9,733,907	7.7%
<b>Revenue</b>			
Full Toll Lanes	\$32,761,083	\$30,451,905	7.6%
3+ Lanes	\$401,392	\$368,647	8.9%
Total Gross Revenue	\$33,162,475	\$30,820,552	7.6%
<b>Average Revenue per Trip</b>			
Average Full Toll Lanes	\$4.17	\$4.11	1.5%
Average 3+ Lanes	\$0.15	\$0.16	(6.3%)
Average Gross Revenue	\$3.16	\$3.17	(0.3%)

## OCTA Traffic and Revenue Summary

The chart below reflects the total trips breakdown between full toll trips and high-occupancy vehicle (HOV3+) trips for FY 2023-24 on a monthly basis.



The chart below reflects the gross potential revenue breakdown between full toll trips and HOV3+ trips for FY 2023-24 on a monthly basis.



## OCTA PEAK-HOUR VOLUMES

Peak-hour traffic in the eastbound and westbound directions reached or exceeded 90 percent of defined capacity seven times during the month of December 2023. As demonstrated on the next chart, westbound peak-hour traffic volumes top out at 92 percent of defined capacity. This is closely monitored since toll adjustments are made based upon capacity percentages per the OCTA Toll Policy for the 91 EL. If capacity is at 92 percent on a consistent basis (over six times during the prior 12 weeks), then an adjustment may be made to toll rates for that particular hour and day.

## OCTA EASTBOUND PEAK-HOUR VOLUMES

EASTBOUND WEEKDAY PEAK VOLUME

PM Time	Monday 11/27/23				Tuesday 11/28/23				Wednesday 11/29/23				Thursday 11/30/23				Friday 12/01/23			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500																	\$8.65	473	2,838	83%
1500 - 1600																	\$8.40	531	2,795	82%
1600 - 1700																	\$6.45	507	2,783	82%
1700 - 1800																	\$7.15	627	2,947	87%
1800 - 1900																	\$7.15	705	2,704	80%
1900 - 2000																	\$6.65	689	2,355	69%

PM Time	Monday 12/04/23				Tuesday 12/05/23				Wednesday 12/06/23				Thursday 12/07/23				Friday 12/08/23			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$5.60	456	2,931	86%	\$5.60	452	2,849	84%	\$5.60	446	2,843	84%	\$8.20	523	3,085	91%	\$8.65	525	2,965	88%
1500 - 1600	\$5.95	503	2,916	86%	\$5.90	517	2,986	88%	\$7.90	513	2,952	87%	\$7.90	557	3,195	94%	\$8.40	545	2,972	87%
1600 - 1700	\$5.25	462	2,876	85%	\$4.75	480	3,005	88%	\$6.90	478	2,935	86%	\$7.40	489	3,042	89%	\$6.45	515	2,785	82%
1700 - 1800	\$5.10	544	2,899	85%	\$5.05	556	3,062	90%	\$5.70	574	2,953	87%	\$7.10	583	3,007	88%	\$7.15	565	2,870	84%
1800 - 1900	\$5.95	687	2,971	87%	\$4.25	628	2,774	82%	\$4.25	669	2,934	86%	\$4.15	660	3,023	89%	\$7.15	726	2,806	83%
1900 - 2000	\$4.15	588	2,113	62%	\$4.15	709	2,772	82%	\$4.15	764	2,841	84%	\$6.10	672	2,565	75%	\$6.65	639	2,357	69%

PM Time	Monday 12/11/23				Tuesday 12/12/23				Wednesday 12/13/23				Thursday 12/14/23				Friday 12/15/23			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$5.60	472	2,962	87%	\$5.60	444	2,922	86%	\$5.60	476	2,942	87%	\$8.20	489	2,891	85%	\$8.65	483	2,830	83%
1500 - 1600	\$5.95	518	2,884	85%	\$5.90	445	2,924	86%	\$7.90	509	2,832	83%	\$7.90	547	3,075	90%	\$8.40	594	2,882	85%
1600 - 1700	\$5.25	524	2,951	87%	\$4.75	427	2,986	88%	\$6.90	466	2,845	84%	\$7.40	502	2,931	86%	\$6.45	559	2,787	82%
1700 - 1800	\$5.10	598	3,039	89%	\$5.05	567	3,038	89%	\$5.70	561	2,692	79%	\$7.10	542	2,872	84%	\$7.15	633	2,806	83%
1800 - 1900	\$5.95	721	2,930	86%	\$4.25	703	3,028	89%	\$4.25	618	2,782	82%	\$4.15	639	2,683	79%	\$7.15	728	2,759	81%
1900 - 2000	\$4.15	547	1,878	55%	\$4.15	696	2,673	79%	\$4.15	768	2,841	84%	\$6.10	773	2,848	84%	\$6.65	730	2,422	71%

PM Time	Monday 12/18/23				Tuesday 12/19/23				Wednesday 12/20/23				Thursday 12/21/23				Friday 12/22/23			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$5.60	554	2,803	82%	\$5.60	457	2,603	77%	\$5.60	513	2,906	85%	\$8.20	591	2,997	88%	\$8.65	634	2,879	85%
1500 - 1600	\$5.95	504	2,574	76%	\$5.90	568	2,936	86%	\$7.90	532	2,927	86%	\$7.90	578	3,034	89%	\$8.40	672	2,792	82%
1600 - 1700	\$5.25	536	2,789	82%	\$4.75	518	2,953	87%	\$6.90	483	2,703	80%	\$7.40	523	2,933	86%	\$6.45	568	2,366	70%
1700 - 1800	\$5.10	621	2,873	85%	\$5.05	606	2,998	88%	\$5.70	644	2,980	88%	\$7.10	622	2,851	84%	\$7.15	572	2,121	62%
1800 - 1900	\$5.95	670	2,752	81%	\$4.25	680	2,904	85%	\$4.25	691	2,638	78%	\$4.15	555	2,076	61%	\$7.15	595	1,847	54%
1900 - 2000	\$4.15	717	2,428	71%	\$4.15	637	2,281	67%	\$4.15	506	1,546	45%	\$6.10	544	1,726	51%	\$6.65	542	1,542	45%

PM Time	Monday 12/25/23				Tuesday 12/26/23				Wednesday 12/27/23				Thursday 12/28/23				Friday 12/29/23			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$6.60	900	2,064	61%	\$5.60	674	2,641	78%	\$5.60	619	2,863	84%	\$8.20	653	2,978	88%	\$8.65	682	2,816	83%
1500 - 1600	\$6.60	818	1,773	52%	\$5.90	625	2,656	78%	\$7.90	580	2,748	81%	\$7.90	524	2,757	81%	\$8.40	632	2,755	81%
1600 - 1700	\$6.60	677	1,496	44%	\$4.75	577	2,397	71%	\$6.90	553	2,683	79%	\$7.40	629	2,818	83%	\$6.45	605	2,511	74%
1700 - 1800	\$6.60	718	1,494	44%	\$5.05	611	2,250	66%	\$5.70	585	2,451	72%	\$7.10	625	2,733	80%	\$7.15	589	2,205	65%
1800 - 1900	\$6.60	765	1,524	45%	\$4.25	581	1,775	52%	\$4.25	628	2,272	67%	\$4.15	750	2,537	75%	\$7.15	677	2,043	60%
1900 - 2000	\$6.60	799	1,534	45%	\$4.15	496	1,273	37%	\$4.15	706	2,043	60%	\$6.10	598	1,737	51%	\$6.65	632	1,611	47%

## OCTA WESTBOUND PEAK-HOUR VOLUMES

### WESTBOUND WEEKDAY PEAK VOLUME:

AM Time	Monday 11/27/23				Tuesday 11/28/23				Wednesday 11/29/23				Thursday 11/30/23				Friday 12/01/23			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500																	\$3.35	435	1,242	37%
0500 - 0600																	\$5.15	776	2,679	79%
0600 - 0700																	\$5.40	696	2,759	81%
0700 - 0800																	\$5.95	561	2,309	68%
0800 - 0900																	\$5.40	281	1,945	57%
0900 - 1000																	\$4.50	285	1,939	57%

AM Time	Monday 12/04/23				Tuesday 12/05/23				Wednesday 12/06/23				Thursday 12/07/23				Friday 12/08/23			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$3.35	495	1,468	43%	\$3.35	549	1,532	45%	\$3.35	534	1,545	45%	\$3.35	525	1,500	44%	\$3.35	416	1,252	37%
0500 - 0600	\$5.40	850	2,891	85%	\$5.40	919	3,067	90%	\$5.40	942	3,019	89%	\$5.40	918	3,115	92%	\$5.15	791	2,609	77%
0600 - 0700	\$5.60	661	2,908	86%	\$5.60	682	2,952	87%	\$5.60	657	2,979	88%	\$5.60	719	2,921	86%	\$5.40	676	2,818	83%
0700 - 0800	\$6.15	669	3,005	88%	\$6.15	641	2,904	85%	\$6.15	634	2,812	83%	\$6.15	632	2,789	82%	\$5.95	550	2,414	71%
0800 - 0900	\$5.60	360	2,642	78%	\$5.60	369	2,827	83%	\$5.60	325	2,332	69%	\$5.60	407	2,901	85%	\$5.40	331	2,245	66%
0900 - 1000	\$4.50	376	2,626	77%	\$4.50	391	2,678	79%	\$4.50	396	2,866	84%	\$4.50	350	2,514	74%	\$4.50	379	2,267	67%

AM Time	Monday 12/11/23				Tuesday 12/12/23				Wednesday 12/13/23				Thursday 12/14/23				Friday 12/15/23			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$3.35	487	1,423	42%	\$3.35	509	1,478	43%	\$3.35	507	1,406	41%	\$3.35	511	1,455	43%	\$3.35	449	1,238	36%
0500 - 0600	\$5.40	859	2,971	87%	\$5.40	777	2,457	72%	\$5.40	918	2,925	86%	\$5.40	959	3,113	92%	\$5.15	788	2,445	72%
0600 - 0700	\$5.60	677	2,919	86%	\$5.60	708	2,908	86%	\$5.60	624	2,668	78%	\$5.60	666	2,790	82%	\$5.40	700	2,537	75%
0700 - 0800	\$6.15	585	2,712	80%	\$6.15	664	2,995	88%	\$6.15	659	2,847	84%	\$6.15	652	2,928	86%	\$5.95	549	2,261	67%
0800 - 0900	\$5.60	389	2,587	76%	\$5.60	384	2,736	80%	\$5.60	384	2,781	82%	\$5.60	366	2,625	77%	\$5.40	353	1,966	58%
0900 - 1000	\$4.50	284	2,093	62%	\$4.50	402	2,829	83%	\$4.50	413	2,664	78%	\$4.50	329	2,279	67%	\$4.50	388	2,267	67%

AM Time	Monday 12/18/23				Tuesday 12/19/23				Wednesday 12/20/23				Thursday 12/21/23				Friday 12/22/23			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$3.35	469	1,392	41%	\$3.35	531	1,444	42%	\$3.35	449	1,201	35%	\$3.35	387	1,095	32%	\$3.35	295	834	25%
0500 - 0600	\$5.40	828	2,841	84%	\$5.40	828	2,818	83%	\$5.40	785	2,572	76%	\$5.40	737	2,332	69%	\$5.15	520	1,617	48%
0600 - 0700	\$5.60	702	2,836	83%	\$5.60	711	2,886	85%	\$5.60	635	2,574	76%	\$5.60	556	2,265	67%	\$5.40	422	1,635	48%
0700 - 0800	\$6.15	627	2,708	80%	\$6.15	615	2,745	81%	\$6.15	537	2,231	66%	\$6.15	455	1,913	56%	\$5.95	377	1,617	48%
0800 - 0900	\$5.60	397	2,442	72%	\$5.60	411	2,542	75%	\$5.60	345	2,206	65%	\$5.60	330	1,948	57%	\$5.40	290	1,539	45%
0900 - 1000	\$4.50	433	2,083	61%	\$4.50	399	2,187	64%	\$4.50	371	2,249	66%	\$4.50	313	1,925	57%	\$4.50	385	1,735	51%

AM Time	Monday 12/25/23				Tuesday 12/26/23				Wednesday 12/27/23				Thursday 12/28/23				Friday 12/29/23			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$1.85	31	54	2%	\$3.35	261	744	22%	\$3.35	349	963	28%	\$3.35	362	972	29%	\$3.35	305	805	24%
0500 - 0600	\$1.85	26	77	2%	\$5.40	530	1,571	46%	\$5.40	689	2,206	65%	\$5.40	672	2,058	61%	\$5.15	533	1,615	48%
0600 - 0700	\$1.85	29	99	3%	\$5.60	328	1,356	40%	\$5.60	517	2,365	70%	\$5.60	456	1,870	55%	\$5.40	380	1,417	42%
0700 - 0800	\$1.85	51	149	4%	\$6.15	271	1,144	34%	\$6.15	374	1,962	58%	\$6.15	320	1,444	42%	\$5.95	277	1,256	37%
0800 - 0900	\$3.35	93	311	9%	\$5.60	258	1,198	35%	\$5.60	347	1,672	49%	\$5.60	380	1,685	50%	\$5.40	317	1,455	43%
0900 - 1000	\$3.50	261	670	20%	\$4.50	381	1,427	42%	\$4.50	342	1,765	52%	\$4.50	478	2,151	63%	\$4.50	372	1,579	46%

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## OCTA OPERATIONAL HIGHLIGHTS

### **On-Road Operations**

OCTA Freeway Service Patrol responded to 24 calls during the month of December. Of those calls, 11 were to assist disabled vehicles, 8 were to tow vehicles, and 5 were to aid motorists in the 91 EL.

# FINANCIAL HIGHLIGHTS OCTA

## 91 Express Lanes Operating Statement

Description	YTD as of : <b>12/31/2023</b>		YTD Variance	
	Actual <sup>(1)</sup>	Budget <sup>(1)</sup>	Dollar \$	Percent (%)
<b>Operating revenues:</b>				
Toll Revenue	\$ 29,765,380	\$ 24,589,974	\$ 5,175,406	21.0
Fee Revenue	\$ 4,445,167	\$ 2,251,734	\$ 2,193,433	97.4
<b>Total operating revenues</b>	<b>\$ 34,210,546</b>	<b>\$ 26,841,708</b>	<b>\$ 7,368,838</b>	<b>27.5</b>
<b>Operating expenses:</b>				
Contracted Services	\$ 2,771,280	\$ 3,584,160	\$ 812,880	22.7
Administrative Fee	\$ 1,892,172	\$ 2,302,056	\$ 409,884	17.8
Other Professional Services	\$ 469,542	\$ 464,728	\$ (4,814)	(1.0)
Credit Card Processing Fees	\$ 604,358	\$ 647,678	\$ 43,320	6.7
Toll Road Account Servicing	\$ 52,372	\$ 499,998	\$ 447,626	89.5
Other Insurance Expense	\$ 298,910	\$ 150,000	\$ (148,910)	(99.3)
Toll Road Maintenance Supply Repairs	\$ 269,308	\$ 308,478	\$ 39,170	12.7
Patrol Services	\$ 475,417	\$ 374,272	\$ (101,145)	(27.0)
Building Equipment Repairs and Maint	\$ 313,343	\$ 313,514	\$ 171	0.1
6C Transponders	\$ -	\$ -	\$ -	N/A
Other Services	\$ 20,500	\$ 49,998	\$ 29,498	59.0
Utilities	\$ 43,834	\$ 62,496	\$ 18,662	29.9
Office Expense	\$ 9,462	\$ 7,752	\$ (1,710)	(22.1)
Bad Debt Expense	\$ 76,784	\$ -	\$ (76,784)	N/A
Miscellaneous <sup>(2)</sup>	\$ 39,363	\$ 62,316	\$ 22,953	36.8
Leases	\$ 261,277	\$ 267,498	\$ 6,221	2.3
<b>Total operating expenses</b>	<b>\$ 7,597,922</b>	<b>\$ 9,094,944</b>	<b>\$ 1,497,022</b>	<b>16.5</b>
Depreciation and Amortization <sup>(3)</sup>	\$ 2,337,960	\$ -	\$ (2,337,960)	N/A
<b>Operating income (loss)</b>	<b>\$ 24,274,664</b>	<b>\$ 17,746,764</b>	<b>\$ 6,527,900</b>	<b>36.8</b>
<b>Nonoperating revenues (expenses):</b>				
Reimbursement from Other Agencies	\$ 107,064	\$ 180,000	\$ (72,936)	(40.5)
Interest Income	\$ 2,857,417	\$ 3,426,084	\$ (568,667)	(16.6)
Interest Expense	\$ (917,290)	\$ (1,511,776)	\$ 594,486	39.3
Other	\$ 541	\$ -	\$ 541	N/A
<b>Total nonoperating revenues (expenses)</b>	<b>\$ 2,047,731</b>	<b>\$ 2,094,308</b>	<b>\$ (46,577)</b>	<b>2.2</b>
Transfers In	\$ -	\$ -	\$ -	N/A
Transfers Out <sup>(4)</sup>	\$ (1,508,881)	\$ (519,077)	\$ (989,804)	(190.7)
<b>Net income (loss)</b>	<b>\$ 24,813,514</b>	<b>\$ 19,321,995</b>	<b>\$ 5,491,519</b>	<b>28.4</b>

<sup>1</sup>Actual amounts are accounted for on the accrual basis of accounting in an enterprise fund. Budget amounts are accounted for on a modified accrual basis of accounting.

<sup>2</sup>Miscellaneous expenses include: Bond Insurance Costs, Bank Service Charge, Transponder Materials, Subscriptions.

<sup>3</sup>Depreciation and amortization are not budgeted items.

<sup>4</sup>Transfers Out: For M2 Project I and Project J expense reimbursements.

## Capital Asset Activity

During the six months ending December 31, 2023, capital asset activities included payments of \$475,742 attributed to the back-office system implementation project.

# OPERATIONS OVERVIEW RCTC

## TRAFFIC AND REVENUE STATISTICS FOR RCTC

Total traffic volume on the 91 EL for December 2023 was 1,563,488. This represents a daily average of 50,435 vehicles. This is an 18 percent increase in gross trips from the same period last year, which totaled 1,325,035. Potential toll revenue for December was \$7,605,682, which represents an increase of 48.4 percent from the prior year's total of \$5,125,487. Carpool percentage for December was 25.4 percent as compared to the previous year's rate of 24.3 percent.

MTD traffic and revenue data is summarized in the table below. The following trip and revenue statistics tables represent all trips taken on the Riverside County Transportation Commission (RCTC) 91 EL and associated potential revenue for the month of December 2023.

### Current MTD as of December 31, 2023

Trips	DEC-23 MTD Actual	Stantec MTD Projected	# Variance	% Variance	DEC-22 MTD Actual	Yr-to-Yr % Variance
Full Toll Lanes	1,165,656	888,857	276,799	31.1%	1,002,439	16.3%
3+ Lanes	397,832	334,428	63,404	19.0%	322,596	23.3%
Total Gross Trips	1,563,488	1,223,285	340,203	27.8%	1,325,035	18.0%
<b>Revenue</b>						
Full Toll Lanes	\$7,533,884	\$4,203,857	\$3,330,027	79.2%	\$5,072,859	48.5%
3+ Lanes	\$71,798	\$0	\$71,798		\$52,628	36.4%
Total Gross Revenue	\$7,605,682	\$4,203,857	\$3,401,825	80.9%	\$5,125,487	48.4%
<b>Average Revenue per Trip</b>						
Average Full Toll Lanes	\$6.46	\$4.73	\$1.73	36.6%	\$5.06	27.7%
Average 3+ Lanes	\$0.18	\$0.00	\$0.18		\$0.16	12.5%
Average Gross Revenue	\$4.86	\$3.44	\$1.42	41.3%	\$3.87	25.6%

The 2024 fiscal YTD traffic volume increased by 9.7 percent, and potential toll revenue increased by 28.3 percent when compared with the same period the prior year. YTD average revenue per trip is \$4.65.

Fiscal YTD traffic and revenue data are summarized in the table below. The following trip and revenue statistics tables represent all trips taken on the RCTC 91 EL and associated potential revenue for the months of July 2023 through December 2023.

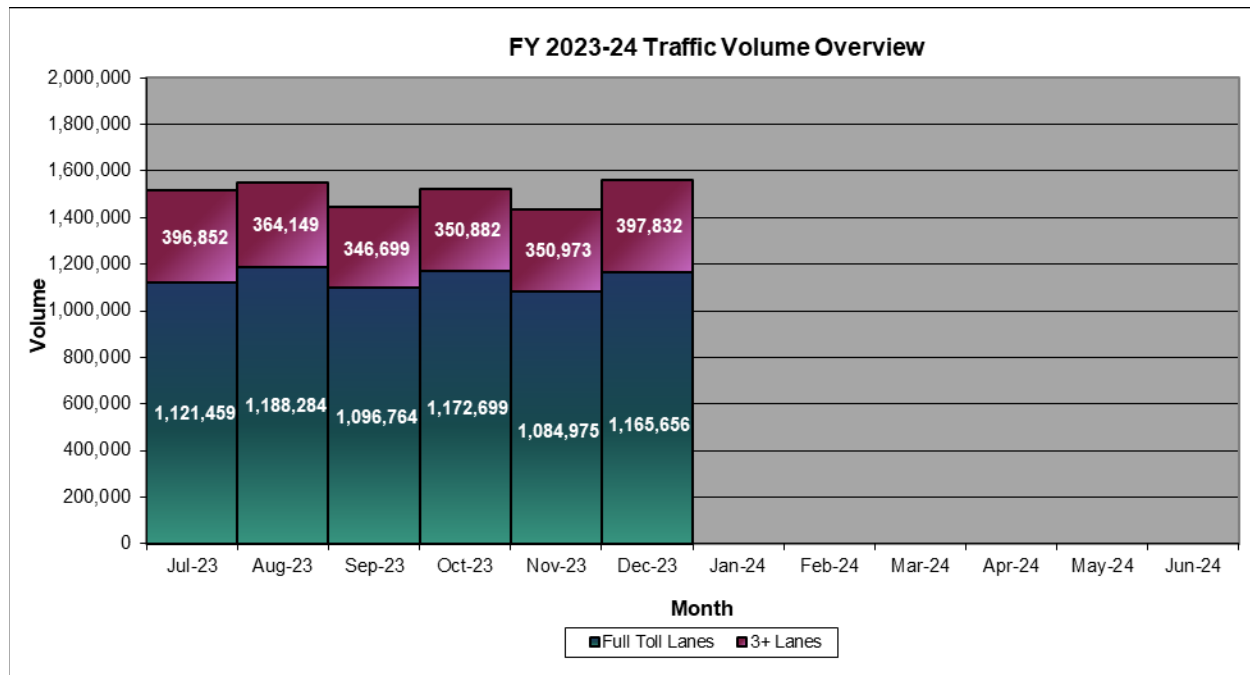
**FY 2023-24 YTD as of December 31, 2023**

<b>Trips</b>	<b>FY 2023-24 YTD Actual (7/2023-12/2023)</b>	<b>Stantec YTD Projected</b>	<b># Variance</b>	<b>% Variance</b>	<b>FY 2022-23 YTD Actual (7/2022-12/2022)</b>	<b>Yr-to-Yr % Variance</b>
Full Toll Lanes	6,829,837	5,607,571	1,222,266	21.8%	6,343,256	7.7%
3+ Lanes	2,207,387	2,092,285	115,102	5.5%	1,893,487	16.6%
Total Gross Trips	9,037,224	7,699,856	1,337,368	17.4%	8,236,743	9.7%
<b>Revenue</b>						
Full Toll Lanes	\$41,608,074	\$27,242,714	\$14,365,360	52.7%	\$32,434,097	28.3%
3+ Lanes	\$379,315	\$0	\$379,315		\$283,820	33.6%
Total Gross Revenue	\$41,987,389	\$27,242,714	\$14,744,675	54.1%	\$32,717,917	28.3%
<b>Average Revenue per Trip</b>						
Average Full Toll Lanes	\$6.09	\$4.86	\$1.23	25.3%	\$5.11	19.2%
Average 3+ Lanes	\$0.17	\$0.00	\$0.17		\$0.15	13.3%
Average Gross Revenue	\$4.65	\$3.54	\$1.11	31.4%	\$3.97	17.1%

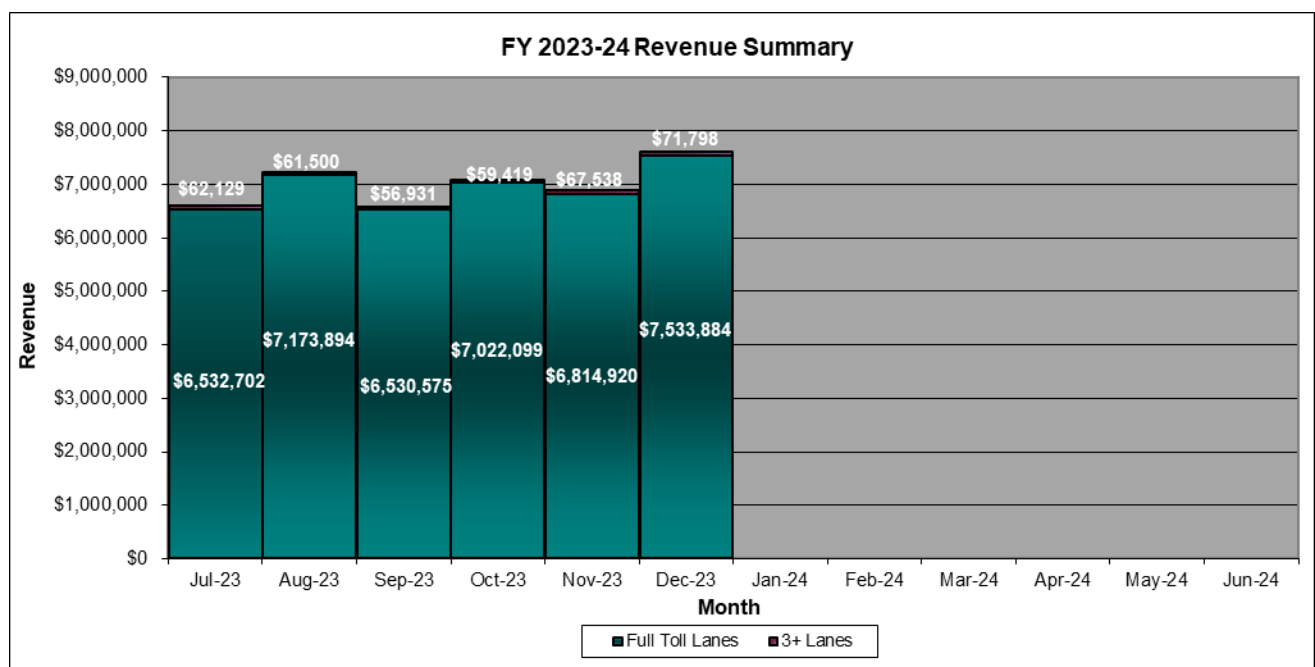


## RCTC Traffic and Revenue Summary

The chart below reflects the total trips broken down between full toll lanes and HOV3+ lanes for FY 2023-24 on a monthly basis.



The chart below reflects the gross potential revenue breakdown between full toll lanes and HOV3+ lanes for FY 2023-24 on a monthly basis.



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## **RCTC PEAK-HOUR VOLUMES**

On November 20, 2023, the RCTC 91 EL transitioned to dynamic pricing, which adjusts toll rates based on traffic volumes to maintain free-flowing trips in accordance with RCTC's 91 Express Lanes Toll Policy and Toll Schedule. The dynamic pricing is being closely monitored.

## **RCTC OPERATIONAL HIGHLIGHTS**

### **On-Road Operations**

RCTC Freeway Service Patrol responded to 166 calls during the month of December. Of those calls, 125 were to assist disabled vehicles, 24 calls to remove debris, and 17 were in response to accidents that affected the 91 EL.

# FINANCIAL HIGHLIGHTS RCTC

## RCTC 91 Express Lanes Operating Statement

Description	YTD as of : <b>12/31/2023</b>		YTD Variance	
	Actual <sup>1</sup>	Budget	Dollar \$	Percent (%)
<b>Operating revenues:</b>				
Toll Revenue	\$ 38,957,455.43	\$ 29,603,750.00	\$ 9,353,705.43	31.6
Fee Revenue	3,572,443.12	2,936,500.00	635,943.12	21.7
<b>Total operating revenues</b>	<b>42,529,898.55</b>	<b>32,540,250.00</b>	<b>9,989,648.55</b>	<b>30.7</b>
<b>Operating expenses:</b>				
Salaries and Benefits	493,692.38	450,500.00	(43,192.38)	(9.6)
Legal Services	6,946.59	102,500.00	95,553.41	93.2
Advisory Services	19,212.13	37,000.00	17,787.87	48.1
Audit and Accounting Fees	34,454.00	19,000.00	(15,454.00)	(81.3)
Service Fees	9,217.33	6,500.00	(2,717.33)	(41.8)
Other Professional Services	273,274.00	626,250.00	352,976.00	56.4
Lease Expense	133,570.49	175,800.00	42,229.51	24.0
Operations	1,893,491.43	2,631,950.00	738,458.57	28.1
Utilities	27,790.44	84,300.00	56,509.56	67.0
Supplies and Materials	2,214.53	2,000.00	(214.53)	(10.7)
Membership and Subscription Fees	28,286.67	13,000.00	(15,286.67)	(117.6)
Office Equipment & Furniture (Non-Capital)	-	20,000.00	20,000.00	100.0
Maintenance/Repairs	153,263.56	251,000.00	97,736.44	38.9
Training Seminars and Conferences	725.00	4,000.00	3,275.00	81.9
Transportation Expenses	741.65	1,450.00	708.35	48.9
Lodging	999.10	1,500.00	500.90	33.4
Meals	337.99	1,500.00	1,162.01	77.5
Other Staff Expenses	208.46	250.00	41.54	16.6
Advertising	134,008.45	100,000.00	(34,008.45)	(34.0)
Program Management	36,418.56	43,550.00	7,131.44	16.4
Program Operations	552,383.77	5,220,900.00	4,668,516.23	89.4
Litigation Settlement	1,017.97	2,500.00	1,482.03	59.3
Furniture & Equipment	-	12,500.00	12,500.00	100.0
Improvements	-	15,000.00	15,000.00	100.0
Bad Debt Expense	76,754.70	35,000.00	(41,754.70)	(119.3)
<b>Total operating expenses</b>	<b>3,879,009.20</b>	<b>9,857,950.00</b>	<b>5,978,940.80</b>	<b>60.7</b>
<b>Operating income (loss)</b>	<b>38,650,889.35</b>	<b>22,682,300.00</b>	<b>15,968,589.35</b>	<b>70.4</b>
<b>Nonoperating revenues (expenses):</b>				
Interest Revenue	2,187,624.70	640,250.00	1,547,374.70	(241.7)
Other Miscellaneous Revenue	(28.10)	-	(28.10)	N/A
Loss on Refunding	-	-	-	N/A
Principal Expense	-	-	-	N/A
Interest Expense	(12,477,117.64)	(11,100,500.00)	(1,376,617.64)	12.4
<b>Total nonoperating revenues (expenses)</b>	<b>(10,289,521.04)</b>	<b>(10,460,250.00)</b>	<b>170,728.96</b>	<b>1.6</b>
Transfers In	-	-	-	N/A
Transfers Out	(204,300.00)	(511,800.00)	307,500.00	(60.1)
<b>Net income (loss)</b>	<b>\$ 28,157,068.31</b>	<b>\$ 11,710,250.00</b>	<b>\$ 16,446,818.31</b>	<b>140.4</b>

<sup>1</sup> Unaudited

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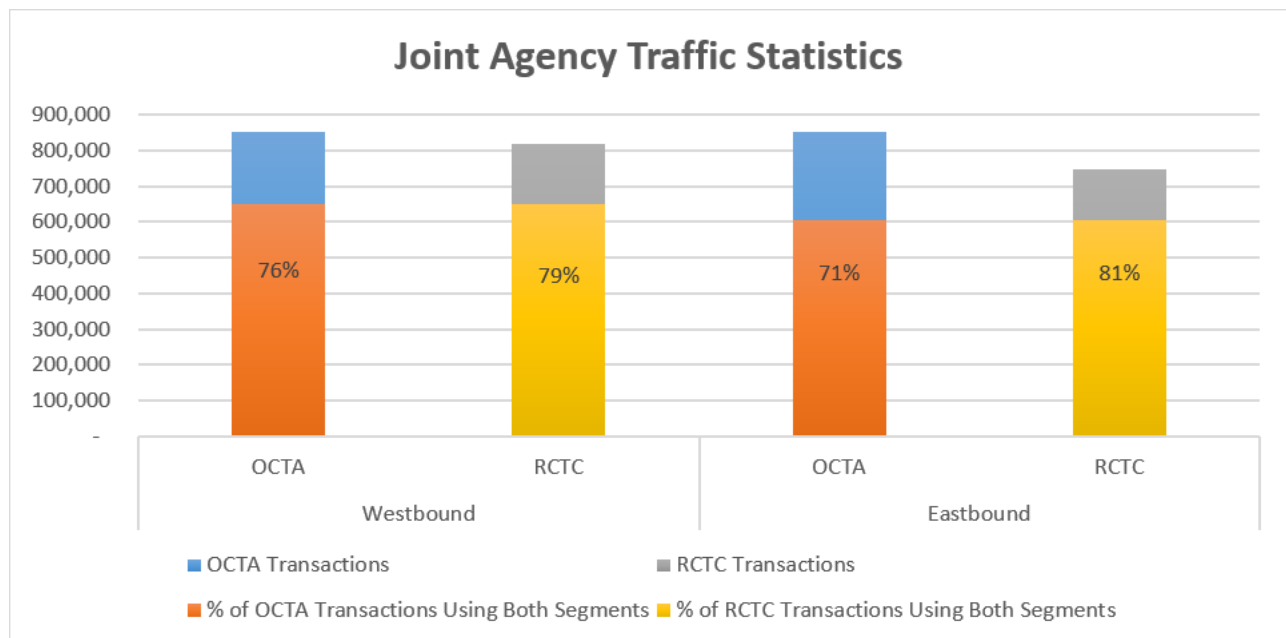
## JOINT AGENCY TRIP AND REVENUE STATISTICS

### MULTI AGENCY TRIP AND REVENUE STATISTICS

MONTH ENDING     December 31, 2023

MTD	Transactions by Agency	Transactions Using Both Segments	% Using Both Segments	Revenue
<b>Westbound</b>				
OCTA	852,697	649,311	76%	\$2,360,091.15
RCTC	817,649	649,311	79%	\$4,209,985.20
<b>Eastbound</b>				
OCTA	853,221	603,910	71%	\$2,898,642.48
RCTC	745,839	603,910	81%	\$3,395,697.12

## JOINT AGENCY TRAFFIC STATISTICS



## JOINT AGENCY PERFORMANCE MEASURES

REPORTING REQUIREMENT	REPORTING PERIOD	PERFORMANCE STANDARD	DECEMBER 2023 PERFORMANCE
<b>Customer Service</b>			
Service Level /Speed of Answer	Monthly	80% answered within 60 seconds	84% answered within 60 seconds
Abandon Percentage	Monthly	4% <	1.17%
Customer Satisfaction Score	Monthly	4.5 =>	4.89
First Contact Resolution	Monthly	85% of calls resolved on the first contact	93%
<b>Timeliness of Case Resolution</b>	Monthly	90% of cases resolved in one (1) business day	98%
	Monthly	98% of cases resolved within five (5) business days	99.5%
<b>Mail Performance</b>			
Processing Returned Mail	Monthly	Per business day in which 90% of returned mail is processed within three (3) business days	100%
	Monthly	Per business day in which 100% of returned mail is processed within five (5) business days	100%
Research and resolve unidentified Payments	Monthly	100% of all unidentified payments are completely and accurately resolved within five (5) business days	100%
Payment Processing	Monthly	Per business day in which 100% of payments are processed within two (2) business days	100%
<b>Accounting</b>			
Customer Refunds Processed	Monthly	Per business day in which 100% of all refunds are completely and accurately issued within five (5) business days	100%

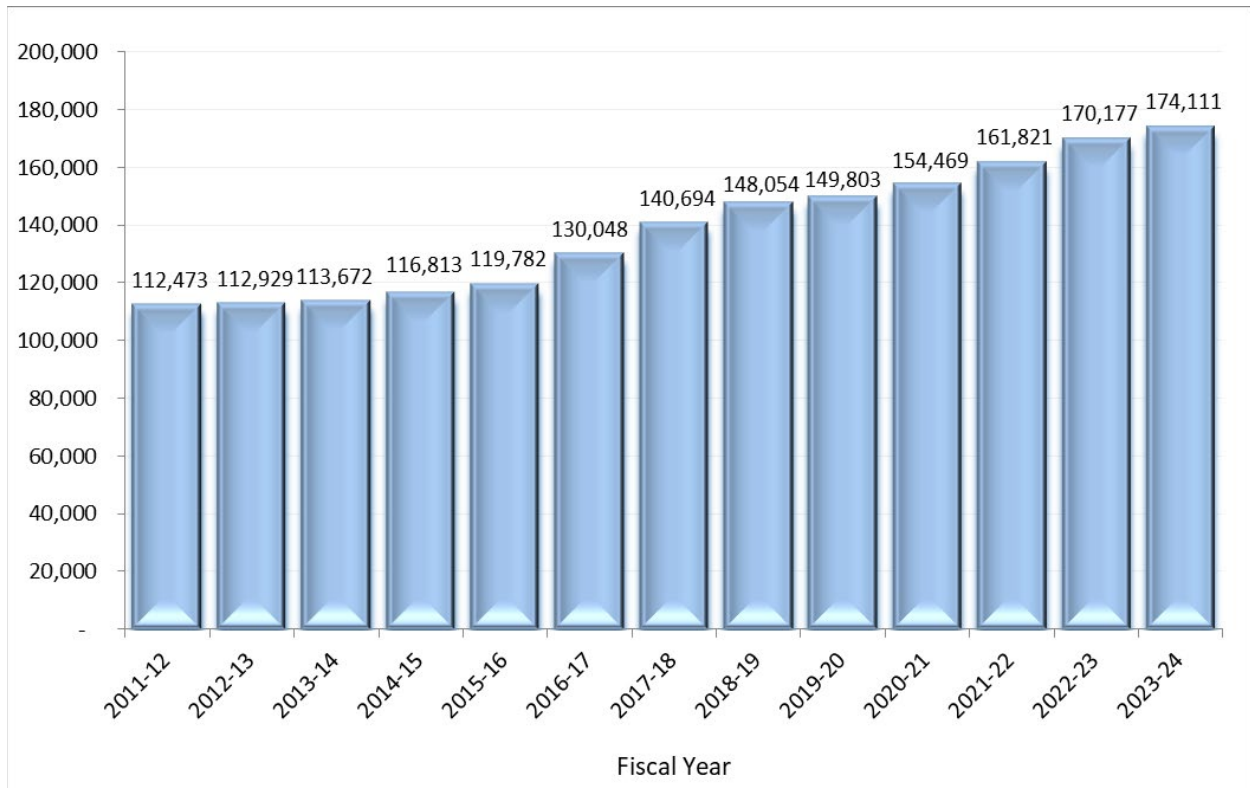
## JOINT AGENCY TRANSPONDER DISTRIBUTION

6C TRANSPONDER DISTRIBUTION	December 23		November 23		FY 2023-24	
	Tags	% of Total	Tags	% of Total	Average To-Date	
<b>Issued</b>						
To New Accounts	1,689	23.7%	2,079	22.2%	1,944	26.2%
Additional Tags to Existing Accounts	5,301	74.3%	6,410	76.0%	6,304	71.3%
Replacement Transponders	136	2%	199	1.8%	212	2.6%
<b>Total Issued</b>	<b>7,126</b>		<b>8,688</b>		<b>8,460</b>	

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At the end of December 2023, the 91 EL had 174,111 active customer accounts and 684,487 transponders classified as assigned.

**Number of Accounts by FY**  
**As of December 31, 2023**





## COMMITTEE TRANSMITTAL

***March 25, 2024***

**To:** Members of the Board of Directors

**From:** Andrea West, Clerk of the Board *Andrea West*

**Subject:** Agreement for Oversight of Orange County Transportation Authority Express Lanes Roadside Services

### Finance and Administration Committee Meeting of March 13, 2024

**Present:** Directors Do, Federico, Harper, Hennessey, Klopfenstein, Nguyen, and Sarmiento

**Absent:** None

### **Committee Vote**

This item was passed by the Members present.

### **Committee Recommendations**

- A. Approve the selection of California Highway Products as the firm to provide oversight of Orange County Transportation Authority Express Lanes roadside services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-3-3010 between the Orange County Transportation Authority and California Highway Products to provide oversight of Orange County Transportation Authority roadside services, in the amount of \$3,381,978, for a five-year term, effective April 1, 2024, through March 31, 2029.



**March 13, 2024**

**To:** Finance and Administration Committee 

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

**Subject:** Agreement for Oversight of Orange County Transportation Authority Express Lanes Roadside Services

### **Overview**

On December 11, 2023, The Orange County Transportation Authority released a request for proposals for a firm to provide oversight of the Orange County Transportation Authority's 91 Express Lanes and 405 Express Lanes in Orange County. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for these services.

### **Recommendations**

- A. Approve the selection of California Highway Products as the firm to provide oversight of Orange County Transportation Authority Express Lanes roadside services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-3-3010 between the Orange County Transportation Authority and California Highway Products to provide oversight of Orange County Transportation Authority roadside services, in the amount of \$3,381,978, for a five-year term effective April 1, 2024, through March 31, 2029.

### **Discussion**

On September 26, 2016, staff presented to the Orange County Transportation Authority's (OCTA) Board of Directors (Board), the toll systems and operations services procurement approach, which described a multiple procurement approach that provides the most favorable options for encouraging state of the art technology and competition, high levels of customer service, and potential to achieve the best value for OCTA. The approach consists of the procurement of three categories of systems/services: toll lane system integration, back-office



system and customer service center operations services, and roadway operations and maintenance support services. The toll lane system integration, and back-office system and customer service center operations services have been procured on contracts executed in June 2018 and January 2020, respectively.

In November 2022, a procurement was released for the 91 Express Lanes roadside operations and maintenance support services and an agreement was subsequently executed in February 2023. This agreement will expire in April 2024. The 405 Express Lanes opened in December 2023; however, final acceptance is not expected to be achieved until June 2024. The design-builder will be responsible for roadway maintenance services until final acceptance has been reached. A new contractor is needed once final acceptance occurs.

As part of this roadway operations and maintenance support services procurement, the contractor will support both toll facilities and will coordinate, oversee, and provide routine maintenance and emergency repair activities that are to be performed on the facilities, such as drainage, landscaping, road lighting inspection and repairs, and the replacement of the channelizers. The selected contractor will also be required to closely coordinate with the toll lane system integration and back-office system and customer service center operations contractors when an issue is identified on the roadside.

Every three weeks, the California Department of Transportation (Caltrans) will be performing routine maintenance on the toll facilities. The contractor will be present during the Caltrans maintenance closures and will verify and inspect that pre-specified work is performed completely and correctly. The contractor will also coordinate with Caltrans and its contractors for any construction activities on the general purpose lanes that impact the toll lanes.

### ***Procurement Approach***

The procurement was handled in accordance with OCTA's Board-approved procedures for professional and technical services. Various factors are considered in the award for professional and technical services. Award is recommended to the firm offering the most comprehensive overall proposal considering such factors as prior experience with similar projects, staffing and project organization, work plan, as well as cost and price.

On December 11, 2023, the Board authorized the release of Request for Proposals (RFP) 3-3010, which was issued electronically on CAMM NET. The RFP was advertised in a newspaper of general circulation on December 13 and December 18, 2023. A pre-proposal conference was held on December 19, 2023,

with one attendee representing one firm. One addendum was issued to make available the pre-proposal conference registration sheets and presentation, as well as respond to written questions.

On January 16, 2024, two proposals were received. A responsiveness evaluation was conducted on both proposals. One of the proposals was deemed non-responsive for failure to include the technical information required as clearly specified in the RFP. The other proposal was determined to be responsive and eligible to continue in the evaluation process.

An evaluation committee consisting of OCTA staff from Contracts Administration and Materials Management, Express Lanes Programs, and Planning departments met to review the proposal. The proposal was evaluated based on the following Board-approved evaluation criteria and weightings:

- |                                     |            |
|-------------------------------------|------------|
| • Qualifications of the Firm        | 20 percent |
| • Staffing and Project Organization | 30 percent |
| • Work Plan                         | 20 percent |
| • Cost and Price                    | 30 percent |

Several factors were considered in developing the criteria weightings. Qualifications of the firm was weighted at 20 percent to emphasize the importance of the proposing firms having relevant experience in roadway oversight and maintenance services. Staffing and project organization was weighted at 30 percent to ensure the firms proposed a knowledgeable management team and staff that are experienced in providing all aspects of the requested services, as well as adequate resources to comply with the project requirements as specified in the scope of work. Work plan was weighted at 20 percent for firms to demonstrate their understanding and approach in coordinating with the existing OCTA Express Lanes contractors in overseeing and performing routine maintenance services. Cost and price was weighted at 30 percent for the proposing firms to show their competitiveness in pricing to accomplish the services while successfully fulfilling the requirements set forth in the scope of work.

On January 24, 2024, the evaluation committee reviewed the proposal from the responsive firm listed below based on the evaluation criteria, and the firm was subsequently invited to the interview.

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Firm and Location

California Highway Products (CaHP)  
Headquarters: Redlands, California  
Project Office: Redlands, California

On January 31, 2024, the evaluation committee conducted interviews with CaHP. During the interview, the firm had the opportunity to present its approach for accomplishing the requested services, project team qualifications, and respond to evaluation committee's questions. The firm was also requested to elaborate on its experience in overseeing third-party contractors, detailing the methods it plans to employ for performing roadside maintenance and repairs on the Express Lanes facilities, and addressing potential challenges related to wildfires, mudslides, and other emergencies.

Based on the evaluation of the written proposal and information obtained during the interview, the evaluation committee is recommending CaHP for consideration of the award. The following is a brief summary of the proposal evaluation results.

**Qualifications of the Firm**

CaHP is headquartered in the City of Redlands and has been providing roadway maintenance, construction, and safety management, as well as oversight of regular and ad hoc inspections of the roadways in Southern California and equipment services since 2010. The firm's prior relevant work includes high-production paving in the City of Temecula. Additionally, the firm has conducted substantial repairs on the bridge decks in both directions of the State Route 73 Toll Road, addressing issues like ground shifting and sinking. CaHP has also conducted emergency repairs at the 91 Express Lanes and Interstate Highway 5 connector. CaHP manages all aspects of repairs, traffic control, and collaboration with Caltrans and the California Highway Patrol. In the interview, CaHP showcased its extensive project experience, demonstrating effective coordination with the existing OCTA 91 Express Lanes contractors for overseeing and conducting routine maintenance. The firm also obtained a favorable rating on the reference checks.

**Staffing and Project Organization**

CaHP proposed a project team with extensive experience in providing oversight of OCTA's 91 Express Lanes roadside services. The firm has proposed co-project managers to serve as the key personnel for this project. The proposed primary project manager demonstrated extensive knowledge and experience in

safety, traffic control, and management, having worked for Caltrans for over 33 years on similar projects. He also holds a certificate as a Health, Safety, and Environmental representative, ensuring adherence to on-site safety specifications. He will be fully dedicated to the OCTA project. The secondary project manager has over 18 years of experience in highway maintenance and emergency response repairs. During the interview, CaHP's team demonstrated a comprehensive understanding of the complexities and critical nature of the work, ensuring that the project will be conducted in a manner consistent with an emphasis on supporting the safety and mobility of the traveling public, while also meeting the scope of work requirements.

#### Work Plan

CaHP's work plan includes a detailed list of activities to be performed in accordance with the specified requirements in the scope of work, aiming to optimize coverage and response time. The proposed plan also outlines the coordination and facilitation of express lanes, including transporting individuals to and from the toll facilities, as well as leading vehicles. CaHP's work plan demonstrated a comprehensive understanding of the project tasks and their approach to performing the requested tasks. In the interview, CaHP showed a dedicated commitment to successfully performing the requested services.

#### Cost and Price

The Contracts Administration and Materials Management department conducted a price review. CaHP submitted firm-fixed hourly rates, along with firm-fixed unit prices for additional items in five categories as presented below:

Item	Description	Proposed Price for the five-year term
1	Required services described in the scope Hourly Rate: \$100.85	\$3,086,010
2	Septic tank maintenance	\$60,350
3	Quarterly maintenance on the air conditioning units inside the toll utility buildings	\$11,780
4	Purchase 60-gallon diesel fueled melter applicator, with pump on demand features	\$207,579
5	Trailer(s) to transport the applicator	\$16,259
	Total cost:	\$3,381,978

CaHP's proposed prices are lower than the OCTA project manager's independent cost estimate; therefore, they are deemed fair and reasonable.

#### **Procurement Summary**

Based on the evaluation of the written proposal, the firm's qualifications, and the information obtained from the interviews, the evaluation committee recommends the selection of CaHP as the firm to provide oversight of OCTA Express Lanes roadside services.

#### **Fiscal Impact**

This project is included in OCTA's Fiscal Year 2023-24 Budget, 91 Express Lanes, Account No. 0036-7350-B0001-AVR, 405 Express Lanes Account No. 0037-7350-A9510-AVR and additional funding will be available for each subsequent year. This is funded with toll revenues.


#### **Summary**

Staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-3-3031 with California Highway Products to provide oversight of the Orange County Transportation Authority's Express Lanes roadside services, in the amount of \$3,381,978 for a five-year term, effective April 1, 2024, through March 31, 2029.

#### **Attachment**

None.

#### **Prepared by:**



Kirk Avila  
General Manager  
Express Lanes Programs  
(714) 560-5674



Pia Veesapen  
Director, Contracts Administration and  
Materials Management  
(714) 560-5619



## COMMITTEE TRANSMITTAL

***March 25, 2024***

**To:** Members of the Board of Directors

**From:** Andrea West, Clerk of the Board *Andrea West*

**Subject:** Orange County Transportation Authority Investment and Debt Programs Report – January 2024

Finance and Administration Committee Meeting of March 13, 2024

**Present:** Directors Do, Federico, Harper, Hennessey, Klopfenstein, Nguyen, and Sarmiento

**Absent:** None

**Committee Vote**

This item was passed by the Members present.

**Committee Recommendation**

Receive and file as an information item.



**March 13, 2024**

**To:** Finance and Administration Committee

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

**Subject:** Orange County Transportation Authority Investment and Debt Programs Report – January 2024

### **Overview**

The Orange County Transportation Authority has a comprehensive investment and debt program to fund its immediate and long-term cash flow demands. Each month, the Treasurer submits a report detailing investment allocation, performance, compliance, outstanding debt balances, and credit ratings for the Orange County Transportation Authority's debt program. This report is for the month ending January 31, 2024. The report has been reviewed and is consistent with the investment practices contained in the investment policy.

### **Recommendation**

Receive and file as an information item.

### **Discussion**

As of January 31, 2024, the Orange County Transportation Authority's (OCTA) outstanding investments totaled \$2.5 billion. The portfolio is divided into three managed portfolios: the liquid portfolio for immediate cash needs, the short-term portfolio for future budgeted expenditures, and the bond proceeds portfolio to meet Measure M2 (M2) transportation program needs. In addition to these portfolios, OCTA has funds invested in debt service reserve funds for the 91 Express Lanes Program.

Portfolio Compliance and Liquidity Requirements for the Next Six Months: The portfolio is in full compliance with OCTA's Investment Policy and the State of California Government Code. Additionally, OCTA has reviewed the liquidity requirements for the next six months and anticipates that OCTA's liquidity will be sufficient to meet projected expenditures during the next six months.

The weighted average book yield for the OCTA portfolio is 3.7 percent. The book yield measures the exact income, or interest, on a bond without regard to market price change. The yield is the income return on an investment, such as the interest received from holding a particular security. The yield is usually expressed as an annual percentage rate based on the investment's cost and market value.

OCTA's month-end balance in the Local Agency Investment Fund (LAIF), a pooled investment fund for California local agencies, was \$6,881,548, with an average monthly effective yield of 4.01 percent. LAIF offers local agencies an opportunity to invest funds in a diversified portfolio of high-quality, short-term securities managed by the State Treasurer's Office. OCTA's month-end balance in the Orange County Investment Pool (OCIP), a collective investment fund for local government entities in Orange County, was \$29,931,780. For the month of December, the monthly gross yield for the OCIP was 4.4 percent. The yield for the month of January will be received in February 2024. OCIP allows local government entities to invest funds in a diversified portfolio managed by the Orange County Treasurer-Tax Collector's Office, aiming for competitive returns while prioritizing safety and liquidity. Mandated by the Transportation Development Act (TDA), OCTA is obliged to participate in the OCIP. It serves as a temporary holding account for TDA funds until claimed by OCTA and then processed by the County of Orange. This framework ensures effective fund management and adherence to regulatory compliance.

During the month of January, no securities held within OCTA's investment portfolio were downgraded and placed on negative credit watch. Please refer to A-8 (Rating Downgrades and Negative Credit Watch) of Attachment A for further details.

OCTA's debt program is separate from its investment program and is comprised of M2 Sales Tax Revenue Bonds, 91 Express Lanes Toll Road Revenue Bonds, and 2021 Transportation Infrastructure Finance and Innovation Act Loan. The debt program currently has an outstanding principal balance of \$1.3 billion as of January 31, 2024. Approximately 47.2 percent of the outstanding balance is comprised of M2 debt, 3.8 percent is associated with the 91 Express Lanes Program, and 49 percent is associated with the 405 Express Lanes.



***Summary***

The Treasurer is submitting a copy of the Orange County Transportation Authority Investment and Debt Programs report to the Finance and Administration Committee. The report is for the month ending January 31, 2024.

***Attachments***

- A. Orange County Transportation Authority Investment and Debt Programs – For the Period Ending January 31, 2024
- B. Orange County Transportation Authority Portfolio Listing as of January 31, 2024

**Prepared by:**



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Department Manager  
Treasury/Public Finance  
(714) 560-5675

**Approved by:**



Andrew Oftelie  
Chief Financial Officer  
Finance and Administration  
(714) 560-5649

**Treasury/Public Finance Department's  
Report On**

**Orange County Transportation Authority  
Investment and Debt Programs**



**Presented to the  
Finance and Administration Committee**

**For The Period Ending  
January 31, 2024**

# INVESTMENT PROGRAM

# OCTA Investment Dashboard

1/31/2024

## Safety of Principal

Securities that fell below OCTA's minimum credit quality requirements during the month of January 2024:  
N/A

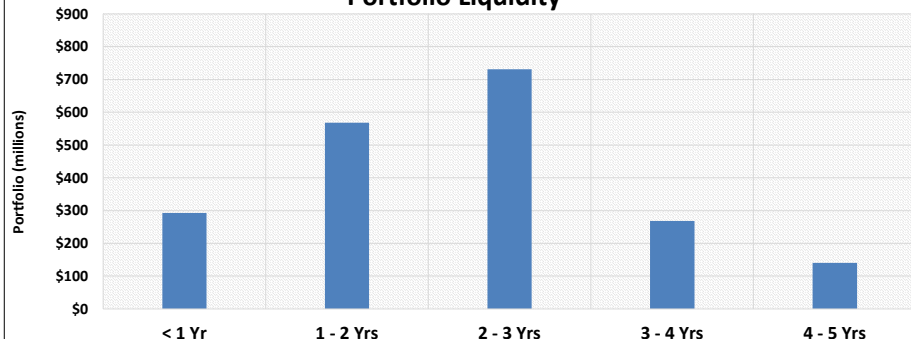
Securities currently held within OCTA's portfolio that fell below OCTA's minimum credit quality requirements during prior reporting periods:

Three Keybank securities held within OCTA's investment portfolio were downgraded below minimum credit quality requirements for the month of October 2023.

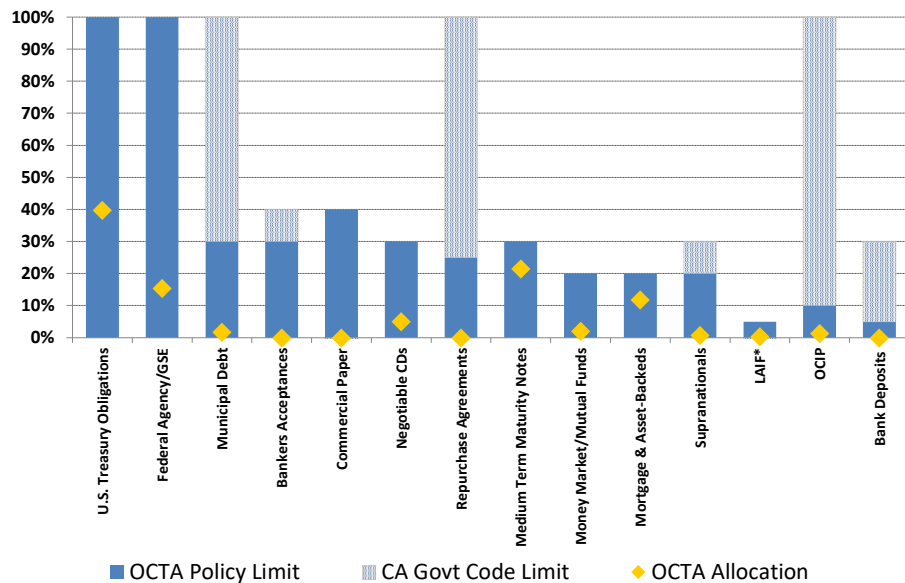
Securities downgraded or placed on Negative Credit Watch during the month of January 2024, but remain in compliance with OCTA's Investment Policy:  
N/A

For further details please refer to A-8 of this report.

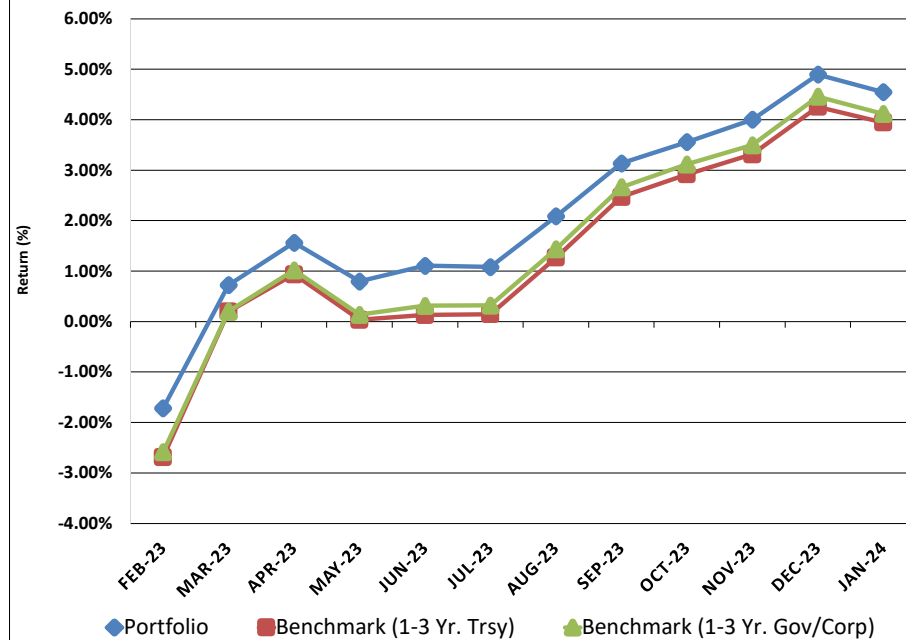
## Portfolio Liquidity



## Portfolio Diversification



## Portfolio Return - 12 Month



\* Per CA Government Code LAIF limit is \$75 million

\*\* Per OCTA's Investment Policy the limit is 30% for variable and floating rate securities. As of January 31, 2024, 6.7% of the portfolio was invested in variable & floating rate securities.

# Investment Compliance

1/31/2024

Portfolio Subject to Investment Policy			
	Dollar Amount	Percent Of	Investment Policy
Short-Term/Liquid Portfolio <sup>1</sup>	Invested	Portfolio	Max. Percentages
U.S. Treasury Obligations	\$ 860,708,327	39.8%	100%
Federal Agency/GSE	333,799,954	15.4%	100%
Municipal Debt	\$ 37,241,204	1.7%	30%
Commercial Paper	-	0.0%	40%
Negotiable Certificates of Deposit	\$ 110,050,000	5.1%	30%
Repurchase Agreements	-	0.0%	25%
Medium Term Maturity Notes/Corporates	\$ 464,837,366	21.5%	30%
Money Market/Mutual Funds	44,976,616	2.1%	20%
Mortgage & Asset-Backed	\$ 256,498,377	11.9%	20%
Supranationals	17,053,537	0.8%	20%
Local Agency Investment Fund	\$ 6,881,548	0.3%	\$ 75 Million
Orange County Investment Pool	29,931,780	1.4%	10%
Bank Deposits	\$ 250,000	0.0%	5%
<b>Total Short-Term/Liquid Portfolio<sup>2</sup></b>	<b>\$ 2,162,228,709</b>		

1. Excludes portion of Liquid Portfolio subject to Indenture

2. Includes variable & floating rate securities invested in the amount of \$145,515,109 (6.7% of total Short-Term/Liquid portfolio) and subject to 30% limit per OCTA's Investment Policy.

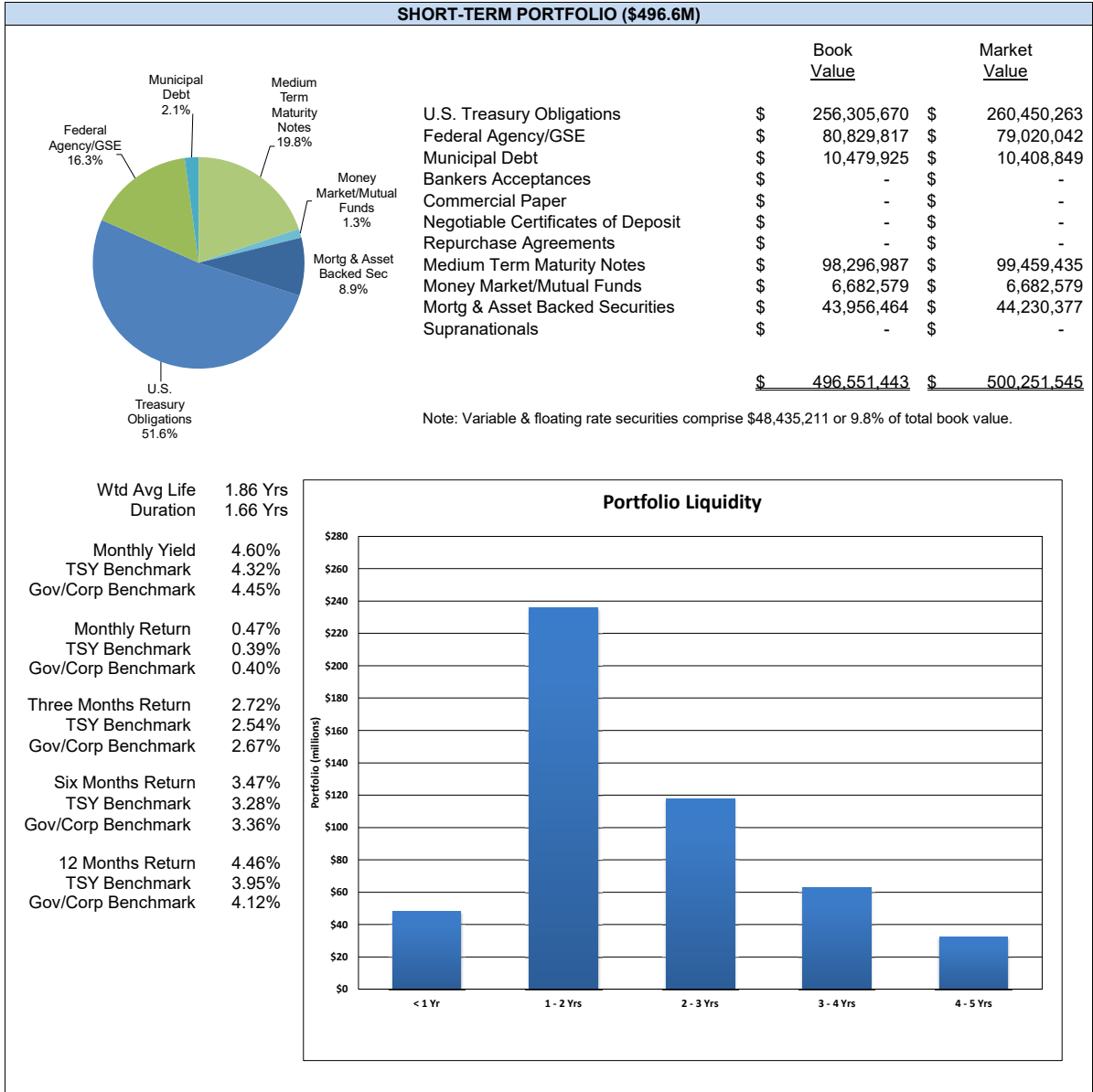
Portfolio Subject to Indenture					
Portfolio	Dollar Amount Invested	OCTA		Indenture Requirements	
		Credit Quality	Term	Min. Credit Quality	Max. Term
<b>Liquid Portfolio*</b>					
Government Obligations MMKT Fund	271,213,682	"AAAm"	N/A	AAA Category	N/A
Government Obligations MMKT Fund	49,652,528	"AAAm"/"Aammf"	N/A	AAA Category	N/A
<b>Total Liquid Portfolio</b>	<b>\$ 320,866,210</b>				
<b><u>Bond Proceeds Portfolio</u></b>					
<b>2021 Bond Anticipation Notes (BANs):</b>					
Government Obligations MMKT Fund	54,071	"AAAm"/ "Aaa-mf"/"AAAmmf"	N/A	"AAAm" or "AAAm-G"	N/A
<b>91 Express Lanes 2023 Bonds:</b>					
Government Obligations MMKT Fund	2,552	"AAAm"/ "Aaa-mf"/"AAAmmf"	N/A	N/A	N/A
<b>Total Bond Proceeds Portfolio</b>	<b>\$ 56,623</b>				
<b><u>Reserve Funds Portfolio</u></b>					
Bank Deposit	\$ -	N/A	N/A	N/A	N/A
Government Obligations MMKT Fund	5,341,117	"AAAm"/ "Aaa-mf"/"AAAmmf"	N/A	N/A	N/A
Negotiable Certificates of Deposit	5,000,000	"A-1"/"P-1"/"F1+"	267 days	"A-1"/"P-1"/"F1"	270 days
Negotiable Certificates of Deposit	3,000,000	"A-1"/"P-1"/"F1+"	180 days	"A-1"/"P-1"/"F1"	270 days
Government Obligations MMKT Fund**	247	"AAAm"/ "Aaa-mf"/"AAAmmf"	N/A	N/A	N/A
<b>Total Reserve Funds Portfolio</b>	<b>\$ 13,341,364</b>				
<b>Total Portfolio Subject to Indenture</b>	<b>\$ 13,397,987</b>				
<b>Portfolio Total</b>	<b>\$ 2,496,492,907</b>				

\*Reflects portion of Liquid Portfolio subject to Indenture (OCTA Sales Tax Revenue)

\*\*91 EL Debt Service Fund

## Investment Manager Diversification and Maturity Schedules

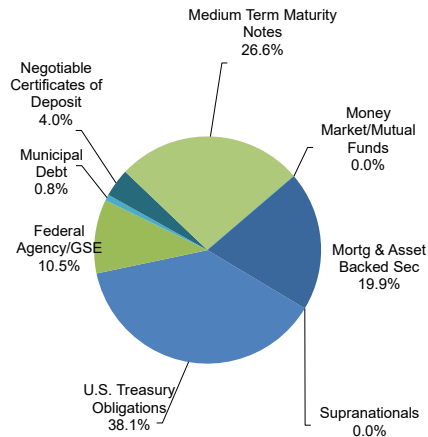
### MetLife Investment Management 1/31/2024



## Investment Manager Diversification and Maturity Schedules

**PFM**  
**1/31/2024**

### SHORT-TERM PORTFOLIO (\$498.9M)

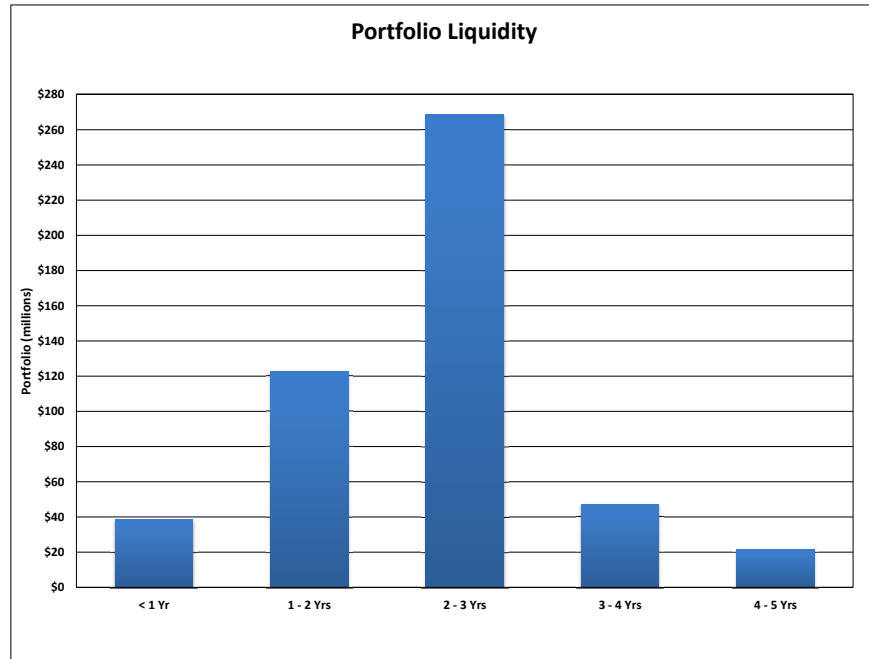


	Book Value	Market Value
U.S. Treasury Obligations	\$ 189,964,639	\$ 193,061,771
Federal Agency/GSE	\$ 52,578,240	\$ 52,775,579
Municipal Debt	\$ 4,220,000	\$ 4,119,811
Bankers Acceptances	\$ -	\$ -
Commercial Paper	\$ -	\$ -
Negotiable Certificates of Deposit	\$ 20,050,000	\$ 20,654,553
Repurchase Agreements	\$ -	\$ -
Medium Term Maturity Notes	\$ 132,847,898	\$ 133,348,593
Money Market/Mutual Funds *	\$ (25,993)	\$ (25,993)
Mortg & Asset Backed Securities	\$ 99,220,566	\$ 98,445,571
Supranationals	\$ -	\$ -
	<b>\$ 498,855,349</b>	<b>\$ 502,379,886</b>

Note: Variable & floating rate securities comprise \$33,416,448 or 6.7% of total book value.

\* The negative cash balance reflects the timing differential resulting from a security purchased on the last day of the month and an interest payment received the following day. The shortfall was resolved on the subsequent day upon receipt of the interest payment.

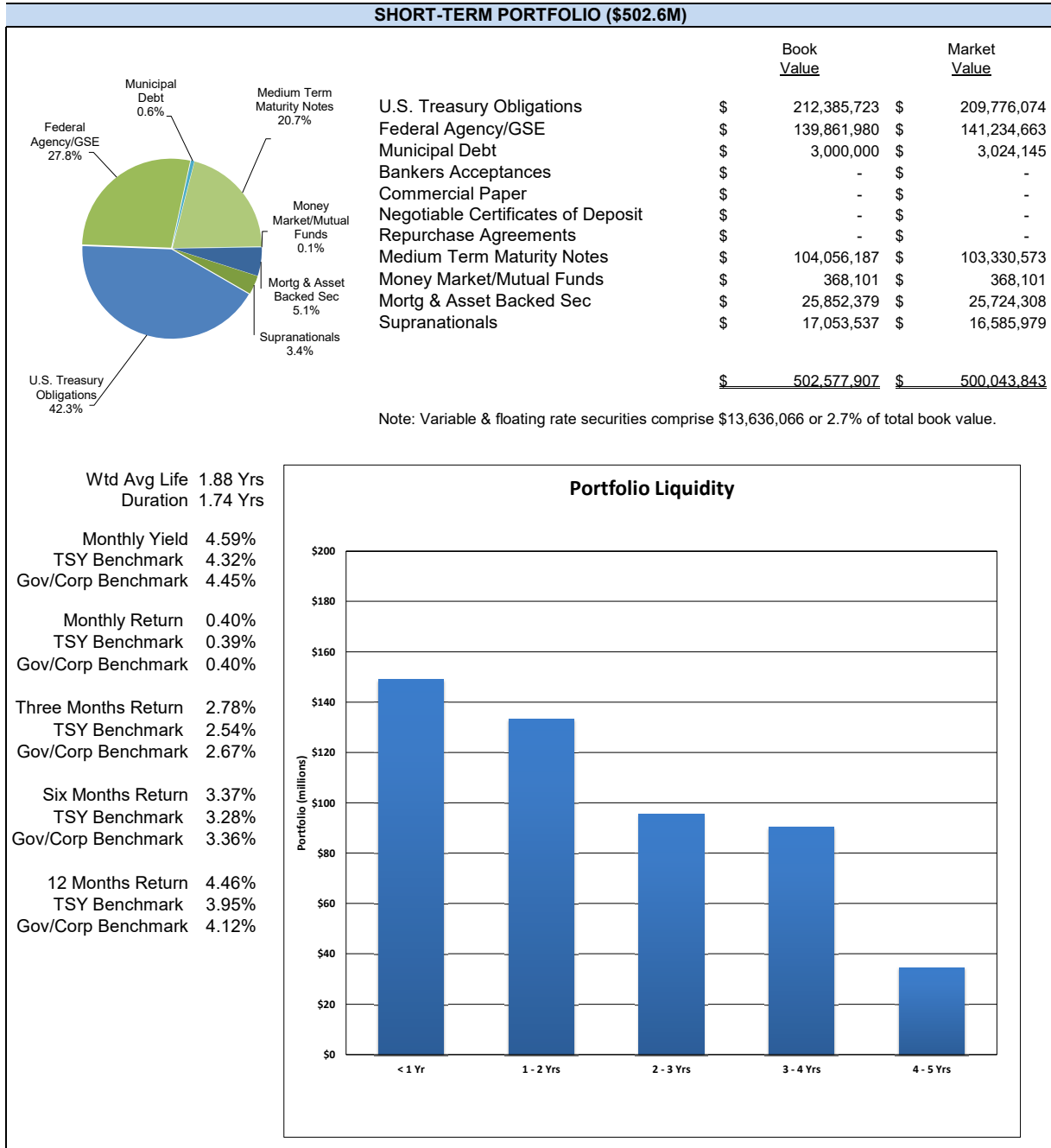
Wtd Avg Life	1.89 Yrs
Duration	1.71 Yrs
Monthly Yield	4.62%
TSY Benchmark	4.32%
Gov/Corp Benchmark	4.45%
Monthly Return	0.47%
TSY Benchmark	0.39%
Gov/Corp Benchmark	0.40%
Three Months Return	2.73%
TSY Benchmark	2.54%
Gov/Corp Benchmark	2.67%
Six Months Return	3.49%
TSY Benchmark	3.28%
Gov/Corp Benchmark	3.36%
12 Months Return	4.59%
TSY Benchmark	3.95%
Gov/Corp Benchmark	4.12%



## Investment Manager Diversification and Maturity Schedules

### Chandler Asset Management

1/31/2024



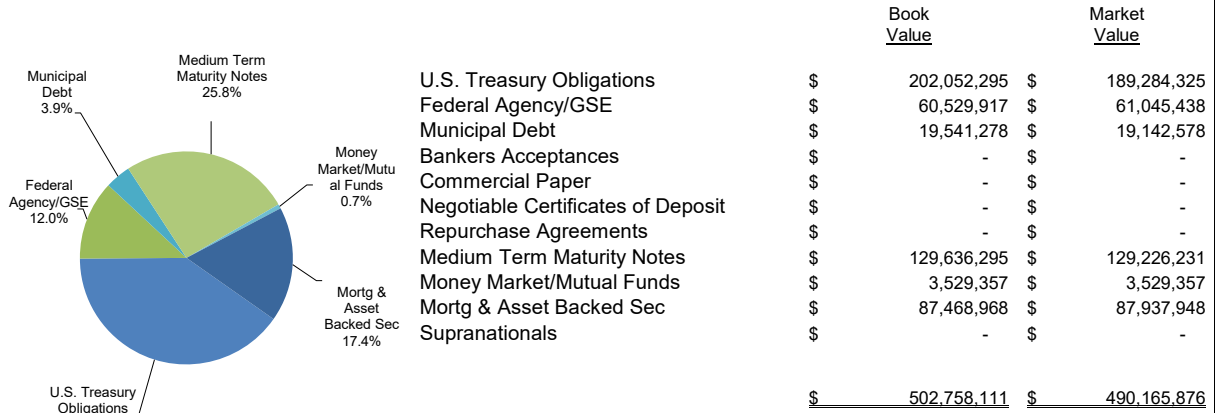


## Investment Manager Diversification and Maturity Schedules

**Payden & Rygel**

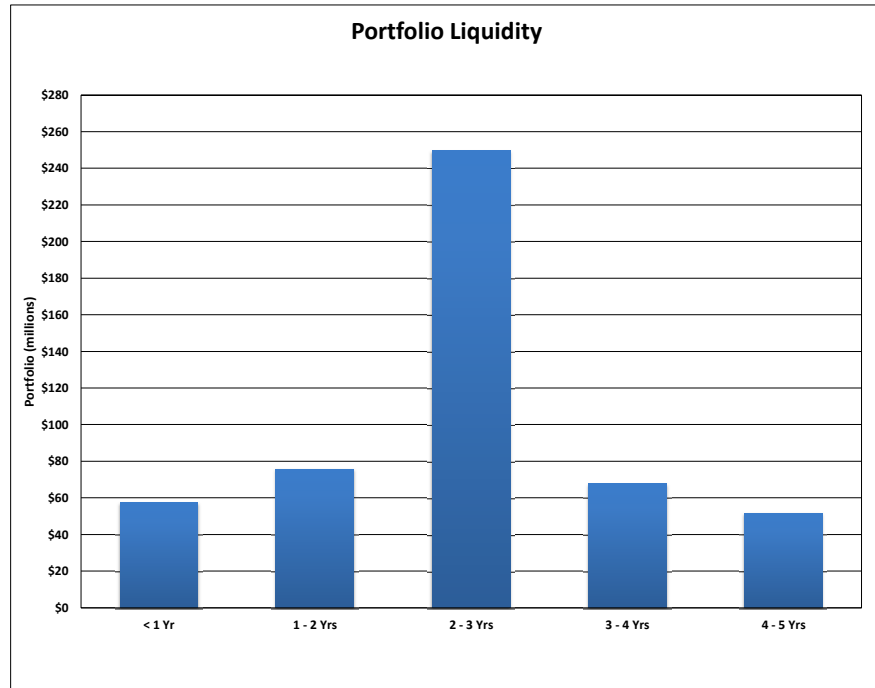
1/31/2024

### SHORT-TERM PORTFOLIO (\$502.8M)



Note: Variable & floating rate securities comprise \$50,027,385 or 10.0% of total book value.

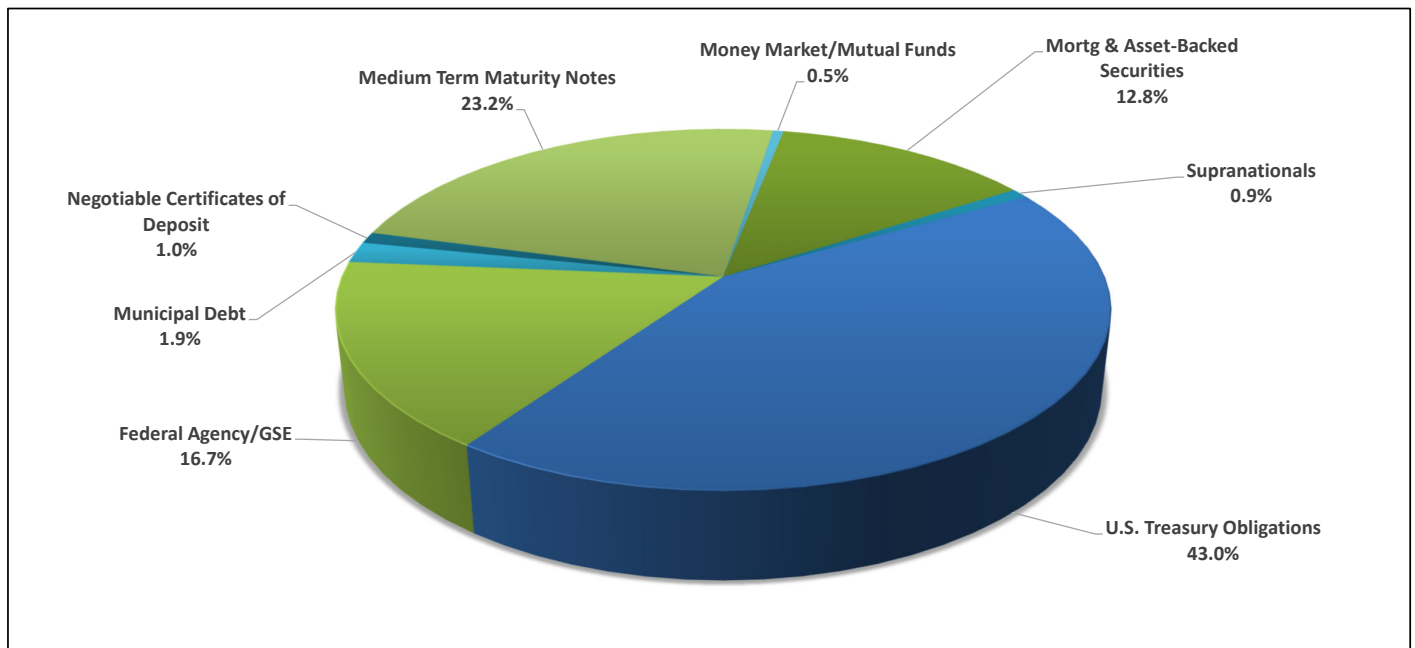
Wtd Avg Life	2.08 Yrs
Duration	1.75 Yrs
Monthly Yield	4.74%
TSY Benchmark	4.32%
Gov/Corp Benchmark	4.45%
Monthly Return	0.45%
TSY Benchmark	0.39%
Gov/Corp Benchmark	0.40%
Three Months Return	2.88%
TSY Benchmark	2.54%
Gov/Corp Benchmark	2.67%
Six Months Return	3.54%
TSY Benchmark	3.28%
Gov/Corp Benchmark	3.36%
12 Months Return	4.68%
TSY Benchmark	3.95%
Gov/Corp Benchmark	4.12%



# Short-Term Portfolio

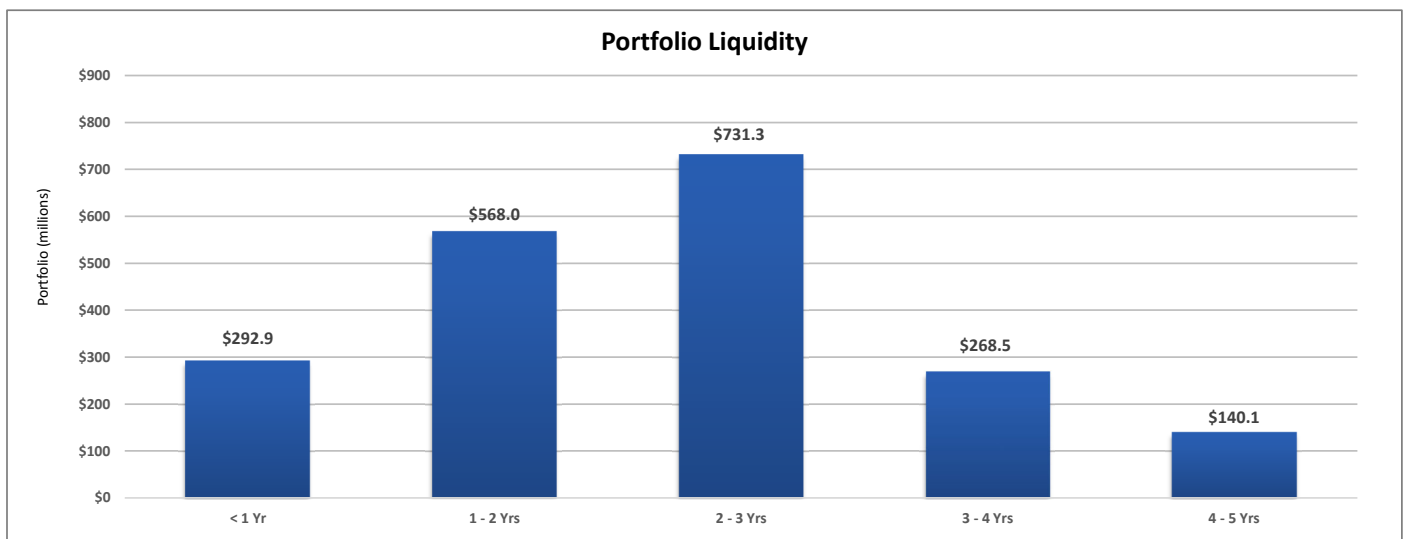
## 1/31/2024

### Portfolio Composition



Note: Variable & floating rate securities comprise 7.3% of total book value.

### Portfolio Liquidity



## Rating Downgrades & Negative Credit Watch

1/31/2024

<u>Investment Manager / Security</u>	<u>Par Amount</u>	<u>Maturity</u>	<u>S&amp;P</u>	<u>Moody's</u>	<u>Fitch Ratings</u>
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### Rating Downgrades:

- Rating below minimum requirements:

KEYBANK NATIONAL ASSOCIATION

\$	3,720,000	06/14/2024 - 01/26/2026	BBB+	Baa1	BBB+
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During October 2023, Moody's and Fitch downgraded Keybank by one notch. The downgrade reflects the agencies' view that a higher-for-longer rate environment is likely to constrain profitability at Keybank more than for other banks of similar size. In addition, Keybank has a lower-than-average capital ratio on a proforma basis when adjusted for unrealized losses on available-for-sale securities. Due to the downgrade by both agencies, the three Keybank securities held within the portfolio fell below the minimum credit quality requirements of the Investment Policy. The Treasurer reviewed the position and recommended the securities be held for the short-term. The Treasurer presented his recommendation to the Chief Executive Officer who concurred.

### Negative Credit Watch:

N/A

# **DEBT PROGRAM**

(M2 Sales Tax Revenue Bonds, 91 Express Lanes Toll Road Revenue Bonds, 2021 TIFIA Loan)

# Outstanding Debt<sup>1</sup>

## As of 1/31/2024

### Orange County Local Transportation Authority (OCLTA-M2)

#### 2010 Series A Taxable Build America Bonds - Sales Tax Revenue Bonds

Issued:	\$	293,540,000
Outstanding:		250,000,000
Debt Service FY 2024:		17,270,000
All in True Interest Cost:		4.33%
Pledged Revenue Source:	M2 Sales Tax Revenues	
Ratings (Fitch/ Moody's/ S&P):	AA+/Aa2/AA+	
Final Maturity:		2041

#### 2019 M2 Sales Tax Revenue Bonds

Issued:	\$	376,690,000
Outstanding:		340,235,000
Debt Service FY 2024:		37,601,900
All in True Interest Cost:		3.14%
Pledged Revenue Source:	M2 Sales Tax Revenues	
Ratings (Fitch/ S&P):	AA+/AA+	
Final Maturity:		2041

<b>Sub-total M2 Outstanding Debt</b>	<b>\$</b>	<b>590,235,000</b>
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### 91 Express Lanes

#### 2023 OCTA 91 Express Lanes Refunding Bonds

Issued:	\$	47,545,000
Outstanding:		47,545,000
Debt Service FY 2024:		1,446,160
All in True Interest Cost:		2.80%
Pledged Revenue Source:	91 Toll Road Revenues	
Ratings (Fitch/ Moody's/ S&P):	AA-/Aa3/AA-	
Final Maturity:		2030

<b>Sub-total 91 Express Lanes Outstanding Debt</b>	<b>\$</b>	<b>47,545,000</b>
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### 405 Express Lanes

#### 2021 TIFIA Loan

Amount Available	\$	628,930,000
Outstanding:		613,711,295
Accrued Interest:		-
Interest Rate:		1.95%
Pledged Revenue Source:	405 Toll Road Revenues	
Ratings (Moody's):	Baa2	
Final Maturity:		2058

<b>Sub-total 405 Express Lanes Outstanding Debt</b>	<b>\$</b>	<b>613,711,295</b>
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<b>TOTAL OUTSTANDING DEBT:</b>	<b>\$</b>	<b>1,251,491,295</b>
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1. Comprises OCTA's debt obligations (M2 Sales Tax Revenue Bonds, 91 Express Lanes Toll Road Revenue Bonds, and 2021 TIFIA Loan) currently outstanding and irrespective of OCTA's investment program.

Orange County Transportation Authority  
Portfolio Listing  
As of January 31, 2024

LIQUID PORTFOLIO					
NOTE	DESCRIPTION	MATURITY DATE	BOOK VALUE	MARKET VALUE	YIELD
	<b><u>CASH EQUIVALENTS</u></b>				
	BANK DEPOSITS	N/A	250,000	250,000	0.00
	FEDERATED MONEY MARKET GOVERNMENT PORTFOLIO	N/A	23,520,536	23,520,536	5.19
	BMO HARRIS BANK NCD	6/6/2024	15,000,000	15,000,000	5.62
	BMO HARRIS BANK NCD	7/29/2024	25,000,000	25,000,000	5.90
	BMO HARRIS BANK NCD	2/1/2024	25,000,000	25,000,000	5.78
	BMO HARRIS BANK NCD	5/1/2024	25,000,000	25,000,000	5.89
	MONEY MARKET DEMAND ACCOUNT	N/A	10,902,035	10,902,035	3.71
	FIDELITY TREASURY OBLIGATIONS FUND	N/A	271,213,682	271,213,682	5.22
	FEDERATED TREASURY OBLIGATIONS FUND	N/A	49,652,528	49,652,528	5.22
	<b>SUB-TOTAL</b>		<b>445,538,782</b>	<b>445,538,782</b>	
	<b><u>LOCAL AGENCY INVESTMENT FUND (LAIF)</u></b>	N/A	<b>6,881,548</b>	<b>6,881,548</b>	4.01
	<b><u>ORANGE COUNTY INVESTMENT POOL (OCIP)</u></b>	N/A	<b>29,931,780</b>	<b>29,931,780</b>	4.40
	<b>LIQUID PORTFOLIO - TOTAL</b>		<b>\$ 482,352,109</b>	<b>\$ 482,352,109</b>	
SHORT-TERM PORTFOLIO					
NOTE	DESCRIPTION	MATURITY DATE	BOOK VALUE	MARKET VALUE	YIELD
	<b><u>Money Market Funds</u></b>				
	FIRST AMER:GVT OBLG Z	1/31/2024	10,554,045	10,554,045	5.21
	<b>SUB-TOTAL</b>		<b>10,554,045</b>	<b>10,554,045</b>	
	<b><u>NEGOTIABLE CERTIFICATES OF DEPOSIT</u></b>				
	Credit Agricole Corporate And Investment Bank, New York Branch	8/16/2024	3,550,000	3,518,370	5.69
	Natixis, New York Branch	9/18/2026	3,575,000	3,690,830	4.16
	Nordea ABP - New York Branch	11/3/2025	4,750,000	4,824,148	4.60
	Rabobank Nederland - New York Branch	7/17/2026	3,450,000	3,534,594	4.03
	Toronto-Dominion Bank - New York Branch	10/27/2025	4,725,000	4,802,301	4.57
	<b>SUB-TOTAL</b>		<b>20,050,000</b>	<b>20,370,242</b>	
	<b><u>U.S. TREASURY OBLIGATIONS</u></b>				
	UNITED STATES TREASURY	11/30/2028	8,522,848	8,681,465	3.87
	UNITED STATES TREASURY	9/30/2028	18,969,553	19,643,037	3.89
	UNITED STATES TREASURY	8/31/2028	1,955,535	1,994,491	3.89
	UNITED STATES TREASURY	4/15/2028	2,605,287	2,616,017	1.77
	UNITED STATES TREASURY	4/15/2028	7,301,790	7,331,696	1.77
	UNITED STATES TREASURY	11/15/2027	3,778,750	3,765,160	3.93
	UNITED STATES TREASURY	9/30/2027	6,517,012	6,539,585	3.94
	UNITED STATES TREASURY	8/31/2027	7,737,813	7,780,320	3.96
	UNITED STATES TREASURY	7/31/2027	9,733,381	9,502,905	3.96
	UNITED STATES TREASURY	6/30/2027	23,939,852	23,854,904	3.96
	UNITED STATES TREASURY	6/30/2027	923,764	928,625	3.96
	UNITED STATES TREASURY	4/30/2027	8,049,434	8,184,905	3.98
	UNITED STATES TREASURY	3/31/2027	6,686,992	6,935,060	3.97
	UNITED STATES TREASURY	2/15/2027	8,006,270	8,077,975	4.00
	UNITED STATES TREASURY	1/15/2027	2,863,657	2,874,339	4.01
	UNITED STATES TREASURY	12/31/2026	20,757,205	21,172,008	3.99
	UNITED STATES TREASURY	12/31/2026	2,617,289	2,632,070	4.00
	UNITED STATES TREASURY	12/15/2026	33,785,150	33,814,207	4.02
	UNITED STATES TREASURY	11/15/2026	26,475,266	26,794,031	4.04
	UNITED STATES TREASURY	11/15/2026	3,715,469	3,787,360	4.03
	UNITED STATES TREASURY	10/15/2026	18,944,607	19,320,962	4.05
	UNITED STATES TREASURY	9/15/2026	7,274,223	7,425,133	4.07
	UNITED STATES TREASURY	8/15/2026	34,824,912	35,335,279	4.08
	UNITED STATES TREASURY	7/15/2026	15,497,054	15,670,004	4.10
	UNITED STATES TREASURY	6/15/2026	14,637,570	14,773,397	4.11
	UNITED STATES TREASURY	5/15/2026	45,018,283	45,046,738	4.13
	UNITED STATES TREASURY	4/15/2026	37,459,945	37,220,987	4.16
	UNITED STATES TREASURY	3/15/2026	6,268,629	6,182,902	4.19
	UNITED STATES TREASURY	2/28/2026	14,455,078	14,497,200	4.20
	UNITED STATES TREASURY	2/28/2026	14,271,250	14,830,000	4.21
	UNITED STATES TREASURY	2/28/2026	31,820,822	33,081,066	4.20
	UNITED STATES TREASURY	2/15/2026	69,344,244	69,612,606	4.21
	UNITED STATES TREASURY	1/15/2026	10,113,863	10,081,792	4.24
	UNITED STATES TREASURY	12/15/2025	26,800,059	26,646,480	4.27
	UNITED STATES TREASURY	12/15/2025	17,839,549	17,962,570	4.27
	UNITED STATES TREASURY	11/15/2025	14,569,102	14,477,400	4.29
	UNITED STATES TREASURY	11/15/2025	6,953,960	6,897,825	4.30
	UNITED STATES TREASURY	10/31/2025	8,032,813	7,825,040	4.31
	UNITED STATES TREASURY	9/30/2025	9,515,918	9,296,985	4.34
	UNITED STATES TREASURY	9/30/2025	32,554,458	33,551,542	4.35
	UNITED STATES TREASURY	9/30/2025	18,874,642	19,767,591	4.34
	UNITED STATES TREASURY	8/15/2025	5,979,811	5,935,837	4.40
	UNITED STATES TREASURY	7/31/2025	14,709,063	14,571,240	4.42
	UNITED STATES TREASURY	7/15/2025	2,994,961	2,940,120	4.43
	UNITED STATES TREASURY	6/30/2025	6,811,055	6,601,070	4.45
	UNITED STATES TREASURY	6/15/2025	1,248,389	1,223,688	4.47
	UNITED STATES TREASURY	5/31/2025	7,357,324	7,090,725	4.52
	UNITED STATES TREASURY	5/31/2025	742,822	747,420	4.52

**Orange County Transportation Authority**  
**Portfolio Listing**  
**As of January 31, 2024**

<u>NOTE</u>	<u>DESCRIPTION</u>	<u>MATURITY DATE</u>	<u>BOOK VALUE</u>	<u>MARKET VALUE</u>	<u>YIELD</u>
	UNITED STATES TREASURY	5/15/2025	16,908,293	16,786,406	4.52
	UNITED STATES TREASURY	5/15/2025	6,230,727	6,283,275	4.51
	UNITED STATES TREASURY	4/30/2025	7,440,527	7,122,975	4.57
	UNITED STATES TREASURY	3/31/2025	24,239,802	24,203,487	4.60
	UNITED STATES TREASURY	3/31/2025	10,137,754	10,254,492	4.61
	UNITED STATES TREASURY	1/31/2025	8,313,750	7,740,000	4.74
	UNITED STATES TREASURY	12/31/2024	14,508,609	13,621,020	4.81
	UNITED STATES TREASURY	12/15/2024	8,000,000	7,739,680	4.86
	UNITED STATES TREASURY	11/15/2024	8,004,375	7,744,720	4.92
	UNITED STATES TREASURY	10/31/2024	7,758,691	7,314,000	4.92
	UNITED STATES TREASURY	9/15/2024	7,484,473	7,288,800	5.04
	UNITED STATES TREASURY	8/15/2024	7,914,375	7,802,800	5.05
	UNITED STATES TREASURY	8/15/2024	3,929,063	3,942,520	5.10
	UNITED STATES TREASURY	7/15/2024	7,502,051	7,340,925	5.13
	UNITED STATES TREASURY	6/15/2024	10,975,938	10,802,330	5.18
	UNITED STATES TREASURY	5/15/2024	3,489,746	3,450,230	5.25
	UNITED STATES TREASURY	4/15/2024	8,013,438	7,919,680	5.32
	<b>SUB-TOTAL</b>		<b>860,708,327</b>	<b>862,881,098</b>	
	<b>FEDERAL AGENCY/GSE</b>				
	FEDERAL FARM CREDIT BANKS FUNDING CORP	11/15/2027	4,973,700	5,115,050	3.96
	FEDERAL FARM CREDIT BANKS FUNDING CORP	10/4/2027	4,012,000	4,075,200	3.95
	FEDERAL FARM CREDIT BANKS FUNDING CORP	12/7/2026	7,968,800	8,070,080	4.05
	FEDERAL FARM CREDIT BANKS FUNDING CORP	9/1/2026	3,994,800	4,059,880	4.13
	FEDERAL FARM CREDIT BANKS FUNDING CORP	8/14/2026	14,828,188	15,010,214	4.12
	FEDERAL FARM CREDIT BANKS FUNDING CORP	7/30/2026	3,995,640	4,081,800	4.13
	FEDERAL FARM CREDIT BANKS FUNDING CORP	7/17/2026	4,003,400	4,041,640	4.18
	FEDERAL FARM CREDIT BANKS FUNDING CORP	6/23/2026	3,995,240	4,020,080	4.15
	FEDERAL FARM CREDIT BANKS FUNDING CORP	2/25/2025	4,956,270	4,866,850	4.33
	FEDERAL HOME LOAN BANKS	9/8/2028	3,979,600	4,072,960	3.94
	FEDERAL HOME LOAN BANKS	6/30/2028	3,965,360	4,018,080	3.89
	FEDERAL HOME LOAN BANKS	6/9/2028	1,996,120	2,004,800	3.94
	FEDERAL HOME LOAN BANKS	3/10/2028	5,108,250	5,088,250	4.03
	FEDERAL HOME LOAN BANKS	12/10/2027	5,105,600	5,064,100	3.89
	FEDERAL HOME LOAN BANKS	3/25/2027	4,830,700	4,923,410	4.26
	FEDERAL HOME LOAN BANKS	11/17/2026	5,056,950	5,071,900	4.07
	FEDERAL HOME LOAN BANKS	9/11/2026	10,908,280	11,129,470	4.14
	FEDERAL HOME LOAN BANKS	8/26/2026	1,783,600	1,839,066	4.24
	FEDERAL HOME LOAN BANKS	6/12/2026	3,992,680	4,053,880	4.14
	FEDERAL HOME LOAN BANKS	2/28/2025	4,095,000	4,004,173	4.33
	FEDERAL HOME LOAN BANKS	2/28/2025	850,000	827,722	4.73
	FEDERAL HOME LOAN BANKS	12/20/2024	7,643,648	7,397,397	4.85
	FEDERAL HOME LOAN BANKS	3/8/2024	5,201,750	4,983,150	5.13
	FEDERAL HOME LOAN MORTGAGE CORP	8/23/2027	6,000,000	6,001,140	5.40
	FEDERAL HOME LOAN MORTGAGE CORP	8/16/2027	6,000,000	6,000,000	5.84
	FEDERAL HOME LOAN MORTGAGE CORP	5/1/2026	2,800,000	2,796,248	5.56
	FEDERAL HOME LOAN MORTGAGE CORP	2/24/2026	2,268,865	2,269,319	5.41
	FEDERAL HOME LOAN MORTGAGE CORP	1/27/2026	2,380,000	2,374,788	5.42
	FEDERAL HOME LOAN MORTGAGE CORP	1/27/2026	5,000,000	4,996,015	5.34
	FEDERAL HOME LOAN MORTGAGE CORP	10/20/2025	3,149,742	3,245,437	4.47
	FEDERAL HOME LOAN MORTGAGE CORP	9/30/2025	3,260,000	3,246,112	5.02
	FEDERAL HOME LOAN MORTGAGE CORP	8/28/2025	2,940,000	2,971,287	4.84
	FEDERAL HOME LOAN MORTGAGE CORP	8/28/2025	3,060,000	3,036,775	4.70
	FEDERAL HOME LOAN MORTGAGE CORP	8/12/2025	4,095,490	3,866,411	4.49
	FEDERAL HOME LOAN MORTGAGE CORP	7/21/2025	4,785,000	4,733,442	4.82
	FEDERAL HOME LOAN MORTGAGE CORP	5/28/2025	2,980,000	2,976,752	5.70
	FEDERAL HOME LOAN MORTGAGE CORP	2/28/2025	3,030,000	3,005,699	4.77
	FEDERAL HOME LOAN MORTGAGE CORP	1/27/2025	3,550,000	3,548,083	5.18
	FEDERAL HOME LOAN MORTGAGE CORP	1/24/2025	3,920,000	3,918,079	5.20
	FEDERAL NATIONAL MORTGAGE ASSOCIATION	7/1/2028	975,938	994,570	4.50
	FEDERAL NATIONAL MORTGAGE ASSOCIATION	7/24/2026	5,226,860	5,285,478	4.62
	FEDERAL NATIONAL MORTGAGE ASSOCIATION	6/1/2026	352,109	352,070	5.53
	FEDERAL NATIONAL MORTGAGE ASSOCIATION	2/17/2026	2,610,000	2,610,861	4.35
	FEDERAL NATIONAL MORTGAGE ASSOCIATION	8/25/2025	7,771,280	7,518,640	4.39
	FEDERAL NATIONAL MORTGAGE ASSOCIATION	7/30/2025	3,614,768	3,711,751	4.49
	FHMS K-040 A2	9/25/2024	4,783,225	4,774,515	5.44
	FHMS K-045 A2	1/25/2025	4,541,914	4,504,085	5.03
	FHMS K-046 A2	3/25/2025	2,679,855	2,645,865	4.94
	FHMS K-047 A2	5/25/2025	3,597,902	3,504,573	4.86
(1)	FHMS K-048 A2	6/25/2025	180,617	161,566	4.87
	FHMS K-049 A2	7/25/2025	7,081,363	7,047,288	4.79
	FHMS K-051 A2	9/25/2025	12,057,972	11,219,296	4.81
	FHMS K-052 A2	11/25/2025	1,219,955	1,105,195	4.72
	FHMS K-053 A2	12/25/2025	3,360,820	3,302,930	4.62
	FHMS K-054 A2	1/25/2026	11,003,391	11,130,845	4.60
	FHMS K-057 A2	7/25/2026	4,025,143	4,089,978	4.52
	FHMS K-058 A2	8/25/2026	2,290,781	2,293,800	4.47
	FHMS K-059 A2	9/25/2026	3,078,232	3,140,735	4.46
(1)	FHMS K-061 A2	11/25/2026	1,661,443	1,660,005	4.56
	FHMS K-062 A2	12/25/2026	2,396,755	2,421,974	4.40
(1)	FHMS K-063 A2	1/25/2027	10,336,469	10,249,939	4.41
	FHMS K-065 A2	4/25/2027	1,162,125	1,159,044	4.37
	FHMS K-066 A2	6/25/2027	521,186	504,525	4.37

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<b>NOTE</b>	<b>DESCRIPTION</b>	<b>MATURITY DATE</b>	<b>BOOK VALUE</b>	<b>MARKET VALUE</b>	<b>YIELD</b>
	FHMS K-067 A2	7/25/2027	3,858,125	3,846,760	4.37
	FHMS K-068 A2	8/25/2027	2,912,461	2,887,350	4.37
(1)	FHMS K-069 A2	9/25/2027	3,812,813	3,841,640	4.37
	FHMS K-073 A2	1/25/2028	6,511,410	6,532,320	4.33
	FHMS K-727 A2	7/25/2024	3,176,369	2,913,723	5.48
	FHMS K-728 A2	8/25/2024	4,007,224	3,946,843	5.48
(1)	FHMS K-730 AM	1/25/2025	3,800,660	3,390,660	5.18
(1)	FHMS K-733 A2	8/25/2025	1,851,413	1,881,569	4.72
	FHMS K-734 A2	2/25/2026	1,933,125	1,949,060	4.60
	FHMS K-736 A2	7/25/2026	2,458,807	2,519,859	4.55
	FHMS K-BX1 A2	1/25/2026	744,258	730,890	4.89
	FHMS K-IR1 A2	3/25/2026	634,528	636,121	4.56
	FHMS K-PLB A	5/25/2025	5,316,560	4,899,082	4.86
	FHMS K-S07 A2	9/25/2025	489,922	482,055	4.93
	FHMS K-S08 A2	3/25/2027	1,350,764	1,348,130	4.52
	FHR 3778 L	12/15/2025	146,405	142,897	5.34
	FHR 3806 L	2/15/2026	685,256	662,803	5.64
	FN AM8730	7/1/2025	1,636,998	1,484,518	5.43
	FN AN0429	1/1/2025	929,962	841,554	5.53
	FN AN0439	12/1/2025	869,027	870,129	5.21
	FN AN0571	1/1/2026	582,703	582,774	5.00
	FN AN0992	2/1/2026	930,840	907,965	5.29
	FN AN6001	7/1/2027	511,568	514,983	5.63
	FN BL5365	2/1/2027	295,694	301,135	4.50
(1)	FNA 2012-M14 AL	9/25/2027	3,636,572	3,667,236	5.52
(1)	FNA 2014-M8 A2	6/25/2024	753,617	693,565	5.82
(1)	FNA 2015-M15 A2	10/25/2025	1,293,006	1,298,509	5.49
	FNA 2016-M03 A2	2/25/2026	3,378,551	3,393,772	5.08
(1)	FNA 2017-M2 A2	2/25/2027	1,299,614	1,306,779	5.16
(1)	FNA 2018-M1 A2	12/25/2027	700,674	705,436	4.93
	FNR 2011-74 UY	3/25/2026	296,253.75	288,844.21	6.61
<b>SUB-TOTAL</b>			<b>333,799,954</b>	<b>331,663,225</b>	
<b><u>MEDIUM TERM NOTES</u></b>					
	AMAZON.COM INC	4/13/2025	2,136,597	2,096,644	4.75
	AMAZON.COM INC	5/12/2024	3,265,226	3,225,103	5.41
(1)	AMERICAN EXPRESS CO	7/28/2027	2,445,000	2,471,235	5.35
(1)	AMERICAN EXPRESS CO	11/4/2026	860,000	853,421	6.26
(1)	AMERICAN EXPRESS CO	10/30/2026	1,065,000	1,086,864	5.63
	AMERICAN EXPRESS CO	8/1/2025	7,278,816	7,289,000	5.00
	AMERICAN EXPRESS CO	3/4/2025	1,087,483	1,056,330	5.20
	AMERICAN EXPRESS CO	7/30/2024	1,450,120	1,380,400	5.38
	AMERICAN HONDA FINANCE CORP	7/7/2026	1,243,469	1,267,136	4.47
	AMERICAN HONDA FINANCE CORP	10/3/2025	1,348,745	1,372,343	4.75
	AMERICAN HONDA FINANCE CORP	1/13/2025	1,224,032	1,183,987	5.16
	APPLE INC	2/23/2026	3,855,100	3,906,920	4.44
	AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD (NEW Y	1/18/2027	2,350,000	2,360,434	4.59
	AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD (NEW Y	12/8/2025	2,025,000	2,039,054	4.69
(1)	BANK OF AMERICA CORP	1/20/2027	1,425,000	1,425,228	5.07
(1)	BANK OF AMERICA CORP	10/24/2026	7,233,077	7,456,857	5.32
(1)	BANK OF AMERICA CORP	7/22/2026	195,000	193,968	5.20
(1)	BANK OF AMERICA CORP	4/2/2026	550,000	537,614	5.39
(1)	BANK OF AMERICA CORP	12/6/2025	2,930,000	2,828,563	5.77
(1)	BANK OF AMERICA CORP	10/22/2025	2,185,494	2,026,487	5.79
(1)	BANK OF AMERICA CORP	4/22/2025	2,595,000	2,564,275	6.11
(1)	BANK OF AMERICA CORP	2/4/2025	1,800,000	1,799,496	5.16
(1)	BANK OF NEW YORK MELLON	5/22/2026	4,845,000	4,853,043	5.01
	BANK OF NEW YORK MELLON CORP	1/26/2027	3,695,080	3,732,000	4.47
(1)	BANK OF NEW YORK MELLON CORP	7/24/2026	3,510,000	3,480,797	5.00
	BANK OF NEW YORK MELLON CORP	4/25/2025	1,229,828	1,206,077	4.99
	BANK OF NEW YORK MELLON CORP	4/24/2025	1,279,625	1,202,350	4.83
	BANK OF NEW YORK MELLON CORP	10/25/2024	2,926,102	2,841,403	5.34
	BMW US CAPITAL LLC	8/11/2025	2,404,856	2,425,178	4.72
	BMW US CAPITAL LLC	4/1/2025	1,068,994	1,051,853	4.76
	BRIGHTHOUSE FINANCIAL GLOBAL FUNDING	1/13/2025	2,172,216	2,092,154	5.93
	BURLINGTON NORTHERN SANTA FE LLC	4/1/2025	753,641	686,329	4.74
	CAMDEN PROPERTY TRUST	11/3/2026	2,449,927	2,523,941	4.63
	CATERPILLAR FINANCIAL SERVICES CORP	5/15/2026	1,369,356	1,365,822	4.49
	CATERPILLAR FINANCIAL SERVICES CORP	1/6/2026	3,559,110	3,578,832	4.51
	CATERPILLAR FINANCIAL SERVICES CORP	5/17/2024	5,193,032	5,126,784	5.30
	CHARLES SCHWAB CORP	3/18/2024	5,619,913	5,581,254	5.37
	CHUBB INA HOLDINGS INC	5/3/2026	3,858,936	3,885,840	4.70
	CINTAS NO 2 CORP	5/1/2025	1,184,739	1,163,528	4.96
	CITIBANK NA	12/4/2026	1,440,000	1,467,446	4.74
	CITIBANK NA	9/29/2025	9,720,128	9,898,070	4.64
	CITIGROUP GLOBAL MARKETS HOLDINGS INC	6/7/2024	1,500,000	1,470,810	6.43
(1)	CITIGROUP INC	1/25/2026	1,435,000	1,385,062	5.70
(1)	CITIGROUP INC	11/3/2025	420,221	405,703	5.92
(1)	CITIGROUP INC	5/1/2025	905,000	893,262	6.08
(1)	CITIGROUP INC	10/30/2024	3,125,000	3,129,844	5.78
(1)	CITIZENS BANK NA	10/24/2025	1,855,000	1,849,324	6.48
(1)	CITIZENS BANK NA	5/23/2025	625,000	620,813	6.27
	CNO GLOBAL FUNDING	1/6/2025	694,555	667,381	6.11
	COLGATE-PALMOLIVE CO	3/2/2026	1,243,556	1,257,873	4.28
	COLGATE-PALMOLIVE CO	8/15/2025	769,292	754,908	4.43



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	COMCAST CORP	11/7/2025	1,239,665	1,254,186	4.56
	COMCAST CORP	10/15/2025	4,042,257	3,569,921	4.72
	COMMONWEALTH BANK OF AUSTRALIA (NEW YORK BRANCH)	3/13/2026	2,350,000	2,379,986	4.67
	COOPERATIVE RABOBANK UA (NEW YORK BRANCH)	1/9/2026	2,399,088	2,408,448	4.66
	COOPERATIVE RABOBANK UA (NEW YORK BRANCH)	1/10/2025	2,043,727	1,979,624	5.16
	DUKE ENERGY CAROLINAS LLC	11/15/2028	3,653,676	3,736,315	4.40
	ELEVANCE HEALTH INC	2/8/2026	254,732	254,253	5.05
	ENTERGY LOUISIANA LLC	10/1/2024	1,203,193	1,172,031	5.18
	ENTERPRISE PRODUCTS OPERATING LLC	1/11/2027	2,562,358	2,572,336	4.49
	EQUITABLE FINANCIAL LIFE GLOBAL FUNDING	8/12/2024	2,504,775	2,441,649	5.71
	EXXON MOBIL CORP	3/1/2026	3,559,696	3,596,622	4.46
	F&G GLOBAL FUNDING	9/20/2024	4,454,142	4,313,578	6.24
(1)	FIFTH THIRD BANK NA (OHIO)	10/27/2025	950,000	951,226	5.66
	FLORIDA POWER & LIGHT CO	5/15/2028	3,935,680	4,010,280	4.33
	GA GLOBAL FUNDING TRUST	9/13/2024	1,551,563	1,505,862	6.10
	GOLDMAN SACHS GROUP INC	11/16/2026	1,937,324	2,005,550	4.79
(1)	GOLDMAN SACHS GROUP INC	8/10/2026	2,775,000	2,801,085	5.15
(1)	GOLDMAN SACHS GROUP INC	2/12/2026	6,058,338	6,285,114	5.69
	GOLDMAN SACHS GROUP INC	3/3/2024	440,856	399,404	5.59
	HOME DEPOT INC	9/30/2026	1,017,766	1,032,240	4.45
	HOME DEPOT INC	9/15/2025	2,204,206	2,186,235	4.55
	HOME DEPOT INC	4/15/2025	369,353	361,671	4.64
	HSBC USA INC	5/24/2024	3,544,858	3,523,943	5.64
(1)	HUNTINGTON NATIONAL BANK	11/18/2025	2,415,000	2,401,983	6.39
(1)	HUNTINGTON NATIONAL BANK	5/16/2025	3,410,000	3,379,003	6.72
	INTEL CORP	7/29/2025	1,713,075	1,723,505	4.76
	INTERCONTINENTAL EXCHANGE INC	5/23/2025	3,351,310	3,291,044	5.17
	INTERNATIONAL BUSINESS MACHINES CORP	7/27/2025	2,600,000	2,575,742	4.66
	INTERNATIONAL BUSINESS MACHINES CORP	2/12/2024	1,027,846	934,467	5.40
	JACKSON NATIONAL LIFE GLOBAL FUNDING	1/9/2026	1,601,549	1,608,563	5.38
	JACKSON NATIONAL LIFE GLOBAL FUNDING	1/12/2025	2,329,604	2,251,036	5.47
	JOHN DEERE CAPITAL CORP	1/8/2027	7,503,944	7,521,716	4.44
	JOHN DEERE CAPITAL CORP	6/8/2026	1,948,869	1,963,202	4.44
	JOHN DEERE CAPITAL CORP	1/9/2026	1,714,194	1,724,175	4.51
	JOHN DEERE CAPITAL CORP	6/6/2025	639,853	629,914	4.62
	JOHN DEERE CAPITAL CORP	3/7/2025	259,888	252,723	4.77
	JOHN DEERE CAPITAL CORP	1/10/2025	774,636	748,813	4.97
(1)	JPMORGAN CHASE & CO	1/23/2028	3,090,000	3,103,225	4.88
(1)	JPMORGAN CHASE & CO	10/22/2027	1,205,000	1,241,246	4.87
(1)	JPMORGAN CHASE & CO	11/19/2026	2,211,269	2,287,308	5.18
(1)	JPMORGAN CHASE & CO	4/26/2026	1,000,000	985,290	5.32
(1)	JPMORGAN CHASE & CO	2/24/2026	2,570,000	2,497,346	5.36
(1)	JPMORGAN CHASE & CO	8/9/2025	1,100,000	1,071,730	5.84
(1)	JPMORGAN CHASE & CO	6/1/2025	5,745,597	5,644,601	5.90
(1)	JPMORGAN CHASE & CO	2/16/2025	815,000	813,166	5.79
	JPMORGAN CHASE BANK NA	12/8/2026	3,595,000	3,640,944	4.61
	KEYBANK NA	1/26/2026	354,705	347,946	5.77
	KEYBANK NA	8/8/2025	1,319,630	1,290,722	5.69
(1)	KEYBANK NA	6/14/2024	2,045,000	2,032,566	7.24
	LINDE INC	12/5/2025	3,516,198	3,530,947	4.51
	LOCKHEED MARTIN CORP	10/15/2025	782,763	788,972	4.62
	MANUFACTURERS AND TRADERS TRUST CO	1/27/2026	2,430,763	2,402,615	5.36
	MASSMUTUAL GLOBAL FUNDING II	8/26/2025	1,208,754	1,199,413	4.73
	MERCEDES-BENZ FINANCE NORTH AMERICA LLC	1/11/2027	1,698,266	1,705,083	4.69
	MERCEDES-BENZ FINANCE NORTH AMERICA LLC	8/3/2026	1,340,348	1,366,187	4.69
	MET TOWER GLOBAL FUNDING	6/13/2025	1,973,065	1,942,689	4.95
	METROPOLITAN LIFE GLOBAL FUNDING I	1/6/2026	2,380,000	2,388,973	4.79
	METROPOLITAN LIFE GLOBAL FUNDING I	3/21/2025	579,484	566,202	4.97
	METROPOLITAN LIFE GLOBAL FUNDING I	9/27/2024	5,137,921	5,005,148	5.42
(1)	MORGAN STANLEY	1/28/2027	754,985	757,190	4.90
(1)	MORGAN STANLEY	10/16/2026	1,165,000	1,186,949	4.97
(1)	MORGAN STANLEY	4/28/2026	4,360,979	4,468,325	5.21
(1)	MORGAN STANLEY	2/18/2026	2,970,000	2,886,424	5.43
(1)	MORGAN STANLEY	10/21/2025	615,000	594,121	5.73
(1)	MORGAN STANLEY	1/22/2025	1,732,519	1,744,267	5.85
(1)	MORGAN STANLEY BANK NA	1/14/2028	1,250,000	1,253,388	4.85
	MORGAN STANLEY BANK NA	10/30/2026	2,340,000	2,406,128	4.74
	MORGAN STANLEY BANK NA	4/21/2026	3,720,000	3,724,018	4.70
	NATIONAL AUSTRALIA BANK LTD (NEW YORK BRANCH)	1/12/2026	2,960,000	2,974,741	4.69
	NATIONAL AUSTRALIA BANK LTD (NEW YORK BRANCH)	6/9/2025	2,280,000	2,242,266	4.77
	NATIONAL RURAL UTILITIES COOPERATIVE FINANCE CORP	11/13/2026	1,734,393	1,779,000	4.59
	NATIONAL RURAL UTILITIES COOPERATIVE FINANCE CORP	3/13/2026	2,488,648	2,483,149	4.69
	NATIONAL RURAL UTILITIES COOPERATIVE FINANCE CORP	10/30/2025	758,982	768,102	4.80
	NATIONAL RURAL UTILITIES COOPERATIVE FINANCE CORP	6/15/2025	3,164,145	3,104,232	4.91
	NATIONAL RURAL UTILITIES COOPERATIVE FINANCE CORP	2/7/2025	2,254,932	2,184,193	5.08
	NATIONAL RURAL UTILITIES COOPERATIVE FINANCE CORP	2/8/2024	809,441	809,231	5.23
	NATIONAL SECURITIES CLEARING CORP	11/21/2024	3,254,251	3,251,810	5.17
	NESTLE HOLDINGS INC	3/13/2026	819,729	832,292	4.50
	NESTLE HOLDINGS INC	9/12/2025	1,034,658	1,026,399	4.54
	NEW YORK LIFE GLOBAL FUNDING	9/18/2026	1,384,737	1,412,852	4.63
	NEW YORK LIFE GLOBAL FUNDING	1/14/2025	5,948,569	5,750,148	5.20
	NEW YORK LIFE GLOBAL FUNDING	10/29/2024	2,162,186	2,099,141	5.12
	NEW YORK LIFE GLOBAL FUNDING	8/27/2024	2,171,977	2,116,101	5.47
	NEXTERA ENERGY CAPITAL HOLDINGS INC	1/29/2026	2,608,826	2,610,104	4.95

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(1)	NEXTERA ENERGY CAPITAL HOLDINGS INC	9/1/2025	1,149,770	1,161,300	5.09
	NEXTERA ENERGY CAPITAL HOLDINGS INC	3/1/2025	2,175,425	2,189,599	5.18
	NEXTERA ENERGY CAPITAL HOLDINGS INC	9/1/2024	300,762	297,648	5.63
	NIKE INC	3/27/2025	44,939	43,810	4.78
	NORTHERN TRUST CORP	5/10/2027	3,930,215	3,942,920	4.47
	NORTHWESTERN MUTUAL GLOBAL FUNDING	4/6/2026	6,038,862	6,009,955	4.90
	NORTHWESTERN MUTUAL GLOBAL FUNDING	7/1/2025	5,003,298	4,952,297	4.78
	PACCAR FINANCIAL CORP	8/10/2026	3,593,203	3,645,186	4.46
	PACCAR FINANCIAL CORP	4/7/2025	10,162,357	9,949,299	4.71
	PACCAR FINANCIAL CORP	11/8/2024	1,544,907	1,496,008	5.15
	PACCAR FINANCIAL CORP	8/9/2024	959,482	935,914	5.44
	PACCAR FINANCIAL CORP	2/2/2024	1,618,121	1,620,000	0.35
	PACIFIC LIFE GLOBAL FUNDING II	8/28/2026	794,722	808,324	4.80
	PAYPAL HOLDINGS INC	10/1/2024	1,759,687	1,666,986	5.40
	PEPSICO INC	2/13/2026	1,579,084	1,582,465	4.47
	PEPSICO INC	7/17/2025	1,649,663	1,675,197	4.54
	PNC BANK NA	4/10/2025	4,562,820	4,424,175	5.35
(1)	PNC FINANCIAL SERVICES GROUP INC	1/21/2028	490,000	494,337	5.40
(1)	PNC FINANCIAL SERVICES GROUP INC	1/26/2027	1,630,000	1,619,764	5.09
(1)	PNC FINANCIAL SERVICES GROUP INC	10/28/2025	1,570,000	1,569,435	6.08
	PRICOA GLOBAL FUNDING I	8/28/2026	809,182	826,694	4.69
	PRICOA GLOBAL FUNDING I	8/28/2025	504,692	500,793	4.75
	PRICOA GLOBAL FUNDING I	12/6/2024	4,565,293	4,411,695	5.39
	PRINCIPAL LIFE GLOBAL FUNDING II	1/16/2027	474,815	478,548	4.73
	PRINCIPAL LIFE GLOBAL FUNDING II	1/10/2025	922,003	893,189	5.16
	PRINCIPAL LIFE GLOBAL FUNDING II	8/23/2024	1,124,303	1,097,010	5.31
	PUBLIC SERVICE ELECTRIC AND GAS CO	9/1/2028	2,539,642	2,551,095	4.46
	PUBLIC SERVICE ELECTRIC AND GAS CO	5/1/2028	1,929,762	1,968,658	4.48
	ROCHE HOLDINGS INC	11/13/2026	2,775,000	2,831,555	4.45
	ROCHE HOLDINGS INC	3/10/2025	3,520,000	3,422,813	4.72
	ROYAL BANK OF CANADA	4/14/2025	2,524,066	2,479,702	4.93
	ROYAL BANK OF CANADA	11/1/2024	4,205,160	3,909,480	5.36
	SALESFORCE INC	7/15/2024	914,533	895,538	5.41
	SECURITY BENEFIT GLOBAL FUNDING	5/17/2024	3,128,811	3,087,620	5.91
	SOUTHERN CALIFORNIA GAS CO	9/15/2024	3,704,883	3,685,146	5.18
(1)	STATE STREET CORP	11/4/2026	685,000	695,275	4.85
	STATE STREET CORP	8/3/2026	4,335,000	4,386,240	4.75
(1)	STATE STREET CORP	5/18/2026	1,225,000	1,226,152	5.02
(1)	STATE STREET CORP	3/30/2026	2,045,440	1,946,220	5.31
(1)	STATE STREET CORP	2/6/2026	3,765,000	3,632,096	5.37
(1)	STATE STREET CORP	1/26/2026	345,000	343,496	5.32
	TEXAS INSTRUMENTS INC	11/18/2024	379,829	378,541	5.19
	THERMO FISHER SCIENTIFIC INC	12/5/2026	1,873,706	1,899,656	4.49
	TORONTO-DOMINION BANK	6/12/2024	3,171,900	2,969,970	5.44
	TOYOTA MOTOR CREDIT CORP	5/18/2026	2,053,808	2,051,219	4.53
	TOYOTA MOTOR CREDIT CORP	1/13/2025	973,694	942,893	5.04
	TOYOTA MOTOR CREDIT CORP	6/18/2024	3,086,323	3,032,928	5.45
(1)	TRUIST FINANCIAL CORP	10/28/2026	1,650,000	1,669,173	5.19
(1)	TRUIST FINANCIAL CORP	7/28/2026	3,065,000	3,020,159	5.29
	TRUIST FINANCIAL CORP	8/1/2024	6,114,362	6,008,927	5.57
	UNITEDHEALTH GROUP INC	10/15/2025	539,951	544,995	4.58
	UNITEDHEALTH GROUP INC	5/15/2024	1,988,520	1,972,920	5.30
	US BANCORP	7/30/2024	2,662,075.00	2,462,900.00	5.45
	US BANCORP	2/5/2024	2,107,940.00	1,999,620.00	5.00
	USAA CAPITAL CORP	5/1/2025	1,903,754.30	1,873,958.30	4.95
	WALMART INC	4/15/2026	2,628,842.80	2,609,749.00	4.37
	WALMART INC	9/9/2025	3,122,812.50	3,096,968.75	4.48
(1)	WELLS FARGO & CO	8/15/2026	1,360,000.00	1,346,318.40	5.23
(1)	WELLS FARGO & CO	4/25/2026	1,850,000.00	1,818,661.00	5.34
	WELLS FARGO & CO	4/22/2026	2,046,240.00	2,087,760.75	4.92
(1)	WELLS FARGO & CO	10/30/2025	6,660,523.30	6,725,199.15	5.60
(1)	WELLS FARGO & CO	5/19/2025	455,000.00	448,006.65	5.91
	WELLS FARGO BANK NA	12/11/2026	4,100,000.00	4,158,794.00	4.70
	WELLS FARGO BANK NA	8/7/2026	1,659,867.20	1,686,626.40	4.75
	WELLS FARGO BANK NA	8/1/2025	3,512,469.20	3,551,837.20	4.78
	WISCONSIN PUBLIC SERVICE CORP	11/10/2025	684,849.30	691,856.85	4.73
<b>SUB-TOTAL</b>			<b>464,837,366</b>	<b>461,486,636</b>	
<b><u>MORTGAGE AND ASSET-BACK SECURITIES</u></b>					
	AESOP 212 A	2/20/2028	702,027	705,304	5.11
	ALLYA 2022-1 A3	11/16/2026	2,391,258	2,361,131	5.01
	ALLYA 2022-2 A3	5/17/2027	2,374,971	2,368,113	5.05
	ALLYA 2023-1 A3	5/15/2028	1,619,724	1,638,857	4.95
	AMCAR 2021-3 A3	8/18/2026	500,840	489,556	6.51
	AMCAR 2023-2 A3	5/18/2028	4,599,241	4,655,844	5.23
	AMXCA 2022-2 A	5/17/2027	11,233,105	11,055,631	4.88
	AMXCA 2023-1 A	5/15/2028	1,339,881	1,349,072	4.60
	BAAT 231 A3	2/15/2028	1,079,959	1,091,470	5.05
	BAAT 232 A3	6/15/2028	1,299,976	1,326,689	4.91
	BACCT 2023-1 A	5/15/2028	914,793	920,325	4.56
	BACCT 2023-2 A	11/15/2028	1,334,821	1,352,515	4.57
	BMWLT 2022-1 A3	3/25/2025	249,922	248,895	5.10
	BMWLT 2023-1 A3	11/25/2025	1,399,967	1,397,788	5.47
	BMWOT 2022-A A3	8/25/2026	2,789,061	2,745,583	5.33
	BMWOT 2023-A A3	2/25/2028	779,862	788,307	4.96

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	CARMX 2020-3 B	3/16/2026	858,341	831,156	3.88
	CARMX 2020-4 A3	8/15/2025	65,256	64,722	5.24
	CARMX 2021-1 A3	12/15/2025	155,003	152,443	5.65
	CARMX 2021-2 A3	2/17/2026	473,455	464,034	5.46
	CARMX 2021-3 A3	6/15/2026	1,370,550	1,331,036	5.27
	CARMX 2022-2 A3	2/16/2027	1,799,658	1,773,383	5.28
	CARMX 2022-3 A3	4/15/2027	2,529,940	2,500,424	5.04
	CARMX 2022-4 A3	8/16/2027	7,453,252	7,477,961	5.16
	CARMX 2023-3 A3	5/15/2028	3,199,963	3,230,272	4.88
	CARMX 2023-4 A3	7/17/2028	599,882	616,260	4.89
	CARMX 2024-1 A3	10/16/2028	8,234,370	8,272,140	4.79
	CARMX 2032-2 A3	1/18/2028	6,029,359	6,045,557	4.96
	CCCIT 2023-A1 A1	12/8/2027	584,927	590,651	4.67
	CHAIT 2023-1 A	9/15/2028	11,146,566	11,342,747	4.55
	CHAIT 241 A	1/16/2029	3,259,504	3,270,628	4.52
	CITZN 2023-1 A3	1/18/2028	2,299,620	2,331,142	5.20
	COMET 2021-3 A	11/16/2026	2,774,618	2,686,339	5.22
	COMET 2022-1 A	3/15/2027	7,399,825	7,277,652	5.03
	COMET 2022-2 A	5/17/2027	5,254,160	5,160,988	4.97
	COMET 2023-1 A	5/15/2028	3,470,195	3,486,315	4.64
	COPAR 2021-1 A3	9/15/2026	843,401	818,072	4.99
	COPAR 2022-1 A3	4/15/2027	1,469,679	1,439,983	5.10
	COPAR 2022-2 A3	5/17/2027	1,459,895	1,435,764	4.93
	CRVNA 23P2 A3	4/10/2028	2,181,939	2,206,072	5.34
	DCENT 2021-1 A	9/15/2026	1,334,714	1,296,819	5.30
	DCENT 2022-2 A	5/17/2027	2,674,783	2,623,319	4.91
	DCENT 2022-3 A	7/15/2027	3,029,624	2,974,066	4.92
	FCAT 2023-3 A3	4/17/2028	799,951	804,128	5.21
	FCAT 231 A3	8/16/2027	1,599,884	1,595,216	5.29
	FITAT 2023-1 A3	8/15/2028	2,649,836	2,687,577	4.94
	FORDF 231 B	5/15/2028	568,621	574,189	5.43
	FORDO 2021-A A3	8/15/2025	393,646	388,992	5.17
	FORDO 2022-A A3	6/15/2026	537,125	523,351	5.37
	FORDO 2022-B A3	9/15/2026	844,954	834,902	5.36
	FORDO 2023-B A3	5/15/2028	1,434,981	1,448,231	4.82
	GALC 2021-2 A3	7/15/2025	2,197,737	2,150,256	6.75
	GALC 221 A3	9/15/2026	3,699,362	3,684,978	5.54
	GALC 241 A3	1/18/2028	2,799,516	2,800,000	5.38
	GFORT 231 A1	6/15/2028	3,275,385	3,340,029	4.84
	GMALT 2022-1 A3	3/20/2025	1,291,909	1,285,693	5.47
	GMALT 2023-1 A3	4/20/2026	1,349,777	1,348,650	5.36
	GMCAR 2020-3 A3	4/16/2025	14,436	14,411	5.03
	GMCAR 2020-4 A3	8/18/2025	38,984	38,740	5.56
	GMCAR 2021-1 A3	10/16/2025	63,596	62,846	5.41
	GMCAR 2021-4 A3	9/16/2026	1,414,257	1,368,555	5.34
	GMCAR 2022-1 A3	11/16/2026	1,670,569	1,624,786	5.19
	GMCAR 2022-2 A3	2/16/2027	1,209,747	1,188,341	5.22
	GMCAR 2022-3 A3	4/16/2027	1,549,989	1,527,479	5.03
	GMCAR 2022-4 A3	8/16/2027	1,899,689	1,896,390	5.01
	GMCAR 2023-2 A3	2/16/2028	664,982	660,937	4.85
	GMCAR 2023-4 A3	8/16/2028	939,807	961,564	4.85
	GMCAR 2024-1 A3	12/18/2028	2,964,404	2,975,644	4.75
	GTE 2023-1 A3	3/15/2028	2,199,815	2,187,130	6.08
	HALST 2022-A A3	1/15/2025	604,608	601,924	5.14
	HALST 24A A3	3/15/2027	1,794,660	1,799,021	4.98
	HAROT 2021-4 A3	1/21/2026	1,820,580	1,772,909	5.29
	HAROT 2022-1 A3	5/15/2026	992,252	969,298	5.24
	HAROT 2022-2 A3	7/20/2026	1,614,904	1,593,391	5.16
	HAROT 2023-4 A3	6/21/2028	599,894	612,336	4.82
	HART 2021-A A3	9/15/2025	642,918	635,437	5.16
	HART 2021-B A3	1/15/2026	1,490,892	1,463,321	5.47
	HART 2021-C A3	5/15/2026	608,511	593,285	5.42
	HART 2022-A A3	10/15/2026	2,464,722	2,411,232	5.27
	HART 2022-B A3	11/16/2026	1,549,999	1,528,874	5.21
	HART 2022-C A3	6/15/2027	6,804,967	6,838,549	5.07
	HDMOT 2022-A A3	2/16/2027	2,059,891	2,024,963	5.54
	HDMOT 2023-A A3	12/15/2027	1,639,835	1,637,770	5.18
	JDOT 2021 A3	9/15/2025	621,616	611,669	4.89
	JDOT 2022 A3	9/15/2026	1,577,406	1,544,054	5.25
	JDOT 2022-C A3	6/15/2027	3,899,697	3,899,688	5.14
	KCOT 2021-1 A3	8/15/2025	396,407	389,303	6.00
	KCOT 2022-1 A2	4/15/2025	103,360	103,022	2.35
	KCOT 2022-1 A3	10/15/2026	2,499,643	2,437,150	5.95
	KCOT 2023-1 A3	6/15/2027	6,743,944	6,774,004	4.79
	KCOT 212 A3	11/17/2025	907,628	884,662	5.93
	KCOT 222 A3	12/15/2026	2,374,565	2,342,059	5.63
	KCOT 232 A3	1/18/2028	3,029,235	3,062,633	4.86
	MBART 2022-1 A3	8/16/2027	3,894,230	3,902,907	5.10
	MBART 2023-1 A3	11/15/2027	729,912	725,496	4.95
	MMAF 22B A2	9/9/2025	2,124,306	2,122,285	5.97
	NAROT 2022-B A3	5/17/2027	1,504,689	1,494,510	4.99
	NAROT 2023-A A3	11/15/2027	3,299,417	3,298,878	4.97
	NAROT 2023-B A3	3/15/2028	2,799,432	2,863,084	4.90
	NAVMT 231 A	8/25/2028	2,784,604	2,815,886	5.49

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	ODART 2021-1 B	7/14/2028	798,188	825,075	5.13
	SBALT 23A A3	4/20/2027	3,309,545	3,376,630	5.28
	SDART 2022-6 A3	11/16/2026	1,323,855	1,318,304	5.76
	SDART 2023-3 A3	10/15/2027	1,399,842	1,407,728	5.22
	SYNIT 2022-1 A	4/17/2028	580,311	582,749	5.18
	TAOT 2021-A A3	5/15/2025	509,712	505,275	5.42
	TAOT 2021-D A3	4/15/2026	833,684	810,700	5.47
	TAOT 2022-B A3	9/15/2026	1,373,395	1,348,912	5.25
	TAOT 2022-C A3	4/15/2027	3,025,132	3,044,948	5.00
	TAOT 2022-D A3	9/15/2027	4,799,526	4,835,568	4.86
	TAOT 2023-A A3	9/15/2027	775,000	772,024	4.92
	TAOT 2023-B A3	2/15/2028	1,894,894	1,893,768	4.78
	TAOT 2023-D A3	8/15/2028	1,959,789	2,000,494	4.75
	TLOT 2023-A A3	4/20/2026	2,599,547	2,596,802	5.09
	VALET 2021-1 A3	6/22/2026	850,126	828,684	5.56
	VWALT 2022-A A3	7/21/2025	675,087	670,178	6.02
	WLAKE 2023-1 A3	1/18/2028	1,599,921	1,596,720	5.45
	WLAKE 223 A3	7/15/2026	4,799,655	4,795,632	5.69
	WLAKE 232 A3	2/16/2027	3,799,858	3,811,476	5.57
	WOART 2021-D A3	10/15/2026	977,743	951,014	5.18
	<b>SUB-TOTAL</b>		<b>256,498,377</b>	<b>255,894,318</b>	
	<b><u>Municipal Debt</u></b>				
	ALABAMA FED AID HWY FIN AUTH SPL OBLIG REV	9/1/2027	1,349,172	1,366,946	4.34
	CALIFORNIA ST PUB WKS BRD LEASE REV	11/1/2026	1,600,000	1,639,520	4.57
	CONNECTICUT ST	6/15/2024	1,668,696	1,624,034	5.22
	CORONA	5/1/2024	1,510,000	1,492,892	5.29
	EL CAJON CALIF	4/1/2024	540,000	536,069	5.32
	FLORIDA ST BRD ADMIN FIN CORP REV	7/1/2025	1,025,000	974,867	4.87
	GOLDEN ST TOB SECURITIZATION CORP CALIF TOB SETTLE	6/1/2025	2,120,000	2,018,304	5.17
	HAWAII ST ARPTS SYS CUSTOMER FAC CHARGE REV	7/1/2024	715,000	704,897	5.47
	LOS ALTOS CALIF SCH DIST	10/1/2024	1,826,514	1,754,874	4.87
	LOS ANGELES CALIF MUN IMPT CORP LEASE REV	11/1/2025	1,600,000	1,503,248	4.58
	MASSACHUSETTS (COMMONWEALTH OF)	11/1/2026	431,068	443,998	4.28
	MASSACHUSETTS (COMMONWEALTH OF)	1/15/2025	2,345,000	2,318,830	4.87
	MASSACHUSETTS (COMMONWEALTH OF)	7/15/2024	4,240,000	4,209,048	5.27
	NEW JERSEY ST TPK AUTH TPK REV	1/1/2025	850,000	820,590	4.80
	NEW YORK ST	2/15/2024	3,000,000	2,996,340	5.11
	NEW YORK STATE DORMITORY AUTHORITY	3/15/2025	2,690,000	2,577,181	4.77
	REDONDO BEACH CALIF CMNTY FING AUTH LEASE REV	5/1/2026	1,495,000	1,385,671	4.79
	RIVERSIDE CNTY CALIF INFRASTRUCTURE FING AUTH LEAS	11/1/2024	1,810,000	1,755,953	4.98
	SAN DIEGO CNTY CALIF WTR AUTH WTR REV	5/1/2024	667,541	697,160	5.09
	SAN DIEGO CNTY CALIF WTR AUTH WTR REV	5/1/2024	1,400,000	1,383,144	5.47
	WISCONSIN ST GEN FD ANNUAL APPROPRIATION REV	5/1/2027	2,276,950	2,249,830	4.17
	WISCONSIN ST GEN FD ANNUAL APPROPRIATION REV	5/1/2027	841,263	835,418	4.31
	WISCONSIN ST GEN FD ANNUAL APPROPRIATION REV	5/1/2026	1,240,000	1,237,867	4.44
	<b>SUB-TOTAL</b>		<b>37,241,204</b>	<b>36,526,681</b>	
	<b><u>Supranationals</u></b>				
	INTER-AMERICAN DEVELOPMENT BANK	9/23/2024	6,764,990	6,571,233	5.19
	INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPM	3/19/2024	5,349,700	4,980,400	5.41
	INTERNATIONAL FINANCE CORP	1/15/2027	4,938,847	4,966,842	4.29
	<b>SUB-TOTAL</b>		<b>17,053,537</b>	<b>16,518,475</b>	
	<b>SHORT-TERM PORTFOLIO - TOTAL</b>		<b>\$ 2,000,742,810</b>	<b>\$ 1,995,894,720</b>	

**BOND PROCEEDS PORTFOLIO**

<u>NOTE</u>	<u>DESCRIPTION</u>	<u>MATURITY DATE</u>	<u>BOOK VALUE</u>	<u>MARKET VALUE</u>	<u>YIELD</u>
	<b><u>2021 Bond Anticipation Notes (BANs) - US Bank</u></b>				
	FIRST AMERICAN GOVERNMENT OBLIGATIONS FUND	N/A	54,071	54,071	4.95
	<b><u>91 EXPRESS LANES 2023 BONDS (US Bank COI)</u></b>				
	FIRST AMERICAN GOVERNMENT OBLIGATIONS FUND	N/A	2,552	2,552	4.95
	<b>BOND PROCEEDS PORTFOLIO-TOTAL</b>		<b>\$ 56,623</b>	<b>\$ 56,623</b>	

**DEBT SERVICE RESERVE FUNDS**

<u>NOTE</u>	<u>DESCRIPTION</u>	<u>MATURITY DATE</u>	<u>BOOK VALUE</u>	<u>MARKET VALUE</u>	<u>YIELD</u>
	<b><u>91 EXPRESS LANES 2023 BONDS (US Bank DSF/DSRF)</u></b>				
	FIRST AMERICAN GOVERNMENT OBLIGATIONS FUND	N/A	5,341,364	5,341,364	4.95
	<b><u>91 EXPRESS LANES 2023 BONDS - OPERATING &amp; MAINTENANCE RESERVES</u></b>				
	BMO HARRIS BANK NCD	7/5/2024	5,000,000	5,009,100	5.84
	BMO HARRIS BANK NCD	1/11/2024	3,000,000	3,000,000	5.75
	<b>DEBT SERVICE RESERVE FUNDS - TOTAL</b>		<b>\$ 13,341,364</b>	<b>\$ 13,350,464</b>	

**TOTAL PORTFOLIO**

<u>Book Value</u>	<u>Market Value</u>
<b>\$ 2,496,492,907</b>	<b>\$ 2,491,653,917</b>

NOTE: 1. Variable or floating rate securities.



## COMMITTEE TRANSMITTAL

***March 25, 2024***

**To:** Members of the Board of Directors  
**From:** Andrea West, Clerk of the Board *Andrea West*  
**Subject:** Second Quarter Fiscal Year 2023-24 Procurement Status Report

**Finance and Administration Committee Meeting of March 13, 2024**

**Present:** Directors Do, Federico, Harper, Hennessey, Klopfenstein,  
Nguyen, and Sarmiento  
**Absent:** None

**Committee Vote**

No action was taken on this item.

**Staff Recommendation**

Receive and file as an information item.



**March 13, 2024**

**To:** Finance and Administration Committee

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

**Subject:** Second Quarter Fiscal Year 2023-24 Procurement Status Report

### **Overview**

The second quarter procurement status report summarizes the procurement activities for information purposes to the Orange County Transportation Authority Board of Directors. This report focuses on procurement activity from October 1, 2023 through December 31, 2023, that was approved by the Board of Directors during this period. The second quarter procurement status report also projects future procurement activity for the third quarter as identified in the fiscal year 2023-24 budget.

### **Recommendation**

Receive and file as an information item.

### **Background**

The Board of Directors (Board) approved the Orange County Transportation Authority (OCTA) Fiscal Year (FY) 2023-24 Budget on June 12, 2023, which identifies the goods and services that will be purchased during the FY. A quarterly procurement report has been prepared detailing the procurement activity for line items that were approved by the Board during the second quarter of FY 2023-24. The report also provides a “look-ahead” of upcoming procurement activity by Board committee. The quarterly procurement report identifies contractual activity, not dollars spent.

### **Discussion**

During the second quarter of FY 2023-24, the Contracts Administration and Materials Management Department handled 438 different contractual documents. Of the total, 307 contractual documents, valued at \$266,889,045,

were completed; the remaining procurements will be executed during the third quarter of FY 2023-24.

In the second quarter, the Board acted on 19 procurements. The procurements were split between five agreements valued at \$13,449,742, four amendments valued at \$7,615,000, four cooperative agreements valued at \$71,114,400, two cooperative amendments valued at \$22,578,258, one purchase order valued at \$495,000, one purchase order amendment at \$527,744, one sole source agreement valued at \$50,000, and one option-term amendment valued at \$625,049. Attachment A shows a list of Board-approved procurements during the second quarter. In the same quarter, two procurements valued over \$250,000 to \$500,000 were approved by the Chief Executive Officer or designee as shown on Attachment B. Not all procurements are completed within the quarter in which they begin. Often, the procurements require cost and price reviews, as well as negotiations, which can lengthen the procurement process. Procurements not completed within the second quarter of FY 2023-24 are anticipated to be completed within the third quarter of FY 2023-24.

There are several large procurements requiring Board approval throughout the third quarter of FY 2023-24 (January 1, 2024 through March 31, 2024) including:

- Construction management support services for the State Route 91 improvement project Between Acacia Street and La Palma Avenue
- Purchase of 108 replacement transit vans for OC ACCESS and four OC flex transit vans
- Purchase of 22-foot cutaways for OC ACCESS
- Professional services for Harbor Boulevard Pilot Innovative Transit Signal Priority Study

The estimated value of these third quarter procurements is \$68,346,318. Attachments C through G identify procurement activity anticipated in the third quarter of FY 2023-24 by the committee that will review the items.

### ***Summary***

This report provides an update of the procurement activity for the second quarter of FY 2023-24, October 1, 2023 through December 31, 2023, as well as a look-ahead at anticipated procurement activity for the third quarter of FY 2023-24. Staff recommends that this report be received and filed as an information item.

***Attachments***

- A. Board-Approved Contracts – Second Quarter Fiscal Year 2023-24
- B. Non-Board Approved Contracts – Second Quarter Fiscal Year 2023-24  
Valued over \$250,000 - \$500,000
- C. Regional Transportation Planning Committee – Third Quarter Outlook  
(January 1, 2024 through March 31, 2024)
- D. Transit Committee – Third Quarter Outlook  
(January 1, 2024 through March 31, 2024)
- E. Finance and Administration Committee – Third Quarter Outlook  
(January 1, 2024 through March 31, 2024)
- F. Legislative and Communications Committee – Third Quarter Outlook  
(January 1, 2024 through March 31, 2024)
- G. Executive Committee – Third Quarter Outlook  
(January 1, 2024 through March 31, 2024)

**Prepared by:**



Pia Veasaper  
Director, Contracts Administration and  
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(714) 560-5619

**Approved by:**



Andrew Oftelie  
Chief Financial Officer,  
Finance and Administration  
(714) 560-5649



## Board-Approved Contracts - Second Quarter Fiscal Year 2023-24

## NEW AGREEMENTS

Prime Vendor	Contract #	Contract Description	Eff Date	Exp Date	Amount
INIT Innovations in Transportation, Inc.	C22980	Rider Validation System	2/5/2024	12/31/2028	\$11,627,150
Superior Sweeping, Ltd	C32835	Lot Sweeping Services	12/6/2023	10/31/2025	\$374,592
Glenn Lukos Associates, Inc.	C32700	Biological Preserve Monitoring Services	12/11/2023	11/30/2027	\$500,000
Transportation Engineering and Planning, Inc.	C32707	Comprehensive Transportation Funding Programs Review Services	12/18/2023	11/30/2026	\$474,000
W.G. Zimmerman Engineering, Inc.	C32854	Comprehensive Transportation Funding Programs Review Services	12/18/2023	11/30/2026	\$474,000
<b>TOTAL NUMBER OF CONTRACTS</b>					<b>5</b>
<b>TOTAL DOLLAR VALUE</b>					<b>\$13,449,742</b>

## AMENDMENTS TO EXISTING AGREEMENTS

Prime Vendor	Contract #	Contract Description	Eff Date	Exp Date	Amount
Jacobs Project Management Co.	C91605	Amendment No. 5 Additional Construction Management Support Services for the Interstate 5 Improvement Project from Alicia Parkway to El Toro Road	10/9/2023	6/30/2024	\$3,740,000
T.Y. Lin International	C02073	Amendment No. 3 Additional Design Services for the State Route 91 Improvement Project between Acacia Street and La Palma Avenue	11/13/2023	12/31/2028	\$968,914
WKE, Inc.	C91557	Amendment No. 4 Additional Design Services for State Route 91 Improvement Project Between La Palma Avenue and State Route 55	11/13/2023	8/31/2028	\$1,180,336
Siemens Mobility, Inc.	C61445	Amendment No. 7 Purchase Additional Spare Parts, Special Tools, and Test Equipment	11/13/2023	7/14/2025	\$1,725,750
<b>TOTAL NUMBER OF AMENDMENTS</b>					<b>4</b>
<b>TOTAL DOLLAR VALUE</b>					<b>\$7,615,000</b>

## COOPERATIVE AGREEMENTS

Prime Vendor	Contract #	Contract Description	Eff Date	Exp Date	Amount
California Highway Patrol	C32860	Enforcement Services on the 405 Express Lanes	10/1/2023	9/30/2033	\$15,000,000
California Department of Transportation	C32902	Right-of-Way Support Services, Right-of-Way Acquisition, and Utility Relocation Costs for the Interstate 5 Improvement Project between State Route 73 and Oso Parkway	3/1/2024	2/28/2029	\$16,021,000
California Department of Transportation	C32950	Right-of-Way Support Services, Right-of-Way Acquisition, and Utility Relocation Costs for the Interstate 5 Improvement Project between Oso Parkway and Alicia Parkway	3/1/2024	2/28/2029	11,305,400
California Department of Transportation	C32951	Right-of-Way Support Services, Right-of-Way Acquisition, and Utility Relocation Costs for the Interstate 5 Improvement Project between Alicia Parkway and El Toro Road	3/1/2024	2/28/2029	28,788,000
<b>TOTAL NUMBER OF COOPERATIVE AMENDMENTS</b>					<b>4</b>
<b>TOTAL DOLLAR VALUE</b>					<b>\$71,114,400</b>

## AMENDMENTS TO COOPERATIVE AGREEMENTS

Prime Vendor	Contract #	Contract Description	Eff Date	Exp Date	Amount
Southern California Regional Rail Authority	C02540	Amendment No. 1 Additional Construction Capital and Construction Support Services for the San Juan Creek Bridge Replacement Project	2/14/2024	12/31/2026	\$22,578,258
City of Irvine	C01892	Amendment No. 9 Use Proposition 116 Payback Funds to Support Ongoing Transit Services In and the Transfer of Vehicles to the City of Irvine	12/20/2020	6/30/2041	\$0
<b>TOTAL NUMBER OF COOPERATIVE AMENDMENTS</b>					<b>2</b>
<b>TOTAL DOLLAR VALUE</b>					<b>\$22,578,258</b>

## Board-Approved Contracts - Second Quarter Fiscal Year 2023-24

### PURCHASE ORDERS

Prime Vendor	Contract #	Contract Description	Eff Date	Exp Date	Amount
Marsh Risk and Insurance Services, Inc.	A55552	Property Insurance Renewal	12/1/2023	6/30/2024	\$495,000
<b>TOTAL NUMBER OF PURCHASE ORDERS</b>					<b>1</b>
<b>TOTAL DOLLAR VALUE</b>					<b>\$495,000</b>

### AMENDMENTS TO PURCHASE ORDER

Prime Vendor	Contract #	Contract Description	Eff Date	Exp Date	Amount
		Amendment No. 2 Provide Additional Microsoft			
Dell, Inc.	C13676	Software Licenses and Online Services	10/9/2023	11/30/2023	\$527,744
<b>TOTAL NUMBER OF PURCHASE ORDERS AMENDMENTS</b>					<b>1</b>
<b>TOTAL DOLLAR VALUE</b>					<b>\$527,744</b>

### SOLE SOURCE AGREEMENTS

Prime Vendor	Contract #	Contract Description	Eff Date	Exp Date	Amount
Grand Jurors Association of Orange County	C32908	Annual Taxpayer Oversight Committee Recruitment Process Management	6/30/2023	6/30/2028	\$50,000
<b>TOTAL NUMBER OF SOLE SOURCE AGREEMENTS</b>					<b>1</b>
<b>TOTAL DOLLAR VALUE</b>					<b>\$50,000</b>

### OPTION TERM AMENDMENTS

Prime Vendor	Contract #	Contract Description	Eff Date	Exp Date	Amount
		Amendment No. 8 Exercise Second Option Term for Continued Hydrogen Station Operation,			
Trillium USA Company LLC,	C71577	Maintenance, and Hydrogen Fuel Delivery	1/1/2024	12/31/2024	\$625,049
<b>TOTAL NUMBER OF OPTION TERM AMENDMENTS</b>					<b>1</b>
<b>TOTAL DOLLAR VALUE</b>					<b>\$625,049</b>

## Non-Board Approved Contracts – Second Quarter Fiscal Year 2023-24 Valued over \$250,000 - \$500,000

Prime Vendor	Contract #	Contract Description	Eff Date	Exp Date	Amount	
AMERICAN MATERIALS CO.	C32847	Miscellaneous Auto and Shop Supplies	11/28/2023	11/30/2026	\$	500,000
ZONES, LLC	C32958	Freshservice Enterprise Subscription Services	12/25/2023	12/31/2026	\$	300,000
TOTAL DOLLAR VALUE:					\$	800,000

**REGIONAL TRANSPORTATION PLANNING COMMITTEE - Third Quarter Outlook (January 1, 2024 through March 31, 2024)**

<b><u>Committee Date</u></b>	<b><u>Item Description</u></b>	<b><u>Estimated Value</u></b>	<b><u>Division</u></b>
January 2, 2024	None		
February 5, 2024	Amendment to Arcadis U.S. Inc., for the Interstate 5 Improvement Project from State Route 73 to Oso Parkway	\$2,230,587	Capital Programs
	Consultant Selection for Construction Management Support Services for the State Route 91 Improvement Project Between Acacia Street and La Palma Avenue	\$12,000,000	Capital Programs
	Consultant Selection for Professional Services for the Countywide Signal Synchronization Baseline	\$9,630,000	Planning
March 4, 2024	Consultant Selection for Professional Services for Harbor Boulevard Pilot Innovative Transit Signal Priority Study	\$1,197,912	Planning
	Amendment to Agreement for Additional Design Services for Interstate 5 Improvement Project between Yale Avenue and State Route 55	\$1,196,000	Capital Programs

## TRANSIT COMMITTEE - Third Quarter Outlook (January 1, 2024 through March 31, 2024)

<u>Committee Date</u>	<u>Item Description</u>	<u>Estimated Value</u>	<u>Division</u>
January 11, 2024	None		
February 8, 2024	Consultant Selection for On-Call Construction Management and Engineering Technical Support Services for Transit Facility Projects	\$1,600,000	Capital Programs
	Contract Change Orders for the OC Streetcar Construction Project	\$1,425,000	Capital Programs
March 14, 2024	Agreement for Real Property Management Services for Orange County Transportation Authority-Owned Properties	\$750,000	Capital Programs
	Cooperative Agreement with the City of Santa Ana and Garden Grove for Operations and Maintenance Services for the OC Streetcar Project	\$0	Operations
	Agreement for the Purchase of 108 Replacement Transit Vans for OC ACCESS and Four OC Flex Transit Vans	\$20,905,505	Operations
	Agreement for the Purchase of 22-Foot Cutaways for OC ACCESS	\$3,213,060	Operations
	Amendments to Agreements with PGH Wong Engineering, Inc. and HDR Engineering, Inc. for the OC Streetcar Project	\$9,700,000	Capital Programs
	Amendment to Agreement for Detail Bus Cleaning and Pesticide Application Services	\$810,550	Operations

## FINANCE AND ADMINISTRATION COMMITTEE - Third Quarter Outlook (January 1, 2024 through March 31, 2024)

<u>Committee Date</u>	<u>Item Description</u>	<u>Estimated Value</u>	<u>Division</u>
January 10, 2024	Freeway Maintenance Agreement with the California Department of Transportation for Roadway and Maintenance Services on the 405 Express Lanes	\$887,217	Executive
	Agreement for Independent Annual Financial Auditing Services	\$1,715,487	Internal Audit
January 24, 2024	None		
February 14, 2024	None		
February 28, 2024	None		
March 13, 2024	None		
March 27, 2024	None		

**LEGISLATIVE AND COMMUNICATIONS COMMITTEE - Third Quarter Outlook (January 1, 2024 through March 31, 2024)**

<b><u>Committee Date</u></b>	<b><u>Item Description</u></b>	<b><u>Estimated Value</u></b>	<b><u>Division</u></b>
January 18, 2024	None		
February 15, 2024	Rideshare and Vanpool Marketing and Advertising Services	\$616,667	People and Community Engagement
March 21, 2024	None		

## EXECUTIVE COMMITTEE - Third Quarter Outlook (January 1, 2024 through March 31, 2024)

<u>Committee Date</u>	<u>Item Description</u>	<u>Estimated Value</u>	<u>Division</u>
January 2, 2024	None		
February 5, 2024	Amendment to Convergent Agreement for Security Service and Maintenance	\$468,333	Executive
March 4, 2024	Contract Extension for General Counsel Legal Services	\$0	Executive





## COMMITTEE TRANSMITTAL

**March 25, 2024**

**To:** Members of the Board of Directors

**From:** Andrea West, Interim Clerk of the Board

(A)

**Subject:** State Legislative Status Report

### Legislative and Communications Committee Meeting of March 21, 2024

**Present:** Directors Aitken, Dumitru, Foley, Nguyen, and Wagner

**Absent:** Director Jung

### **Committee Vote and Recommendations**

A motion was made by Committee Chair Wagner, seconded by Director Dumitru, and declared passed by those present to:

- A. Adopt a SUPPORT position on AB 2043 (Boerner, D-Solana Beach), which would require Medi Cal Managed Care Plans to reimburse public transit operators for nonmedical transportation and nonemergency medical transportation services.
- B. Adopt a SUPPORT position on AB 2259 (Boerner, D-Solana Beach), which would require CalSTA to develop and distribute a bicycle safety handbook on or before September 1, 2025.

Director Nguyen was not present to vote on this item.

Director Dumitru requested that Recommendation C be voted on separately from Recommendations A and B.

A motion was made by Director Aitken, seconded by Committee Vice Chair Foley, and declared passed as amended by those present to:

- C. Adopt a ~~SUPPORT~~ WATCH position on SB 1011 (Jones, R-San Diego), which would make a conditional prohibition for a person to unlawfully occupy a public space, including public transit stops, open spaces, and schools.

Director Dumitri voted in opposition to this item.

Director Nguyen was not present to vote on this item.



Vice Chair Foley requested that Recommendation D be voted on separately from Recommendations A, B, and C.

A motion was made by Committee Vice Chair Foley, seconded by Dumitru, and declared passed as amended by those present to:

- D. Direct staff to engage with the author's office and work with Los Angeles – San Diego – San Luis Obispo Rail Corridor member agencies to help inform and identify any potential improvements to SB 1098 (Blakespear, D-Encinitas).

**Committee Discussion:**

After a lengthy discussion, the Committee amended Recommendation C to adopt a WATCH position on SB 1011.

Committee Vice Chair Foley discussed concerns on Recommendation D and concurred with staff recommendation as presented on SB 1098 (Blakespear, D-Encinitas).



**March 21, 2024**

**To:** Legislative and Communications Committee

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

**Subject:** State Legislative Status Report

### **Overview**

The Orange County Transportation Authority provides regular updates to the Legislative and Communications Committee on policy issues directly impacting its overall programs, projects, and operations. Staff recommends a support position on three pieces of legislation: the first related to non-emergency medical transportation reimbursements, the second related to developing and distributing a handbook for bicycle and electric bicycle safety, and the third which would make it a conditional prohibition for a person to unlawfully occupy a public space, including public transit stops, open space, and schools. An overview is provided and direction is requested on legislation that would create several reporting requirements for the California State Transportation Secretary and regional governments pertaining to the planning, operations, and management of the Los Angeles – San Diego – San Luis Obispo Rail Corridor.

### **Recommendations**

- A. Adopt a SUPPORT position on AB 2043 (Boerner, D-Solana Beach), which would require Medi-Cal Managed Care Plans to reimburse public transit operators for nonmedical transportation and nonemergency medical transportation services.
- B. Adopt a SUPPORT position on AB 2259 (Boerner, D-Solana Beach), which would require CalSTA to develop and distribute a bicycle safety handbook on or before September 1, 2025.
- C. Adopt a SUPPORT position on SB 1011 (Jones, R-San Diego), which would make a conditional prohibition for a person to unlawfully occupy a public space, including public transit stops, open spaces, and schools.
- D. Direct staff to engage with the author's office and work with Los Angeles – San Diego – San Luis Obispo Rail Corridor member agencies to help inform and identify any potential improvements to SB 1098 (Blakespear, D-Encinitas).

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**Discussion****AB 2043 (Boerner, D-Solana Beach): Medi-Cal: Nonmedical and Nonemergency Medical Transportation**

Historically, Medi-Cal could directly reimburse transportation providers, through an agreement, for nonmedical and nonemergency medical transportation for individuals that were covered by Medi-Cal as long as they were utilizing the transportation services to gain access to services that were also covered by Medi-Cal. However, following the enactment of AB 2394 (Chapter 615, Statutes of 2016), transportation reimbursement is now included in a customer's capitated health care coverage, where invoices for reimbursement are sent to the customer's Managed Care Plan (MCP) instead of transportation providers, including public transportation operators. The MCPs are then tasked with reimbursing the transportation providers if the Medi-Cal customer requests the transportation from their MCP in advance. If the customer does not notify their MCP and submits a request, then transportation providers are responsible for acquiring reimbursement from the MCP on their own. MCPs can receive both state and federal funds to offer Medi-Cal-related transportation services, but they are not required to reimburse transportation providers. As a result, MCPs are placed under little to no pressure to partner with transportation providers.

AB 2043 requires the California Department of Health Care Services (DHCS) to require MCPs to contract with public transit operators to establish reimbursement rates for nonmedical and nonemergency medical transportation trips. It further requires the reimbursement rates by the MCP to the public transit operator to be based on the fee-for-service rates determined by DHCS for nonmedical and nonemergency medical transportation service.

Public transportation operators are federally mandated to provide transportation for medically necessary Medi-Cal related services, such as traveling to a doctor's appointment and picking up prescriptions or medical supplies. In these instances, public transportation is the only affordable option to access such care. AB 2043 would provide a more robust line of communication between the MCPs and public transportation operators, taking the onus off the transportation provider to make reimbursement requests on their own. AB 2043 will create an opportunity for a more equitable reimbursement system to occur and ultimately, save the transit operators money. As public transit operators face long-term financial hurdles, it is important to ensure they are receiving this reimbursement to which they are entitled.

OCTA supported AB 719 (Boerner, D-Solana Beach) last year, which is identical to this legislation. AB 719 was vetoed because the Governor indicated (in his veto message) that DHCS was unable to perform the series of federal approvals to implement these provisions. Since that veto, there has been further guidance from the federal government stating that public paratransit agencies should not be unduly burdened by the cost of these services. Discussions are anticipated

to commence with the DHCS to find a path forward this year because of this latest guidance.

This legislation is sponsored the San Diego Metropolitan Transit System. A SUPPORT position is consistent with OCTA's 2023-24 State Legislative Platform principles to "Seek additional funding for paratransit operations and transit accessibility capital improvements that support persons with disabilities and senior citizens." A copy of the text of this legislation is included as Attachment A.

AB 2259 (Boerner, D-Solana Beach): Transportation: Bicycle Safety Handbook

AB 2259 would require the California State Transportation Agency (CalSTA) to annually develop and distribute a handbook related to bicycle and electric bicycle (e-bike) safety on or before September 1, 2025.

Specifically, AB 2259 would require CalSTA to develop and distribute a bicycle safety handbook, incorporating evidence-based practices and trends related to bicycle and e-bike safety. The bicycle safety handbook will include information on a number of items related to bicycle safety, including existing laws regulating bicycles and e-bike, safety equipment requirements and recommendations, strategies for lawfully and safely bicycling in various situations, obeying traffic signs and signals, and recommendations for sharing roads and bikeways with motorists, pedestrians, and other bicyclists.

In developing the handbook, CalSTA will be required to collaborate with stakeholders from various groups including, but not limited to, the California Department of Motor Vehicles (DMV), the California Department of Transportation, representatives from various bicycling advocacy organizations, and other relevant stakeholders that CalSTA deems necessary. Once the development of the bicycle safety handbook is complete, CalSTA will be required to post a downloadable electronic version of the handbook on the DMV website and any other state department or agency that CalSTA deems appropriate. A printed version of the safety handbook will also be made available to the public at the DMV, the Department of California Highway Patrol, state libraries, and any other appropriate state offices.

AB 2259 provides an opportunity for increased safety in relation to the operation of bicycles and e-bike. As Orange County continues to grow as a hub for active transportation, it is important that the stakeholders and the public are, and remain, informed about the safe operation of bicycles and e-bike. Active transportation modes such as these offer many benefits such as reducing greenhouse gas emissions, vehicle miles traveled, and overall dependency on cars for travel. In addition, the current laws surrounding e-bike can also be confusing, specifically on where and when someone can safely operate e-bike. OCTA continues to be informed of the challenges that cities in Orange County are facing when it comes to e-bike. Multiple cities have recently instilled ordinances prohibiting the unsafe riding and operation of e-bike. AB 2259 will

allow OCTA to further inform stakeholders and the public of safety tips, rules of the road, and other relevant information pertaining to bicycle and e-bike safety.

A SUPPORT position is consistent with OCTA's 2023-24 State Legislative Platform principle to "support funding and programs or policies that encourage the safe operation of an integrated multimodal system, which includes the interaction between roadways, rail lines, bikeways, pedestrian ways, and the users of those facilities." A comprehensive analysis and copy of the text of this legislation are included as Attachment C.

#### **SB 1011 (Jones, R-San Diego): Encampments: Penalties**

SB 1011 would prohibit a person from occupying space on a street, sidewalk, or within a certain distance of specified public property, including at a major transit stop, if a homeless shelter is available. This legislation is coauthored by Senator Blakespear (D-Encinitas), Senator Nguyen (R-Huntington Beach), Senator Seyarto (R-Murrieta), Assembly Member Davies (R-Oceanside), and Assembly Member Sanchez (R-Murrieta).

This legislation would classify this violation as a public nuisance, which could result in a misdemeanor or an infraction. The responsibility to enforce would be placed on a county district attorney, county counsel, or city attorney. In order to enforce these provisions, several actions must be taken, including ensuring that the person found to be in violation of these provisions must have received verbal or written information regarding alternative locations to sleep, homeless and mental health services, or homeless shelters. A peace officer is also required to provide the person with a written notice that they cannot sit, lie, sleep, store, use, maintain, or place personal property on a street sidewalk, or other public property, such as a major transit stop, open space, or a school, at least 72 hours before commencing enforcement activities. The written notice must be provided in a language understood by the person receiving the notice.

SB 1011 provides an opportunity to offer critical services to those experiencing homelessness in public areas while also preserving safety in these public spaces. OCTA has approximately 100 transit stops and several open space preserves that would be affected by this legislation. OCTA strives to ensure that its facilities and services are safe. It is not uncommon for persons experiencing homelessness to use transit stations and centers as shelters. This can present challenges for passengers who may not feel safe waiting in these areas due to the presence of these individuals and deter riders from utilizing transit altogether.

SB 1011 provides law enforcement with tools to not only provide education to individuals experiencing homelessness on shelters and mental health services available to them, but also with the ability to remove the individuals from these public places so long as the proper notice is provided. Similarly, this would be applied to OCTA's protected preserves, including Eagle Ridge Preserve, Pacific Horizon Preserve, Silverado Chaparral Preserve, and more. These properties

are part of the Measure M2 Freeway Mitigation Program, which allocates funds to acquire land and fund habitat restoration projects in exchange for streamlined environmental approvals for Measure M2 freeway improvement projects.

A SUPPORT position is consistent with OCTA's 2023-24 State Legislative Platform principle to "Support policies that aim to enhance transit services and the overall safety and security of transit riders, public transit employees, and on-road vehicles while avoiding undue burden on transportation agencies to implement unfunded safety measures." A comprehensive analysis and copy of the text of this legislation are included as Attachment D.

**SB 1098 (Blakespear, D-Encinitas): Passenger and Freight Rail: LOSSAN Rail Corridor**

On February 13, 2024, Senator Blakespear (D-Encinitas) introduced SB 1098, known as the Southern California Rail Revitalization Act. A copy of the bill language is contained in Attachment E. While this legislation could present new opportunities for funding and improvements along the corridor, some of these new requirements would be a change from the intent underlying SB 1225 (Chapter 802, Statutes of 2012), which transferred many operational decisions to the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Agency to afford more local coordination in services.

Specifically, SB 1098 requires the CalSTA Secretary, in consultation with the California Department of Transportation (Caltrans) Director, to submit a report to the Legislature, prioritizing resiliency and capacity improvement projects. This report must be completed by January 1, 2026. Included in this report must also be a description of the administrative actions CalSTA has taken to improve the management of the corridor and recommendations made by Caltrans and the California Transportation Commission, in consultation with the Secretary of the California Environmental Protection Agency, for future improvements to planning, funding, and policy documents. Additionally, this report must include a review of how state rail planning documents are implemented, managed, and enforced, including the LOSSAN Rail Corridor Optimization Study. The CalSTA Secretary would be required to also submit a report to the Legislature beginning January 1, 2027, and then every two years thereafter, regarding the management of the LOSSAN Rail Corridor.

SB 1098 further stipulates that the CalSTA Secretary must provide strategic guidance, recommendations, and facilitate all necessary coordination, collaboration, and intervention when necessary, between stakeholders. This would include the oversight and development of plans pertaining to service frequencies, equipment and fleet management, infrastructure improvement and state-of-good-repair projects, and resiliency of the corridor.

The final component of SB 1098 pertains to the role of metropolitan planning organizations (MPO) in long-term planning. Specifically, this legislation requires

the Southern California Association of Governments, the San Diego Association of Governments, the Santa Barbara County Association of Governments, and the San Luis Obispo Council of Governments to jointly submit a report to the Legislature by January 1, 2026, after adoption by their respective governing boards, on recommendations to ensure the long-term viability of comprehensive and coordinated passenger and freight rail services in the LOSSAN Rail Corridor. The development of this report must include meaningful public engagement led by the MPOs and developed with the support of a steering committee. This steering committee must be composed of representatives of business, community, transportation, environmental, labor, and civic organizations.

The recommendations in the report would include items such as funding, strategies for service coordination, changes to regional governance and management structures, consolidation, and more. These new responsibilities for MPOs located within the corridor could be challenging to implement due to the varying nature of each MPO's functions and experience with the funding, planning, and implementation of capital improvements for rail service. In addition, because of the continued differences of right-of-way ownership along the corridor, it is unclear how any recommendations from the MPOs would intersect with these dynamics.

It should also be noted that SB 1098 is not limited to intercity rail. The MPO's report must include recommendations pertaining to regional rail, including funding, management structures, consolidation, and potential changes to their policies, which would include Metrolink. SB 1098 would also require the CalSTA Secretary, in their biennial reports, to detail the performance, ridership, usage and quality of regional rail. In both instances, this would only apply to regional rail services located within the LOSSAN Rail Corridor. SB 1098 also places similar requirements on freight operations, which offers its own complexities given how private railroad owners and operators interact with passenger and commuter service, and any associated federal statutory requirements or agreements in place. At the OCTA Board of Directors' direction, staff will work with LOSSAN agency partners, the author's office, and other related stakeholders to help inform the bill in order to ensure it aligns with existing responsibilities along the corridor.

### **Summary**

A support position is recommended on legislation related to reimbursement of non-emergency medical transportation costs, e-bike, and the creation of a new prohibition for a person to unlawfully occupy a public space. A summary is given, and direction is requested on legislation related to the Los Angeles – San Diego – San Luis Obispo Rail Corridor.



**Attachments**

- A. AB 2043 (Boerner, D-Solana Beach) Bill Analysis with Bill Language
- B. AB 2259 (Boerner, D-Solana Beach) Bill Analysis with Bill Language
- C. SB 1011 (Jones, R-San Diego) Bill Analysis with Bill Language
- D. SB 1098 (Blakespear, D-Encinitas) Bill Language
- E. Orange County Transportation Authority Legislative Matrix

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**BILL:** AB 2043 (Boerner, D-Solana Beach)  
Introduced February 1, 2024

**SUBJECT:** AB 2043 would require Medi-Cal Managed Care Plans to reimburse public transit operators for nonmedical transportation and nonemergency medical transportation services.

**STATUS:** Pending in the Assembly Health Committee

**SUMMARY AS OF MARCH 6, 2024:**

Historically, Medi-Cal could directly reimburse transportation providers, through an agreement, for nonmedical and nonemergency medical transportation for individuals that were covered by Medi-Cal so long as they were utilizing the transportation services to gain access to services that were also covered by Medi-Cal. However, following the enactment of AB 2394 (Chapter 615, Statutes of 2016), transportation reimbursement is now included in a customer's capitated health care coverage, and invoices for reimbursement are sent to the customer's Managed Care Plan (MCP) instead of transportation providers, including public transportation operators. The MCPs are then tasked with reimbursing the transportation providers if the Medi-Cal customer requests the transportation from their MCP in advance. If the customer does not notify their MCP and submits a request, then transportation providers are responsible for acquiring reimbursement from the MCP on their own. MCPs can receive both state and federal funds to offer Medi-Cal related transportation services, but they are not required to reimburse transportation providers. As a result, MCPs are placed under little to no pressure to partner with transportation providers.

AB 2043 (Boerner Horvath, D-Carlsbad) requires the California Department of Health Care Services (DHCS) to require MCPs to contract with public transit operators to establish reimbursement rates for nonmedical and nonemergency medical transportation trips. It further requires the reimbursement rates by the MCP to the public transit operator to be based on the fee-for-service rates determined by DHCS for nonmedical and nonemergency medical transportation service.

**EFFECTS ON ORANGE COUNTY:**

The Orange County Transportation Authority (OCTA) operates OC ACCESS, which is a shared-ride service that is available to qualified applicants whose physical or cognitive limitations prevent them from utilizing the regular OC Bus fixed-route service. Public transportation operators are federally mandated to provide transportation for medically necessary Medi-Cal related services, such as traveling to a doctor's appointment and picking up prescriptions or medical supplies. In these instances, public transportation is the only affordable option to access such care. AB 2043 would provide a more robust line of communication between the MCPs and public transportation operators, taking the onus off of the transportation provider to make reimbursement requests on their own. AB 2043 will create an opportunity for a more equitable reimbursement system to occur and ultimately, save the transit operators money. As public transit operators face long-term financial hurdles, it is important to ensure they are receiving this reimbursement to which they are entitled.

OCTA supported AB 719 (Boerner, D-Solana Beach) last year, which is identical to this legislation. AB 719 was vetoed because the Governor indicated in his veto message that DHCS was unable to perform the series of federal approvals to implement these provisions. Since that veto, there has been further guidance from the federal government stating that public paratransit agencies should not be unduly burdened by the cost of these services. Discussions are anticipated to commence with the DHCS to find a path forward this year as a result of this latest guidance.

This legislation is sponsored by the San Diego Metropolitan Transit System. A SUPPORT position is consistent with OCTA's 2023-24 State Legislative Platform principles to "Seek additional funding for paratransit operations and transit accessibility capital improvements that support persons with disabilities and senior citizens."

**OCTA POSITION:**

Staff recommends: SUPPORT

**ASSEMBLY BILL**

**No. 2043**

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**Introduced by Assembly Member Boerner**

February 1, 2024

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An act to add Section 14197.06 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 2043, as introduced, Boerner. Medi-Cal: nonmedical and nonemergency medical transportation.

Existing law establishes the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income individuals receive health care services, through managed care or fee-for-service delivery systems. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law covers emergency or nonemergency medical transportation, and nonmedical transportation, under the Medi-Cal program, as specified.

This bill would require the department to require Medi-Cal managed care plans that are contracted to provide nonemergency medical transportation or nonmedical transportation to contract with public paratransit service operators who are enrolled Medi-Cal providers, for the purpose of establishing reimbursement rates for those transportation trips provided by a public paratransit service operator. The bill would require that the rates be based on the department's fee-for-service rates for the transportation service, as specified.

The bill would condition implementation of these provisions on receipt of any necessary federal approvals and the availability of federal financial participation.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 14197.06 is added to the Welfare and  
2     Institutions Code, to read:  
3     14197.06. (a) The department shall require Medi-Cal managed  
4     care plans that are contracted to provide nonemergency medical  
5     transportation or nonmedical transportation pursuant to Section  
6     14132 to contract with public paratransit service operators who  
7     are enrolled Medi-Cal providers, for the purpose of establishing  
8     reimbursement rates for nonemergency medical transportation and  
9     nonmedical transportation trips provided by a public paratransit  
10    service operator.  
11    (b) Notwithstanding any other law, rates reimbursed by the  
12    managed care plan to the public paratransit service operator shall  
13    be based on the department's fee-for-service rates for  
14    nonemergency medical transportation or nonmedical transportation  
15    service that does not include fixed-route transportation service.  
16    The Legislature finds and declares that the reimbursement of the  
17    passenger's fare does not equal the fee-for-service rate.  
18    (c) This section shall be implemented only to the extent that  
19    any necessary federal approvals are obtained and federal financial  
20    participation is available and not otherwise jeopardized.

O

**BILL:** AB 2259 (Boerner, D-Solana Beach)  
Introduced February 8, 2024

**SUBJECT:** AB 2259 would require the California State Transportation Agency to annually develop and distribute a handbook related to bicycle and electric bicycle safety on or before September 1, 2025.

**STATUS:** Pending in the Assembly Transportation Committee

**SUMMARY AS OF MARCH 6, 2024:**

AB 2259 (Boerner, D-Solana Beach) seeks to increase the safe operation of bicycles and electric bicycles in California by creating a handbook that can be distributed to the public, with guidance on best practices, laws, and overall safety information for bicyclists and non-bicyclists alike.

AB 2259 would require the California State Transportation Agency (CalSTA) to develop and distribute a bicycle safety handbook on or before September 1, 2025. The bicycle safety handbook will include information on existing laws regulating bicycles and electric bicycles. The handbook will incorporate evidence-based practices and trends related to bicycle and electric bicycle safety. The safety handbook will include information on the following:

- Existing laws regulating bicycles and electric bicycles.
- Safety equipment requirements and recommendations.
- Ensuring a bicycle is in good condition before every ride.
- Strategies for lawfully and safely bicycling in various situations, including roads, bikeways, and trails.
- Bicycling after dark.
- Crash avoidance skills.
- Distracted and impaired riding.
- What to do when a bicycle crash occurs.
- Obeying traffic signs and signals.
- Reporting road concerns.
- How to teach children about bicycle safety.
- Electric bicycle types and handling characteristics.
- Recommendations for sharing roads and bikeways with motorists, pedestrians, and other bicyclists.

In addition to including information on a variety of bicycle and electric bicycle safety-related topics, CalSTA will collaborate with stakeholders from the following groups:

- The Department of Motor Vehicles.
- The Department of the California Highway Patrol.
- The California Office of Traffic Safety.
- The Department of Transportation.

- Representatives from various bicycling advocacy organizations.
- A representative from a statewide motorist service membership organization.
- Other relevant stakeholders that CalSTA deems necessary.

CalSTA will be required to post a downloadable electronic version of the bicycle safety handbook on the California Department of Motor Vehicles (DMV) website and any other state department or agency that CalSTA deems appropriate. This could include the California Department of Transportation, the Department of California Highway Patrol, and other related agencies. CalSTA will also be required to make a printed version of the safety handbook available to the public at the DMV, the Department of California Highway Patrol, state libraries, and any other state offices that CalSTA sees as appropriate.

### **EFFECTS ON ORANGE COUNTY:**

The use of electric bicycles has grown steadily throughout Orange County in recent years. With Orange County growing as a hub for active transportation, there has also been an increase in reckless operation of electric bicycles. Although bicycles and electric bicycles offer benefits such as reducing greenhouse gas emissions, vehicle miles traveled, and overall dependency on cars for travel, there is confusion related to the current laws surrounding electric bicycle and bicycle use. The Orange County Transportation Authority (OCTA) has continued to work with cities in Orange County to help provide information to improve the safe operation of bicycles and electric bicycles, which has included attending community events, stakeholder discussions, and distribution of materials. AB 2259 will allow OCTA to further inform stakeholders and the public of safety tips, rules of the road, and other relevant information pertaining to bicycle and electric bicycle safety.

A SUPPORT position is consistent with OCTA's 2023-24 State Legislative Platform principle to "support funding and programs or policies that encourage the safe operation of an integrated multimodal system, which includes the interaction between roadways, rail lines, bikeways, and pedestrian ways, and the users of those facilities."

### **OCTA POSITION:**

Staff recommends: SUPPORT

**ASSEMBLY BILL**

**No. 2259**

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**Introduced by Assembly Member Boerner**

February 8, 2024

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An act to add Section 13978.5 to the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2259, as introduced, Boerner. Transportation: bicycle safety handbook.

Existing law establishes within state government the Transportation Agency, which consists of the Department of the California Highway Patrol, the California Transportation Commission, the Department of Motor Vehicles, the Department of Transportation, the High-Speed Rail Authority, and the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun. The agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. Existing law imposes various duties on the secretary, including advising the Governor on, and assisting the Governor in establishing, major policy and program matters affecting each department, office, or other unit within the agency.

This bill would, upon appropriation by the Legislature, require the agency to develop and distribute, on or before September 1, 2025, a bicycle safety handbook that includes information on, among other things, existing laws regulating bicycles and e-bikes. The bill would require the agency to make a downloadable electronic version of the bicycle safety handbook available on the internet, as specified, and in print at specified state offices, including, among others, all Department



of Motor Vehicles offices. In developing the handbook, the bill would require collaboration and consultation between the agency and prescribed state entities, including, among others, the Department of Motor Vehicles and the Department of the California Highway Patrol.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all the  
2 following:

3 (a) Bicyclists are entitled to the full use of the state's streets and  
4 highways, unless otherwise prohibited, including safe use and  
5 passage on the roadway.

6 (b) Bicycles are an integral part of the state's transportation  
7 system. The League of American Bicyclists released its 2022  
8 Bicycle Friendly States report, ranking all 50 states on both their  
9 policies and practices to make bicycling safer and the outcomes  
10 in safety and ridership as a result of those efforts. California took  
11 4th place in this annual ranking.

12 (c) It is in the best interests of California to encourage bicycle  
13 transportation because of the resulting reduction in traffic  
14 congestion, carbon dioxide (CO<sub>2</sub>) emissions, and motor vehicle  
15 noise and pollution. According to the internet website  
16 [www.CoolCalifornia.org](http://www.CoolCalifornia.org), choosing to walk or bike, even for only  
17 a few trips, can reduce the carbon footprint of an average household  
18 by up to 1,000 pounds of CO<sub>2</sub> emissions annually.

19 (d) Efforts to improve safety and convenience for bicyclists are  
20 a proper use of transportation funds. In December 2022, the  
21 California Transportation Commission (CTC) approved  
22 \$1,000,000,000 in funding for 93 new walking and biking projects  
23 in disadvantaged communities as part of the 2023 Active  
24 Transportation Program. The CTC also allocated more than  
25 \$878,000,000 for projects to repair and improve transportation  
26 infrastructure throughout the state.

27 (e) Bicyclists have the same rights and responsibilities as  
28 motorists and are subject to the same rules and regulations. Thus,  
29 it is crucial that bicyclists pay attention to traffic signs and signals  
30 and follow all rules to reduce the risk of collisions while on the  
31 road.

1 (f) According to the California Department of Transportation's  
2 Toward an Active California State Bicycle and Pedestrian Plan,  
3 education for adult bicyclists and pedestrians is less widely  
4 available than for youth and most widely distributed materials  
5 emphasize bicycling with confidence in high-traffic situations.

6 SEC. 2. Section 13978.5 is added to the Government Code, to  
7 read:

8 13978.5. (a) Upon appropriation by the Legislature, the agency  
9 shall develop and distribute a state handbook on bicycling safety  
10 on or before September 1, 2025.

11 (b) The handbook shall incorporate evidence-based practices  
12 and emerging trends for bicycle and e-bike safety. The handbook  
13 shall contain, but not be limited to, information on all of the  
14 following topics:

- 15 (1) Existing laws regulating bicycles and e-bikes.
- 16 (2) Safety equipment requirements and recommendations.
- 17 (3) Ensuring a bicycle is in good condition before every ride.
- 18 (4) Strategies for lawfully and safely bicycling in various  
19 situations, including roads, bikeways, and trails.
- 20 (5) Bicycling after dark.
- 21 (6) Crash avoidance skills.
- 22 (7) Distracted and impaired riding.
- 23 (8) What to do when a bicycle crash occurs.
- 24 (9) Obeying traffic signs and signals.
- 25 (10) Reporting road concerns.
- 26 (11) How to teach children about bicycle safety.
- 27 (12) E-bike types and handling characteristics.
- 28 (13) Recommendations for sharing roads and bikeways with  
29 motorists, pedestrians, and other bicyclists.

30 (c) In developing the handbook, the agency shall collaborate  
31 and consult with stakeholders from all of the following entities:

- 32 (1) The Department of Motor Vehicles.
- 33 (2) The Department of the California Highway Patrol.
- 34 (3) The California Office of Traffic Safety.
- 35 (4) The Department of Transportation.
- 36 (5) Representatives from various bicycling advocacy  
37 organizations.
- 38 (6) A representative from a statewide motorist service  
39 membership organization.
- 40 (7) Other relevant stakeholders the department deems necessary.

- 1 (d) The agency shall post a downloadable electronic version of  
2 the bicycle safety handbook on the internet website of the  
3 Department of Motor Vehicles and any other state department or  
4 agency that the agency deems appropriate. The agency shall also  
5 make printed copies of the bicycle safety handbook available to  
6 the public at the following locations:
- 7 (1) Department of Motor Vehicles offices.
  - 8 (2) The Department of the California Highway Patrol offices.
  - 9 (3) State libraries.
  - 10 (4) Any other state offices the agency deems appropriate.

**BILL:** SB 1011 (Jones, R-San Diego)  
Introduced February 5, 2024

**SUBJECT:** SB 1011 would make a conditional prohibition for a person to unlawfully occupy a on a space street, sidewalk, or within a certain distance of specified public property, including public transit stops, open space, and schools.

**STATUS:** Pending in the Senate Public Safety Committee

**SUMMARY AS OF MARCH 6, 2024:**

SB 1011 (Jones, R-San Diego) would prohibit a person from unlawfully occupying space on a street, sidewalk, or within a public property, as specified. This legislation is coauthored by Senator Blakespear (D-Encinitas), Senator Nguyen (R-Huntington Beach), Senator Seyarto (R-Murrieta), Assembly Member Davies (R-Oceanside), and Assembly Member Sanchez (R-Murrieta).

Specifically, SB 1011 would prohibit a person from sitting, lying, sleeping, or storing, using, maintaining, or placing their personal property on a street or sidewalk if a homeless shelter is available. Additionally, SB 1011 makes those same prohibitions within 500 feet of a public or private school, within open spaces, and at major transit stops. For reference, a major transit stop is defined as containing an existing rail or bus rapid transit station, a ferry terminal served by either a bus or rail transit service, or an intersection of two or more major bus routes with a service frequency of 15 minutes or less during peak commute periods. Open space is broadly defined, however, it does encapsulate outdoor recreation spaces including beaches, rivers and streams, and scenic highway corridors as well as land used for the preservation of natural resources.

This legislation would classify this violation as a public nuisance, which could result in a misdemeanor or an infraction. The responsibility to enforce would be placed on a district attorney, county counsel of the county, or the city attorney. In order to enforce these provisions several actions must be taken, including ensuring that the person found to be in violation of these provisions must have received verbal or written information regarding alternative locations to sleep, homeless and mental health services, or homeless shelters. A peace officer is also required to provide the person with a written notice that they cannot sit, lie, sleep, store, use, maintain, or place personal property on a street sidewalk, or other public property, such as a major transit stop, open space, or a school, at least 72 hours before commencing enforcement activities. The written notice must be provided in a language understood by the person receiving the notice.

**EFFECTS ON ORANGE COUNTY:**

SB 1011 provides an opportunity to offer critical services to those experiencing homelessness in public areas while also preserving safety in these public spaces by making it a violation to sit, lie, sleep, store, use, maintain, or place personal property on a street sidewalk, or other public property, such as a major transit stop, open space,

or a school. OCTA has approximately 100 transit stops that meet the definition outlined in the bill and several open space preserves that would be affected by this legislation. OCTA strives to ensure that its facilities and services are safe. It is not uncommon for persons experiencing homelessness to use transit stations as shelters. This can present challenges for passengers who may not feel safe waiting in these areas due to the presence of these individuals and can also deter riders from utilizing transit altogether. SB 1011 provides law enforcement with tools to not only provide resources to individuals experiencing homelessness on shelters and mental health services available to them, but also with the ability to compassionately remove the individuals from these public places so long as the proper notice is provided. Similarly, this would be applied to OCTA's protected preserves, including Eagle Ridge Preserve, Pacific Horizon Preserve, Silverado Chaparral Preserve, and more. These properties are part of the Measure M2 Freeway Mitigation Program, which allocates funds to acquire land and fund habitat restoration projects in exchange for streamlined environmental approvals for Measure M2 freeway improvement projects.

A SUPPORT position is consistent with OCTA's 2023-24 State Legislative Platform principle to "Support policies that aim to enhance transit services and the overall safety and security of transit riders, public transit employees, and on-road vehicles while avoiding undue burden on transportation agencies to implement unfunded safety measures."

**OCTA POSITION:**

Staff recommends: SUPPORT

**Introduced by Senator Jones****(Principal coauthor: Senator Blakespear)****(Coauthors: Senators Alvarado-Gil, Dahle, Dodd, Grove, Nguyen, Niello, Ochoa Bogh, Seyarto, and Wilk)****(Coauthors: Assembly Members Alanis, Megan Dahle, Davies, Essayli, Flora, Gallagher, Joe Patterson, and Sanchez)**February 5, 2024

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An act to add Section 647.10 to the Penal Code, relating to public safety.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1011, as introduced, Jones. Encampments: penalties.

Under existing law, a person who lodges in a public or private place without permission is guilty of disorderly conduct, a misdemeanor. Existing law also provides that a person who willfully and maliciously obstructs the free movement of any person on any street, sidewalk, or other public place is guilty of a misdemeanor.

Under existing law, a nuisance is anything that is injurious to health or indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property. Existing law also provides that a nuisance is anything that obstructs the free passage or use of any public park, square, street, or highway, among other things. Under existing law, a public nuisance is a nuisance that affects the entire community, neighborhood, or a considerable number of persons. Existing law provides various remedies against a public nuisance, including abatement by any public body or officer authorized by law.

This bill would prohibit a person from sitting, lying, sleeping, or storing, using, maintaining, or placing personal property upon a street

or sidewalk if a homeless shelter, as defined, is available to the person. The bill would also prohibit sitting, lying, sleeping, or storing, using, maintaining, or placing personal property within 500 feet of a public or private school, open space, or major transit stop, as specified. The bill would specify that a violation of this prohibition is a public nuisance that can be abated and prevented, as specified. The bill would also provide that a violation of the prohibition may be charged as a misdemeanor or an infraction, at the discretion of the prosecutor. The bill would prohibit a person from being found in violation of the bill's provisions unless provided notice, at least 72 hours before commencement of any enforcement action, as specified. By imposing criminal penalties for a violation of these provisions, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 647.10 is added to the Penal Code, to
- 2 read:
- 3 647.10. (a) For the purposes of this section, the following
- 4 definitions apply:
- 5 (1) "Homeless shelter" means any of the following:
- 6 (A) An emergency shelter, as defined in Section 576.2 of Title
- 7 24 of the Code of Federal Regulations.
- 8 (B) An emergency shelter, as defined in subdivision (e) of
- 9 Section 50801 of the Health and Safety Code.
- 10 (C) A navigation center, as defined in Section 50216 of the
- 11 Health and Safety Code.
- 12 (2) "Major transit stop" has the same meaning as defined in
- 13 Section 21064.3 of the Public Resources Code.
- 14 (3) "Open space" means a parcel or area of land or water that
- 15 is substantially unimproved and devoted to an open-space use, as
- 16 defined in Section 65560 of the Government Code.
- 17 (4) "Peace officer" means a person described in Section 830.

1 (b) A person shall not sit, lie, sleep, or store, use, maintain, or  
2 place personal property upon a street or sidewalk if a homeless  
3 shelter is available to the person.

4 (c) A person shall not sit, lie, sleep, or store, use, maintain, or  
5 place personal property upon a street, sidewalk, or other public  
6 property within the following locations:

7 (1) Five hundred feet of a public or private school providing  
8 instruction in kindergarten or grades 1 to 12, inclusive.

9 (2) An open space.

10 (3) A major transit stop.

11 (d) Subject to subdivision (e), this section may be enforced as  
12 follows:

13 (1) A violation of this section is a public nuisance that may be  
14 enjoined, abated, and prevented. The district attorney, county  
15 counsel of the county, or the city attorney of any incorporated city  
16 or of any city and county, in the name of the people, may maintain  
17 an action to abate and prevent the nuisance. Before pursuing  
18 abatement authorized by this paragraph, the district attorney, county  
19 counsel, or city attorney, as applicable, shall ensure that the person  
20 found to be in violation of this section has received verbal or  
21 written information regarding alternative locations to sleep,  
22 homeless and mental health services, or homeless shelters in the  
23 area.

24 (2) A violation of this section may be charged as a misdemeanor  
25 or an infraction, at the discretion of the prosecutor.

26 (e) A person shall not be found to be in violation of this section  
27 unless a peace officer employed by the county or city, as applicable,  
28 with jurisdiction over the location has provided that person written  
29 notice, at least 72 hours before commencement of any enforcement  
30 action described in subdivision (d), that the person is prohibited  
31 from sitting, lying, sleeping, or storing, using, maintaining, or  
32 placing personal property upon a street, sidewalk, or other public  
33 property pursuant to this section. A written notice shall only be  
34 deemed to have been provided for the purposes of this subdivision  
35 if the notice is given in a language understood by the person  
36 receiving the notice.

37 SEC. 2. No reimbursement is required by this act pursuant to  
38 Section 6 of Article XIII B of the California Constitution because  
39 the only costs that may be incurred by a local agency or school  
40 district will be incurred because this act creates a new crime or



1   infraction, eliminates a crime or infraction, or changes the penalty  
2   for a crime or infraction, within the meaning of Section 17556 of  
3   the Government Code, or changes the definition of a crime within  
4   the meaning of Section 6 of Article XIII B of the California  
5   Constitution.

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**SENATE BILL****No. 1098**

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**Introduced by Senator Blakespear**  
**(Coauthors: Senators Allen, Limón, Newman, and Umberg)**  
(Coauthors: Assembly Members Davies, Dixon, and Hart)

February 13, 2024

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An act to add Sections 14072.8 and 14072.10 to, and to add and repeal Section 14072.6 of, the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1098, as introduced, Blakespear. Passenger and freight rail: LOSSAN Rail Corridor.

Existing law establishes the Department of Transportation in the Transportation Agency under the control of an executive officer known as the Director of Transportation. Existing law authorizes the Department of Transportation, subject to approval of the Secretary of Transportation, to enter into an interagency transfer agreement under which a joint powers board assumes responsibility for administering the state-funded intercity rail service in certain rail corridors, including the LOSSAN Rail Corridor. Existing law defines the LOSSAN Rail Corridor as the intercity passenger rail corridor between San Diego, Los Angeles, and San Luis Obispo. Pursuant to this authority, the department entered into an interagency transfer agreement with the LOSSAN Rail Corridor Agency to administer intercity passenger rail service in the LOSSAN Rail Corridor.

This bill would require the Secretary of Transportation to provide strategic guidance, recommendations, and facilitate all necessary coordination, collaboration, and intervention when necessary between stakeholders, to ensure the performance of the LOSSAN Rail Corridor, as specified.

This bill would also require the Secretary of Transportation, in consultation with the Director of Transportation, to submit a report to the Legislature on or before January 1, 2026, regarding the LOSSAN Rail Corridor that includes specified information, including certain recommendations made by the department and the California Transportation Commission, in consultation with the Secretary for Environmental Protection. The bill would also require the Secretary of Transportation to submit a report to the Legislature on or before January 1, 2027, and biennially thereafter, on the management of the LOSSAN Rail Corridor, as provided.

This bill would require the metropolitan planning organizations for the counties located within the LOSSAN Rail Corridor to jointly submit to the Legislature a report on or before January 1, 2026, that provides recommendations on various topics relating to rail service in the corridor. By adding to the duties of local agencies, the bill would impose a state-mandated local program.

This bill would make legislative findings and declarations as to the necessity of a special statute for the LOSSAN Rail Corridor.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 14072.6 is added to the Government
- 2 Code, to read:
- 3 14072.6. (a) (1) The secretary, in consultation with the
- 4 director, shall submit a report to the Legislature on or before
- 5 January 1, 2026, regarding the LOSSAN Rail Corridor that includes
- 6 all of the following information:
- 7 (A) Prioritized capacity improvement projects in the corridor
- 8 necessary to improve current services and accommodate future
- 9 passenger and freight service growth.

1 (B) Prioritized resiliency improvement projects in the corridor  
2 necessary to ensure the safe and continued movement of trains.

3 (C) A description of administrative actions taken by the  
4 Transportation Agency using authority in existence before January  
5 1, 2025, to improve the management of the corridor.

6 (D) Recommendations received pursuant to paragraph (2).

7 (2) The department and commission, in consultation with the  
8 Secretary for Environmental Protection, shall submit  
9 recommendations to the secretary for inclusion in the report  
10 required pursuant to this subdivision regarding updates or changes  
11 to state agencies, policies, planning documents, programs,  
12 including the state transportation improvement program and the  
13 interregional transportation improvement program, and guidelines,  
14 needed to support the LOSSAN Rail Corridor. These  
15 recommendations shall include a review of how state rail planning  
16 documents are implemented, managed, and enforced.

17 (3) In preparing the report pursuant to this subdivision, the  
18 secretary and director shall consult existing plans and studies for  
19 the LOSSAN Rail Corridor, including, but not limited to, the  
20 LOSSAN Rail Corridor Optimization Study adopted by the  
21 LOSSAN Rail Corridor Agency.

22 (b) (1) The metropolitan planning organizations for the Counties  
23 of Los Angeles, Orange, San Diego, San Luis Obispo, and Santa  
24 Barbara shall jointly submit a report to the Legislature on or before  
25 January 1, 2026, that provides recommendations on all of the  
26 following as necessary to ensure the long-term viability of  
27 comprehensive and coordinated passenger and freight rail services  
28 in the LOSSAN Rail Corridor:

29 (A) Dedicated and formula funding distributions for passenger  
30 rail operations, including intercity and regional rail services along  
31 the corridor.

32 (B) Strategies to increase rail service coordination and reduce  
33 disruptions or delays, including, but not limited to, those caused  
34 by climate resiliency, track closures, state of good repair,  
35 equipment, and staffing.

36 (C) Changes to local or regional governance, management  
37 structures, and consolidation for intercity and regional rail services.

38 (D) Changes to state statutes or policies relating to intercity and  
39 regional rail services.

1 (E) Changes to enabling state legislation, policies, rules, or  
2 funding.

3 (F) Opportunities for rail to accelerate and support equity, safety,  
4 sustainability, zero-emissions, equipment, and economic  
5 development goals.

6 (G) Opportunities for these metropolitan planning organizations  
7 to analyze, describe, and report progress in operating, maintaining,  
8 and improving the corridor consistent with state and local planning  
9 documents in their sustainable communities strategies or, if  
10 applicable, alternative planning strategies, adopted pursuant to  
11 Section 65080.

12 (H) Opportunities for these metropolitan planning organizations  
13 to adopt multiregional goals relating to passenger and freight rail  
14 service, capital improvement projects related to those services,  
15 and resiliency of those services along the corridor to include in  
16 their respective sustainable communities strategies or, if applicable,  
17 alternative planning strategies, adopted pursuant to Section 65080.

18 (2) The report required pursuant to this subdivision shall include  
19 meaningful public engagement led by the metropolitan planning  
20 organizations and be developed with the support of a steering  
21 committee composed of representatives of business, community,  
22 transportation, environmental, labor, and civic organizations. The  
23 report shall be adopted by the governing boards of each  
24 metropolitan planning organization before submission to the  
25 Legislature.

26 (c) (1) The reports to be submitted pursuant to this section shall  
27 be submitted in compliance with Section 9795.

28 (2) Pursuant to Section 10231.5, this section is repealed on  
29 January 1, 2030.

30 SEC. 2. Section 14072.8 is added to the Government Code, to  
31 read:

32 14072.8. (a) Notwithstanding Section 10231.5, the secretary  
33 shall submit a report to the Legislature on or before January 1,  
34 2027, and every two years thereafter, on the management of the  
35 LOSSAN Rail Corridor that includes all of the following  
36 information:

37 (1) Performance, ridership, usage, and quality of intercity,  
38 regional rail, and freight services.

39 (2) Updates to capital improvement planning.

1 (3) Progress in delivering fleet and infrastructure improvement  
2 projects.

3 (4) Improvements to service and fare coordination.

4 (5) Opportunities to increase the quality and frequency of  
5 services.

6 (b) A report to be submitted pursuant to subdivision (a) shall  
7 be submitted in compliance with Section 9795.

8 SEC. 3. Section 14072.10 is added to the Government Code,  
9 to read:

10 14072.10. (a) The secretary shall provide strategic guidance,  
11 recommendations, and facilitate all necessary coordination,  
12 collaboration, and intervention when necessary between  
13 stakeholders, to ensure the performance of the LOSSAN Rail  
14 Corridor.

15 (b) The responsibilities set forth in subdivision (a) shall include  
16 oversight and development of plans, as needed, for any of the  
17 following:

18 (1) Service frequencies.

19 (2) Equipment and fleet management.

20 (3) Infrastructure improvement and state-of-good repair projects.

21 (4) Resiliency of the corridor.

22 SEC. 4. The Legislature finds and declares that a special statute  
23 is necessary and that a general statute cannot be made applicable  
24 within the meaning of Section 16 of Article IV of the California  
25 Constitution because of the unique need to address the resiliency  
26 and performance of the LOSSAN Rail Corridor.

27 SEC. 5. If the Commission on State Mandates determines that  
28 this act contains costs mandated by the state, reimbursement to  
29 local agencies and school districts for those costs shall be made  
30 pursuant to Part 7 (commencing with Section 17500) of Division  
31 4 of Title 2 of the Government Code.

**Orange County Transportation Authority Legislative Matrix**

**2024 State Legislation Session  
March 21, 2024**

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<b>BILLS WITH POSITIONS</b>			
<b>AB 6 (Friedman – D)</b>  Transportation Planning: Regional Transportation Plans	Requires a metropolitan planning organization to submit an adopted sustainable communities strategy or an alternative planning strategy, if applicable, to the State Air Resources Board for review.	<b>INTRODUCED:</b> 12/05/2022 <b>LOCATION:</b> Senate Transportation Committee <b>LAST AMEND:</b> 03/16/2023  <b>STATUS:</b> 07/14/2023 In SENATE. Failed Deadline pursuant to Rule 61(a)(10).	Oppose (partial list)  Support: 350 Bay Area Action, Streets For All, California Environmental Voters  Oppose: Mobility 21, Orange County Business Council, Rebuild SoCal Partnership, Transportation California, San Bernardino County Transportation Authority (SBCTA), Riverside County Transportation Commission (RCTC)

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<b>AB 7</b> <b>(Friedman – D)</b>  Transportation: Planning: Project Selection Processes	Requires the California State Transportation Agency, the California Department of Transportation, and the California Transportation Commission to incorporate specified principles into their existing program funding guidelines and processes.	<b>INTRODUCED:</b> 12/05/2022 <b>LOCATION:</b> Senate Appropriations Committee <b>LAST AMEND:</b> 09/01/2023  <b>STATUS:</b> 09/14/2023 In SENATE. Failed Deadline pursuant to Rule 61(a)(14).	Oppose (partial list)  Support: Coalition for Clean Air, Streets For All, California Environmental Voters  Oppose: Mobility 21, Orange County Business Council, Rebuild SoCal Partnership, Transportation California, RCTC, SBCTA



BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<b>AB 817</b> <b>(Pacheco – D)</b>  Open Meetings: Teleconferencing: Subsidiary Body	Relates to the Ralph Brown Act. Authorizes a subsidiary body to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency.	<b>INTRODUCED:</b> 02/13/2023 <b>LOCATION:</b> Senate Rules Committee <b>LAST AMEND:</b> 01/10/2024  <b>STATUS:</b> 01/25/2024 In SENATE. Read first time. To Committee on RULES for assignment.	Support  Support: California Association of Recreation and Park Districts (co-sponsor), League of California Cities (co-sponsor), Rural County Representatives of California (co-sponsor), and the Urban Counties of California (co-sponsor)
<b>► AB 2043</b> <b>(Boerner – D)</b>  Medi-Cal: Nonmedical and Nonemergency Medical Transportation	<i>Requires the State Department of Health Care Services to require Medi-Cal managed care plans that are contracted to provide nonmedical transportation or nonemergency medical transportation to contract with public paratransit service operators who are enrolled Medi-Cal providers for the purpose of establishing reimbursement rates for nonmedical and nonemergency medical transportation trips provided by a public paratransit service operator. Conditions implementation on receipt of necessary federal approvals.</i>	<b>INTRODUCED:</b> 02/01/2024 <b>LOCATION:</b> Assembly Health Committee  <b>STATUS:</b> 02/12/2024 In ASSEMBLY. Read first time. Referred to Committee on HEALTH.	Support  Support: San Diego Metropolitan Transit System (sponsor)

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► <b>AB 2259</b> <b>(Boerner – D)</b></p> <p><i>Transportation: Bicycle Safety Handbook</i></p>	<p><i>Would require CalSTA to develop and distribute, on or before September 1, 2025, a bicycle safety handbook that includes information on, among other things, existing laws regulating bicycles and e-bikes. CalSTA must make a downloadable electronic version of the bicycle safety handbook available online and in print at certain state offices. CalSTA will also be required to collaborate with other state agencies to develop the handbook.</i></p>	<p><b>INTRODUCED:</b> 02/08/2024 <b>LOCATION:</b> Assembly Transportation Committee</p> <p><b>STATUS:</b> 02/26/2024 In ASSEMBLY. Referred to Committee on TRANSPORTATION.</p>	<p>STAFF RECOMMENDS SUPPORT</p>
<p>► <b>SB 1011</b> <b>(Jones – R)</b></p> <p><i>Encampments: Penalties</i></p>	<p><i>Would make a conditional prohibition for a person to unlawfully occupy a on a space street, sidewalk, or within a certain distance of specified public property, including public transit stops, open space, and schools. Specifically, it would prohibit a person from sitting, lying, sleeping, storing, using, maintaining, or placing their personal property on a street or sidewalk if a homeless shelter is available. Additionally, it makes those same prohibitions within 500 feet of a public or private school, within open spaces, and at major transit stops.</i></p>	<p><b>INTRODUCED:</b> 02/05/2024 <b>LOCATION:</b> Senate Public Safety Committee <b>HEARING:</b> 04/16/2024</p> <p><b>STATUS:</b> 02/23/2024 In SENATE. Referred to Committee on PUBLIC SAFETY.</p>	<p>STAFF RECOMMENDS SUPPORT</p>

## BILLS BEING MONITORED

### **AB 627** (Jackson, D) Drayage trucks: voucher incentive project.

**Introduced:** 02/09/2023

**Last Amended:** 01/22/2024

**Status:** 01/29/2024 - Read third time. Passed. Ordered to the Senate. (Ayes 67. Noes 1.) In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 01/29/2024 - Senate Rules

**Summary:** Current law establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The state board, in this capacity, administers the California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project under which the agency issues a limited number of vouchers to incentivize the purchase and use of zero-emission commercial vehicles. The Budget Act of 2023 appropriated funds from the Greenhouse Gas Reduction Fund to the state board for zero-emission drayage trucks to be administered through the project and, in expending those funds, requires the state board, before January 1, 2025, to limit the number and award amount levels under the project based on fleet size. This bill would require the state board to ensure that a voucher provided under the project for the purchase of a new, or the retrofit of a used, drayage truck is provided to an operator in an amount determined pursuant to a sliding scale established by the state board, based on the number of drayage trucks the operator owns. In administering the project, the bill would require the state board to prioritize the award of those vouchers to operators meeting certain criteria.

**Subject:** Funding

### **AB 637** (Jackson, D) Zero-emission vehicles: fleet owners: rental vehicles.

**Introduced:** 02/09/2023

**Last Amended:** 09/06/2023

**Status:** 01/25/2024 - Read third time. Passed. Ordered to the Senate. (Ayes 70. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 01/25/2024 - Senate Rules

**Summary:** Current law requires the State Air Resources Board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants and sources of air pollution the state board has found to be necessary, cost effective, and technologically feasible, to carry out specified purposes, unless preempted by federal law. This bill would, if the state board requires a fleet owner to acquire zero-emission vehicles as part of its fleet, require the state board to authorize the rental of a zero-emission vehicle or vehicles for a cumulative total of 260 days in a calendar year to be deemed ownership of one zero-emission vehicle for purposes of meeting that obligation.

**Subject:** Zero Emission

### **AB 761** (Friedman, D) Local finance: enhanced infrastructure financing districts.

**Introduced:** 02/13/2023

**Last Amended:** 09/13/2023

**Status:** 09/14/2023 - Withdrawn from committee. Re-referred to Com. on RLS.

**Location:** 09/14/2023 - Senate Rules

**Summary:** Current law authorizes the legislative body of a city or a county to designate a proposed enhanced infrastructure financing district by adopting a resolution of intention to establish the proposed district which, among other things, is required to state that an enhanced infrastructure financing district is proposed and describe the boundaries of the proposed district. Current law requires the public financing authority to direct the preparation of and adopt an infrastructure financing plan consistent with the general plan and any relevant specific plan, and consisting of, among other things, a financing section. This bill, for plans proposed on or after January 1, 2024, would specify that for the purpose of development and construction of passenger rail projects in the County of Los Angeles where at least 75% of the revenue from the district is used for debt service on a federal Transportation Infrastructure Finance and Innovation Act loan, the date on which the district will cease to exist shall not be more than 75 years from the date of the issuance of bonds or approval of a loan, as specified. This bill would make legislative findings and declarations as to the necessity of a special statute for specified districts enacted primarily for the purpose of development and construction of zero-emission mass transit projects.

**Subject:** Transit

**AB 930**      **(Friedman, D) Local government: Reinvestment in Infrastructure for a Sustainable and Equitable California (RISE) districts.**

**Introduced:** 02/14/2023

**Last Amended:** 01/22/2024

**Status:** 01/29/2024 - Read third time. Passed. Ordered to the Senate. (Ayes 52. Noes 16.) In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 01/29/2024 - Senate Rules

**Summary:** Would authorize the legislative bodies of 2 or more cities or counties to jointly form a Reinvestment in Infrastructure for a Sustainable and Equitable California district (RISE district) in accordance with specified procedures. The bill would authorize a special district to join a RISE district, by resolution, as specified. The bill would require the Office of Planning and Research (OPR) to develop guidelines for the formation of RISE districts no later than November 30, 2026. The bill would provide for the establishment of a governing board of a RISE district with representatives of each participating local government.

**Subject:** Planning

**AB 1017**      **(Holden, D) Homelessness: Striking Worker Emergency Homelessness Prevention program.**

**Introduced:** 02/15/2023

**Last Amended:** 09/13/2023

**Status:** 09/14/2023 - Read second time. Ordered to third reading. Re-referred to Com. on RLS pursuant to Senate Rule 29.10(c).

**Location:** 09/14/2023 - Senate Rules

**Summary:** Would, upon appropriation by the Legislature, create within the Encampment Resolution Funding program the Striking Worker Emergency Homelessness Prevention (SWEHP) program administered by the Labor and Workforce Development Agency. The bill would specify that purpose of the program would be to prevent workers suffering strike-related hardship from becoming homeless due to a prolonged labor dispute by making zero-interest loans available to eligible striking workers to assist them in paying their housing costs. The bill would require the agency, in consultation with the Business, Consumer Services, and Housing Agency, to develop an internet website and online application for the program, as specified. The bill would require an applicant for the program to electronically sign a declaration of strike-related hardship, as specified, under penalty of perjury. By expanding the scope of an existing crime, the bill would impose a state-mandated local program. The bill would make other conforming changes to the Encampment Resolution Funding program.

**Subject:** Planning

**AB 1447**      **(Flora, R) Vehicles: motorized scooters.**

**Introduced:** 02/17/2023

**Last Amended:** 09/08/2023

**Status:** 03/04/2024 - Withdrawn from committee. Withdrawn from committee.

**Location:** 09/11/2023 - Senate Rules

**Summary:** This bill would change the definition of a motorized scooter by including 3-wheeled devices, limiting its maximum weight to 200 pounds and width to 3 feet, and specifying that it is powered by a motor that ceases to provide power at 20 miles per hour. The bill would require a manufacturer of a motorized scooter to apply a sticker to certain motorized scooters certifying the scooter is capable of achieving braking requirements, as specified, and would prohibit a person from operating a motorized scooter that does not have that certifying sticker and, if the scooter is capable of exceeding 15 miles per hour, a speedometer in good working order. The bill would prohibit a person from operating a motorized scooter in excess of 15 miles per hour while standing up or in excess of 20 miles per hour while sitting down. This bill contains other related provisions and other existing laws.

**Subject:** Active Transportation

**AB 1567** (Garcia, D) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024.

**Introduced:** 02/17/2023

**Last Amended:** 05/26/2023

**Status:** 06/14/2023 - Referred to Coms. on N.R. & W. and GOV. & F.

**Location:** 06/14/2023 - Senate Natural Resources and Water

**Summary:** Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,995,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.

**Subject:** Funding

**AB 1773** (Dixon, R) Vehicles: electric bicycles.

**Introduced:** 01/03/2024

**Last Amended:** 02/22/2024

**Status:** 02/26/2024 - Re-referred to Com. on TRANS.

**Location:** 01/16/2024 - Assembly Transportation

**Summary:** Current law prohibits the use of a motorized bicycle on a bicycle path or trail, bikeway, bicycle lane, equestrian trail, or hiking or recreational trail, as specified, unless the governing body of a local public agency, which has jurisdiction over the path or trail, permits the operation. Current law authorizes a governing body of a local public agency, which has jurisdiction over the path or trail, to prohibit the use of an electric bicycle on an equestrian trail, or hiking or recreational trail. This bill would clarify that a recreational trail for these purposes includes a boardwalk, regardless of whether the facility also provides bicycle access. Notwithstanding specified law, the bill would impose a fine, not to exceed \$35, against a person convicted of an infraction for a violation of an ordinance prohibiting or regulating electric bicycles on recreational trails.

**Subject:** Active Transportation

**AB 1774** (Dixon, R) Vehicles: electric bicycles.

**Introduced:** 01/03/2024

**Status:** 01/16/2024 - Referred to Com. on TRANS.

**Location:** 01/16/2024 - Assembly Transportation

**Summary:** Current law defines an electric bicycle as a bicycle equipped with fully operable pedals and an electric motor of less than 750 watts, and requires electric bicycles to comply with specified equipment and manufacturing requirements. Current law prohibits a person from tampering with or modifying an electric bicycle so as to change the speed capability of the bicycle, unless they appropriately replace the label indicating the classification required, as specified. A violation of the Vehicle Code is a crime. This bill would clarify that the exception to this prohibition only applies if the bicycle continues to meet the definition of an electric bicycle. This bill would prohibit a person from selling a product or device that can modify the speed capability of an electric bicycle such that it no longer meets the definition of an electric bicycle.

**Subject:** Active Transportation

**AB 1778** (Connolly, D) Vehicles: electric bicycles.

**Introduced:** 01/03/2024

**Status:** 01/16/2024 - Referred to Com. on TRANS.

**Location:** 01/16/2024 - Assembly Transportation

**Summary:** Under current law, a "class 2 electric bicycle" is a bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour. Under current law, a "class 3 electric bicycle" is a bicycle equipped with a speedometer and a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour. Current law prohibits a person under 16 years of age from operating a class 3 electric bicycle. Existing law requires a person operating, or riding upon, a class 3 electric bicycle to wear a helmet, as specified. This bill would additionally prohibit a person under 16 years of age from operating a class 2 electric bicycle. The bill would require a person operating, or riding upon, a class 2 electric bicycle to wear a helmet, as specified. The bill would clarify that an electric bicycle can only be placed in a certain class if it ceases to provide assistance when the bicycle reaches a max speed regardless of the mode.

**Subject:** Active Transportation

**AB 1785**    **(Pacheco, D) California Public Records Act.**

**Introduced:** 01/03/2024

**Status:** 01/16/2024 - Referred to Com. on JUD.

**Hearing:** 03/12/2024

**Location:** 01/16/2024 - Assembly Judiciary

**Summary:** The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. The act prohibits a state or local agency from posting the home address or telephone number of any elected or appointed official on the internet without first obtaining the written permission of that individual. This bill would define "home address," for purposes of the above provision, to include an assessor's parcel number, which may be converted to a physical address through reference to other information made available online by the state or local agency.

**Subject:** Records

**AB 1837**    **(Papan, D) San Francisco Bay area: public transportation.**

**Introduced:** 01/16/2024

**Status:** 01/17/2024 - From printer. May be heard in committee February 16.

**Location:** 01/16/2024 - Assembly PRINT

**Summary:** Current law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Current law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. This bill would state the intent of the Legislature to enact subsequent legislation to encourage coordination and collaboration among transit agencies in the San Francisco Bay area.

**Subject:** Miscellaneous

**AB 1853**    **(Villapudua, D) San Joaquin Regional Transit District: meetings: surplus money investments.**

**Introduced:** 01/17/2024

**Status:** 01/29/2024 - Referred to Com. on L. GOV.

**Location:** 01/29/2024 - Assembly Local Government

**Summary:** The San Joaquin Regional Transit District Act authorizes the creation of the San Joaquin Regional Transit District, and if created, specifies the district's powers and responsibilities. The act requires the district to be governed by a board of directors, requires the board to adopt rules for its proceedings, and authorizes the board to provide, by ordinance or resolution, that each board member receive \$50 for each board meeting attended, not to exceed \$100 in a calendar month. This bill instead would authorize the board to provide, by ordinance or resolution, that each board member receive \$100 for each board meeting and committee meeting attended, not to exceed \$500 in a calendar month.

**Subject:** Records

**AB 1870**    **(Ortega, D) Notice to employees: legal services.**

**Introduced:** 01/22/2024

**Status:** 02/05/2024 - Referred to Com. on INS.

**Location:** 02/05/2024 - Assembly Insurance

**Summary:** Employers who are subject to the workers' compensation system are generally required to keep posted in a conspicuous location frequented by employees and easily read by employees during the hours of the workday a notice that includes, among other information, to whom injuries should be reported, the rights of an employee to select and change a treating physician, and certain employee protections against discrimination. Current law requires the administrative director to make the form and content of this notice available to self-insured employers and insurers. This bill would require the notice to include information concerning an injured employee ability to consult licensed attorney to advise them of their rights under workers' compensations laws, as specified. The bill would also make technical, nonsubstantive changes to these provisions.

**Subject:** Employment

**AB 1879**    **(Gipson, D)** Electronic signatures.

**Introduced:** 01/22/2024

**Last Amended:** 03/04/2024

**Status:** 03/04/2024 - From committee chair, with author's amendments: Amend, and re-refer to Com. on JUD. Read second time and amended.

**Hearing:** 03/12/2024

**Location:** 02/12/2024 - Assembly Judiciary

**Summary:** Current law authorizes, in any written communication with a public entity, the use of a digital signature, which is defined, in part, as a type of electronic signature. Under existing law, a digital signature has the same force and effect as the use of a manual signature if it complies with specified requirements and the public entity elects to use a digital signature. Current law requires, at the option of the parties, the use or acceptance of a digital signature. This bill would require, at the option of the parties, the use or acceptance of an electronic signature, including a digital signature, unless otherwise provided. Under the bill, a digital signature would also have the same force and effect as the use of a manual signature if it complies with the above-referenced requirements and the public entity's use of a digital signature is mandated.

**Subject:** Records

**AB 1889**    **(Friedman, D)** General plan: wildlife connectivity element.

**Introduced:** 01/22/2024

**Status:** 02/05/2024 - Referred to Coms. on L. GOV. and W., P., & W.

**Location:** 02/05/2024 - Assembly Local Government

**Summary:** The Planning and Zoning Law requires the legislative body of a city or county to adopt a comprehensive general plan that includes various elements, including land use and housing elements, as specified. This bill would require a general plan to include a wildlife connectivity element, or related goals, policies, and objectives integrated in other elements, that considers the effect of development within the jurisdiction on fish, wildlife, and habitat connectivity, as specified. The bill would require the wildlife connectivity element to, among other things, identify and analyze connectivity areas, permeability, and natural landscape areas within the jurisdiction, incorporate and analyze specified guidelines and standards, incorporate and analyze relevant information from specified sources, and incorporate and analyze relevant best available science. The bill would require a city or county subject to these provisions to adopt or review the wildlife connectivity element, or related goals, policies, and objectives integrated in other elements, upon the adoption or next revision of one or more elements on or after January 1, 2025.

**Subject:** Planning

**AB 1890**    **(Patterson, Joe, R)** Public works: prevailing wage.

**Introduced:** 01/22/2024

**Status:** 02/05/2024 - Referred to Com. on L. & E.

**Hearing:** 03/13/2024

**Location:** 02/05/2024 - Assembly Labor and Employment

**Summary:** Current law defines the term "public works" for the purposes of requirements regarding the payment of prevailing wages, the regulation of working hours, and the securing of workers' compensation for public works projects. Current law requires an entity awarding a public works contract, as specified, to provide notice to the Department of Industrial Relations. Current law requires civil penalties to be imposed on an entity that fails to provide that required notice and authorizes the Labor Commissioner to issue a citation for civil penalties to an entity that fails to provide the required notice. This bill would additionally require the awarding body to provide notice to the department if there is a change in the identity of a contractor or subcontractor performing the project or, within 30 days, if the total amount of the contract change exceeds \$10,000.

**Subject:** Public Works

**AB 1904**    **(Ward, D) Transit buses: yield right-of-way sign.**

**Introduced:** 01/23/2024

**Status:** 02/05/2024 - Referred to Com. on TRANS.

**Hearing:** 03/19/2024

**Location:** 02/05/2024 - Assembly Transportation

**Summary:** Current law authorizes a transit bus in the Santa Cruz Metropolitan Transit District and the Santa Clara Valley Transportation Authority to be equipped with a yield right-of-way sign on the left rear of the bus if the applicable entity approves a resolution requesting that this section be made applicable to it. Current law requires the sign to be designed to warn a person operating a motor vehicle approaching the rear of the bus that the bus is entering traffic and be illuminated by a red flashing light when the bus is signaling in preparation for entering a traffic lane after having stopped to receive or discharge passengers. This bill would expand the authorization to equip transit buses, as described above, to apply to any transit agency if the transit agency approves a resolution that this authorization be made applicable to it.

**Subject:** Transit

**AB 1924**    **(Nguyen, Stephanie, D) Sacramento Regional Transit District.**

**Introduced:** 01/25/2024

**Status:** 02/05/2024 - Referred to Com. on L. GOV.

**Location:** 02/05/2024 - Assembly Local Government

**Summary:** Current law authorizes the Sacramento Regional Transit District to comprise the Cities of Citrus Heights, Davis, Elk Grove, Folsom, Rancho Cordova, Roseville, Sacramento, West Sacramento, and Woodland, the territory of the County of Sacramento that is the same area as the urban service area of the county, and other specified portions of the County of Yolo, provided those cities and counties have agreed to annexation by the district, as specified. This bill would authorize the district to also comprise the Cities of Galt and Isleton, and the unincorporated portions of the County of Sacramento where the county has declared a need for the district to operate, provided the cities and county agree to annexation, as specified.

**Subject:** Planning

**AB 1928**    **(Sanchez, R) Worker classification: employees and independent contractors.**

**Introduced:** 01/25/2024

**Last Amended:** 03/04/2024

**Status:** 03/04/2024 - From committee chair, with author's amendments: Amend, and re-refer to Com. on L. & E. Read second time and amended.

**Location:** 02/12/2024 - Assembly Labor and Employment

**Summary:** Current law, as established in the case of *Dynamex Operations W. v. Superior Court* (2018) 4 Cal.5th 903 (*Dynamex*), creates a presumption that a worker who performs services for a hirer is an employee for purposes of claims for wages and benefits arising under wage orders issued by the Industrial Welfare Commission. Current law requires a 3-part test, commonly known as the "ABC" test, to determine if workers are employees or independent contractors for those purposes. Current law establishes that, for purposes of the Labor Code, the Unemployment Insurance Code, and the wage orders of the Industrial Welfare Commission, a person providing labor or services for remuneration is considered an employee rather than an independent contractor unless the hiring entity demonstrates that the person is free from the control and direction of the hiring entity in connection with the performance of the work, the person performs work that is outside the usual course of the hiring entity's business, and the person is customarily engaged in an independently established trade, occupation, or business. This test is known as the "ABC" test, as described above. This bill would repeal the above-described provisions that codify the ABC test. The bill would declare that its purpose is to suspend and nullify the California Supreme Court's decision in *Dynamex* and provide that this decision does not apply for purposes of California law.

**Subject:** Employment



**AB 1951** (Fong, Vince, R) California Environmental Quality Act: exemption: roadside wildfire prevention projects.

**Introduced:** 01/29/2024

**Status:** 02/12/2024 - Referred to Com. on NAT. RES.

**Hearing:** 03/19/2024

**Location:** 02/12/2024 - Assembly Natural Resources

**Summary:** The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would exempt from CEQA a project for wildfire prevention within 50 feet of either side of a roadway. Because a lead agency would be required to determine whether a project qualifies for this exemption, the bill would impose a state-mandated local program.

**Subject:** Public Works

**AB 1957** (Wilson, D) Public contracts: best value construction contracting for counties.

**Introduced:** 01/29/2024

**Status:** 02/12/2024 - Referred to Com. on L. GOV.

**Location:** 02/12/2024 - Assembly Local Government

**Summary:** Current law establishes a pilot program to allow the Counties of Alameda, Los Angeles, Monterey, Riverside, San Bernardino, San Diego, San Mateo, Santa Clara, Solano, and Yuba to select a bidder on the basis of best value for construction projects in excess of \$1,000,000. Current law also authorizes these counties to use a best value construction contracting method to award individual annual contracts, not to exceed \$3,000,000, for repair, remodeling, or other repetitive work to be done according to unit prices, as specified. Current law establishes procedures and criteria for the selection of a best value contractor and requires that bidders verify specified information under oath. Current law requires the board of supervisors of a participating county to submit a report that contains specified information about the projects awarded using the best value procedures described above to the appropriate policy committees of the Legislature and the Joint Legislative Budget Committee before March 1, 2024. Current law repeals the pilot program provisions on January 1, 2025. This bill would instead authorize any county of the state to utilize this program and would remove the January 1, 2025, sunset date, thereby extending the operation of those provisions indefinitely.

**Subject:** Public Works

**AB 1958** (Berman, D) Santa Clara Valley Transportation Authority: board of directors.

**Introduced:** 01/29/2024

**Status:** 02/12/2024 - Referred to Com. on L. GOV.

**Location:** 02/12/2024 - Assembly Local Government

**Summary:** Current law vests the government of the Santa Clara Valley Transportation Authority (VTA) in a 12-member board of directors, appointed by the County of Santa Clara and the cities within the county, as specified. Current law requires, to the extent possible, the county and cities to appoint individuals to the board of directors who have expertise, experience, or knowledge relative to transportation issues. This bill would require, to the extent possible, the county and cities to appoint individuals to the board of directors who have expertise, experience, or knowledge relative to transportation or project management issues.

**Subject:** Public Works

**AB 1964** (Fong, Vince, R) State agencies: budgeting.

**Introduced:** 01/29/2024

**Status:** 02/12/2024 - Referred to Com. on BUDGET.

**Location:** 02/12/2024 - Assembly Budget

**Summary:** Would require the Department of Finance, on or before January 1, 2026, to compile a list of all state agencies and to split the list into 1/5 sections with each section equally distributing state agencies across the legislative budget subcommittees, as specified. The bill would require the department, on January 1, 2027, to publish on its internet website the full list of state agencies, as described above. The bill would require the department, on January 1, 2027, and annually thereafter, to publish a list of which section of state agencies is required to develop its budget using a zero-based budgeting method. The bill, commencing January 1, 2027, would require each state agency, as specified, to develop its budget based on a zero-based budgeting method for review during the budget process, as prescribed. In developing its budget based on a zero-based budgeting method, the bill would require, among other things, representatives from each state agency to work with the department to submit a report, as specified, to the Senate Committee on Budget and Fiscal Review, the Assembly Committee on Budget, and the Joint Legislative Budget Committee.

**Subject:** Funding

**AB 1976**    **(Haney, D) Occupational safety and health standards: first aid kits: naloxone hydrochloride.**

**Introduced:** 01/30/2024

**Status:** 02/12/2024 - Referred to Com. on L. & E.

**Location:** 02/12/2024 - Assembly Labor and Employment

**Summary:** The California Occupational Safety and Health Act of 1973 (OSHA) requires employers to comply with certain safety and health standards, as specified, and charges the division with enforcement of the act. Current law requires the Division of Occupational Safety and Health, before December 1, 2025, to submit to the Occupational Safety and Health Standards Board a rulemaking proposal to consider revising certain standards relating to the prevention of heat illness, protection from wildfire smoke, and toilet facilities on construction jobsites. Current law also requires the standards board to review the proposed changes and consider adopting revised standards on or before December 31, 2025. This bill would require the standards board, before December 1, 2026, to draft a rulemaking proposal to revise a regulation on first aid materials to require all first aid kits in a workplace to include nasal spray naloxone hydrochloride. The bill would require the standards board to adopt revised standards for the standards described above on or before December 31, 2026.

**Subject:** Safety and Security

**AB 2029**    **(Jackson, D) Electric vehicle charging stations: public access.**

**Introduced:** 02/01/2024

**Status:** 02/12/2024 - Referred to Coms. on TRANS. and U. & E.

**Hearing:** 03/19/2024

**Location:** 02/12/2024 - Assembly Transportation

**Summary:** Would require the Department of Transportation to conduct a study on public access to electric vehicle charging stations, as provided. The bill would require the department to submit a report based on the study to the Legislature on or before January 1, 2025.

**Subject:** Environment

**AB 2030**    **(Davies, R) Public contracts: small business participation.**

**Introduced:** 02/01/2024

**Status:** 02/12/2024 - Referred to Com. on J., E.D., & E.

**Location:** 02/12/2024 - Assembly Jobs, Economic Development, and the Economy

**Summary:** The Small Business Procurement and Contract Act authorizes a state agency to award a contract for goods, services, or information technology with an estimated value of greater than \$5,000 but less than \$250,000 to a certified small business, including a microbusiness and a disabled veteran business enterprise, without complying with certain competitive bidding requirements, if the agency obtains price quotations from 2 or more of those businesses, as specified. Current law requires a state agency to consider a responsive offer timely received from a responsible certified small business, including a microbusiness, or from a disabled veteran business enterprise. This bill would expand the above-described authorization to permit a state agency to award a contract for goods, services, or information technology with an estimated value of greater than \$5,000 but less than \$250,000 to an LGBT business enterprise, a minority business enterprise, or a women business enterprise.

**Subject:** Public Works

**AB 2037**    **(Papan, D) Weights and measures: electric vehicle chargers.**

**Introduced:** 02/01/2024

**Status:** 02/12/2024 - Referred to Com. on P. & C.P.

**Hearing:** 03/12/2024

**Location:** 02/12/2024 - Assembly Privacy and Consumer Protection

**Summary:** Would authorize a county sealer to test and certify the accuracy of any electric vehicle charger located in the county in which the sealer has jurisdiction, including, but not limited to, an electric vehicle charger owned or operated by a city, county, or a city and county, except as specified. The bill would authorize a county sealer to close an inaccurate vehicle charger, as specified.

**Subject:** Public Works

**AB 2043**    **(Boerner, D) Medi-Cal: nonmedical and nonemergency medical transportation.**

**Introduced:** 02/01/2024

**Status:** 02/12/2024 - Referred to Com. on HEALTH.

**Location:** 02/12/2024 - Assembly Health

**Summary:** Would require the State Department of Health Care Services to require Medi-Cal managed care plans that are contracted to provide nonemergency medical transportation or nonmedical transportation to contract with public paratransit service operators who are enrolled Medi-Cal providers, for the purpose of establishing reimbursement rates for those transportation trips provided by a public paratransit service operator. The bill would require that the rates be based on the department's fee-for-service rates for the transportation service, as specified.

**Subject:** Funding

**AB 2061**    **(Wilson, D) Sales and Use Tax: exemptions: zero-emission public transportation ferries.**

**Introduced:** 02/01/2024

**Status:** 02/12/2024 - Referred to Com. on REV. & TAX.

**Hearing:** 03/11/2024

**Location:** 02/12/2024 - Assembly Revenue and Taxation

**Summary:** Current sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. This bill, beginning January 1, 2025, and until January 1, 2030, would exempt from those taxes the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, zero-emission public transportation ferries sold to a public agency.

**Subject:** Funding

**AB 2064**    **(Jones-Sawyer, D) Racial equity: violence prevention.**

**Introduced:** 02/01/2024

**Status:** 02/02/2024 - From printer. May be heard in committee March 3.

**Location:** 02/01/2024 - Assembly PRINT

**Summary:** Current law establishes, until January 1, 2030, the Racial Equity Commission within the Office of Planning and Research and requires the commission to develop resources, best practices, and tools for advancing racial equity by, among other things, developing a statewide Racial Equity Framework that includes methodologies and tools that can be employed to advance racial equity and address structural racism in California. This bill would make related findings and declarations. The bill would declare the intent of the Legislature to subsequently amend this bill to include provisions that would establish and fund a grant program to support community-driven solutions to decrease community violence at the family, school, and neighborhood levels in African American communities.

**Subject:** Miscellaneous

**AB 2086**    **(Schiavo, D) Department of Transportation funding: report and public dashboard.**

**Introduced:** 02/05/2024

**Status:** 02/20/2024 - Referred to Com. on TRANS.

**Location:** 02/20/2024 - Assembly Transportation

**Summary:** Would require the California Transportation Commission, on or before January 1, 2026, to adopt guidelines for the Department of Transportation to use to determine whether the use of the funding made available to the department is advancing the Core Four priorities of safety, equity, climate action, and economic prosperity established by the Transportation Agency. In developing the guidelines, the bill would require the commission to conduct a public engagement process, hold a public comment period, and allow the interagency equity advisory committee established by these 3 agencies an opportunity to review, provide recommendations on, and evaluate potential changes to, the proposed guidelines.

**Subject:** Planning

**AB 2087**    **(Alanis, R) California Environmental Quality Act: disclosure: identity and interests.**

**Introduced:** 02/05/2024

**Status:** 02/26/2024 - Referred to Coms. on JUD. and NAT. RES.

**Location:** 02/26/2024 - Assembly Judiciary

**Summary:** The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA requires the courts to give an action or proceeding alleging noncompliance with CEQA preference over all other civil actions. CEQA requires superior courts in counties with a population of more than 200,000 people to designate one or more judges to develop expertise in CEQA and certain related laws so that those judges will be available to hear and quickly resolve actions or proceedings alleging noncompliance with CEQA. This bill would require, in all actions or proceedings brought pursuant to the provisions of CEQA, that a filing party include with the filing a disclosure of the identity and interests of the party, as provided. The bill would authorize a court to request more information as needed, including, but not limited to, financial statements and testimony, in the event a filing party that has previously brought an action or proceeding concerning a project makes a subsequent filing in an action or proceeding concerning the same project. Because the bill would impose additional duties on a lead agency that is a filing party to an action or proceeding, the bill would impose a state-mandated local program.

**Subject:** Environment

**AB 2116**    **(Grayson, D) Road Maintenance and Rehabilitation Account: University of California: California State University: reports.**

**Introduced:** 02/05/2024

**Status:** 02/20/2024 - Referred to Com. on TRANS.

**Location:** 02/20/2024 - Assembly Transportation

**Summary:** Current law creates the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. Current law provides for the deposit of various moneys, including revenues from certain fuel taxes and vehicle fees, for the program into the Road Maintenance and Rehabilitation Account. Current law, after deducting certain appropriations and allocations, authorizes annual appropriations of \$5,000,000 of the moneys available for the program to the University of California to conduct transportation research and of \$2,000,000 of the available moneys to the California State University to conduct transportation research and transportation-related workforce education, training, and development, as specified. This bill would require the University of California and the California State University, on or before January 1 of each year, to each submit a report to the Transportation Agency and specified legislative committees detailing its expenditures of those moneys for the previous fiscal year, including, but not limited to, research activities and administration.

**Subject:** Reports

**AB 2123**    **(Papan, D) Disability compensation: paid family leave.**

**Introduced:** 02/06/2024

**Status:** 02/20/2024 - Referred to Com. on INS.

**Location:** 02/20/2024 - Assembly Insurance

**Summary:** Current law establishes, within the state disability insurance program, a family temporary disability insurance program, also known as the paid family leave program, for the provision of wage replacement benefits to workers who take time off work to care for certain seriously ill family members, to bond with a minor child within one year of birth or placement, as specified, or to participate in a qualifying exigency related to the covered active duty or call to covered active duty of certain family members. This bill would eliminate that authorization and related provisions.

**Subject:** Employment

**AB 2135**    **(Schiavo, D) Public works contracts: wage and penalty assessment.**

**Introduced:** 02/06/2024

**Status:** 02/20/2024 - Referred to Com. on L. & E.

**Hearing:** 03/13/2024

**Location:** 02/20/2024 - Assembly Labor and Employment

**Summary:** Current law requires the Labor Commissioner to issue a civil wage and penalty assessment to a contractor or subcontractor, or both, if, after an investigation, the commissioner determines there has been a violation of the laws regulating public works contracts, including the payment of prevailing wages. Current law requires the assessment to be served not later than 18 months after the filing of a valid notice of completion in the office of the county recorder in each county in which the public work or some part thereof was performed, or not later than 18 months after acceptance of the public work, whichever occurs last. This bill would extend the above-described time period to 24 months, and would authorize an extension for good cause, including ongoing investigation and assessment by the Labor Commissioner or their designee.

**Subject:** Public Works

**AB 2147**    **(Mathis, R) Clean Transportation Program: hydrogen-fueling stations: report: job creation and workforce development.**

**Introduced:** 02/06/2024

**Status:** 02/26/2024 - Referred to Com. on TRANS.

**Location:** 02/26/2024 - Assembly Transportation

**Summary:** Current law requires the State Energy Resources Conservation and Development Commission and the State Air Resources Board to annually jointly review and report on progress toward establishing a hydrogen-fueling network that provides the coverage and capacity to fuel vehicles requiring hydrogen fuel that are being placed into operation in the state. Current law requires the commission and the state board to consider several things, including, but not limited to, the available plans of automobile manufacturers to deploy hydrogen-fueled vehicles in California and their progress toward achieving those plans in their report. This bill would require the commission and state board's joint review and report to also include progress made on job creation and workforce development in support of hydrogen fueling.

**Subject:** Funding

**AB 2153**    **(Lowenthal, D) California Public Records Act: public agency employees: notice requirements: personnel and medical information.**

**Introduced:** 02/06/2024

**Status:** 02/20/2024 - Referred to Com. on JUD.

**Hearing:** 03/19/2024

**Location:** 02/20/2024 - Assembly Judiciary

**Summary:** The California Public Records Act requires public records to be open to inspection at all times during the office hours of the state or local agency that retains those records, and provides that every person has a right to inspect any public record, except as provided. Current law requires each agency, upon a request for records, to determine within 10 days whether that request, in whole or in part, seeks copies of disclosable public records in the agency's possession and to promptly notify the person making the request of its determination and reasons for that determination. Under current law, the act generally does not require disclosure of personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy. Current law requires an agency, if it determines a request seeks disclosable public records, to state the estimated date and time when the records will be made available. Current law permits the prescribed time limits of the act to be extended in unusual circumstances. In this connection, "unusual circumstances" include, among other reasons, the need to search for and collect the requested records from field facilities or other establishments separate from the office processing the request. This bill would require each agency, upon receipt of a request for a copy of, or the inspection of, any personnel, medical, or similar records of a public agency employee or any record that would disclose a public agency employee's personal identity in connection with the performance of that employee's work duties, to promptly and prior to the release of the records, provide written notice of the request to that public agency employee.

**Subject:** Records

**AB 2190**    **(Mathis, R) California Environmental Quality Act: expedited judicial review: infrastructure projects: hydrogen.**

**Introduced:** 02/07/2024

**Status:** 02/26/2024 - Referred to Coms. on NAT. RES. and JUD.

**Hearing:** 03/19/2024

**Location:** 02/26/2024 - Assembly Natural Resources

**Summary:** Current law authorizes the Governor to certify certain projects, including energy infrastructure projects that meet specified requirements, for streamlining benefits related to the California Environmental Quality Act (CEQA), such as the requirement that judicial actions, including any potential appeals, challenging the certification of an EIR or the granting of approval by a lead agency for certified projects be resolved, to the extent feasible, within 270 days after the filing of the certified record of proceedings with the court. Current law excludes from the definition of "energy infrastructure project" for these purposes any project using hydrogen as a fuel. This bill would delete that exclusion, thereby authorizing the Governor to certify energy infrastructure projects that use hydrogen as a fuel for streamlining benefits related to CEQA, as described above. Because the bill would impose additional duties on lead agencies in conducting the environmental review of energy infrastructure projects using hydrogen as a fuel that are certified by the Governor, including the concurrent preparation of the record of proceedings, this bill would impose a state-mandated local program.

**Subject:** Environment

**AB 2234**    **(Boerner, D) Vehicles: electric bicycles.**

**Introduced:** 02/08/2024

**Status:** 02/26/2024 - Referred to Com. on TRANS.

**Location:** 02/26/2024 - Assembly Transportation

**Summary:** Current law requires the Department of the California Highway Patrol to develop, on or before September 1, 2023, statewide safety and training programs based on evidence-based practices for users of electric bicycles, including, but not limited to, general electric bicycle riding safety, emergency maneuver skills, rules of the road, and laws pertaining to electric bicycles. Current law requires the safety and training programs to be developed in collaboration with relevant stakeholders and to be posted on the department's internet website. This bill would require the department, on or before June 30, 2025, to issue a skills waiver containing specific information, in an electronic format, to each person who completes the electric bicycle safety and training programs described above.

**Subject:** Active Transportation

**AB 2259**    **(Boerner, D) Transportation: bicycle safety handbook.**

**Introduced:** 02/08/2024

**Status:** 02/26/2024 - Referred to Com. on TRANS.

**Hearing:** 03/19/2024

**Location:** 02/26/2024 - Assembly Transportation

**Summary:** Current law establishes within state government the Transportation Agency, which consists of the Department of the California Highway Patrol, the California Transportation Commission, the Department of Motor Vehicles, the Department of Transportation, the High-Speed Rail Authority, and the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun. The agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. Current law imposes various duties on the secretary, including advising the Governor on, and assisting the Governor in establishing, major policy and program matters affecting each department, office, or other unit within the agency. This bill would, upon appropriation by the Legislature, require the agency to develop and distribute, on or before September 1, 2025, a bicycle safety handbook that includes information on, among other things, existing laws regulating bicycles and e-bikes.

**Subject:** Active Transportation

**AB 2266**    **(Petrie-Norris, D) California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: vehicle eligibility.**

**Introduced:** 02/08/2024

**Status:** 02/26/2024 - Referred to Coms. on TRANS. and NAT. RES.

**Location:** 02/26/2024 - Assembly Transportation

**Summary:** The State Air Resources Board administers the California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project under which the agency issues a limited number of vouchers to incentivize the purchase and use of zero-emission commercial vehicles. This bill would require the state board to authorize a voucher issued under the program to be used for the acquisition of any zero-emission vehicle that meets specified requirements.

**Subject:** Funding

**AB 2274**    **(Dixon, R) Taxation: sales and use taxes: exemption: tax holiday.**

**Introduced:** 02/08/2024

**Last Amended:** 03/04/2024

**Status:** 03/04/2024 - From committee chair, with author's amendments: Amend, and re-refer to Com. on REV. & TAX. Read second time and amended.

**Hearing:** 03/11/2024

**Location:** 02/26/2024 - Assembly Revenue and Taxation

**Summary:** Sales and use tax laws impose taxes on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state, and provides various exemptions from the taxes imposed by those laws. This bill, on and after January 1, 2025, would exempt from those taxes the gross receipts from the sale of, and the storage, use, or other consumption of, any tangible personal property purchased during the first weekend in August, beginning at 12:01 a.m. on Saturday and ending at 11:59 p.m. on Sunday.

**Subject:** Funding

**AB 2283**    **(Pacheco, D) Public Records: employee personnel records: notice.**

**Introduced:** 02/08/2024

**Status:** 02/26/2024 - Referred to Com. on JUD.

**Location:** 02/26/2024 - Assembly Judiciary

**Summary:** Would require a public agency that receives a request for the personnel records of one of the public agency's employees to provide written notice, as prescribed, to the employee within 48 hours of receipt of the request if specified conditions are met. By imposing new duties on local agencies, this bill would impose a state-mandated local program.

**Subject:** Records

**AB 2284**    **(Grayson, D) County employees' retirement: compensation.**

**Introduced:** 02/08/2024

**Status:** 02/26/2024 - Referred to Com. on P.E. & R.

**Location:** 02/26/2024 - Assembly Public Employment and Retirement

**Summary:** The County Employees Retirement Law of 1937 (CERL) authorizes counties to establish retirement systems pursuant to its provisions in order to provide pension benefits to their employees. CERL generally vests management of each retirement system in a board of retirement. CERL defines "compensation earnable" by a member, for the purpose of calculating benefits, to mean the average compensation, as determined by the board, for the period under consideration upon the basis of the average number of days ordinarily worked by persons in the same grade or class of positions during the period, and the same rate of pay, subject to certain exceptions. This bill would authorize a retirement system, to the extent it has not defined "grade" in the above-described circumstances, to define "grade" to mean a number of employees considered together because they share similarities in job duties, schedules, unit recruitment requirements, work location, collective bargaining unit, or other logical work-related grouping.

**Subject:** Employment

**AB 2286**    **(Aguiar-Curry, D) Vehicles: autonomous vehicles.**

**Introduced:** 02/08/2024

**Status:** 02/09/2024 - From printer. May be heard in committee March 10.

**Location:** 02/08/2024 - Assembly PRINT

**Summary:** Would require a manufacturer of an autonomous vehicle to report to the Department of Motor Vehicles a collision on a public road that involved one of its autonomous vehicles with a gross vehicle weight of 10,001 pounds or more that is operating under a testing permit that resulted in damage of property, bodily injury, or death within 10 days of the collision.

**Subject:** Safety and Security

**AB 2290** (Friedman, D) Transportation: Class III bikeways: bicycle facilities: Bikeway Quick-Build Project Pilot Program.

**Introduced:** 02/12/2024

**Status:** 02/26/2024 - Referred to Com. on TRANS.

**Location:** 02/26/2024 - Assembly Transportation

**Summary:** Current law requires the California Transportation Commission to develop guidelines and project selection criteria for the Active Transportation Program, as provided. Current law establishes 4 classifications of bikeways and defines a "Class III bikeway" as a bikeway that provides a right-of-way on-street or off-street, designated by signs or permanent markings and shared with pedestrians and motorists. This bill would prohibit the allocation of Active Transportation Program funds for a project that creates a Class III bikeway unless the project is on a residential street with a posted speed limit of 20 miles per hour or less.

**Subject:** Active Transportation

**AB 2302** (Addis, D) Open meetings: local agencies: teleconferences.

**Introduced:** 02/12/2024

**Status:** 02/26/2024 - Referred to Com. on L. GOV.

**Location:** 02/26/2024 - Assembly Local Government

**Summary:** Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in specified circumstances if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Existing law imposes prescribed restrictions on remote participation by a member under these alternative teleconferencing provisions, including establishing limits on the number of meetings a member may participate in solely by teleconference from a remote location, prohibiting such participation for a period of more than 3 consecutive months or 20% of the regular meetings for the local agency within a calendar year, or more than 2 meetings if the legislative body regularly meets fewer than 10 times per calendar year. This bill would revise those limits, instead prohibiting such participation for more than a specified number of meetings per year, based on how frequently the legislative body regularly meets. The bill, for the purpose of counting meetings attended by teleconference, would define a "meeting" as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

**Subject:** Public Meetings

**AB 2320** (Irwin, D) Wildlife Connectivity and Climate Adaptation Act of 2024: wildlife corridors.

**Introduced:** 02/12/2024

**Status:** 02/26/2024 - Referred to Coms. on W., P., & W. and NAT. RES.

**Location:** 02/26/2024 - Assembly Water, Parks and Wildlife

**Summary:** Current law requires the Natural Resources Agency, in implementing actions to achieve the goal to conserve at least 30% of the state's lands and coastal waters by 2030 established by executive order, to prioritize specified actions. Current law requires the Secretary of the Natural Resources Agency to prepare and submit an annual report to the Legislature on the progress made during the prior calendar year toward achieving that goal, as provided. Current law requires that annual report to include certain information, including, among other information, the progress made in the prior calendar year to address equity as part of the above-described goal. This bill, the Wildlife Connectivity and Climate Adaptation Act of 2024, would additionally require the agency, as part of that report, to identify key wildlife corridors in the state, connections between large blocks of natural areas and habitats, progress on protecting additional acres of wildlife corridors, and goals for wildlife corridor protection in the next 5 years, as provided.

**Subject:** Environment

**AB 2337** (Dixon, R) Workers' compensation: electronic signatures.

**Introduced:** 02/12/2024

**Status:** 02/26/2024 - Referred to Coms. on INS. and JUD.

**Location:** 02/26/2024 - Assembly Insurance

**Summary:** Current law establishes a Workers' Compensation Appeals Board and sets forth various proceedings that are required to be brought forth before the board. Current law provides that the appeals board is vested with full power, authority, and jurisdiction to try and determine finally all the matters specified in those proceedings subject only to the review by the courts, as specified. This bill would define "signature" for purposes of a proceeding before the board to include an electronic signature, as specified.

**Subject:** Employment



**AB 2372** (Bains, D) Greenhouse gas emissions: state board: report.

**Introduced:** 02/12/2024

**Status:** 02/26/2024 - Referred to Com. on NAT. RES.

**Location:** 02/26/2024 - Assembly Natural Resources

**Summary:** The California Global Warming Solutions Act of 2006 requires the State Air Resources Board, by December 31, 2035, to evaluate and report its findings and recommendations to the Legislature on the feasibility and tradeoffs of achieving the policy goal of ensuring that by 2045 statewide anthropogenic greenhouse gas emissions are reduced to at least 85% below the statewide greenhouse gas emissions limit, relative to alternative scenarios that achieve the policy goal of achieving net zero greenhouse gas emissions as soon as possible, but no later than 2045, and achieving and maintaining net negative greenhouse gas emissions thereafter. This bill would instead require the state board to do the evaluation and report its findings and recommendations to the Legislature by December 31, 2030.

**Subject:** Reports

**AB 2400** (Rivas, Luz, D) California Alternative Energy and Advanced Transportation Financing Authority Act.

**Introduced:** 02/12/2024

**Status:** 03/04/2024 - Referred to Coms. on REV. & TAX. and TRANS.

**Location:** 03/04/2024 - Assembly Revenue and Taxation

**Summary:** The California Alternative Energy and Advanced Transportation Financing Authority Act establishes the California Alternative Energy and Advanced Transportation Financing Authority. The act authorizes, until January 1, 2026, the authority to provide financial assistance to a participating party in the form of specified sales and use tax exclusions for projects, including those that promote California-based manufacturing, California-based jobs, advanced manufacturing, reduction of greenhouse gases, or reduction in air and water pollution or energy consumption. The act prohibits the sales and use tax exclusions from exceeding \$100,000,000 for each calendar year, except as provided. The Sales and Use Tax Law, for the purposes of the taxes imposed pursuant to that law, until January 1, 2026, excludes the lease or transfer of title of tangible personal property constituting a project to any contractor for use in the performance of a construction contract for a participating party that will use that property as an integral part of the approved project. This bill would extend the authorization to provide financial assistance in the form of a sales and use tax exclusion for qualifying projects to January 1, 2031, and would extend the sales and use tax exclusion to January 1, 2031.

**Subject:** Funding

**AB 2401** (Ting, D) Clean Cars 4 All Program.

**Introduced:** 02/12/2024

**Status:** 02/26/2024 - Referred to Coms. on TRANS. and NAT. RES.

**Location:** 02/26/2024 - Assembly Transportation

**Summary:** Current law establishes the Clean Cars 4 All Program, which is administered by the State Air Resources Board, to focus on achieving reductions in the emissions of greenhouse gases, improvements in air quality, and benefits to low-income state residents through the replacement of high-polluter motor vehicles with cleaner and more efficient motor vehicles or a mobility option. Current law requires the implementing regulations to ensure that the program complies with certain requirements. This bill would require the implementing regulations for the Clean Cars 4 All Program to additionally ensure that, among other things, incentives provided under the program are available in all areas of the state and that, in those areas where a local air district has not elected to manage the distribution of incentives, the state board manages the distribution of incentives to eligible residents of those areas, and would make certain conforming changes in that regard.

**Subject:** Environment

**AB 2409** (Papan, D) Office of Planning and Research: permitting accountability transparency dashboard.

**Introduced:** 02/12/2024

**Status:** 02/13/2024 - From printer. May be heard in committee March 14.

**Location:** 02/12/2024 - Assembly PRINT

**Summary:** Would require the Office of Planning and Research, on or before January 1, 2026, to create and maintain, as specified, a permitting accountability transparency internet website (dashboard). The bill would require the dashboard to include a display for each permit to be issued by specified state agencies for all covered projects. The bill would define various terms for these purposes. The bill would also require the dashboard to include, but not be limited to, information for each permit to be issued by a state agency that is required for the completion of the project, including, among other requirements, the permit application submission date. The bill would require each state agency with a responsibility for issuing a permit for a covered project to provide information in the appropriate time and manner as determined by the office.

**Subject:** Public Works

**AB 2418** (Patterson, Jim, R) Vehicular air pollution: heavy-duty trucks.

**Introduced:** 02/13/2024

**Status:** 02/26/2024 - Referred to Com. on TRANS.

**Location:** 02/26/2024 - Assembly Transportation

**Summary:** Current law requires the state board to adopt and implement emission standards for new motor vehicles for the control of emissions from new motor vehicles that the State Air Resources Board finds to be necessary and technologically feasible, as provided. Current state regulations establish exhaust emissions standards and test procedures for 1985 and subsequent model heavy-duty engines and vehicles, as provided. Current law defines "heavy-duty" for purposes of laws governing air resources. This bill would exempt, notwithstanding any other law, a 2024 and subsequent model heavy-duty truck that meets federal exhaust emission standards from the state regulations described above governing exhaust emissions standards and test procedures for 1985 and subsequent model heavy-duty engines and vehicles.

**Subject:** Zero Emission

**AB 2421** (Low, D) Employer-employee relations: confidential communications.

**Introduced:** 02/13/2024

**Status:** 02/26/2024 - Referred to Com. on P.E. & R.

**Location:** 02/26/2024 - Assembly Public Employment and Retirement

**Summary:** Current law that governs the labor relations of public employees and employers, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, provisions relating to public schools, provisions relating to higher education, and provisions relating to the San Francisco Bay Area Rapid Transit District, prohibits employers from taking certain actions relating to employee organization, including imposing or threatening to impose reprisals on employees, discriminating or threatening to discriminate against employees, or otherwise interfering with, restraining, or coercing employees because of their exercise of their guaranteed rights. This bill would also prohibit a local public agency employer, a state employer, a public school employer, a higher education employer, or the district from questioning any employee or employee representative regarding communications made in confidence between an employee and an employee representative in connection with representation relating to any matter within the scope of the recognized employee organization's representation.

**Subject:** Employment

**AB 2431** (Mathis, R) Taxation: Transactions and Use Tax Law: limit increase.

**Introduced:** 02/13/2024

**Status:** 03/04/2024 - Referred to Coms. on L. GOV. and REV. & TAX.

**Location:** 03/04/2024 - Assembly Local Government

**Summary:** Current law authorizes cities and counties, subject to certain limitations and approval requirements, to levy a transactions and use tax for general or specific purposes, in accordance with the procedures and requirements set forth in the Transactions and Use Tax Law, including a requirement that the combined rate of all taxes that may be imposed in accordance with that law in the county not exceed 2%. This bill would authorize a city, county, or city and county to impose a transactions and use tax at a rate of no more than an unspecified percentage that, in combination with other transactions and use taxes, would exceed the above-described combined rate limit of 2%, if certain conditions are met, including that the city, county, or city and county has reached the 2% rate limitation.

**Subject:** Funding

**AB 2439**    **(Quirk-Silva, D) Public records: owners and developers.**

**Introduced:** 02/13/2024

**Status:** 02/26/2024 - Referred to Com. on JUD.

**Hearing:** 03/19/2024

**Location:** 02/26/2024 - Assembly Judiciary

**Summary:** The California Public Records Act requires state and local agencies, as defined, to make their records available for public inspection, unless an exemption from disclosure applies. Current law declares that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state. Current law requires specified state and local bodies to establish written guidelines for accessibility of records. Current law requires the state and local bodies to post a copy of these guidelines in a conspicuous public place at the offices of these bodies, and to make available a copy of the guidelines upon request, free of charge, to any person requesting that body's records. This bill would additionally require an owner, developer, or their agents who receives public funds or the equivalent of public funds from a public agency to perform a public works project, as defined, to be subject to the act in connection with records that it prepares, owns, uses, or retains relating to that public works project. The bill would require the owner, developer, or their agents to establish written guidelines for accessibility of records.

**Subject:** Records

**AB 2448**    **(Jackson, D) Electric Vehicle Economic Opportunity Zone: County of Riverside.**

**Introduced:** 02/13/2024

**Status:** 02/14/2024 - From printer. May be heard in committee March 15.

**Location:** 02/13/2024 - Assembly PRINT

**Summary:** Would, upon appropriation by the Legislature, establish an Electric Vehicle Economic Opportunity Zone (EVEOZ) for the County of Riverside, administered by the California Competes Tax Credit Committee, for the purpose of creating programs to make electric vehicle manufacturing jobs and education more accessible to lower income communities. The bill would require County of Riverside to assist in determining the geographical boundaries of the EVEOZ. By imposing additional duties on local officials, the bill would impose a state-mandated local program. The bill would authorize the committee to partner with educational institutions, electric vehicle manufacturing businesses, and local and national financial intuitions to develop EVEOZ education, training, and investment programs, as specified.

**Subject:** Zero Emission

**AB 2453**    **(Villapudua, D) Weights and measures: electric vehicle chargers and electric vehicle supply equipment.**

**Introduced:** 02/13/2024

**Status:** 03/04/2024 - Referred to Com. on P. & C.P.

**Location:** 03/04/2024 - Assembly Privacy and Consumer Protection

**Summary:** Current law provides that the Department of Food and Agriculture has general supervision of the weights and measures and weighing and measuring devices sold or used in the state, including devices used to measure electricity sold as a motor vehicle fuel. Current law requires the Secretary of Food and Agriculture to establish tolerances and specifications and other technical requirements for commercial weighing and measuring, as specified. Current law requires that weighing and measuring devices be of a type or design approved by the department under a process known as "type evaluation" before they may be used for commercial purposes. This bill would authorize a measuring instrument used to measure the amount of electricity transferred from an electric vehicle charger to be used in connection with the sale of electricity as a motor vehicle fuel without first being tested if it is a type approved by the department, is calibrated and sealed by the manufacturer, and is unalterable.

**Subject:** Zero Emission

**AB 2474**    **(Lackey, R)** Retirement: County Employees Retirement Law of 1937: benefit payments and overpayments.

**Introduced:** 02/13/2024

**Status:** 02/26/2024 - Referred to Com. on P.E. & R.

**Location:** 02/26/2024 - Assembly Public Employment and Retirement

**Summary:** The Public Employees' Pension Reform Act of 2013 (PEPRA) prescribed various limitations on public employees, employers, and retirement systems concerning, among other things, the types of remuneration that may be included in compensation that is applied to pensions. Under the County Employees Retirement Law of 1937 (CERL), the board of retirement is required to comply with and give effect to a revocable written authorization signed by a retired member or beneficiary of a retired member, as described, authorizing the treasurer or other entity authorized by the board to deliver the monthly warrant, check, or electronic fund transfer for the retirement allowance or benefit to any specified bank, savings and loan institution, or credit union to be credited to the account of the retired member or survivor of a deceased retired member. This bill would also authorize the monthly warrant, check, or electronic fund transfer for the retirement allowance or benefit to be delivered to a prepaid account, as defined. The bill would also define "account of the retired member or survivor of a deceased retired member" to include an account held in a living trust or an income-only trust, as specified.

**Subject:** Employment

**AB 2480**    **(Garcia, D)** Carl Moyer Memorial Air Quality Standards Attainment Program: grants: school buses.

**Introduced:** 02/13/2024

**Status:** 03/04/2024 - Referred to Com. on TRANS.

**Location:** 03/04/2024 - Assembly Transportation

**Summary:** The Carl Moyer Memorial Air Quality Standards Attainment Program authorizes the State Air Resources Board to provide grants to offset the incremental cost of eligible projects that reduce emissions from covered vehicular sources. The state board is required to establish and update grant criteria and guidelines for covered vehicle projects. Current law sets forth general eligibility criteria for projects funded through the program, including a cost-effectiveness requirement. For schoolbus projects, current law prohibits a grant from exceeding specified cost caps and requires the cost-effectiveness value to be set forth in the guidelines adopted by the state board. This bill would provide that, notwithstanding any other law, a project to purchase a new zero-emission schoolbus to replace an internal combustion engine schoolbus is eligible for a grant under the program regardless of the model year of the associated internal combustion engine.

**Subject:** Funding

**AB 2499**    **(Schiavo, D)** Unlawful employment practices: discrimination for time off.

**Introduced:** 02/13/2024

**Status:** 02/26/2024 - Referred to Coms. on L. & E. and JUD.

**Location:** 02/26/2024 - Assembly Labor and Employment

**Summary:** Current law, subject to specified requirements for the employee, prohibits an employer from discharging or in any manner discriminating against an employee for taking time off to serve on a jury, an employee who is a victim of a crime for taking time off to appear in court as a witness in any judicial proceeding, an employee who is a victim for taking time off from work to obtain or attempt to obtain prescribed relief, or an employee because of the employee's status as a victim of crime or abuse. Current law requires an employer to provide reasonable accommodations for a victim of domestic violence, sexual assault, or stalking, who requests an accommodation for the safety of the victim while at work. This bill would revise and recast the jury, court, and victim time off provisions for employees as unlawful employment practices within the California Fair Employment and Housing Act and, thus, within the enforcement authority of the Civil Rights Department. The bill would remove the threshold of 25 or more employees from the provisions for victims of crime or abuse and, except as specified, apply its provisions to a person who directly employs one or more persons to perform services for a wage or salary. The bill would refer to a "qualifying act of violence," as defined, instead of crime, or crime or abuse. The bill would substantially revise existing definitions for its purposes, including defining "victim" as an individual against whom a qualifying act of violence is committed.

**Subject:** Employment

**AB 2503** (Lee, D) California Environmental Quality Act: exemption: railroad electrification and railroad siding projects.

**Introduced:** 02/13/2024

**Status:** 03/04/2024 - Referred to Com. on NAT. RES.

**Location:** 03/04/2024 - Assembly Natural Resources

**Summary:** The California Environmental Quality Act (CEQA) CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would exempt from the requirements of CEQA railroad electrification projects and railroad siding projects. Because a lead agency would be required to determine the applicability of this exemption, this bill would impose a state-mandated local program.

**Subject:** Planning

**AB 2522** (Carrillo, Wendy, D) South Coast Air Quality Management District: district board: compensation.

**Introduced:** 02/13/2024

**Status:** 02/14/2024 - From printer. May be heard in committee March 15.

**Location:** 02/13/2024 - Assembly PRINT

**Summary:** Current law provides for the creation of the South Coast Air Quality Management District in those portions of the Counties of Los Angeles, Orange, Riverside, and San Bernardino included within the area of the South Coast Air Basin, as specified. Current law provides that the south coast district is governed by a district board consisting of 13 members. This bill would provide that each member of the board shall receive compensation of \$200 for each day, or portion thereof, but not to exceed \$2,000 per month, while attending meetings of the board or any committee thereof or, upon authorization of the board, while on official business of the district, and the actual and necessary expenses incurred in performing the member's official duties. The bill would provide that the compensation of each member of the board may be increased beyond this amount by the board, as specified.

**Subject:** Miscellaneous

**AB 2535** (Bonta, D) Trade Corridor Enhancement Program.

**Introduced:** 02/13/2024

**Status:** 03/04/2024 - Referred to Coms. on TRANS. and NAT. RES.

**Location:** 03/04/2024 - Assembly Transportation

**Summary:** Current law requires the California Transportation Commission, under a program commonly known as the Trade Corridor Enhancement Program, to allocate, upon appropriation by the Legislature, revenues from a specified portion of the state excise tax on diesel fuel and certain federal funds for infrastructure projects located on or along specified transportation corridors. Under existing law, eligible projects under the program include, among others, highway improvements to more efficiently accommodate the movement of freight and environmental and community mitigation or efforts to reduce environmental impacts of freight movement. This bill would prohibit the commission from allocating funding under the program to a project that adds a general purpose lane to a highway or expands highway capacity in a community that meets certain criteria relating to pollution impacts.

**Subject:** Planning

**AB 2553** (Friedman, D) Housing development: major transit stops: vehicular traffic impact fees.

**Introduced:** 02/14/2024

**Status:** 02/15/2024 - From printer. May be heard in committee March 16.

**Location:** 02/14/2024 - Assembly PRINT

**Summary:** The California Environmental Quality Act (CEQA) exempts from its requirements residential projects on infill sites and transit priority projects that meet certain requirements, including a requirement that the projects are located within 1/2 mile of a major transit stop. CEQA defines "major transit stop" to include, among other locations, the intersection of 2 or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. This bill would revise the definition of "major transit stop" to increase the frequency of service interval to 20 minutes. The bill would additionally define "major transit stop" to include a site in an urbanized area that is being served by an on-demand transit service at least 12 hours a day, 7 days a week. Because the bill would require a lead agency to make an additional determination as to whether a location is a major transit stop for purposes of determining whether residential or mixed-use residential projects are exempt from CEQA, this bill would impose a state-mandated local program.

**Subject:** Transit

**AB 2570** **(Patterson, Joe, R) Department of Housing and Community Development: annual report: Homeless Housing, Assistance, and Prevention program.**

**Introduced:** 02/14/2024

**Status:** 02/15/2024 - From printer. May be heard in committee March 16.

**Location:** 02/14/2024 - Assembly PRINT

**Summary:** Current law requires the Department of Housing and Community Development to submit an annual report to the Governor and both houses of the Legislature on the operations and accomplishments during the previous fiscal year of the housing programs administered by the department. Current law requires that the report include, among other things, the number of units assisted by those programs and the number of individuals and households served and their income level. This bill would additionally require that this report include an evaluation of the Homeless Housing, Assistance, and Prevention (HHAP) program.

**Subject:** Reports

**AB 2626** **(Dixon, R) Advanced Clean Fleets regulations: local governments.**

**Introduced:** 02/14/2024

**Status:** 03/04/2024 - Referred to Coms. on TRANS. and NAT. RES.

**Location:** 03/04/2024 - Assembly Transportation

**Summary:** Current law requires the State Air Resources Board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants and sources of air pollution that the state board has found necessary, cost effective, and technologically feasible. Pursuant to its authority, the state board has adopted the Advanced Clean Fleets Regulation, which imposes various requirements for transitioning local, state, and federal government fleets of medium- and heavy-duty trucks, other high-priority fleets of medium- and heavy-duty trucks, and drayage trucks to zero-emission vehicles. The Advanced Clean Fleets Regulation authorizes entities subject to the regulation to apply for exemptions from its requirements under certain circumstances. This bill would extend the compliance dates for local government set forth in the Advanced Clean Fleets Regulation by 10 years. The bill would prohibit the state board from taking enforcement action against a local government for violating the Advanced Clean Fleets Regulation if the alleged violation occurs before January 1, 2025.

**Subject:** Zero Emission

**AB 2634** **(McCarty, D) Sacramento Regional Transit District.**

**Introduced:** 02/14/2024

**Status:** 03/04/2024 - Referred to Com. on L. GOV.

**Location:** 03/04/2024 - Assembly Local Government

**Summary:** Current law authorizes the formation of the Sacramento Regional Transit District with various powers and duties with respect to transportation planning, programming, construction, and operations. Current law requires each transit operator, including the district, that offers reduced fares to senior citizens to also offer reduced fares to disabled persons, as defined, and disabled veterans, as defined, at the same rate established for senior citizens, as specified. This bill would exempt the district from that requirement.

**Subject:** Transit

**AB 2645** **(Lackey, R) Electronic toll collection systems: information sharing: law enforcement.**

**Introduced:** 02/14/2024

**Status:** 02/15/2024 - From printer. May be heard in committee March 16.

**Location:** 02/14/2024 - Assembly PRINT

**Summary:** Current law authorizes the Department of the California Highway Patrol (CHP) to activate the Emergency Alert System within the appropriate area if that agency determines that a child 17 years of age or younger, or an individual with a proven mental or physical disability, has been abducted and is in imminent danger of serious bodily injury or death, and there is information available that, if disseminated to the general public, could assist in the safe recovery of that person. Current law also authorizes the CHP to activate various other alerts for missing individuals meeting certain criteria and alerts following an attack upon a law enforcement officer or a hit-and-run fatality. This bill, if the CHP activates one of the alerts and that alert contains a license plate number of a vehicle involved in the incident, would require a transportation agency that employs an electronic toll collection system to notify the CHP and the law enforcement agency that requested the alert upon identifying that vehicle with that license plate number using a camera-based vehicle identification system or other electronic medium employed in connection with the electronic toll collection system. The bill would require the notification to include the time and location that the vehicle was identified. By requiring a local transportation agency to report this information, this bill would impose a state-mandated local program.

**Subject:** Safety and Security

**AB 2669**    **(Ting, D) Toll bridges: tolls.**

**Introduced:** 02/14/2024

**Status:** 03/04/2024 - Referred to Com. on TRANS.

**Location:** 03/04/2024 - Assembly Transportation

**Summary:** Current law provides for the construction and operation of various toll bridges by the state, the Golden Gate Bridge, Highway and Transportation District, and private entities that have entered into a franchise agreement with the state. This bill would prohibit a toll from being imposed on the passage of a pedestrian, bicycle, or personal micromobility device over these various toll bridges.

**Subject:** Tolling

**AB 2678**    **(Wallis, R) Vehicles: high-occupancy vehicle lanes.**

**Introduced:** 02/14/2024

**Status:** 03/04/2024 - Referred to Com. on TRANS.

**Location:** 03/04/2024 - Assembly Transportation

**Summary:** Current state law authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-occupancy vehicles (HOVs). Current federal law authorizes, until September 30, 2025, a state to allow specified alternate fuel and plug-in electric or hybrid vehicles to use lanes designated for HOVs. Current state law authorizes the Department of Motor Vehicles to issue decals or other identifiers to qualified vehicles, as specified. Current state law allows a vehicle displaying a valid decal or identifier issued pursuant to these provisions to be operated in a lane designated for the exclusive use of HOVs regardless of the occupancy of the vehicle. These current state laws, by operation of their provisions, become inoperative on the date the federal authorization expires. This bill would cancel the repeal of these provisions on September 30, 2025, and continue the operation of these provisions until the expiration of the federal authorization, currently September 30, 2025.

**Subject:** Planning

**AB 2697**    **(Irwin, D) Vehicles: electric vehicle charging.**

**Introduced:** 02/14/2024

**Status:** 02/15/2024 - From printer. May be heard in committee March 16.

**Location:** 02/14/2024 - Assembly PRINT

**Summary:** Current law authorizes a local authority, by ordinance or resolution, to designate stalls or spaces in an offstreet parking facility owned or operated by that local authority for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes. This bill would state the intent of the Legislature to enact legislation relating to electric vehicle charging infrastructure.

**Subject:** Zero Emission

**AB 2712**    **(Friedman, D) Automobile parking requirements: development projects.**

**Introduced:** 02/14/2024

**Status:** 02/15/2024 - From printer. May be heard in committee March 16.

**Location:** 02/14/2024 - Assembly PRINT

**Summary:** Current law prohibits a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project that is located within 1/2 mile of public transit, as defined, unless the public agency makes written findings, within 30 days of the receipt of a completed application, that not imposing or enforcing minimum automobile parking requirements on the development would have a substantially negative impact on, among other things, the city's, county's, or city and county's ability to meet its share of the regional housing need for low- and very low income households. This bill would instead provide a public agency with 60 days from the receipt of a completed application to make those written findings.

**Subject:** Planning

**AB 2715**    **(Boerner, D) Ralph M. Brown Act: closed sessions.**

**Introduced:** 02/14/2024

**Status:** 03/04/2024 - Referred to Com. on L. GOV.

**Location:** 03/04/2024 - Assembly Local Government

**Summary:** The Ralph M. Brown Act generally requires that all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. Current law authorizes a legislative body to hold a closed session on, among other things, matters posing a threat to the security of essential public services, as specified. This bill would additionally authorize a closed session to consider or evaluate matters related to cybersecurity, as specified, provided that any action taken on those matters is done in open session.

**Subject:** Public Meetings

**AB 2719**    **(Wilson, D) Vehicles: commercial vehicle inspections.**

**Introduced:** 02/14/2024

**Status:** 03/04/2024 - Referred to Com. on TRANS.

**Location:** 03/04/2024 - Assembly Transportation

**Summary:** Would authorize a public transit agency, as defined, to request the California Highway Patrol (CHP) to conduct an annual inspection and certification of its fleet. The bill would authorize the Commissioner of the CHP to issue stickers or other devices as evidence of certification. The bill would exempt any public transit agency vehicle that has been certified through that inspection from the requirement to stop at a roadside inspection.

**Subject:** Transit

**AB 2733**    **(Boerner, D) Vehicles: special permits.**

**Introduced:** 02/15/2024

**Status:** 03/04/2024 - Referred to Com. on TRANS.

**Location:** 03/04/2024 - Assembly Transportation

**Summary:** Current law authorizes the Department of Transportation to issue a special permit to the operator of a vehicle, combination of vehicles, or mobile equipment, permitting the operation and movement of the vehicle, combination, or equipment, and its load, on designated routes if the vehicle, combination, or equipment meets specified criteria, upon adoption of an ordinance or resolution by specified cities covering designated routes. This bill would additionally authorize the Department of Transportation to issue a special permit to the operator of a zero-emission vehicle, as defined, combination of vehicles, or mobile equipment, permitting the operation and movement of the vehicle, combination, or equipment, and its load, on designated routes if the vehicle, combination, or equipment meets specified criteria, upon adoption of an ordinance or resolution by the City of San Diego and City of National City covering designated routes.

**Subject:** Public Works

**AB 2741**    **(Haney, D) Temporary employees: labor contractors.**

**Introduced:** 02/15/2024

**Status:** 03/04/2024 - Referred to Coms. on L. & E. and JUD.

**Location:** 03/04/2024 - Assembly Labor and Employment

**Summary:** This bill would impose certain requirements on a labor contractor and a client employer who has obtained a temporary worker from the labor contractor, as those terms are defined. The bill would require a labor contractor to include on the wage statement of each temporary worker the total amount of actual charges to the client employer for the temporary worker compared to the total compensation cost for the temporary worker. The bill would require a client employer to provide every temporary worker who has performed services for the client employer on a long-term, continuous basis with an opportunity to become a direct employee. The bill would require a client employer who plans to hire a permanent employee to give a temporary worker in the applicable position, as specified, an opportunity to apply for the permanent position before filling it. The bill would require a labor contractor to attempt to place a current temporary worker into a permanent position with a client employer when that employer informs the labor contractor of its plan to hire a permanent employee for a position for which the labor contractor is providing a temporary worker. The bill would prohibit a labor contractor from restricting a temporary worker from accepting a permanent position from the client employer, and would prohibit a labor contractor from collecting a fee when a temporary worker is offered permanent employment. The bill, on or before the 2nd Wednesday of May 2025, would require a client employer that has 100 or more direct employees hired through labor contractors within the prior calendar year to make publicly available on an internet website the number of temporary employees hired through labor contractors within the prior calendar year as compared to the number of direct employees.

**Subject:** Public Works



**AB 2742**    **(Sanchez, R) Emergency vehicles: penalties.**

**Introduced:** 02/15/2024

**Status:** 02/16/2024 - From printer. May be heard in committee March 17.

**Location:** 02/15/2024 - Assembly PRINT

**Summary:** Would prohibit a person driving a vehicle upon a highway or a pedestrian from willfully obstructing a highway, including in the course of a protest, in any manner that interferes with the ability of an authorized emergency vehicle to pass and would make a violation of this provision punishable by specified fines. By creating a new crime, this bill would impose a state-mandated local program.

**Subject:** Safety and Security

**AB 2744**    **(McCarty, D) Vehicles: pedestrian, bicycle, and vehicle safety.**

**Introduced:** 02/15/2024

**Status:** 03/04/2024 - Referred to Com. on TRANS.

**Location:** 03/04/2024 - Assembly Transportation

**Summary:** Current law authorizes a legislative body of a city, whenever this legislative body determines that it is necessary for the more efficient maintenance, construction, or repair of streets and roads within the city, to contract with the board of supervisors of any county for the rental of the county's equipment, as specified. This bill would, beginning on January 1, 2025, prohibit the addition of a right-turn or travel lane within 20 feet of a marked or unmarked crosswalk where there is not already a dedicated and marked right-turn or travel lane, and would prohibit vehicles from using this 20-foot area for right turns unless the area is already marked as a dedicated right-turn lane before January 1, 2025.

**Subject:** Active Transportation

**AB 2783**    **(Alvarez, D) San Diego Unified Port District.**

**Introduced:** 02/15/2024

**Last Amended:** 03/04/2024

**Status:** 03/04/2024 - Referred to Coms. on L. GOV. and JUD. From committee chair, with author's amendments: Amend, and re-refer to Com. on L. GOV. Read second time and amended.

**Location:** 03/04/2024 - Assembly Local Government

**Summary:** The San Diego Unified Port District Act authorizes the establishment of the San Diego Unified Port District for the acquisition, construction, maintenance, operation, development, and regulation of harbor works and improvements for the harbor of San Diego and for the promotion of commerce, navigation, fisheries, and recreation. The act establishes the board of commissioners of the port district and vests it with specified authority and responsibilities regarding the management of the district. This bill would require the board to adopt a code of ethics and to accept and respond to ethics complaints, as specified. The bill would require the board to appoint a board of ethics to provide independent ethics advice to the board, as specified. The bill would require the board to submit ethics complaints to the board of ethics, as specified. The bill would require the board of ethics, upon the conclusion of an investigation into the conduct of a commissioner, to provide all findings from the investigation to the city that appointed the commissioner that was subject to the investigation.

**Subject:** Miscellaneous

**AB 2796**    **(Alvarez, D) Equitable Access to Zero-Emissions Vehicles Fund.**

**Introduced:** 02/15/2024

**Status:** 02/16/2024 - From printer. May be heard in committee March 17.

**Location:** 02/15/2024 - Assembly PRINT

**Summary:** Would establish the Equitable Access to Zero-Emission Vehicles Fund and would make moneys in the fund available, upon appropriation by the Legislature, for a new vehicle rebate program and for other specified purposes. The bill would require the State Air Resources Board, by July 1, 2025, to establish a program to offer rebates for the purchase of zero-emission vehicles and other specified vehicles from moneys made available from the fund. The bill would require the state board to submit a biennial report to the Legislature that includes certain information relating to the expenditures from the fund.

**Subject:** Zero Emission

**AB 2809**    **(Haney, D) Vehicles: automated speed enforcement.**

**Introduced:** 02/15/2024

**Status:** 02/16/2024 - From printer. May be heard in committee March 17.

**Location:** 02/15/2024 - Assembly PRINT

**Summary:** Would require the Secretary of Transportation to develop guidelines for the implementation of a state highway work zone speed safety program using automated speed enforcement systems, as specified. The bill would authorize the Department of Transportation to establish a state highway work zone speed safety program in accordance with those guidelines. The bill would require the department, if a program is established, to prepare and submit a report to the Legislature, as specified.

**Subject:** Public Works

**AB 2813**    **(Aguiar-Curry, D) Government Investment Act.**

**Introduced:** 02/15/2024

**Status:** 02/16/2024 - From printer. May be heard in committee March 17.

**Location:** 02/15/2024 - Assembly PRINT

**Summary:** The Legislature adopted ACA 1 at the 2023–24 Regular Session of the Legislature, which, if approved by the voters, would amend and add provisions of the California Constitution to (1) create an additional exception to the 1% limit on the ad valorem tax rate on real property by authorizing a local jurisdiction to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposition proposing that tax is approved by 55% of the voters in that local jurisdiction; and (2) authorize a local jurisdiction to impose, extend, or increase a sales and use tax to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposition proposing that tax is approved by 55% of the voters in that local jurisdiction. Pursuant to the existing law described above, ACA 1 is scheduled to appear on the ballot at the November 5, 2024, statewide general election. This bill would authorize a local government that imposes a tax under ACA 1 to commit revenues to affordable housing programs, including downpayment assistance, first-time home buyer programs, and owner-occupied affordable housing rehabilitation programs. The bill would require a local government to ensure that any project that is funded with ACA 1 bonded indebtedness or ACA 1 special taxes to have an estimated useful life of at least 15 years or 5 years if the funds are for specified public safety buildings, facilities, and equipment.

**Subject:** Funding

**AB 2815**    **(Petrie-Norris, D) Clean Transportation Program: electric vehicle charging infrastructure.**

**Introduced:** 02/15/2024

**Status:** 02/16/2024 - From printer. May be heard in committee March 17.

**Location:** 02/15/2024 - Assembly PRINT

**Summary:** Would require the State Energy Resources Conservation and Development Commission to establish, on or before January 1, 2026, a program under the Clean Transportation Program to provide grants for repairs to electric vehicle charging infrastructure that has been in operation for at least 5 years and that is located in a publicly available parking space, as provided. The bill would authorize grant funding to be used for, among other things, the cost to repair, upgrade, or replace an electric vehicle charging port or supporting infrastructure and the cost of operations, maintenance, and warranties for repaired, upgraded, or replaced electric vehicle charging ports and supporting infrastructure. The bill would require the commission to allocate at least 50% of grant funding to low-income communities and disadvantaged communities. The bill would repeal these provisions on January 1, 2036.

**Subject:** Zero Emission

**AB 2817**    **(Dixon, R) State highways: Route 1: relinquishment.**

**Introduced:** 02/15/2024

**Status:** 03/04/2024 - Referred to Com. on TRANS.

**Location:** 03/04/2024 - Assembly Transportation

**Summary:** Would authorize the California Transportation Commission to relinquish to the City of Laguna Beach a specified portion of Route 1 if the Department of Transportation and the city enter into an agreement providing for that relinquishment, as specified.

**Subject:** Planning

**AB 2824**    **(McCarty, D) Battery.**

**Introduced:** 02/15/2024

**Status:** 02/16/2024 - From printer. May be heard in committee March 17.

**Location:** 02/15/2024 - Assembly PRINT

**Summary:** Current law provides that when a battery is committed against the person of an operator, driver, or passenger on a bus, taxicab, streetcar, cable car, trackless trolley, or other motor vehicle, as specified, and the person who commits the offense knows or reasonably should know that the victim is engaged in the performance of their duties, the penalty is imprisonment in a county jail not exceeding one year, a fine not exceeding \$10,000, or both the fine and imprisonment. Current law also provides that if the victim is injured, the offense would be punished by a fine not exceeding \$10,000, by imprisonment in a county jail not exceeding one year or in the state prison for 16 months, 2, or 3 years, or by both that fine and imprisonment. This bill would make technical, nonsubstantive changes to this provision.

**Subject:** Safety and Security

**AB 2869**    **(Friedman, D) Department of Transportation: trail access: infrastructure projects.**

**Introduced:** 02/15/2024

**Status:** 02/16/2024 - From printer. May be heard in committee March 17.

**Location:** 02/15/2024 - Assembly PRINT

**Summary:** Current law authorizes the Department of Transportation to do any act necessary, convenient, or proper for the construction, improvement, maintenance, or use of all highways that are under its jurisdiction, possession, or control. This bill would require the department to mitigate the impact of infrastructure projects that interfere with or eliminate trail access to parks and recreational areas by maintaining safe access for users of existing trails or providing alternative safe access to those parks and recreational areas.

**Subject:** Planning

**AB 2879**    **(Fong, Vince, R) High-Speed Rail Authority: contracting.**

**Introduced:** 02/15/2024

**Status:** 03/04/2024 - Referred to Com. on TRANS.

**Location:** 03/04/2024 - Assembly Transportation

**Summary:** The California High-Speed Rail Act creates the High-Speed Rail Authority, composed of 11 members, to develop and implement a high-speed rail system in the state, with specified powers and duties. The act authorizes the authority to enter into contracts with private or public entities for the design, construction, and operation of high-speed trains. The act requires the authority to appoint an executive director to administer the affairs of the authority as directed by the authority. This bill, notwithstanding the authority's ability to delegate power to the executive director, would require any contract change order with a value greater than \$100,000,000 to be approved by the authority.

**Subject:** Public Works

**AB 2912**    **(Dixon, R) Energy: retail gasoline pricing.**

**Introduced:** 02/15/2024

**Status:** 02/16/2024 - From printer. May be heard in committee March 17.

**Location:** 02/15/2024 - Assembly PRINT

**Summary:** Current law establishes the Division of Petroleum Market Oversight in the State Energy Resources Conservation and Development Commission to, among other duties, provide guidance and recommendations to the Governor and the commission on issues related to transportation fuel pricing and transportation decarbonization in California. This bill would require the commission to post and update, on a monthly basis, on its internet website the difference between retail gasoline prices in California and the national average and a calculation of how much that difference has decreased since June 26, 2023, which is the effective date of the above-described provisions, due to the actions taken pursuant to those provisions.

**Subject:** Records

**AB 3005**    **(Wallis, R)** Motor Vehicle Fuel Tax Law: adjustment suspension.

**Introduced:** 02/16/2024

**Status:** 02/17/2024 - From printer. May be heard in committee March 18.

**Location:** 02/16/2024 - Assembly PRINT

**Summary:** Article XIX of the California Constitution restricts the expenditure of revenues from the Motor Vehicle Fuel Tax Law, Diesel Fuel Tax Law, and other taxes imposed by the state on fuels used in motor vehicles upon public streets and highways to street and highway and certain mass transit purposes. This bill would authorize the Governor to suspend an adjustment to the motor vehicle fuel tax, as described above, scheduled on or after July 1, 2025, upon making a determination that increasing the rate would impose an undue burden on low-income and middle-class families. The bill would require the Governor to notify the Legislature of an intent to suspend the rate adjustment on or before January 10 of that year, and would require the Department of Finance to submit to the Legislature a proposal by January 10 that would maintain the same level of funding for transportation purposes as would have been generated had the scheduled adjustment not been suspended.

**Subject:** Funding

**AB 3055**    **(Carrillo, Juan, D)** Vehicles: high-occupancy vehicle lanes: veterans.

**Introduced:** 02/16/2024

**Status:** 02/17/2024 - From printer. May be heard in committee March 18.

**Location:** 02/16/2024 - Assembly PRINT

**Summary:** Would authorize the Department of Transportation and local authorities to permit exclusive or preferential use of high-occupancy vehicles (HOVs) lanes to be used by a vehicle driven by a disabled veteran of the United States Armed Forces, as defined, regardless of the number of passengers in the vehicle or the type of vehicle, provided that the vehicle is registered to or owned, and is driven, by the veteran and the vehicle displays a decal approved by the Department of Motor Vehicles. The bill would require the Department of Motor Vehicles to issue the decal to an applicant, upon proof of eligibility that the applicant is a disabled veteran.

**Subject:** Planning

**AB 3106**    **(Schiavo, D)** Infectious disease: excluded employees.

**Introduced:** 02/16/2024

**Status:** 02/17/2024 - From printer. May be heard in committee March 18.

**Location:** 02/16/2024 - Assembly PRINT

**Summary:** This bill would require an employer to ensure that COVID-19 cases, defined as persons who have a positive COVID-19 test, are excluded from the workplace until prescribed return-to-work requirements are met. The bill, with specified exceptions, would require an employer to continue and maintain an excluded employee's earnings, wages, seniority, and all other employee rights and benefits, including the employee's right to their former job status, as if the employee had not been excluded from the workplace, as prescribed. The bill would require the standards board, by February 3, 2025, to adopt a standard that extends these protections to any occupational infectious disease covered by any permanent infectious disease standard adopted to succeed an existing standard for COVID-19 prevention. The bill would require the division to enforce the bill by the issuance of a citation alleging a violation and a notice of civil penalty, as specified. The bill would authorize any person who receives a citation and penalty to appeal the citation and penalty to the Occupational Safety and Health Appeals Board.

**Subject:** Employment

**AB 3153**    **(Dixon, R)** Emission standards: marine vessels: exemption.

**Introduced:** 02/16/2024

**Status:** 02/17/2024 - From printer. May be heard in committee March 18.

**Location:** 02/16/2024 - Assembly PRINT

**Summary:** Current law requires the State Air Resources Board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants and sources of air pollution that the state board has found to be necessary, cost effective, and technologically feasible, as provided. Current law also requires the state board to adopt standards and regulations, consistent with those requirements, for motor vehicles and off-road or nonvehicle engine categories, including, but not limited to, marine vessels, to the extent permitted by federal law. This bill would require the state board to exempt certain vessels from any provision of a standard or regulation that would require the retirement, replacement, or retrofit of the vessel.

**Subject:** Zero Emission

**AB 3177**    **(Carrillo, Wendy, D) Mitigation Fee Act: land dedications: mitigating vehicular traffic impacts.**

**Introduced:** 02/16/2024

**Status:** 02/17/2024 - From printer. May be heard in committee March 18.

**Location:** 02/16/2024 - Assembly PRINT

**Summary:** The Mitigation Fee Act imposes various requirements with respect to the establishment, increase, or imposition of a fee by a local agency as a condition of approval of a development project. Current law requires a local agency that imposes a fee on a housing development for the purpose of mitigating vehicular traffic impacts to set the rate for the fee to reflect a lower rate of automobile trip generation if the housing development satisfies specified characteristics, including that the housing development is located within a 1/2 mile of a transit station. Current law defines transit station for these purposes to mean a rail or light-rail station, ferry terminal, bus hub, or bus transfer station. This bill would instead require the housing development to be located within a 1/2 mile of a transit priority area for purposes of a local agency setting the rate for a mitigating vehicular traffic impacts fee to reflect a lower rate of automobile trip generation. The bill would define "transit priority area" as an area within 1/2 mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan.

**Subject:** Planning

**AB 3186**    **(Petrie-Norris, D) Public works: prevailing wages: access to records.**

**Introduced:** 02/16/2024

**Status:** 02/17/2024 - From printer. May be heard in committee March 18.

**Location:** 02/16/2024 - Assembly PRINT

**Summary:** This bill would require each contractor and subcontractor performing work on any public works project and any covered entity, as defined for these purposes as a corporation, limited liability company, partnership, joint venture, or other legal entity, that develops or undertakes such project, to make specified records available upon request to the Division of Labor Standards Enforcement, to multiemployer Taft-Hartley trust funds, and to joint labor-management committees, as specified. The bill would also apply this requirement to contractors, subcontractors, and covered entities that are developing, undertaking, or performing work on a development project for which contractors are required to maintain and verify payroll records, as specified. The bill would subject a contractor, subcontractor, or covered entity, for failing to comply with the provisions of this act, to a penalty by the commissioner, as specified, and would deposit the penalties into a specified fund.

**Subject:** Public Works

**AB 3219**    **(Sanchez, R) Advanced Clean Fleets regulations: local governments.**

**Introduced:** 02/16/2024

**Status:** 02/17/2024 - From printer. May be heard in committee March 18.

**Location:** 02/16/2024 - Assembly PRINT

**Summary:** The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases and requires the state board to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions from those sources. Pursuant to its authority, the state board has adopted the Advanced Clean Fleets Regulation, which imposes various requirements for transitioning local, state, and federal government fleets of medium- and heavy-duty trucks, other high-priority fleets of medium- and heavy-duty trucks, and drayage trucks to zero-emission vehicles. The Advanced Clean Fleets Regulation authorizes entities subject to the regulation to apply for exemptions from its requirements under certain circumstances. This bill would state the intent of the Legislature to enact subsequent legislation that would allow a local government that declares a fiscal emergency, through an ordinance, to be provided a delay from complying with the Advanced Clean Fleets Regulation.

**Subject:** Zero Emission

**ACA 18**    **(Wallis, R) Road usage charges: vote and voter approval requirements.**

**Introduced:** 02/16/2024

**Status:** 02/17/2024 - From printer. May be heard in committee March 18.

**Location:** 02/16/2024 - Assembly PRINT

**Summary:** The California Constitution requires any change in state statute that increases the tax liability of any taxpayer to be imposed by an act passed by 2/3 of the membership of each house of the Legislature, and prohibits specified taxes on real property from being so imposed. For these purposes, the California Constitution defines a "tax" as any state levy, charge, or exaction, except as described in certain exceptions. The California Constitution describes one of those exceptions as a charge imposed for entrance to or use of state property, or the purchase, rental, or lease of state property, except charges governed by a specified provision of the California Constitution. This measure, on or after its effective date, would provide that the exception described above does not include a road usage charge, as described, thereby requiring the imposition of this type of charge to be subject to the 2/3 vote requirement.

**Subject:** Funding

**ACR 38**    **(Alvarez, D) Freeway lids.**

**Introduced:** 03/09/2023

**Status:** 09/14/2023 - Ordered to inactive file at the request of Assembly Member Alvarez.

**Location:** 09/14/2023 - Assembly INACTIVE FILE

**Summary:** Would recognize the need to reunite communities split by the creation of the interstate highway system and the importance of freeway lids as a partial solution to that problem. The measure would also declare that the Legislature should utilize federal resources, in partnership with state agencies and local entities, to begin reconnecting these communities with, among other things, freeway lids.

**Subject:** Miscellaneous

**ACR 87**    **(Ta, R) "Surf City USA" interchange.**

**Introduced:** 05/26/2023

**Last Amended:** 06/15/2023

**Status:** 08/23/2023 - Referred to Com. on TRANS.

**Hearing:** 04/09/2024

**Location:** 08/23/2023 - Senate Transportation

**Summary:** Would designate the interchange at State Highway Route 405 and State Route 39 in the County of Orange at Beach Boulevard as the "Surf City USA" interchange. The measure would request the Department of Transportation to determine the cost of appropriate signs showing this special designation and, upon receiving donations from nonstate sources covering that cost, to erect those signs.

**Subject:** Miscellaneous

**ACR 93**    **(Dixon, R) Marian Bergeson Memorial Bridge.**

**Introduced:** 06/05/2023

**Last Amended:** 06/26/2023

**Status:** 08/23/2023 - Referred to Com. on TRANS.

**Hearing:** 04/09/2024

**Location:** 08/23/2023 - Senate Transportation

**Summary:** Would designate the North Arm Newport Bay Bridge on State Route 1, in the County of Orange, as the Marian Bergeson Memorial Bridge. The measure would also request the Department of Transportation to determine the cost of appropriate signs showing this special designation and, upon receiving donations from nonstate sources to cover that cost, to erect those signs.

**Subject:** Miscellaneous

**SB 532**     **(Wiener, D) San Francisco Bay area toll bridges: tolls: transit operating expenses.**

**Introduced:** 02/14/2023

**Last Amended:** 06/29/2023

**Status:** 08/23/2023 - August 23 set for first hearing canceled at the request of author.

**Location:** 07/05/2023 - Assembly Appropriations

**Summary:** Would, until December 31, 2028, require the Bay Area Toll Authority (BATA) to increase the toll rate for vehicles for crossing the state-owned toll bridges in the San Francisco Bay area by \$1.50, as adjusted for inflation. The bill would require the revenues collected from this toll to be deposited in the Bay Area Toll Account, would continuously appropriate moneys from this toll increase and other specified tolls, and would require moneys from this toll to be transferred to the Metropolitan Transportation Commission (MTC) for allocation to transit operators that provide service within the San Francisco Bay area and that are experiencing a financial shortfall, as specified. The bill would direct MTC to require each transit operator eligible to receive an allocation from the account to, on an annual basis, submit a 5-year projection of its operating needs, as specified.

**Subject:** Funding

**SB 537**     **(Becker, D) Open meetings: multijurisdictional, cross-county agencies: teleconferences.**

**Introduced:** 02/14/2023

**Last Amended:** 09/05/2023

**Status:** 09/14/2023 - Ordered to inactive file on request of Assembly Member Bryan.

**Location:** 09/14/2023 - Assembly INACTIVE FILE

**Summary:** Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. These circumstances include if a member shows "just cause," including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of "just cause" to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely. The bill would authorize the legislative body of a multijurisdictional, cross-county agency, as specified, to use alternate teleconferencing provisions if the eligible legislative body has adopted an authorizing resolution, as specified. The bill would also require the legislative body to provide a record of attendance of the members of the legislative body, the number of community members in attendance in the teleconference meeting, and the number of public comments on its internet website within 10 days after a teleconference meeting, as specified. The bill would require at least a quorum of members of the legislative body to participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.

**Subject:** Public Meetings

**SB 569**     **(Glazer, D) Political Reform Act of 1974: audits.**

**Introduced:** 02/15/2023

**Last Amended:** 08/28/2023

**Status:** 09/01/2023 - September 1 hearing: Held in committee and under submission.

**Location:** 08/28/2023 - Assembly Appropriations

**Summary:** Would transfer the responsibility for conducting audits and field investigations of lobbying reports to the Fair Political Practices Commission. The bill would also exclude lobbying firms and lobbyist employers with less than one dollar in payments or contributions from being selected for audit. Additionally, this bill would require the Fair Political Practices Commission to adopt regulations or policies that would ensure the operational independence of the commission's audit personnel from the Fair Political Practices Commission's enforcement operations. Audits conducted by the commission would be required to be posted on the commission's internet website for 10 years following the conclusion of the audit and the commission would be required to annually report to the Legislature on the number and types of audits completed by the commission. This bill would delay the operation of these provisions until the January 1 of the next odd-numbered year following an appropriation made to support the commission's exercise of these responsibilities.

**Subject:** Reports

**SB 638**     **(Eggman, D) Climate Resiliency and Flood Protection Bond Act of 2024.**

**Introduced:** 02/16/2023

**Last Amended:** 06/28/2023

**Status:** 07/06/2023 - July 11 hearing postponed by committee.

**Location:** 06/15/2023 - Assembly Water, Parks and Wildlife

**Summary:** Would enact the Climate Resiliency and Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,000,000,000 pursuant to the State General Obligation Bond Law, for flood protection and climate resiliency projects.

**Subject:** Funding

**SB 689**     **(Blakespear, D) Local coastal program: bicycle lane: amendment.**

**Introduced:** 02/16/2023

**Last Amended:** 01/03/2024

**Status:** 01/29/2024 - Read third time. Passed. (Ayes 31. Noes 8.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

**Location:** 01/29/2024 - Assembly DESK

**Summary:** Would provide that an application by a local government to convert an existing motorized vehicle travel lane into a dedicated bicycle lane shall not require a traffic study for the processing of either a coastal development permit or an amendment to a local coastal program. The bill would require, if a proposal to create a dedicated bicycle lane within the developed portion of an existing right-of-way requires an amendment to a local coastal program, the amendment be processed according to specified law, if the executive director of the commission makes specified determinations.

**Subject:** Active Transportation

**SB 768**     **(Caballero, D) California Environmental Quality Act: State Air Resources Board: vehicle miles traveled: study.**

**Introduced:** 02/17/2023

**Last Amended:** 01/11/2024

**Status:** 01/29/2024 - Read third time. Passed. (Ayes 34. Noes 4.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

**Location:** 01/29/2024 - Assembly DESK

**Summary:** This bill requires the State Air Resources Board, in consultation with other private and public entities, to conduct a study for the Legislature on the use of VMT's as a metric for transportation impacts pursuant to the California Environmental Quality Act (CEQA) by January 1, 2026.

**Subject:** Environment

**SB 782**     **(Limón, D) Gubernatorial appointments: report.**

**Introduced:** 02/17/2023

**Last Amended:** 01/03/2024

**Status:** 01/29/2024 - Read third time. Passed. (Ayes 39. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

**Location:** 01/29/2024 - Assembly DESK

**Summary:** Would require the office of the Governor, commencing January 1, 2026, to maintain on its internet website a list of every state board and commission that includes, for each state board or commission, the membership list, stated purpose, duties, meeting frequency, internet website, and vacancies in the membership. The bill would require the office of the Governor, on or before January 1, 2027, and annually thereafter, to create and publish on its internet website a report containing aggregate demographic information of appointments made by the office during the prior calendar year, as specified.

**Subject:** Reports



**SB 827**     **(Glazer, D) San Francisco Bay Area Rapid Transit District: Office of the BART Inspector General.**

**Introduced:** 02/17/2023

**Last Amended:** 01/11/2024

**Status:** 01/29/2024 - Read third time. Passed. (Ayes 39. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

**Location:** 01/29/2024 - Assembly DESK

**Summary:** Current law establishes the independent Office of the San Francisco Bay Area Rapid Transit District (BART) Inspector General within BART and specifies the duties and responsibilities of the BART Inspector General including, among others, conducting, supervising, and coordinating audits and investigations relating to the district's programs and operations. This bill would provide that the BART Inspector General is vested with the full authority to exercise all responsibility for maintaining a full scope, independent, and objective audit and investigation program. The bill would provide the office with access and authority to examine all records, files, documents, accounts, reports, correspondence, or other property of the district and external entities that perform work for the district. The bill would provide that all books, papers, records, and correspondence of the office are public records subject to the California Public Records Act, but would prohibit the BART Inspector General from releasing certain types of records to the public, except under certain circumstances.

**Subject:** Miscellaneous

**SB 834**     **(Portantino, D) Vehicles: preferential parking: residential, commercial, or other development project.**

**Introduced:** 02/17/2023

**Last Amended:** 02/22/2024

**Status:** 02/29/2024 - Re-referred to Com. on RLS. pursuant to Assembly Rule 96.

**Location:** 02/29/2024 - Assembly Rules

**Summary:** This bill would prohibit a local authority from issuing any permit conferring preferential parking privileges to any residents or vendors of any developments within 1/2 mile of public transit and exempt from parking minimums. The bill would require the local authority to revise the boundaries of any such preferential parking district to exclude those developments from its boundaries. The bill would make related findings and declarations, and state that it is the intent of the Legislature to discourage car use by incentivizing development near public transit.

**Subject:** Planning

**SB 863**     **(Allen, D) Measures proposed by the Legislature.**

**Introduced:** 02/17/2023

**Last Amended:** 01/03/2024

**Status:** 01/30/2024 - Read third time. Passed. (Ayes 30. Noes 7.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

**Location:** 01/30/2024 - Assembly DESK

**Summary:** Would allow the Legislature to specify that a constitutional amendment, bond measure, or other legislative measure submitted to the people will appear on the ballot at an election other than the one described above if the election specified in the proposal would occur at least 131 days after adoption of the proposal by the Legislature.

**Subject:** Miscellaneous

**SB 892**     **(Padilla, D) Public contracts: artificial intelligence services: safety, privacy, and nondiscrimination standards.**

**Introduced:** 01/03/2024

**Status:** 02/14/2024 - Referred to Coms. on G.O. and JUD.

**Location:** 02/14/2024 - Senate Governmental Organization

**Summary:** Would require the Department of Technology to establish safety, privacy, and nondiscrimination standards relating to artificial intelligence services, as defined. Commencing August 1, 2025, the bill would prohibit a contract for artificial intelligence services, as defined, from being entered into by the state unless the provider meets those standards. This bill would require the Department of Technology to report to the Legislature regarding the standards it establishes, as specified.

**Subject:** Public Works

**SB 896**      **(Dodd, D) Artificial Intelligence Accountability Act.**

**Introduced:** 01/03/2024

**Status:** 02/14/2024 - Referred to Coms. on G.O. and JUD.

**Location:** 02/14/2024 - Senate Governmental Organization

**Summary:** This bill, the Artificial Intelligence Accountability Act, would, among other things, require the Government Operations Agency, the Department of Technology, and the Office of Data and Innovation to produce a State of California Benefits and Risk of Generative Artificial Intelligence Report that includes certain items, including an examination of the most significant, potentially beneficial uses for deployment of generative artificial intelligence tools by the state, and would require those entities to update the report.

**Subject:** Reports

**SB 904**      **(Dodd, D) Sonoma-Marín Area Rail Transit District.**

**Introduced:** 01/04/2024

**Status:** 02/28/2024 - Set for hearing April 9.

**Hearing:** 04/09/2024

**Location:** 02/21/2024 - Senate Transportation

**Summary:** Current law creates, within the Counties of Sonoma and Marin, the Sonoma-Marín Area Rail Transit District with specified duties and powers relative to the provision of a passenger and freight rail system within the territory of the district. Under current law, the district is governed by a 12-member board of directors appointed by various local governmental entities. Current law authorizes the board to submit to the voters of the district a measure proposing a retail transactions and use tax ordinance. This bill would also authorize those special taxes to be imposed by a qualified voter initiative. The bill would require the board of supervisors of the Counties of Sonoma and Marin to call a special election on a tax measure proposed by the district's board of directors or a qualified voter initiative in their respective counties, as specified.

**Subject:** Miscellaneous

**SB 908**      **(Cortese, D) Public records: legislative records: electronic messages.**

**Introduced:** 01/08/2024

**Status:** 01/09/2024 - From printer. May be acted upon on or after February 8.

**Location:** 01/08/2024 - Senate Rules

**Summary:** Would prohibit an elected or appointed official or employee of a public agency from creating or sending a public record using a nonofficial electronic messaging system unless the official or employee sends a copy of the public record to an official electronic messaging system, as specified. By imposing additional duties on local agencies, the bill would create a state-mandated local program.

**Subject:** Records

**SB 915**      **(Cortese, D) Local government: autonomous vehicles.**

**Introduced:** 01/09/2024

**Status:** 02/21/2024 - Referred to Coms. on L. GOV. and TRANS.

**Location:** 02/21/2024 - Senate Local Government

**Summary:** Would prohibit an autonomous vehicle service, which has received approval to conduct commercial passenger service or engage in commercial activity using driverless vehicles by the Department of Motor Vehicles, the Public Utilities Commission, or another state agency, from commencing operation within a local jurisdiction until authorized by a local ordinance enacted pursuant to the bill's provisions. The bill would authorize each city, county, or city and county in which an autonomous vehicle has received authorization to operate, to protect the public health, safety, and welfare by adopting an ordinance or resolution in regard to autonomous vehicle services within that jurisdiction. The bill would require each city, county, or city and county that adopts an ordinance or resolution to include certain provisions within that ordinance or resolution. These would include a policy for entry into the business of providing autonomous vehicle services including a permitting program, the establishment of reasonable vehicle caps and hours of service restrictions, and the establishment of an interoperability or override system accessible by first responders in case of an emergency.

**Subject:** Transit

**SB 925**      **(Wiener, D) San Francisco Bay area: local revenue measure: transportation improvements.**

**Introduced:** 01/11/2024

**Status:** 02/14/2024 - Referred to Com. on RLS.

**Location:** 01/11/2024 - Senate Rules

**Summary:** Current law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Current law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. This bill would state the intent of the Legislature to enact subsequent legislation to authorize the Metropolitan Transportation Commission to propose a revenue measure to the voters in its jurisdiction to fund the operation, expansion, and transformation of the San Francisco Bay area's public transportation system, as well as other transportation improvements.

**Subject:** Funding

**SB 926**      **(Wahab, D) San Francisco Bay area: public transportation.**

**Introduced:** 01/12/2024

**Status:** 02/14/2024 - Referred to Com. on TRANS.

**Location:** 02/14/2024 - Senate Transportation

**Summary:** Current law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Current law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. Current law establishes the Transportation Agency, consisting of various state agencies under the supervision of an executive officer known as the Secretary of Transportation, who is required to develop and report to the Governor on legislative, budgetary, and administrative programs to accomplish comprehensive, long-range, and coordinated planning and policy formulation in the matters of public interest related to the agency. This bill would require the Transportation Agency to develop a plan to consolidate all transit agencies, as defined, that are located within the geographic jurisdiction of the Metropolitan Transportation Commission.

**Subject:** Miscellaneous

**SB 930**      **(Laird, D) Streets and highways: memorial highways.**

**Introduced:** 01/16/2024

**Status:** 02/14/2024 - Referred to Com. on RLS.

**Location:** 01/16/2024 - Senate Rules

**Summary:** Current law vests the Department of Transportation with full possession and control of all state highways. This bill would state the intent of the Legislature to enact subsequent legislation that would promote equity in the naming of memorial highways.

**Subject:** Miscellaneous

**SB 936**      **(Seyarto, R) California Environmental Quality Act: exemption: road and safety improvement projects.**

**Introduced:** 01/17/2024

**Last Amended:** 02/20/2024

**Status:** 02/29/2024 - Re-referred to Coms. on E.Q. and TRANS.

**Location:** 02/29/2024 - Senate Environmental Quality

**Summary:** The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would exempt from CEQA activities or projects undertaken by the Department of Transportation for road and safety improvements at any of the 15 locations in the state highway system with the highest rates of vehicle collisions at any given time, as determined in accordance with data collected by the department.

**Subject:** Planning

**SB 947**      **(Seyarto, R) Department of Transportation: state highway projects: agreements with public entities: project design changes.**

**Introduced:** 01/18/2024

**Status:** 02/14/2024 - Referred to Com. on TRANS.

**Location:** 02/14/2024 - Senate Transportation

**Summary:** Would require the Department of Transportation, in an agreement with a city, county, or other public entity for the contribution of funds for the acquisition, construction, or improvement of any portion of state highway, to include a provision that makes the department responsible for any additional costs associated with a new project design adopted by the department after the project is included in the state transportation improvement program or the state highway operation and protection program, as specified. The bill would also make this provision applicable to agreements in effect as of January 1, 2025.

**Subject:** Public Works

**SB 955**      **(Seyarto, R) Office of Planning and Research: Infrastructure Gap-Fund Program.**

**Introduced:** 01/22/2024

**Status:** 02/21/2024 - Referred to Com. on L. GOV.

**Hearing:** 03/20/2024

**Location:** 02/21/2024 - Senate Local Government

**Summary:** Current law authorizes a local agency to finance infrastructure projects through various means, including by establishing an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance that provide significant benefits to the district or the surrounding community. This bill would require the Office of Planning and Research, upon appropriation by the Legislature, to establish the Infrastructure Gap-Fund Program to provide grants to assist local agencies in developing and constructing infrastructure projects. The bill would require the office to develop guidelines and criteria to implement the program.

**Subject:** Funding

**SB 960**      **(Wiener, D) Transportation: planning: transit priority projects: multimodal.**

**Introduced:** 01/23/2024

**Status:** 02/28/2024 - Set for hearing April 9.

**Hearing:** 04/09/2024

**Location:** 02/14/2024 - Senate Transportation

**Summary:** Would require all transportation projects funded or overseen by the Department of Transportation to provide comfortable, convenient, and connected complete streets facilities unless an exemption is documented and approved, as specified.

**Subject:** Planning

**SB 961**      **(Wiener, D) Vehicles: safety equipment.**

**Introduced:** 01/23/2024

**Status:** 02/28/2024 - Set for hearing April 9.

**Hearing:** 04/09/2024

**Location:** 02/14/2024 - Senate Transportation

**Summary:** The Department of the California Highway Patrol regulates the safe operation of specified vehicles, including motortrucks of 3 or more axles that are more than 10,000 pounds, truck tractors, trailers, semitrailers, and buses. Current federal law regulates required safety equipment on vehicles, including rear impact guards on certain large trucks to prevent rear underrides in collisions with passenger vehicles. This bill would require certain trucks and trailers to also be equipped with side guards, as specified.

**Subject:** Safety and Security

**SB 978**     **(Seyarto, R) State government: budget: state publications: format.**

**Introduced:** 01/29/2024

**Status:** 02/28/2024 - Set for hearing March 12.

**Hearing:** 03/12/2024

**Location:** 02/14/2024 - Senate Governmental Organization

**Summary:** The California Constitution requires the Governor to submit a budget for the ensuing fiscal year to the Legislature within the first 10 days of each regular session. Current law requires that budget to contain a complete plan and itemized statement of all proposed expenditures of the state provided by existing law or recommended by the Governor, and of all estimated revenues, as specified. Current law requires the budget to be prepared in a specified manner. This bill would require the budget to be made available, on or before January 1, 2026, on the Department of Finance internet website in a machine readable format.

**Subject:** Records

**SB 983**     **(Wahab, D) Energy: gasoline stations and alternative fuel infrastructure.**

**Introduced:** 01/29/2024

**Last Amended:** 02/29/2024

**Status:** 02/29/2024 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on E., U. & C.

**Hearing:** 03/19/2024

**Location:** 02/21/2024 - Senate Energy, Utilities and Communications

**Summary:** Would require the State Energy Resources Conservation and Development Commission, upon appropriation by the Legislature, to form the Alternative Fuels Infrastructure Taskforce to conduct a study on retail gasoline fueling stations and alternative fuels infrastructure, as provided. The bill would require the taskforce, on or before January 1, 2027, to submit to the Legislature a report on the study with recommendations.

**Subject:** Planning

**SB 986**     **(Seyarto, R) Ballot label: bond measure fiscal impact.**

**Introduced:** 01/30/2024

**Status:** 02/14/2024 - Referred to Com. on E. & C.A.

**Location:** 02/14/2024 - Senate Elections and Constitutional Amendments

**Summary:** Current law prescribes the form and content of the ballot label for candidates and measures on the ballot, and requires the ballot label for statewide measures to include a condensed version of the title and summary, including the fiscal impact summary. Current law requires local governments, when submitting a measure for voter approval for the issuance of bonds that will be secured by an ad valorem tax, to provide voters a statement that includes estimates of the total debt service and tax rates required to fund the bonds, as specified. This bill would require, for state bond measures and for local measures to approve the issuance of bonds that will be secured by an ad valorem tax, the ballot label to include a summary of the measure's fiscal impact in a specified form.

**Subject:** Funding

**SB 1011**     **(Jones, R) Encampments: penalties.**

**Introduced:** 02/05/2024

**Status:** 02/23/2024 - Set for hearing April 16.

**Hearing:** 04/16/2024

**Location:** 02/14/2024 - Senate Public Safety

**Summary:** Under current law, a public nuisance is a nuisance that affects the entire community, neighborhood, or a considerable number of persons. Current law provides various remedies against a public nuisance, including abatement by any public body or officer authorized by law. This bill would prohibit a person from sitting, lying, sleeping, or storing, using, maintaining, or placing personal property upon a street or sidewalk if a homeless shelter, as defined, is available to the person. The bill would also prohibit sitting, lying, sleeping, or storing, using, maintaining, or placing personal property within 500 feet of a public or private school, open space, or major transit stop, as specified. The bill would specify that a violation of this prohibition is a public nuisance that can be abated and prevented, as specified. The bill would also provide that a violation of the prohibition may be charged as a misdemeanor or an infraction, at the discretion of the prosecutor. The bill would prohibit a person from being found in violation of the bill's provisions unless provided notice, at least 72 hours before commencement of any enforcement action, as specified.

**Subject:** Transit

**SB 1034**    **(Seyarto, R) California Public Records Act: state of emergency.**

**Introduced:** 02/06/2024

**Status:** 02/14/2024 - Referred to Com. on JUD.

**Location:** 02/14/2024 - Senate Judiciary

**Summary:** The California Public Records Act requires state and local agencies to make their records available for public inspection, except as specified. Current law requires each agency, within 10 days of a request for a copy of records, to determine whether the request seeks copies of disclosable public records in possession of the agency and to promptly notify the person of the determination and the reasons therefor. Current law authorizes that time limit to be extended by no more than 14 days under unusual circumstances, and defines "unusual circumstances" to include certain circumstances. This bill would revise the unusual circumstances under which the time limit may be extended to include the need to search for, collect, appropriately examine, and copy records during a state of emergency proclaimed by the Governor when the state of emergency has affected the agency's ability to timely respond to requests due to decreased staffing or closure of the agency's facilities.

**Subject:** Records

**SB 1068**    **(Eggman, D) Tri-Valley-San Joaquin Valley Regional Rail Authority: contracting: Construction Manager/General Contractor project delivery method.**

**Introduced:** 02/12/2024

**Status:** 02/28/2024 - Set for hearing April 9.

**Hearing:** 04/09/2024

**Location:** 02/21/2024 - Senate Transportation

**Summary:** This bill would authorize the Tri-Valley-San Joaquin Valley Regional Rail Authority to use the Construction Manager/General Contractor project delivery method, as defined. The bill would additionally authorize the contracts of the authority to extend to work on the state highway system for the construction of passenger rail service through the Altamont Pass Corridor, and would require the Department of Transportation to inspect the work conducted on the state highway system or rights of way.

**Subject:** Public Works

**SB 1071**    **(Dodd, D) Contractors: workers' compensation insurance reports.**

**Introduced:** 02/12/2024

**Status:** 02/21/2024 - Referred to Com. on B., P. & E. D.

**Location:** 02/21/2024 - Senate Business, Professions and Economic Development

**Summary:** Current law, with certain exceptions, requires a licensed contractor, or applicant for licensure, to have on file at all times with the Contractors' State License Board a current and valid Certificate of Workers' Compensation Insurance or Certification of Self-Insurance, as specified. Among the exceptions to this requirement, current law excludes an applicant or licensee that is organized as a joint venture and has no employees, as specified. This bill would, commencing January 1, 2026, add an additional exception for applicants and licensees that have no employees, if the applicant or licensee provides both an affidavit to the board affirming they have no employees and adequate proof, as provided for by the board, demonstrating they are operating without employees. By expanding the crime of perjury, this bill would impose a state-mandated local program.

**Subject:** Employment

**SB 1086**    **(Seyarto, R) Sales and Use Tax Law: motor vehicle fuel tax: sales price: gross receipts.**

**Introduced:** 02/12/2024

**Status:** 02/21/2024 - Referred to Com. on REV. & TAX.

**Location:** 02/21/2024 - Senate Revenue and Taxation

**Summary:** The Motor Vehicle Fuel Tax Law, administered by the California Department of Tax and Fee Administration, imposes a tax upon each gallon of motor vehicle fuel removed from a refinery or terminal rack in this state, entered into this state, or sold in this state, at a specified rate per gallon. Current sales and use tax laws provide a partial exemption from the taxes imposed by those laws for motor vehicle fuel that is subject to the taxes imposed by the Motor Vehicle Fuel Tax Law. This bill, beginning January 1, 2025, would exclude from the terms "gross receipts" and "sales price" under the Sales and Use Tax Law the amount of any motor vehicle fuel tax imposed pursuant to the Motor Vehicle Fuel Tax Law.

**Subject:** Funding

**SB 1098**    **(Blakespear, D) Passenger and freight rail: LOSSAN Rail Corridor.**

**Introduced:** 02/13/2024

**Status:** 02/21/2024 - Referred to Com. on TRANS.

**Hearing:** 04/09/2024

**Location:** 02/21/2024 - Senate Transportation

**Summary:** Would require the Secretary of Transportation to provide strategic guidance, recommendations, and facilitate all necessary coordination, collaboration, and intervention when necessary between stakeholders, to ensure the performance of the LOSSAN Rail Corridor, as specified. This bill would also require the Secretary of Transportation, in consultation with the Director of Transportation, to submit a report to the Legislature on or before January 1, 2026, regarding the LOSSAN Rail Corridor that includes specified information, including certain recommendations made by the department and the California Transportation Commission, in consultation with the Secretary for Environmental Protection. The bill would also require the Secretary of Transportation to submit a report to the Legislature on or before January 1, 2027, and biennially thereafter, on the management of the LOSSAN Rail Corridor, as provided.

**Subject:** Transit

**SB 1134**    **(Caballero, D) Surplus land.**

**Introduced:** 02/13/2024

**Status:** 02/21/2024 - Referred to Com. on RLS.

**Location:** 02/13/2024 - Senate Rules

**Summary:** Current law prescribes requirements for the disposal of surplus land by a local agency. Current law requires a local agency to take formal action in a regular public meeting to declare that land is surplus and is not necessary for the agency's use and to declare land as either surplus land or exempt surplus land, as supported by written findings, before a local agency may take any action to dispose of it consistent with an agency's policies or procedures. Different requirements apply to disposal, depending on the declaration as "surplus land" or "exempt surplus land" as current law defines those terms. Current law, except as specified, requires any local agency disposing of surplus land to send, before disposing of that property or participating in negotiations to dispose of that property with a prospective transferee, a written notice of availability of the property to entities specific to the purpose of the availability. This bill would correct a cross-reference in that notice provision and make other nonsubstantive changes.

**Subject:** Surplus Land

**SB 1136**    **(Stern, D) California Global Warming Solutions Act of 2006: report.**

**Introduced:** 02/13/2024

**Status:** 03/05/2024 - Set for hearing March 20.

**Hearing:** 03/20/2024

**Location:** 02/21/2024 - Senate Environmental Quality

**Summary:** The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. Current law requires the state board to present an informational report on the reported emissions of greenhouse gases, criteria pollutants, and toxic air contaminants from all sectors covered by the scoping plan at least once a year at a hearing of the Joint Legislative Committee on Climate Change Policies. This bill would instead require that informational report to cover topics related to the scoping plan, as directed by the Joint Legislative Committee on Climate Change Policies.

**Subject:** Environment

**SB 1140**    **(Caballero, D) Enhanced infrastructure financing district.**

**Introduced:** 02/14/2024

**Status:** 02/21/2024 - Referred to Coms. on L. GOV. and E.Q.

**Hearing:** 03/20/2024

**Location:** 02/21/2024 - Senate Local Government

**Summary:** Current law authorizes the legislative body of a city or a county to designate a proposed enhanced infrastructure financing district by adopting a resolution of intention to establish the proposed district. Current law requires an enhanced infrastructure financing district to only finance public capital facilities and other projects that provide significant benefits to the district, including projects that enable communities to adapt to the impacts of climate change. Current law requires the legislative body to direct the city official or county official, as applicable, selected by the legislative body, to mail a copy of the resolution to each affected taxing entity. This bill would authorize the city official or county official, as applicable, to, instead, electronically submit a copy of the resolution to each affected taxing entity.

**Subject:** Planning

**SB 1158** (Archuleta, D) Carl Moyer Memorial Air Quality Standards Attainment Program.

**Introduced:** 02/14/2024

**Status:** 03/05/2024 - Set for hearing March 20.

**Hearing:** 03/20/2024

**Location:** 02/21/2024 - Senate Environmental Quality

**Summary:** Current law establishes the Carl Moyer Memorial Air Quality Standards Attainment Program (Carl Moyer Program), which is administered by the State Air Resources Board, to provide grants to offset the incremental cost of eligible projects that reduce emissions of air pollutants from sources in the state and for funding a fueling infrastructure demonstration program and technology development efforts. Current law requires that funds be allocated under the program to local air districts for liquidation in accordance with grant criteria and guidelines adopted by the state board. Current law provides that any funds reserved for a local air district by the state board are available for disbursement to the district for a period of not more than 2 years from the time of reservation. Existing law requires funds not liquidated by a district by June 30 of the 4th calendar year following the date of the reservation to be returned to the state board within 90 days for future allocation under the program. Beginning January 1, 2034, existing law reduces the deadline for that period of liquidation to June 30 of the 2nd calendar year following the date of reservation. This bill would extend the deadline for the period of liquidation to June 30 of the 6th calendar year following the date of disbursement and would make other conforming changes. This bill contains other related provisions and other existing laws.

**Subject:** Funding

**SB 1159** (Dodd, D) California Environmental Quality Act: roadside wildfire risk reduction projects.

**Introduced:** 02/14/2024

**Status:** 02/21/2024 - Referred to Coms. on E.Q. and N.R. & W.

**Location:** 02/21/2024 - Senate Environmental Quality

**Summary:** The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would require the secretary to consider including roadside projects undertaken solely for the purpose of wildfire risk reduction in the classes of projects subject to a categorical exemption if specified requirements are met.

**Subject:** Environment

**SB 1162** (Cortese, D) Public contracts: skilled and trained workforce requirement.

**Introduced:** 02/14/2024

**Status:** 02/21/2024 - Referred to Com. on L., P.E. & R.

**Location:** 02/21/2024 - Senate L., P.E. & R.

**Summary:** Current law establishes requirements that apply when a public entity is required by statute or regulation to obtain an enforceable commitment that a bidder, contractor, or other entity will use a skilled and trained workforce to complete a contract or project. Current law also authorizes a public entity to require that a bidder, contractor, or other entity use a skilled and trained workforce, regardless of whether they are required to do so by a statute or regulation. Current law requires a public entity to include a notice in all bid documents and construction contracts when the use of a skilled and trained workforce is required. Current law specifies that the failure of a public entity to include that notice does not excuse a public entity from the requirement to obtain an enforceable commitment that a bidder, contractor, or other entity will use a skilled and trained workforce or, if the requirement is imposed by a statute or regulation, the bidder, contractor, or other entity from that obligation to use a skilled or trained workforce. This bill would specify that the above described provisions apply to a commitment from or obligation on a bidder, contractor, subcontractor, or other entity.

**Subject:** Employment



**SB 1173**    **(Seyarto, R) Transportation funds: De Luz Community Services District.**

**Introduced:** 02/14/2024

**Status:** 02/21/2024 - Referred to Com. on TRANS.

**Location:** 02/21/2024 - Senate Transportation

**Summary:** Would require the County of Riverside to report the mileage of the highways maintained by the De Luz Community Services District to the Department of Transportation as maintained county highways. The bill would require the Controller to deem those highways reported by a county, and certified by the department, to be maintained county highways for purposes of apportioning funds from the Highway Users Tax Account and the Road Maintenance and Rehabilitation Account. The bill would authorize the county to allocate funds to the district to maintain county highways in the district. This bill contains other related provisions and other existing laws.

**Subject:** Funding

**SB 1205**    **(Laird, D) Workers' compensation: medical benefits.**

**Introduced:** 02/15/2024

**Status:** 02/29/2024 - Referred to Com. on L., P.E. & R.

**Location:** 02/29/2024 - Senate L., P.E. & R.

**Summary:** Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee, as defined, for injuries sustained in the course of employment. Existing law requires employers to secure the payment of workers' compensation, including wage replacement and medical treatment, for injuries incurred by their employees that arise out of, or in the course of, employment. This bill would make an employee who is working entitled to receive all reasonable expenses of transportation, meals, and lodging incident to receiving treatment, in addition to one day of temporary disability indemnity, or a percentage of one day of temporary disability indemnity representative of the percentage of the wages lost receiving treatment.

**Subject:** Employment

**SB 1206**    **(Becker, D) GO-Biz: next generation batteries.**

**Introduced:** 02/15/2024

**Status:** 02/29/2024 - Referred to Coms. on B., P. & E. D. and E., U. & C.

**Location:** 02/29/2024 - Senate Business, Professions and Economic Development

**Summary:** This bill would, until January 1, 2030, authorize GO-Biz to undertake measures that are necessary or useful to prepare and submit an application to receive funding from next-generation battery hub programs, as defined. The bill would require that grants made from any funding received from next generation battery hub programs under its provisions support projects in California that advance progress toward resource adequacy goals and the targets of the scoping plan and the California Renewables Portfolio Standard Program. The bill would also require that grants made from any funding received from next-generation battery hub programs under its provisions prioritize projects that meet any of the specified conditions, including that the project help reduce costs and increase access to batteries. Prior to the submission of any applications to receive funding from next-generation battery hub programs, the bill would require a partnership entered into pursuant to the above-described provisions to adopt a community benefits plan that includes specified elements. The bill would require GO-Biz to submit a report to the relevant budget and policy committees of the Legislature on or before March 1, 2030, and annually thereafter, regarding the status of any partnership entered into pursuant to the above-described provisions.

**Subject:** Zero Emission

**SB 1216**    **(Blakespear, D) Transportation projects: Class III bikeways: prohibition.**

**Introduced:** 02/15/2024

**Status:** 02/29/2024 - Referred to Com. on TRANS.

**Location:** 02/29/2024 - Senate Transportation

**Summary:** Would prohibit, on and after January 1, 2025, an agency responsible for the development or operation of bikeways or highways where bicycle travel is permitted from installing a Class III bikeway or restriping a Class III bikeway on a highway that has a posted speed limit greater than 30 miles per hour.

**Subject:** Active Transportation

**SB 1234**     **(Allen, D) Coastal resources: local land use plan: zoning ordinances and district maps: modifications: ministerial approval.**

**Introduced:** 02/15/2024

**Status:** 03/01/2024 - Set for hearing April 9.

**Hearing:** 04/09/2024

**Location:** 02/29/2024 - Senate Natural Resources and Water

**Summary:** The California Coastal Act of 1976 requires a land use plan of a proposed local coastal program to be submitted to the California Coastal Commission for certification. The act authorizes the commission to suggest modifications, which, if adopted and transmitted to the commission by the local government, shall cause the land use plan to be deemed certified upon confirmation of the executive director of the commission. The act requires a local government to submit to the commission the zoning ordinances, zoning district maps and, where necessary, other implementing actions that are required under the act. The act authorizes the commission to suggest modifications in the rejected zoning ordinances, zoning district maps, or other implementing actions, which, if adopted by the local government and transmitted to the commission, shall be deemed approved upon confirmation by the executive director of the commission. This bill would authorize local governments to adopt those suggested modifications from the commission through ministerial approval by its planning director or equivalent position.

**Subject:** Planning

**SB 1239**     **(Grove, R) California Environmental Quality Act: exemption: railroad grade crossing closure.**

**Introduced:** 02/15/2024

**Status:** 02/29/2024 - Referred to Coms. on E.Q. and TRANS.

**Location:** 02/29/2024 - Senate Environmental Quality

**Summary:** Current law, until January 1, 2025, exempts from the California Environmental Quality Act (CEQA) the closure of a railroad grade crossing by order of the Public Utilities Commission if the commission finds the crossing to present a threat to public safety. Current law makes this exemption inapplicable to any crossing for high-speed rail or any crossing for a project carried out by the High-Speed Rail Authority. Current law requires the lead agency to file the notice of exemption with specified public entities. This bill would delete the January 1, 2025, sunset date, thereby applying these provisions permanently. Because the bill would impose additional duties on lead agencies with regards to the filing of the notice of exemption, this bill would impose a state-mandated local program.

**Subject:** Planning

**SB 1259**     **(Niello, R) California Environmental Quality Act: judicial review.**

**Introduced:** 02/15/2024

**Status:** 02/29/2024 - Referred to Coms. on E.Q. and JUD.

**Location:** 02/29/2024 - Senate Environmental Quality

**Summary:** Would authorize a defendant, in an action brought under the California Environmental Quality Act (CEQA), to file a motion requesting the plaintiff or petitioner to identify every person or entity that contributes in excess of \$10,000, as specified, toward the plaintiff's or petitioner's costs of the action. The bill would authorize the motion to be heard on shortened time at the court's discretion. The bill would authorize a plaintiff or petitioner to request the court's permission to withhold the public disclosure of a person or entity who made a monetary contribution. The bill also would require the plaintiff or petitioner to use reasonable efforts to identify the actual persons or entities that are the true source of the contributions, to include the exact total amount contributed, and to identify any pecuniary or business interest related to the project of any person or entity that contributes in excess of \$10,000 to the costs of the action, as specified. The bill would, except as provided, prohibit those disclosures from being admissible into evidence for any purpose. The bill would provide that a failure to comply with these requirements may be grounds for dismissal of the action by the court.

**Subject:** Records

**SB 1271** (Min, D) Electric bicycles, powered mobility devices, and storage batteries.

**Introduced:** 02/15/2024

**Status:** 02/29/2024 - Referred to Com. on TRANS.

**Location:** 02/29/2024 - Senate Transportation

**Summary:** Would clarify that an electric bicycle is a bicycle equipped with fully operable pedals and an electric motor with continuous rated mechanical power of not more than 750 watts. The bill would, if an electric bicycle is capable of operating in multiple modes, require a manufacturer and distributor to include on the label the classification number of all classes of which it is capable of operating. The bill would prohibit specified vehicles from being advertised, sold, offered for sale, or labeled as electric bicycles, as specified. Because the bill would impose new requirements for electric bicycles, the violation of which would be a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Subject:** Active Transportation

**SB 1297** (Allen, D) Speed safety system pilot program.

**Introduced:** 02/15/2024

**Status:** 02/29/2024 - Referred to Com. on TRANS.

**Location:** 02/29/2024 - Senate Transportation

**Summary:** Current law authorizes, until January 1, 2032, specified cities and the City and County of San Francisco to establish a local speed safety system pilot program, operated in certain types of streets and school zones, to detect speed violations by using an electronic speed safety system, as defined. Pursuant to the pilot program, a designated jurisdiction participating within the pilot program with a population of less than 300,000, as determined by the United States Census Bureau in the 2020 Census, is authorized to operate no more than 9 speed safety systems. This bill would instead authorize a designated jurisdiction participating within the pilot program with a population of less than 300,000, as determined, to operate no more than 12 speed safety systems.

**Subject:** Planning

**SB 1325** (Durazo, D) Public contracts: best value procurement: equipment.

**Introduced:** 02/16/2024

**Status:** 02/29/2024 - Referred to Coms. on G.O. and L. GOV.

**Location:** 02/29/2024 - Senate Governmental Organization

**Summary:** Would authorize a state or local agency to award contracts through a best value procurement method, as describe, for the purchase of equipment with a base value of \$250,000 or more. The bill would require the agency to adopt and publish procedures and guidelines for evaluating the qualifications of the bidders to ensure the best value selections are conducted in a fair and impartial manner, as described. The bill would authorize the procedures and guidelines to include the adoption of a high road jobs plan policy that evaluates bidders' high road jobs plan commitments as part of the overall score for the public contract, as specified. This bill would require the solicitation document to include certain information and would direct the agency to use a scoring method based on price and the factors described in the solicitation document, as specified. The bill would require the agency to let any contract for these projects to the selected bidder that represents the best value or reject all bids.

**Subject:** Public Works

**SB 1345** (Smallwood-Cuevas, D) Employment discrimination: criminal history information.

**Introduced:** 02/16/2024

**Status:** 02/29/2024 - Referred to Com. on JUD.

**Location:** 02/29/2024 - Senate Judiciary

**Summary:** Would make it an unlawful employment practice for an employer to take an adverse action against an applicant based solely or in part on criminal history information, unless the employer can demonstrate that the applicant's criminal history has a direct and adverse relationship with one or more specific duties of the job and the employer's business necessity requires the adverse action. The bill would also make it an unlawful employment practice for an employer to require, as a condition of employment, that an applicant waive the applicant's right to privacy in criminal history information or otherwise provide an authorization for the employer to obtain the applicant's criminal history information under specified law, unless the employer can demonstrate a business necessity.

**Subject:** Employment

**SB 1375**    **(Durazo, D) Workforce development: poverty-reducing standards: funds, programs, reporting, and analyses.**

**Introduced:** 02/16/2024

**Status:** 02/29/2024 - Referred to Com. on L., P.E. & R.

**Location:** 02/29/2024 - Senate L., P.E. & R.

**Summary:** This bill would create the Equity, Climate Resilience, and Quality Jobs Fund in the State Treasury and would require, to the extent permissible under federal law, 2% of all qualified moneys received from the federal government pursuant to any federal jobs act to be transferred into the fund. The bill would make moneys in the fund available upon appropriation to the board for specified purposes. This bill would require all state and local agencies administering any moneys received pursuant to any federal jobs act and the board to develop, by January 1, 2026, a memorandum of understanding for the board to provide technical assistance, and to develop poverty-reducing labor standards, for all investments made by those agencies using those moneys. The bill would impose reporting requirements on these agencies and would require the board to develop rules and regulations on the content and manner of reporting for the report. The bill would also require the board to contract with a research institution to receive the reports and perform analyses on equity, climate resilience, and quality jobs outcomes resulting from the investments made by the reporting entities using moneys received pursuant to any federal jobs act. By imposing new duties on local agencies that receive federal moneys, the bill would impose a state-mandated local program.

**Subject:** Funding

**SB 1393**    **(Niello, R) Advanced Clean Fleets Regulation Appeals Advisory Committee.**

**Introduced:** 02/16/2024

**Status:** 02/29/2024 - Referred to Coms. on E.Q. and TRANS.

**Location:** 02/29/2024 - Senate Environmental Quality

**Summary:** The State Air Resources Board has adopted the Advanced Clean Fleets Regulation, which imposes various requirements for transitioning local, state, and federal government fleets of medium- and heavy-duty trucks, other high-priority fleets of medium- and heavy-duty trucks, and drayage trucks to zero-emission vehicles. The Advanced Clean Fleets Regulation authorizes entities subject to the regulation to apply for exemptions from its requirements under certain circumstances. This bill would require the state board to establish the Advanced Clean Fleets Regulation Appeals Advisory Committee by an unspecified date for purposes of reviewing appeals of denied requests for exemptions from the requirements of the Advanced Clean Fleets Regulation. The bill would require the committee to include representatives of specified state agencies, other state and local government representatives, and representatives of private fleet owners, the electric vehicle manufacturing industry, and electrical corporations, as provided. The bill would require the committee to meet monthly and would require recordings of its meetings to be made publicly available on the state board's internet website. The bill would require the committee to consider, and make a recommendation on, an appeal of an exemption request denial no later than 60 days after the appeal is made. The bill would require specified information relating to the committee's consideration of an appeal to be made publicly available on the state board's internet website.

**Subject:** Miscellaneous

**SB 1402**    **(Min, D) 30x30 goal: state agencies: adoption, revision, or establishment of plans, policies, and regulations.**

**Introduced:** 02/16/2024

**Status:** 02/29/2024 - Referred to Coms. on G.O. and N.R. & W.

**Location:** 02/29/2024 - Senate Governmental Organization

**Summary:** Current law requires the Secretary of the Natural Resources Agency to prepare and submit, on or before March 31, 2024, and annually thereafter, a report to the Legislature on the progress made in the prior calendar year toward achieving the goal to conserve 30% of California's lands and coastal waters by 2030. Current law provides that it is the goal of the state to conserve at least 30% of California's lands and coastal waters by 2030, known as the 30x30 goal. This bill would require all state agencies, departments, boards, offices, commissions, and conservancies to consider the 30x30 goal when adopting, revising, or establishing plans, policies, and regulations.

**Subject:** Environment

**SB 1404**    **(Glazer, D) Political Reform Act of 1974: audits.**

**Introduced:** 02/16/2024

**Status:** 02/29/2024 - Referred to Com. on E. & C.A.

**Location:** 02/29/2024 - Senate Elections and Constitutional Amendments

**Summary:** The Political Reform Act of 1974 requires the Franchise Tax Board to conduct audits and field investigations regarding the reports filed by lobbyists. Current law requires 25% of lobbyist employers and lobbying firms to be subject to a random audit and investigation every 2 years. This bill would transfer the responsibility for conducting audits and field investigations of lobbying reports to the Fair Political Practices Commission. The bill would require the Secretary of State to charge an additional fee established by the commission to lobbying firms and lobbyist employers to offset costs associated with conducting audits and field investigations. This fee would be deposited in a new fund that the bill would establish, the Field Audits and Investigations Fund, which would be continuously appropriated to the commission for these purposes. The bill would exclude lobbying firms and lobbyist employers with less than one dollar in payments or contributions from being selected for audit.

**Subject:** Public Works

**SB 1417**    **(Allen, D) Transit districts: prohibition orders.**

**Introduced:** 02/16/2024

**Status:** 03/01/2024 - Set for hearing April 9.

**Hearing:** 04/09/2024

**Location:** 02/29/2024 - Senate Transportation

**Summary:** Current law prohibits certain acts by a person with respect to the property, facilities, or vehicles of a transit district. Current law authorizes the Fresno Area Express, the Los Angeles County Metropolitan Transportation Authority, the Sacramento Regional Transit District, the San Francisco Bay Area Rapid Transit District, and the Santa Clara Valley Transportation Authority to issue a prohibition order to any person cited for committing one or more of certain prohibited acts in specified transit facilities. Current law prohibits a person subject to the prohibition order from entering the property, facilities, or vehicles of the transit district for specified periods of time. Current law establishes notice requirements in that regard and provides for initial and administrative review of the order. This bill would provide that the Santa Monica Department of Transportation is also a transit district for purposes of these provisions regarding prohibition orders.

**Subject:** Safety and Security

**SB 1418**    **(Archuleta, D) Hydrogen-fueling stations: administrative approval: checklist.**

**Introduced:** 02/16/2024

**Status:** 02/29/2024 - Referred to Coms. on L. GOV. and TRANS.

**Hearing:** 03/20/2024

**Location:** 02/29/2024 - Senate Local Government

**Summary:** Current law requires every city, county, and city and county to administratively approve an application to install electric vehicle charging stations and hydrogen-fueling stations through the issuance of a building permit or similar nondiscretionary permit and requires the review of an application to install an electric vehicle charging station or a hydrogen-fueling station to be limited to the building official's review of whether it meets all health and safety requirements of local, state, and federal law. Current law prohibits a city, county, or city and county from denying an application for a use permit to install an electric vehicle charging station or a hydrogen-fueling station unless it makes written findings that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. This bill would extend the operation of these provisions as they pertain to hydrogen-fueling stations to January 1, 2035.

**Subject:** Zero Emission

**SB 1420**    **(Caballero, D) Hydrogen.**

**Introduced:** 02/16/2024

**Status:** 02/29/2024 - Referred to Coms. on E.Q. and E., U. & C.

**Location:** 02/29/2024 - Senate Environmental Quality

**Summary:** Would require the State Air Resources Board to adopt regulations requiring that no less than 33.3% of the retail hydrogen produced for, or dispensed by, fueling stations that receive state funds is made from renewable hydrogen, as provided. The bill would also require that no less than 60% of the retail hydrogen produced or dispensed in California for use in transportation is made from renewable hydrogen by December 31, 2030, and that the remainder of the retail hydrogen produced or dispensed in California for use in transportation is made from a mix of renewable hydrogen and clean hydrogen by December 31, 2045.

**Subject:** Zero Emission

**SB 1443**    **(Jones, R) California Interagency Council on Homelessness.**

**Introduced:** 02/16/2024

**Status:** 03/05/2024 - Set for hearing April 1.

**Hearing:** 04/01/2024

**Location:** 02/29/2024 - Senate Human Services

**Summary:** Current law requires the Governor to establish the California Interagency Council on Homelessness, and requires the council to, among other things, identify mainstream resources, benefits, and services that can be accessed to prevent and end homelessness in California, and promote systems integration to increase efficiency and effectiveness while focusing on designing systems to address the needs of people experiencing homelessness. Current law sets forth the composition of the council, which includes, among others, the Secretary of Business, Consumer Services, and Housing and the Secretary of California Health and Human Services, who serve as cochairs of the council. This bill would add a representative from the State Council on Developmental Disabilities to the council described above.

**Subject:** Miscellaneous

**SB 1488**    **(Durazo, D) Outdoor advertising displays: exemptions.**

**Introduced:** 02/16/2024

**Status:** 02/29/2024 - Referred to Com. on TRANS.

**Location:** 02/29/2024 - Senate Transportation

**Summary:** The Outdoor Advertising Act provides for the regulation by the Department of Transportation of advertising displays within view of public highways. The act exempts from its provisions certain advertising displays, including, among others, any advertising display used exclusively either to advertise products, goods, or services sold by persons on the premises of an arena on a regular basis, or to advertise any products, goods, or services marketed or promoted on the premises of an arena pursuant to a sponsorship marketing plan with a duration of at least one year, if specified conditions are met. One of those conditions for exemption requires the advertising display to be located on the premises of the arena or to have been authorized as of January 1, 2021, by, or in accordance with, a local ordinance, as specified. This bill would change this condition for the exemption from the act to require that an advertising display, as described above, be authorized as of January 1, 2030, would limit the exemption to arenas constructed or under construction on or before January 1, 2025, and would authorize the display be by, or in accordance with, a discretionary approval other than a local ordinance. The bill would require, for the exemption, an advertising display on which construction commences on or after January 1, 2025, and that is located more than one mile from the premises of an arena, to be located at least 5,000 feet from any advertising display for a different arena authorized pursuant to these provisions, except in the City of Inglewood.

**Subject:** Public Works

**SB 1494**    **(Glazer, D) Local agencies: Sales and Use Tax: retailers.**

**Introduced:** 02/16/2024

**Status:** 02/29/2024 - Referred to Coms. on L. GOV. and REV. & TAX.

**Location:** 02/29/2024 - Senate Local Government

**Summary:** This bill would prohibit, on or after January 1, 2024, a local agency from entering into, renewing, or extending any form of agreement that would result, directly or indirectly, in the payment, transfer, diversion, or rebate of Bradley-Burns local tax revenues to any retailer, in exchange for the retailer locating or continuing to maintain a place of business that serves as the place of sale within the territorial jurisdiction of the local agency if that place of business would generate revenue, from the sale of tangible property delivered to and received by the purchaser in the territorial jurisdiction of another local agency, for the local agency under the Bradley-Burns Uniform Local Sales and Use Tax Law. The bill would make those forms of agreements existing before January 1, 2024, void and unenforceable on January 1, 2030. The bill would require a local agency to post those forms of agreements existing before January 1, 2024, on the local agency's internet website until the form of agreement expires or is made void and unenforceable by these provisions. The bill would make related findings and declarations.

**Subject:** Funding

**SB 1510**    **(Stern, D) Permitting: electric vehicle charging.**

**Introduced:** 02/16/2024

**Status:** 02/29/2024 - Referred to Com. on RLS.

**Location:** 02/16/2024 - Senate Rules

**Summary:** Current law requires every city, county, and city and county to administratively approve an application to install electric vehicle charging stations through the issuance of a building permit or similar nondiscretionary permit and requires the review of an application to install an electric vehicle charging station to be limited to the building official's review of whether it meets all health and safety requirements of local, state, and federal law. Current law requires an electric vehicle charging station to comply with, among other things, all applicable rules of the Public Utilities Commission regarding safety and reliability, as specified. This bill would express the intent of the Legislature to enact subsequent legislation that would reduce state and local permitting barriers for electric vehicle charging.

**Subject:** Public Works

**SCA 7**    **(Umberg, D) Employment: workers' rights.**

**Introduced:** 05/01/2023

**Last Amended:** 06/26/2023

**Status:** 06/26/2023 - Read second time and amended. Re-referred to Com. on E. & C.A.

**Location:** 06/22/2023 - Senate Elections and Constitutional Amendments

**Summary:** Current state law forbids a public employer from deterring or discouraging public employees from becoming or remaining members of an employee organization. Current federal law forbids employers from interfering with, restraining, or coercing employees in the exercise of rights relating to organizing, forming, joining, or assisting a labor organization for collective bargaining purposes, or from working together to improve terms and conditions of employment, or refraining from any such activity. This measure, the Right to Organize and Negotiate Act, would ensure that all Californians have the right to join a union and to negotiate with their employers, through their legally chosen representative, to protect their economic well-being and safety at work. This measure would require the Legislature to provide for the enforcement of these rights.

**Subject:** Employment

**SCR 74**    **(Nguyen, R) Officer Jon Coutchie Memorial Bridge.**

**Introduced:** 06/05/2023

**Last Amended:** 06/27/2023

**Status:** 01/12/2024 - Chaptered by Secretary of State- Chapter 2, Statutes of 2024

**Location:** 01/12/2024 - Senate CHAPTERED

**Summary:** This measure would designate the Aliso Creek Bridge on State Highway Route 1 in the County of Orange as the Officer Jon Coutchie Memorial Bridge. The measure would also request the Department of Transportation to determine the cost of appropriate signs showing this special designation and, upon receiving donations from nonstate sources to cover that cost, to erect those signs. This bill contains other related provisions.

**Subject:** Miscellaneous



## COMMITTEE TRANSMITTAL

**March 25, 2024**

**To:** Members of the Board of Directors

**From:** Andrea West, Interim Clerk of the Board



**Subject:** Federal Legislative Status Report

Legislative and Communications Committee Meeting of March 21, 2024

**Present:** Directors Aitken, Dumitru, Foley, Nguyen, and Wagner

**Absent:** Director Jung

**Committee Vote**

No action was taken on this item.

**Staff Recommendation**

Receive and file as an information item.





**March 21, 2024**

**To:** Legislative and Communications Committee  
**From:** Darrell E. Johnson, Chief Executive Officer  
**Subject:** Federal Legislative Status Report

### **Overview**

The Orange County Transportation Authority regularly updates the Legislative and Communications Committee on policy and regulatory issues directly impacting the agency's programs, projects, and operations. An update is provided on the funding deal reached as it pertains to programs included in the Transportation, Housing, and Urban Development appropriations bill. Information is provided on the United States Environmental Protection Agency's proposed disapproval of the South Coast Air Quality Management District contingency measure state implementation plan. A House Transportation and Infrastructure Subcommittee hearing related to the implementation of Buy America is summarized.

### **Recommendation**

Receive and file as an information item.

### **Discussion**

Overview of HR 4366, the Consolidated Appropriations Act of 2024

On March 8, 2024, the President signed HR 4366 (Carter, R-TX), the Consolidated Appropriations Act of 2024. This appropriations bill, known as a minibus, only includes funding for federal agencies and programs covered by the Transportation Housing and Urban Development (THUD), Agriculture, Energy-Water, and Military Construction. As of writing this staff report, negotiations remain ongoing for the remaining six appropriations bills, preventing Congress from signing a full appropriations bill. However, the signing of this bill avoided the need for another continuing resolution to maintain government operations for these federal agencies and funding programs. The bill passed with the Senate voting 75-22 with the House of Representatives (House) voting 339-85.

Since October 2023, Congress had passed several continuing resolutions to maintain government operations funding, the last of which was to expire on March 8, 2024, for federal agencies and programs covered by THUD, Agriculture, Energy-Water, and Military Construction, with the other appropriations bills set to expire on March 22, 2024. It is important to also remember that the Debt Limit Agreement struck last year that suspended the debt limit through January 1, 2025, establishing budgetary caps and accountability measures for future spending. Specifically, since Congress was not able to agree on any of the annual fiscal year (FY) 2024 appropriations bills this year, and every agency was still operating on stopgap “continuing resolutions” as of January 1, 2024, the spending cap for 2024 was reduced to 99 percent of its 2023 level per the Debt Ceiling Agreement. Further provisions stipulate that if any of the 12 appropriations bills are still not enacted by April 30, 2024, then whatever continuing resolution that is in effect at that time will be subject to further reductions across the board of one percent. Since Congress was able to approve an agreement on these six appropriations bills, including THUD, these cuts will not be realized. However, as of writing this staff report, the other remaining appropriations bills still operating under a continuing resolution would be at risk.

For transportation purposes, the bill funds the majority of federal transportation programs at the Infrastructure Investment and Jobs Act (IIJA) authorized levels. At a high level, this year’s FY 2024 THUD appropriations bill included a \$103 billion budget for the United States Department of Transportation (USDOT), which is \$1.3 billion more than the Senate proposal, \$9.7 billion more than the House proposal, and \$2.0 billion more than what was included in the FY 2023 appropriations bill. Specifically, this includes \$3 billion for Federal Rail Administration programs, \$16.6 billion for Federal Transit Administration programs, and \$63 billion for Federal Highway Administration (FHWA) programs. A listing of significant transportation funding programs, the authorized level, and how much each program received both in advanced and current year appropriations is included as Attachment A. It is worth noting, the THUD appropriations bill, together with the IIJA advance appropriations, provides \$3.8 billion for Capital Investment Grants (CIG), which is \$430 million less than the FY 2023 enacted level. This total CIG funding represents 83 percent of the amount authorized in the IIJA. Additionally, the Rebuilding American Infrastructure with Sustainability and Equity discretionary grant program was only funded at \$345 million, which is less than half of the authorization levels included in the IIJA.

The appropriations bills often include some policy provisions to guide the implementation of this funding. One provision included in this bill prohibits transportation funds from being used to enforce coronavirus mask mandates.

Several policy provisions that were included in the House's originally proposed appropriations package were not included, such as prohibiting funds to go toward the California High-Speed Rail Authority or preventing funds to be used on implementing the FHWA greenhouse gas measurement rule. It also does not include a provision that was proposed in the Senate's version that would have expanded public transit agencies' authority to acquire land prior to competition of National Environmental Policy Act review.

Notable in the FY 2024 appropriations package was the continued inclusion of earmarks – known in the appropriations package as “Community Project Funding” or “Congressionally Directed Spending.” This year, the Orange County Transportation Authority (OCTA) received the following:

- \$4 million for the State Route 91 Improvement Project – submitted by Representative Young Kim (R-Fullerton). The Project will add a new eastbound general purpose lane and reconstruct Kraemer Boulevard and Tustin Avenue overcrossings to include standard lanes, shoulders, and sidewalks in each direction. In the FY 2023 appropriations process, Representative Young Kim also secured a \$5 million Community Project Funding (CPF) for Segment 1 of State Route 91 Improvement Project for OCTA.
- \$4 million for the Coastal Rail Corridor Relocation Study – submitted by Representative Mike Levin (D-Dana Point). This amount has increased from the originally proposed \$3.5 million. This study will examine long-term solutions to address slope failure and beach erosion in south Orange County, including potential relocation of the railroad.
- \$3 million for OC Loop, Segments A and B – submitted by Representative Young Kim (R-Fullerton). The OC Loop includes 66 miles of seamless connections that provide the community opportunities to bike, walk, and connect to some of California's most scenic beaches and inland reaches. This funding would be used to close gaps on the trail that cut off continuous use and enhance existing segments, specifically Segment A in the City of La Habra and Segment B in the City of Brea. In the FY 2023 appropriations process, Representative Young Kim also secured \$3 million in CPF for the OC Loop program.

Environmental Protection Agency's Proposed Disapproval of South Coast Air Quality Management District Final Contingency Measure State Implementation Plan

The Clean Air Act established a framework for how federal, state, and local governments should work together to improve air quality. The United States Environmental Protection Agency (EPA) sets air quality standards that must be attained or could result in federal sanctions. Emissions from sources like

refineries and manufacturing are regulated by the South Coast Air Quality Management District (AQMD) while the California Air Resources Board (CARB) regulates mobile sources in California, such as cars and trucks. The federal government regulates other emission sources like aircraft, ships, and locomotives.

Even with stringent regulations implemented by AQMD and CARB, the South Coast Air Basin has been unable to demonstrate the ability to meet the current air quality standards by EPA. Because of this, in 2019, AQMD and CARB submitted a Contingency Measure Plan indicating that more must be done related to federally regulated sources to ultimately meet these goals. On February 2, 2024, EPA published its proposal to disapprove the Contingency Measure Plan as provided. If the disapproval were to be finalized, several sanctions would take place. First, 18 months after this action, permit emission reduction offsets would increase. Second, 24 months after this action, there would be a prohibition on federal highway funding for the region. Exceptions would be provided for projects related to safety or transit. And lastly, 24 months after this action, a Federal Implementation Plan (FIP) would be imposed. A FIP is an air quality plan developed by EPA when states cannot meet the requirements imposed by the Clean Air Act.

The initial comment period was originally posted to close on March 4, 2024. With its regional partners and spearheaded by the Southern California Association of Governments (SCAG), OCTA joined a joint request to extend the comment period for 30 days to provide additional time for evaluation of the impacts. This letter is contained in Attachment B. Because of this effort, the opportunity to comment on this proposal will now conclude on April 3, 2024. OCTA, with its partners, has been closely monitoring this issue and is currently evaluating the potential impacts on OCTA's planned projects. It is difficult to make accurate assessments of which projects could experience impacts due to several uncertainties such as a complicated exemption criterion, the delayed nature of the implementation of the highway funding sanctions, and the unknown duration of these sanctions. However, finalizing this proposed disapproval will jeopardize funding for the region, which could delay critical projects related to rehabilitation and other roadway improvements. The trickle-down impact of these highway sanctions would also impact the economy and availability of high-quality construction jobs throughout Southern California. OCTA is working with its public and private partners, including AQMD, SCAG and Mobility 21, to help inform discussions with EPA to develop a path forward that will lead to timely attainment of the air quality standards, clean air that the area residents deserve, and avoidance of the serious consequences in the South Coast region.

## Summary of House Transportation and Infrastructure Subcommittee on Highways and Transit Hearing on Buy America

On February 15, 2024, the House Transportation & Infrastructure Subcommittee on Highways and Transit held a hearing entitled “*Implementation of Buy America Provisions: Stakeholder Perspectives*.” The hearing explored the challenges and opportunities of implementing Buy America provisions.

Subcommittee Chairman Crawford (R-AR) opened the subcommittee’s hearing on the implementation of Buy America provisions by sharing the history of Buy America, and its changing requirements and provisions over many years. In 2021, the Buy America framework became more complex with the passage of the IIJA, which included the Build America, Buy America Act (BABA). BABA expanded domestic procurement requirements to cover all infrastructure projects receiving federal funding, regardless of whether they were funded through the IIJA or not. Under the Buy America provisions, waivers are granted in certain circumstances where strict adherence to domestic content requirements may be impractical or contrary to public interest. However, the waiver process can be complex and time-consuming.

Chairman Crawford highlighted confusion over Buy America requirements and the waiver process within Buy America. Crawford shared the example that despite direct legislative language, the Administration took 15 months to publish final guidance on Buy America implementation and compliance. At the same time, USDOT was advancing its own waiver and exemption process guidance for grantees and funding applicants, which included the issuance of a waiver for all Buy America requirements for construction materials for awards obligated over a 180-day period. Chairman Crawford shared that this contradictory guidance on Buy America waivers has and continues to cause project delays and has led to cost increases.

Witness Megan Salrin, Legislative Representative for the United Steelworkers (USW), emphasized the value of product-specific waivers, which allow for a more targeted approach to identify gaps in domestic production. Representative Mann (R-KS) inquired about recommendations to improve the waiver issues. Witness Carlos Bracerias, on behalf of the American Association of State and Highway Transportation Officials, noted that obtaining a waiver should not be simple; however, it was highlighted that clear guidance on documentation and reduced wait times for obtaining waivers are important in making the waiver process more seamless. The hearing concluded with discussions on improving the implementation of Buy America provisions, including recommendations such as better understanding of the supply chain, market research, addressing project challenges, and sustaining funding for infrastructure projects. The witnesses emphasized the need for open communication between stakeholders and a long-term commitment to the principles of Buy America.

**Summary**

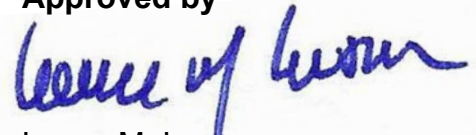
Information is provided on the fiscal year 2024 consolidated appropriations bill. A summary is given of the United States Environmental Protection Agency's recent action to disapprove an air quality plan. A summary is provided for a hearing that discussed implementing provisions under the Buy America Act.

**Attachments**

- A. Fiscal Year 2024 Funding Breakdown
- B. Letter from Kome Ajise, Executive Director, Southern California Association of Governments, and others, to Ginger Vagenas, U.S. Environmental Protection Agency, Region IX, re: Docket ID No. EPA—R09—OAR—2023—0626 Joint Request for a 30-Day Extension of Comment Deadline on EPA Proposed Action to Disapprove South Coast Air Quality Management District Final Contingency Measure State Implementation Plan for the 1997 8-Hour Ozone Standard in the South Coast Air Basin (89 Fed. Reg. 7320), dated February 26, 2024.
- C. Potomac Partners DC, Monthly Legislative Report – January
- D. Potomac Partners DC, Monthly Legislative Report – February

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**Fiscal Year 2024 Funding Breakdown**

<b>Agency</b>	<b>Program</b>	<b>Authorized Level</b>	<b>Enacted</b>	<b>IJA Supplemental</b>	<b>TOTAL</b>
FHWA	Surface Transportation Block Grant Program (including Transportation Alternatives Program)	\$14.4 billion	\$14.4 billion		<b>\$14.4 billion</b>
FHWA	Congestion Mitigation and Air Quality Improvement Program	\$2.638 billion	\$2.638 billion		<b>\$2.638 billion</b>
FHWA	Infrastructure for Rebuilding America Grants	\$1.64 billion	\$1.64 billion	\$640 million	<b>\$2.28 billion</b>
FHWA	Bridge – Formula	\$ 5.5 billion		\$5.5 billion	<b>\$5.5 billion</b>
FHWA	Bridge – Competitive	\$2.5 billion	\$50 million	\$1.85 billion	<b>\$1.9 billion</b>
FHWA	Promoting Resilient Operations for Transformative, Efficient and Cost-saving Transportation (PROTECT) - Formula	\$1.45 billion	\$1.45 billion		<b>\$1.45 billion</b>
FHWA	PROTECT – Competitive	\$300 million	\$300 million	\$250 million	<b>\$550 million</b>
FHWA	Carbon Reduction Program	\$1.28 billion	\$1.26 billion		<b>\$1.26 billion</b>
FHWA	Railway-Highway Crossings	\$245 million	\$245 million		<b>\$245 million</b>
FRA	Amtrak Grants – National Network	\$2.45 billion	\$1.28 billion	\$3.2 billion	<b>\$4.48 billion</b>
FRA	Consolidated Rail Infrastructure and Safety Improvements Program	\$1 billion	\$198 million	\$1 billion	<b>\$1.198 billion</b>
FRA	Federal-State Partnership for Intercity Passenger Rail	\$1.5 billion	\$75 million	\$7.2 billion	<b>\$7.275 billion</b>
FTA	Urbanized Area Formula Program Grants [§5307]	\$6.7 billion	\$6.7 billion		<b>\$6.7 billion</b>
FTA	Capital Investment Grants Program [§5309]	\$3 billion	\$2.2 billion	\$1.6 billion	<b>\$3.8 billion</b>
FTA	Enhanced Mobility of Seniors and Individuals with Disabilities [§5310]	\$388 million	\$388 million	\$50 million	<b>\$438 million</b>

FTA	State of Good Repair Grants [§5337]	\$3.68 billion	\$3.68 billion	\$950 million	<b>\$4.63 billion</b>
FTA	Buses and Bus Facilities Formula [§5339(a)]	\$632 million	\$632 million		<b>\$616 million</b>
FTA	Buses and Bus Facilities Discretionary [§5339(b)]	\$568 million	\$468 million		<b>\$474 million</b>
FTA	Low or No Emission Vehicle Program [§5339(c)]	\$75 million	\$75 million	\$1.05 billion	<b>\$1.125 billion</b>
FTA	High Density States Program [§5340(d)]	\$364 million	\$364 million		<b>\$355 million</b>
OST	Rebuilding American Infrastructure with Sustainability and Equity – Local and Regional Project Assistance	\$1.5 billion	\$345 million	\$1.5 billion	<b>\$1.845 billion</b>

#### **Agency Acronyms**

FHWA – Federal Highway Administration

FRA – Federal Railroad Administration

FTA – Federal Transit Administration

IIJA – Infrastructure Investment and Jobs Act

OST – Office of the Secretary of Transportation





February 26, 2024

**VIA ELECTRONIC SUBMISSION**

Ms. Ginger Vagenas  
U.S. Environmental Protection Agency (EPA), Region IX  
75 Hawthorne Street  
San Francisco, California 94105  
[vagenas.ginger@epa.gov](mailto:vagenas.ginger@epa.gov)  
[www.regulations.gov](http://www.regulations.gov)

**Subject: Docket ID No. EPA–R09– OAR–2023–0626  
Joint Request for a 30-Day Extension of Comment Deadline on EPA Proposed  
Action to Disapprove South Coast Air Quality Management District Final  
Contingency Measure State Implementation Plan for the 1997 8-Hour Ozone  
Standard in the South Coast Air Basin (89 Fed. Reg. 7320)**

Dear Ms. Vagenas:

The Southern California Association of Governments (SCAG), along with the six County Transportation Commissions (CTCs) in our region, including of the Imperial County Transportation Commission (ICTC), Los Angeles County Metropolitan Transportation Authority (Metro), Orange County Transportation Authority (OCTA), Riverside County Transportation Commission (RCTC), San Bernardino County Transportation Authority (SBCTA), and Ventura County Transportation Commission (VCTC), write to request a 30-day extension of the comment deadline on the above-referenced proposal (Docket ID No. EPA–R09– OAR–2023–0626). The proposal was published in the Federal Register (89 Fed. Reg. 7320) on February 2, 2024 with a current comment deadline of March 4, 2024. EPA is taking comments on the proposal and plans to follow with a final action.

SCAG is the nation’s largest metropolitan planning organization and council of governments for the six counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura and 191 cities in the SCAG region, which is home to a population of nearly 19 million people and powering the 16th largest economy in the world. SCAG is responsible for developing long-range, regional transportation plans and short-term, regional transportation improvement programs and providing broad-based representation of Southern California’s cities and counties. The six CTCs in

the SCAG region are responsible for identifying and implementing multi-modal transportation projects in their respective counties within the SCAG region.

If the disapproval is finalized as proposed, it has the potential to set in motion far-reaching consequences on critical aspects of our region's regional transportation planning, programming, project implementation, and the region's economy. The current 31-day comment period is too short to allow for careful analysis and thoughtful comments on the disapproval's implications for the SCAG region and beyond. Therefore, we respectfully request a 30-day extension of the comment deadline to April 3, 2024.

Our agencies fully support and advocate for clean air. This 30-day extension provides us and other stakeholders with a robust and fair opportunity to prepare meaningful comments that could inform EPA's final action or additional pathways besides full disapproval. The significant implications of proposed disapproval warrant fuller consideration and require more time than the currently provided 31 days.

Finally, EPA is bound by a proposed court-ordered deadline to finalize action by July 1, 2024 (89 Fed. Reg. 3396), and that proposed deadline is relevant to EPA's decision of whether to extend the comment deadline for the proposed disapproval. We believe the requested 30-day extension would still allow sufficient time (89 days) for EPA to complete the rulemaking process by July 1, 2024.

We appreciate your consideration of this request and respectfully urge EPA to act quickly to extend the deadline. Please contact Sarah Jepson, Chief Planning Officer, SCAG, at [jepson@scag.ca.gov](mailto:jepson@scag.ca.gov) or (213) 236-1955 if you have questions regarding this request.

Sincerely,



Kome Ajise  
Executive Director  
Southern California Association of  
Governments



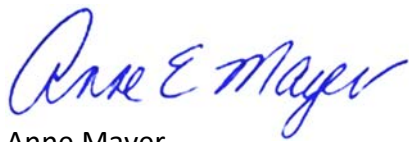
Martin Erickson  
Executive Director  
Ventura County Transportation Commission



David Aguirre  
Executive Director  
Imperial County Transportation Commission



Darrell E. Johnson  
Chief Executive Officer  
Orange County Transportation Authority



Anne Mayer  
Executive Director  
Riverside County Transportation Commission



Stephanie Wiggins  
Chief Executive Officer  
Los Angeles County Metropolitan  
Transportation Authority



Ray Wolfe  
Executive Director  
San Bernardino County Transportation  
Authority

CC: Martha Guzman, EPA Region IX  
Karina O'Connor, EPA Region IX  
Michael Dorante, EPA Region IX  
Nesamani Kalandiyur, California Air Resources Board  
Wayne Natri, South Coast AQMD  
Sarah Rees, South Coast AQMD  
Ian McMillan, South Coast AQMD



## Monthly Legislative Report – January

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### January Advocacy Meetings

**House Transportation and Infrastructure Committee Majority Staff** – We met with majority staff to discuss a possible hearing this Spring on federal infrastructure financing and incentives to include the Transportation Infrastructure Finance and Innovation Act (TIFIA) program. We also discussed updates on the recent service updates along the Los Angeles – San Diego – San Luis Obispo Rail Corridor (LOSSAN Corridor).

**Office of Congressman Mike Levin (D-CA)** – We met with Congressman Levin’s staff several times this month to discuss a possible request for the Water Resources Development Act (WRDA) that could benefit or prioritize additional funding for the Coastal Rail Resiliency Study (CRRS) and other related construction projects.

**Office of Congressman Lou Correa (D-CA)** – We met with Congressman Correa’s staff to provide an update on the recent emergency declaration after a recent landslide in San Clemente halted service on a portion of the intercity rail corridor and impacts on local Metrolink commuter-rail service and ridership.

**Office of Congresswoman Linda Sanchez (D-CA)** – We met with Congresswoman Sanchez’s staff to discuss pending Tax Relief for American Families and Workers Act.

**Senate Commerce Science & Transportation Committee Staff** – We met with Committee staff to discuss timing of the Federal Aviation Administration (FAA) Authorization Act, which the Committee tentatively plans to mark up the first week of February. We also discussed the potential for another extension of the FAA Authorization. The current extension that allows FAA to continue operations at current funding levels expires on March 8<sup>th</sup>.

**Office of Congresswoman Young Kim (R-CA)** – We met with Congresswoman Kim to discuss timing for Fiscal Year 2025 (FY25) Community Project Funding (CPF) requests. We are expecting office deadlines to be sometime in March.

**Office of Congresswoman Michelle Steel (R-CA)** – We met with Congresswoman Steel’s staff to discuss FY25 Appropriation request and possible deadlines for the office.

**Office of Senator Alex Padilla (D-CA)** – We met with Senator Padilla’s staff to provide service updates along the Los Angeles – San Diego – San Luis Obispo Rail Corridor (LOSSAN Corridor) and funding opportunities for CRRS.

## **Budget and Appropriations Update**

At the end of the January the House and Senate reached a tentative \$1.66 trillion discretionary spending limit deal along with specific allocations for the 12 spending bills that will likely pave the way for consideration of some of the Appropriations bill before the upcoming deadlines when the current Continuing Resolution (CR) expires in early March. To that end, lead negotiators are working through the specific program funding levels and policies included in each bill. The House canceled part of its recess at the end of February in anticipation of needing as much floor time as possible to finish work on the spending bills.

The Senate also presented a supplemental spending package, including support for Ukraine and Israel, alongside immigration reform and border security that the House will likely not consider.

## **Immigration Reform Bill**

Senate Majority Leader Chuck Schumer announced a vote for the first week of February on a national security supplemental bill incorporating a bipartisan agreement on border security and immigration reforms, including aid for Israel, Ukraine, and Taiwan, along with border security funding and changes such as mandatory border shutdowns, asylum reforms, expedited processing, and ending the catch-and-release policy for migrants. As mentioned earlier, House Speaker Mike Johnson (R-LA) made a statement that the Senate's bipartisan immigration bill is "dead on arrival" if it reaches the House. Johnson expressed concerns that the legislation would not effectively address the border issues. House Majority Leader Steve Scalise (R-LA) echoed this sentiment, stating that the bill would not receive a vote in the House, criticizing its provisions related to illegal immigration and work permits for asylum recipients. Many Republican representatives, including GOP Conference Chair Elise Stefanik (R-NY) and GOP Whip Tom Emmer (R-WI), opposed the bill. Senate Minority Leader Mitch McConnell has continued to support the bill, emphasizing the need to address the crisis at the southern border and protect national security.

## **Tax Reform Bill Update**

On January 31<sup>st</sup>, the House passed a \$79 billion legislative package for family and business tax breaks with strong bipartisan support. The Tax Relief for American Families and Workers Act includes reforms like expanding the Child Tax Credit, supporting low-income housing, ending double taxation for U.S. companies in Taiwan, providing tax relief for natural disaster victims, and allocating \$33 billion for business tax breaks. It now heads to the Senate for consideration. Senate Republicans aim to make changes, particularly concerning child tax credit provisions impacting work requirements.

### **\$4.9 Billion Awards for Infrastructure Projects**

On January 25th, the U.S. Department of Transportation (USDOT) announced \$4.9 billion in funding to 37 infrastructure projects through the Mega Program (the National Infrastructure Project Assistance program) and INFRA (the Nationally Significant Multimodal Freight & Highway Projects program) grant programs. The projects aim to improve economic mobility, safety, and efficiency in various areas evaluated based on safety, economic impact, climate resilience, equity, and innovation criteria. For more information, click [HERE](#).

### **USDOT Approves \$2.5B for Brightline West High-Speed Rail Project**

On January 23<sup>rd</sup>, the USDOT approved \$2.5 billion in private activity bonds for the Brightline West High-Speed Intercity Passenger Rail project connecting Las Vegas, Nevada, and Southern California. This high-speed rail project will follow the I-15 median and enable trains to reach speeds exceeding 186 mph reducing travel time to just two hours. Brightline West's \$12 billion initiative will establish an entirely electric, zero-emission rail system while creating 35,000 jobs. For more information, click [HERE](#).

### **Federal Highway Administration (FHWA) Allocates \$729.4M for Road and Bridge Repairs**

On January 23<sup>rd</sup>, the FHWA announced an allocation of \$729.4 million to 34 states, including California, the District of Columbia, the U.S. Virgin Islands, and Puerto Rico. This funding is designated to assist in repairing roads and bridges damaged by natural disasters and extreme weather events, such as hurricanes, flooding, and mudslides. These financial resources will be distributed under the FHWA's Emergency Relief (E.R.) program, which provides federal reimbursement funding following significant disaster declarations.

For California, \$124,279,244.44 has been allocated to address damages caused by earthquakes, atmospheric rivers, winter storms, and wildfires. These funds for the state will be used to reconstruct highways and bridges. The allocation allows for improvements that enhance resilience against future climate-related events.

Detailed information on the funding allocations for California and other states, can be found at the official FHWA website [HERE](#).

### **Grant Funding for Electric Vehicle (E.V.) Charging Upgrades**

On January 18th, the Biden-Harris Administration allocated nearly \$150 million to upgrade existing E.V. charging infrastructure across 20 states to enhance reliability. These funds will

repair or replace about 4,500 EV charging ports, ensuring they meet current standards. This initiative aligns with Administration's goal of having over 500,000 public E.V. chargers nationwide by the decade's end, promoting accessibility and creating jobs in the E.V. industry.

This funding is in addition to the \$623 million in grants announced on January 10<sup>th</sup> to expand the E.V. charging network across the United States through the National Electric Vehicle Infrastructure (NEVI) Formula Program and the Charging and Fueling Infrastructure (CFI) Discretionary Grant Program. These programs aim to repair, replace, and construct approximately 7,500 EV charging ports in 22 states and Puerto Rico. More information on this grant program can be found [HERE](#).

### **USDOT Report on Infrastructure Priorities**

On January 10th, the DOT issued a report outlining the efforts to enhance America's transportation infrastructure. The report details critical priorities such as rail safety and consumer protections for air travelers. More information on this report can be found [HERE](#).

### **Funding Opportunity Announced for the USDOT Bridge Investment Program: Planning and Bridge Project Grants**

The USDOT announced new funding for bridge replacement, rehabilitation, preservation, or protection. The program aims to improve bridge safety and condition and encourage non-Federal contributions from project sponsors and stakeholders.

**Eligible Entities include:** State, County, and Local Governments, Metropolitan Planning Organizations, Federal Land Management Agency, Multi-State or Multi-Jurisdictional group and Federally recognized Indian Tribes.

**Total Program Funding Available:** Over four years, \$9.62 billion for Bridge Projects (*and Large Bridge Projects with total eligible project costs over \$100 million*) and \$80 million for Planning Projects.

**Required Cost Sharing or Match:** 20% of cost match required.

**Application Deadlines:** As outlined in the USDOT notice, eligible applicants may submit an application for a Planning or Bridge Project grant for a specific fiscal year of funding at any time up to the application deadline for that fiscal year (see below).

- FY23-24: February 19th, 2024 (planning application) and March 19th, 2024 (bridge project application)
- FY25: October 1st, 2024 (planning application) and November 1st, 2024 (bridge project application)
- FY26: October 1st, 2025 (planning application) and November 1st, 2025 (bridge project application)





## Monthly Legislative Report – February

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### February Advocacy Meetings

**Office of Congressman Mike Levin (D-CA)** – We met with Congressman Levin’s staff to discuss the request for the Water Resources Development Act of 2024 (WRDA). We also discussed Fiscal Year 2025 (FY25) Appropriations Community Project Request (CPF) forms and deadlines.

**Office of Congressman Lou Correa (D-CA)** – We met with Congressman Correa’s staff to discuss potential FY25 CPF requests to include zero emissions buses.

**Office of Congresswoman Young Kim (R-CA)** – We met with Congresswoman Kim and staff to discuss FY25 CPF request guidance and the potential deadline for the office.

**Office of Congresswoman Linda Sanchez (D-CA)** – We met with Congresswoman Sanchez’s staff to discuss the Buy America initiative and FY25 appropriations forms and deadlines.

**Office of Congresswoman Michelle Steel (R-CA)** – We met with Congresswoman Steel’s staff to discuss safety and security in public transportation areas as part of the effort to prepare for the 2028 Olympics. We also discussed FY25 Appropriations request forms and deadlines.

**Office of Senator Laphonza Butler (D-CA)** – We met with Senator Butler’s staff to discuss the Coastal Rail Resiliency Study (CRRS). We discussed potential rail safety legislation and funding for commuter rail. We also discussed FY25 Congressionally Directed Spending (CDS) Appropriations forms that have a deadline for March 12<sup>th</sup>. We also met separately to discuss the United States Environmental Protection Agency’s (EPA) proposed disapproval of the South Coast Air Basin Contingency Measure State Implementation Plan for the 1997 federal ozone standard that could lead to sanctions that would impact transportation funding for the region.

**Office of Senator Alex Padilla (D-CA)** – We met with Senator Padilla’s staff to discuss FY25 CDS forms and deadlines. We also discussed with staff the EPA’s proposed disapproval of the South Coast Air Basin Contingency Measure State Implementation Plan for the 1997 federal ozone standard that could lead to sanctions that would impact transportation funding.

**House Transportation and Infrastructure Committee (Majority Staff)** – We met with the Committee’s Senior majority staff to discuss the status of the Federal Aviation Administration (FAA) Reauthorization. We also discussed a potential hearing regarding passenger rail issues.

**Department of Transportation (DOT) Government Affairs** – We met with the government affairs staff at the department to provide an update on OCTA projects. We shared a support letter for Metrolink’s grant application for the Metrolink Sustainable Locomotives Project for the United States Department of Transportation Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program.

### **FY24 Appropriations**

The House passed a Continuing Resolution on February 29<sup>th</sup> to prevent a government shutdown by extending funding deadlines to March 8<sup>th</sup> and March 22<sup>nd</sup>, giving Congress extra time to resolve spending disagreements. The House voted 320-99 on the extension which was then agreed to 77-13 in the Senate and is headed to the President’s desk before the funding deadline of March 1<sup>st</sup>.

The new deadline for each bill is included below:

- **March 8<sup>th</sup>, 2024:**
  - Agriculture, Rural Development, Food and Drug Administration
  - Energy and Water Development
  - Military Construction, Veterans Affairs
  - Transportation, Housing and Urban Development, and Related Agencies.
- **March 22<sup>nd</sup>, 2024:**
  - Commerce, Justice, Science
  - Defense
  - Financial Services and General Government
  - Homeland Security
  - Interior, Environment
  - Labor, Health and Human Services, Education
  - Legislative Branch
  - State, Foreign Operations

Other items like supplemental spending for the war in Ukraine, the conflict in Israel, and border security continue to be a focus for House Republicans and Speaker Mike Johnson (R-LA) during the ongoing negotiations for the remaining spending bills. However, a tentative deal has reportedly been reached and may be released soon.

### **Federal Aviation Administration (FAA) Reauthorization Bill**

On February 29<sup>th</sup>, the House voted to extend the FAA's funding until May 10 by a 401-19 vote. This marks the third extension since the FAA's last authorization expired on September 30, 2023. The House's proposal includes significant investments and safety measures, while the Senate's version focuses on accessibility, foreign aviation safety, and additional flight slots at Reagan National Airport, despite local concerns over potential delays. On February 8<sup>th</sup> the Senate Commerce, Science and Transportation Committee advanced a bill to reauthorize the FAA for five years. The bill (S. 1939) would authorize more than \$107 billion

for the FAA for fiscal years 2024 through 2028, including \$67.5 billion for operations, training, and retention of critical staff as well as \$20 billion for airport improvement grants, according to the committee.

### **The Department of Transportation (DOT) Opens Hazardous Material Safety Funding**

The DOT Pipeline and Hazardous Materials Safety Administration (PHMSA) published multiple Notices of Funding Opportunities (NOFOs) to award \$18 million in grants through its pipeline and hazardous materials safety programs. These funding opportunities are open to states, local communities, tribal entities, universities, and non-profit organizations to support pipeline and hazardous materials safety programs across the country. Funding will be used to improve community and environmental safety through projects that train first responders, educate the public on local safety initiatives, encourage the development of new pipeline technologies, and more. More information on the program is available [HERE](#).

### **DOT Announces \$1.25 Billion in Grants to Improve Roadway Safety**

DOT has opened the process for cities, towns, counties, Tribal governments, and Metropolitan Planning Organizations (MPO) to apply for \$1.256 billion in funding for local projects that improve roadway safety. The funds are from the competitive grant program, Safe Streets and Roads for All (SS4A). A non-exhaustive list of the cities and counties that meet program thresholds is available [HERE](#). The Safe Streets and Roads for All Notice of Funding Opportunity is available [HERE](#).

### **DOT Announces \$631 Million to Help Transit Agencies Buy New Railcars**

The DOT's Federal Transit Administration (FTA) has announced \$631 million in grants to improve rail transit safety and reliability for passengers through the purchase of new American-made rail cars. The selected Rail Vehicle Replacement Program [projects](#) are:

- **Chicago, IL:** The Commuter Rail Division of the Regional Transportation Authority (METRA) will receive **\$100 million** to buy 50 modern, multi-level railcars that will feature new passenger safety, accessibility, and rider comfort amenities to replace older railcars that have been in service for more than 40 years.
- **Baltimore, MD:** The Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) will receive approximately **\$214 million** to buy 52 new light rail vehicles to replace older vehicles that have been in service for more than 25 years.
- **Philadelphia, PA:** The Southeastern Pennsylvania Transportation Authority (SEPTA) will receive approximately **\$317 million** to buy up to 200 new rail cars to replace older rail cars that have been in service for nearly 25 years, operating along the Market Frankford Line, the most heavily used line in SEPTA's system.

### **Federal Transit Administration (FTA) Allocates \$1.5 Billion for Transit**

On February 8<sup>th</sup>, the FTA announced \$1.5 billion in funding to support American transit vehicle manufacturing, including zero-emission buses, and facilitate bus facility construction and workforce development. The investment is aimed to replace aging buses, reduce pollution, create jobs, and improve transit reliability. More information is available [HERE](#).

### **New Acting FTA Administrator**

On February 24<sup>th</sup>, Veronica Vanterpool took on the role of Acting Administrator for the FTA. Her tenure with the FTA began in August 2021 as a Senior Advisor, followed by 2.5 years as Deputy Administrator. For more information on Vanterpool click [HERE](#)

### **FTA Disaster Relief Funds**

On February 5<sup>th</sup>, the FTA allocated \$110 million to aid eight public transportation providers and state Departments of Transportation in six states and a U.S. territory in recovery efforts from recent natural disasters. Facilitated through FTA's Public Transportation Emergency Relief (ER) Program the funding supports the repair of damaged equipment and facilities and covers costs incurred during evacuation and rescue operations following floods, hurricanes, and tornadoes that occurred between 2017 and 2022. More information is available [HERE](#).

### **FTA Public Transit Funding Announced**

The FTA announced \$9.9 billion in funding on February 29<sup>th</sup> for public transit formula grants. This initial funding reflects the amount of funding available for five months (October 1, 2023 to March 1, 2024) at FY 2023 levels while the federal government operates under a Continuing Resolution. Adjustments due to the 2020 Census may change funding for some areas. More information is available [HERE](#).

### **House Transportation and Infrastructure Committee Hearing on "Buy America" Requirements**

On February 15<sup>th</sup>, the House Transportation and Infrastructure Subcommittee on Highways and Transit held a hearing to discuss the "Buy America" requirements from the 2021 infrastructure law, focusing on its impact and implementation challenges. Witnesses from various sectors highlighted the importance of these provisions for American jobs and manufacturing, while also addressing the complexities of compliance and the role of waivers in ensuring flexibility. Concerns were raised about the need for clear guidance and the potential cost implications for smaller businesses and specific industries like steel and asphalt paving. The complete hearing is available [HERE](#).

## **FY2024 Competitive Funding Opportunity: Buses and Bus Facilities Program**

The purpose of this grant program is to assist in the financing of buses and bus facilities capital projects, including replacing, rehabilitating, purchasing, or leasing buses or related equipment, and rehabilitating, purchasing, constructing, or leasing bus-related facilities. Projects funded by this program (and the Low-No grant program) will be expected to reduce greenhouse gas emissions in the transportation sector; incorporate evidence-based climate resilience measures and features; avoid adverse environmental impacts to air or water quality, wetlands, and endangered species; and address the disproportionate negative environmental impacts of transportation on disadvantaged communities. Eligible projects including the following: Capital projects to replace, rehabilitate, purchase, or lease buses, vans, or related equipment; Rehabilitate, purchase, construct, or lease bus-related facilities regardless of propulsion type or emissions; Additionally, 0.5% of the Federal request may be used for workforce development training and an additional 0.5% may be used for training at the National Transit Institute (NTI). Note, applicants proposing any project related to zero-emission vehicles and related facilities must also spend 5% of their award on workforce development and training as outlined in their Zero-Emission Fleet Transition Plan, unless the applicant certifies that their financial need is less.

**Eligible Entities:** States, local governmental authorities, and Indian Tribes.

**Total Program Funding Available:** \$390 million.

**Required Cost Sharing or Match:** At least 20 percent cost match.

**Application Deadlines:** April 25<sup>th</sup>, 2024 at 11:59 PM EST.

## **FY2024 Competitive Funding Opportunity: Low- or No-Emission Program**

The purpose of the Low-No Program is to support the transition of the nation's transit fleet to the lowest polluting and most energy efficient transit vehicles. The Low-No Program provides funding for the purchase or lease of zero- emission and low-emission transit buses, including acquisition, construction, and leasing of required supporting facilities such as recharging, refueling, and maintenance facilities. Eligible project types include the following: Purchasing or leasing low or no emission buses; Acquiring low or no emission buses with a leased power source; Constructing or leasing facilities and related equipment (including intelligent technology and software) for low or no emission buses; Constructing new public transportation facilities to accommodate low or no emission buses; Rehabilitating or improving existing public transportation facilities to accommodate low or no emission buses; Additionally, 0.5% of the Federal request may be used for workforce development training and an additional 0.5% may be used for training at the National Transit Institute (NTI). Note, applicants proposing any project related to zero-emission vehicles and related facilities must also spend 5% of their award on workforce development and training as outlined in their Zero-Emission Fleet Transition Plan, unless the applicant certifies that their financial need is less.

**Eligible Entities:** States, local governmental authorities, and Indian Tribes.

**Total Program Funding Available:** Approximately \$1.10 billion.

**Required Cost Sharing or Match:** At least 20 percent cost match.

**FY23 through FY26 Bridge Investment Program: Planning and Bridge Project Grants**

The DOT offers financial assistance for bridge replacement, rehabilitation, preservation, or protection. The program aims to improve bridge safety and condition and encourage non-Federal contributions from project sponsors and stakeholders.

**Eligible Entities:** State, County, and Local Governments, Metropolitan Planning Organizations, Federal Land Management Agency, Multi-State or Multi-Jurisdictional group and Federally recognized Indian Tribes.

**Total Program Funding Available:** Over four years, \$9.62 billion for Bridge Projects (and Large Bridge Projects with total eligible project costs over \$100 million and \$80 million for Planning Projects).

**Required Cost Sharing or Match:** 20% of cost match required.

**Application Deadlines:** As outlined in the NOFO, eligible applicants may apply for a Planning or Bridge Project grant for a specific fiscal year of funding at any time up to the application deadline for that fiscal year (see below). Please review NOFO for specific details about this “rolling applications” process.

- FY23-24: February 19th, 2024 (planning application) and March 19th, 2024 (bridge project application)
- FY25: October 1st, 2024 (planning application) and November 1st, 2024 (bridge project application)
- FY26: October 1st, 2025 (planning application) and November 1st, 2025 (bridge project application)



## COMMITTEE TRANSMITTAL

**March 25, 2024**

**To:** Members of the Board of Directors

**From:** Andrea West, Clerk of the Board *Andrea West*

**Subject:** Amendment to Agreement for Mobile Ticketing Validators  
Extended Warranty Coverage Period

### Transit Committee Meeting of March 14, 2024

**Present:** Directors Aitken, Amezcua, Do, Harper, Jung, Klopfenstein, and  
Sarmiento

**Absent:** None

### **Committee Vote**

This item was passed by the Members present.

### **Committee Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Agreement No. C-6-0942 between the Orange County Transportation Authority and Init Innovations in Transportation, Inc., to exercise the fourth option term in the amount of \$158,769, for extended warranty coverage and annual maintenance for mobile ticketing validators effective May 1, 2024 through April 30, 2025. Amending this agreement will increase the maximum cumulative payment obligation to a total contract value of \$3,364,110.





**March 14, 2024**

**To:** Transit Committee

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

**Subject:** Amendment to Agreement for Mobile Ticketing Validators  
Extended Warranty Coverage Period

### **Overview**

The Orange County Transportation Authority implemented the use of mobile ticketing stand-beside validators to validate mobile fare media. Staff is requesting Board of Directors' approval to exercise the fourth option term to extend warranty coverage for the current mobile ticketing validators for a one-year period effective May 1, 2024 through April 30, 2025.

### **Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Agreement No. C-6-0942 between the Orange County Transportation Authority and Init Innovations in Transportation, Inc., to exercise the fourth option term in the amount of \$158,769, for extended warranty coverage and annual maintenance for mobile ticketing validators effective May 1, 2024 through April 30, 2025. Amending this agreement will increase the maximum cumulative payment obligation to a total contract value of \$3,364,110.

### **Discussion**

On October 24, 2016, the Orange County Transportation Authority (OCTA) Board of Directors (Board) awarded a contract to Init Innovations in Transportation, Inc., (INIT) to equip OCTA's fixed-route fleet with mobile ticketing validators to validate mobile fare media. Installation of the mobile ticketing validators began in early fall 2017 and the entire fixed-route fleet was equipped with validators in 2018. Since inception, more than 11 million mobile application tickets have been validated through the mobile ticketing validators.

OCTA currently has 557 validators installed on the existing fixed-route fleet and an additional 44 spares units. The warranty coverage includes maintenance of software, hardware, and central hosting services. The software warranty



coverage includes version updates, feature upgrades, enhanced fare table management, system error correction through remote virtual private network, and INIT's support line which also includes 24-hour services for errors. The hardware warranty coverage includes parts repair for defective hardware or providing a direct unit replacement. These warranty services have been critical to the continuity of operation of the mobile ticketing solution. In October 2019, INIT replaced 157 units requiring additional software and hardware support that is covered under the warranty. Since November 2019, 811 units have been repaired under the extended warranty.

In November 2021, OCTA transitioned to a new mobile ticketing solution that utilizes the existing validators to enforce the current fare policy by validating mobile tickets. This method of recording ridership and fare collections constitutes approximately 16 percent of OCTA's revenue for fixed-route service. OCTA is actively expanding the functionality of the existing validators through initiatives like the College Pass Program. Ongoing efforts include enhancing the value of these validators through software upgrades, facilitating a rider validation system with the introduction of reloadable smart cards, and enabling open payments. This strategic approach underscores OCTA's dedication to modernizing fare technologies and enhancing the overall customer experience while ensuring a more convenient transportation experience for passengers.

On February 13, 2023, the Board authorized OCTA to exercise the third option-term for extended warranty coverage of the fare collection mobile ticketing validators. With the warranty and annual maintenance coverage for the validators due to expire April 30, 2024, the proposed Amendment No. 7 is needed to exercise the fourth option-term for extended warranty coverage.

### ***Procurement Approach***

The original procurement was handled in accordance with OCTA's Board-approved policies and procedures for professional services. On October 24, 2016, the Board approved the award of the agreement with INIT. The original agreement was awarded on a competitive basis and includes a four-year initial term with four, one-year option terms for extended warranty in the amount of \$2,525,632. The current third-year option-term expires April 30, 2024. The agreement has been previously amended as shown in Attachment A.

The proposed Amendment No. 7 is to exercise the fourth option-term for extended warranty of the agreement effective May 1, 2024 through April 30, 2025. Amending this agreement will increase the maximum obligation by \$158,769, bringing the total contract value to \$3,364,110. The warranty pricing

will remain as originally negotiated. Exercising the fourth option-term will allow INIT to continue providing warranty coverage for the existing fare collection mobile ticketing validators for an additional 12 months through April 30, 2025.

**Fiscal Impact**

This project was approved in OCTA's FY 2023-24 Budget, Information System Department, Account No. 1288-D3131-336-7612, and is funded through the Orange County Transit District Fund.

**Summary**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 7 to Agreement No. C-6-0942 between the Orange County Transportation Authority and Init Innovations in Transportation, Inc., to exercise the fourth option-term in the amount of \$158,769, for extended warranty coverage and annual maintenance of the fare collection mobile ticketing validators effective May 1, 2024 through April 30, 2025.

**Attachment**

- A. Init Innovations in Transportation, Inc., Agreement No. C-6-0942 Fact Sheet

**Prepared by:**



Sam Kaur  
Department Manager  
Revenue Administration  
(714) 560-5486

**Approved by:**



Andrew Oftelie  
Chief Financial Officer  
Finance and Administration  
(714) 560-5649



Pia Veasapen  
Director, Contracts Administration and  
Materials Management  
(714) 560-5619

**Init Innovations in Transportation, Inc.  
Agreement No. C-6-0942 Fact Sheet**

1. October 24, 2016, Agreement No. C-6-0942, \$2,525,632, approved by the Board of Directors (Board).
  - Init Innovations in Transportation, Inc. to develop, host, license, and maintain a mobile ticketing application.
  - Four-year initial term effective November 21, 2016 through November 30, 2020 with four, one-year option terms for the purchase and installation of mobile ticket validators as well as extended warranty.
2. June 28, 2017, Amendment No. 1 to Agreement No. C-6-0942, \$27,853, approved by the Contracts Administration and Materials Management Department (CAMM).
  - Amendment to add 550 custom horizontal mounts of PROXmobile devices.
3. December 11, 2017, Amendment No. 2 to Agreement No. C-6-0942, \$0.00, approved by CAMM.
  - Changed key personnel.
  - Amendment to add CDCE, Inc. as a subcontractor to provide installation services.
4. December 1, 2020, Amendment No. 3 to Agreement No. C-6-0942, \$208,994 approved by CAMM.
  - Included additional specifications to the scope of work for reader reconfigurations.
  - Revised term of the agreement to align with the extended warranty start and end dates.
5. February 22, 2021, Amendment No. 4 to Agreement No. C-6-0942, \$136,608, approved by the Board.
  - Exercised the first option term of the agreement for extended warranty. The first option-term is effective May 1, 2021 through April 30, 2022.
6. April 25, 2022, Amendment No. 5 to Agreement No. C-6-0942, \$151,307, approved by the Board.
  - Exercised the second option term of the agreement for extended warranty. The second option-term is effective May 1, 2022 through April 30, 2023.

7. February 13, 2023, Amendment No. 6 to Agreement No. C-6-0942, \$154,947, approved by the Board.

- Exercised the third option term of the agreement for extended warranty. The third option-term is effective May 1, 2023 through April 30, 2024.

8. March 25, 2024, Amendment No. 7 to Agreement No. C-6-0942, \$158,769, pending approval by the Board.

- To exercise the fourth option term of the agreement for extended warranty. The fourth option-term is effective May 1, 2024 through April 30, 2025.

Total commitment to Init Innovations in Transportation, Inc., Agreement No. C-6-0942, \$3,364,110.



## COMMITTEE TRANSMITTAL

***March 25, 2024***

**To:** Members of the Board of Directors

**From:** Andrea West, Clerk of the Board *Andrea West*

**Subject:** Approval of Local Transportation Fund Fiscal Year 2024-25  
Apportionment Estimates Amendment

Finance and Administration Committee Meeting of March 13, 2024

**Present:** Directors Do, Federico, Harper, Hennessey, Klopfenstein,  
Nguyen, and Sarmiento

**Absent:** None

**Committee Vote**

This item was passed by the Members present.

**Committee Recommendation**

Approve the amendment to the Local Transportation Fund fiscal year 2024-25 apportionment estimates.



**March 13, 2024**

**To:** Finance and Administration Committee

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

**Subject:** Approval of Local Transportation Fund Fiscal Year 2024-25 Apportionment Estimates Amendment

### **Overview**

The Orange County Transportation Authority, as the transportation planning agency and county transportation commission for Orange County, is responsible for developing estimates used in apportioning revenues earned and deposited in the Orange County Local Transportation Fund. Transportation Development Act regulations require that the apportionments for fiscal year 2024-25 be determined, and prospective claimants be advised of the amounts. On February 26, 2024, the Orange County Transportation Authority Board of Directors approved the fiscal year 2024-25 Local Transportation Fund apportionment amounts. An amendment to these apportionment amounts is presented for approval.

### **Recommendation**

Approve the amendment to the Local Transportation Fund fiscal year 2024-25 apportionment estimates.

### **Background**

The Transportation Development Act (TDA) of 1971 established a funding source dedicated to transit and non-transit-related projects. The funding source consists of two parts: the Local Transportation Fund (LTF) and the State Transit Assistance Fund (STAF). The LTF is derived from a one-quarter cent general sales tax collected statewide. LTF revenues are collected by the California Department of Tax and Fee Administration and returned monthly to the local jurisdictions, such as Orange County, based on the volume of sales during each month. The STAF is generated from the sales tax on diesel and funded through the Public Transportation Account. STAF revenues are appropriated to local agencies by formula on a quarterly basis. The

---

Orange County Transportation Authority (OCTA) is the Transportation Planning Agency responsible for the allocation of the LTF within Orange County. The LTF funds are deposited in the Orange County LTF account at the Orange County Treasury and administered by the Orange County Auditor-Controller (OCAC). Upon instructions from OCTA, LTF funds are distributed by the OCAC among the various administrative, planning, and program apportionments as specified in the TDA.

***Discussion***

The TDA Statutes and California Code of Regulations guidelines provide instructions on how apportionments should be calculated and allocated. Prior to March 1 of each year, OCTA must determine and advise all prospective claims of their apportionments from the LTF for the following fiscal year (FY). OCTA makes this determination by using the estimate of funds available for apportionment and allocation furnished by the OCAC.

In Orange County, OCTA has designated the Orange County Transit District (OCTD) as the public transportation services operator and the Consolidated Transportation Services Agency. Therefore, OCTD is the claimant for Article 4 and 4.5 funds, which are used primarily to fund bus operations.

OCTA provides LTF funds to other claimants including the Southern California Association of Governments (SCAG) and Laguna Beach Municipal Transit Lines (LBMTL). SCAG is eligible to receive up to three-fourths of one percent of annual revenues for transportation planning. The LBMTL, a department within the City of Laguna Beach (City), is eligible to receive funding from the LTF in Orange County for providing public transportation services throughout the City. The estimate of LTF revenues for FY 2024-25 has been estimated by the OCAC at \$232,624,566 and was approved by the OCTA Board of Directors (Board) on February 26, 2024.

On February 26, 2024, the Board approved the FY 2024-25 Local Transportation Fund apportionment amounts. Upon further review, a miscalculation was identified in the calculations for Article 4 claimants. Specifically, the calculation pertaining to the City inadvertently utilized an incorrect population percentage. As a result, the apportionment amounts approved for Article 4 Orange County Transit District (Public Transit Services) and Laguna Beach Municipal Transit Lines (Public Transit Services) were incorrect. While the total apportionment amount of \$232,624,566 remains correct, the apportionment amount for OCTD (Public Transit Services) should be \$212,667,523.41 instead of \$214,076,564.37, and the apportionment

amount for Laguna Beach Municipal Transit Lines (Public Transit Services) should be \$1,532,505.04 instead of \$123,464.08. The amended FY 2024-25 apportionment is summarized in the following table:

LTF Revenues	
Estimated FY 2024-25 Sales and Use Tax Receipts	\$232,624,566.00
Article 3 payments:	
Orange County Auditor-Controller – Administration	\$6,198.86
Orange County Transportation Authority – County Transportation Commission Administration	165,916.00
Orange County Transportation Authority – County Transportation Commission Planning	5,234,052.73
Southern California Association of Governments – Regional Planning	1,744,684.25
Subtotal – Article 3 funding	\$7,150,851.84
Articles 4 and 4.5 payments:	
Orange County Transit District – Consolidated Transportation Service Agency Funding – Article 4.5	\$11,273,685.71
Orange County Transit District – Public Transit Funding – Article 4	212,667,523.41
Laguna Beach Municipal Transit Lines – Public Transit Funding – Article 4	1,532,505.04
Subtotal – Articles 4 and 4.5 funding	\$225,473,714.16
Total funds apportioned	\$232,624,566.00

On February 29, 2024, OCTA notified the claimants of the LTF apportionments approved by the Board on February 26, 2024, as OCTA is required to notify claimants of their apportionments by March 1. Furthermore, claimants were informed of this miscalculation and OCTA's plan to return to the Board to obtain approval of the corrected apportionments.



***Summary***

Staff recommends approval of the amended LTF FY 2024-25 apportionment estimates.

***Attachment***

None.

**Prepared by:**



Sam Kaur  
Department Manager,  
Revenue Administration  
(714) 560-5889

**Approved by:**



Andrew Oftelie  
Chief Financial Officer,  
Finance and Administration  
(714) 560-5649



## COMMITTEE TRANSMITTAL

***March 25, 2024***

**To:** Members of the Board of Directors  
**From:** Andrea West, Clerk of the Board *Andrea West*  
**Subject:** Local Transportation Fund Claims for Fiscal Year 2024-25

Finance and Administration Committee Meeting of March 13, 2024

**Present:** Directors Do, Federico, Harper, Hennessey, Klopfenstein, Nguyen, and Sarmiento  
**Absent:** None

**Committee Vote**

This item was passed by the Members present.

**Committee Recommendation**

Adopt Orange County Transit District Resolution No. 2024-008 authorizing the filing of Local Transportation Fund claims, in the estimated amounts of \$212,667,523 to support public transportation and \$11,273,686 for community transit services.



**March 13, 2024**

**To:** Finance and Administration Committee

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

**Subject:** Local Transportation Fund Claims for Fiscal Year 2024-25

### **Overview**

The Orange County Transit District is eligible to receive funding from the Local Transportation Fund for providing public transportation services throughout Orange County. To receive these funds, the Orange County Transit District, as the public transit and community transit services operator, must file claims with the Orange County Transportation Authority, the transportation planning agency for Orange County.

### **Recommendation**

Adopt Orange County Transit District Resolution No. 2024-008 authorizing the filing of Local Transportation Fund claims, in the estimated amounts of \$212,667,523 to support public transportation and \$11,273,686 for community transit services.

### **Background**

The Transportation Development Act (TDA) of 1971 established a funding source dedicated to transit and non-transit related projects. The funding source consists of two parts: the Local Transportation Fund (LTF), which is derived from a one quarter cent of the current retail sales tax in Orange County, and the State Transit Assistance Fund, which is generated from the sales tax on diesel and funded through the Public Transportation Account.

The LTF revenues are collected by the California Department of Tax and Fee Administration and returned monthly to local jurisdictions based on the volume of sales during each month. In Orange County, the LTF receipts are deposited in the Orange County LTF account at the Orange County Treasury and administered by the Orange County Auditor-Controller. LTF receipts are distributed by the Orange County Auditor-Controller among the various administrative, planning, and program apportionments as specified in the TDA.

***Discussion***

Section 6630 of the California Code of Regulations requires the Orange County Transit District (OCTD) to file a claim with the Orange County Transportation Authority (OCTA) in order to receive an allocation from the LTF for providing public transportation services (Article 4 claims).

Since OCTA has previously designated OCTD as the consolidated transportation services agency for Orange County, OCTD is also required to file a claim with OCTA in order to receive an allocation from the LTF for operating community transit services (Article 4.5 claims). The estimated total amount of these Articles 4 and 4.5 claims for fiscal year 2024-25 equals \$223,941,209.

***Summary***

The LTF provides funds to OCTD for public transit services. To receive these funds, OCTD must file the appropriate LTF claims with OCTA. Staff recommends the OCTA Board of Directors adopt the OCTD Resolution No. 2024-008 to authorize the filing of these claims.

***Attachment***

- A. Resolution of the Orange County Transit District, Authorizing the Filing of Local Transportation Fund Claims

**Prepared by:**

Sam Kaur  
Department Manager,  
Revenue Administration  
(714) 560-5889

**Approved by:**

Andrew Oftelie  
Chief Financial Officer,  
Finance and Administration  
(714) 560-5637

**RESOLUTION OF THE  
ORANGE COUNTY TRANSIT DISTRICT**

**AUTHORIZING THE FILING OF  
LOCAL TRANSPORTATION FUND CLAIMS**

**WHEREAS**, the Orange County Local Transportation Fund was created by the Transportation Development Act, SB 325 (Chapter 1400, Statutes of 1971) to aid in meeting the public transportation and community transit needs that exist in Orange County; and

**WHEREAS**, the Orange County Transit District is submitting transportation claims for funds from the Orange County Local Transportation Fund; and

**WHEREAS**, the Orange County Transportation Authority has the authority to review claims and allocate such funds in accordance with the California Code of Regulations and the California Transportation Development Act.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Orange County Transit District hereby requests the Orange County Transportation Authority to allocate funds to the Orange County Transit District for the purpose of providing the support of a public transportation system as described under the California Transportation Development Act, Article 4, and for funding community transit services as described under the California Transportation Development Act, Article 4.5.

**BE IT FURTHER RESOLVED** that the Orange County Transit District agrees to provide the Orange County Transportation Authority with such information as may be necessary to support these transportation claims.

ADOPTED, SIGNED AND APPROVED this 25<sup>th</sup> day of March 2024.

AYES:

NOES:

ABSENT:

ATTEST:

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Andrea West  
Clerk of the Board

---

Tam T. Nguyen, Chair  
Orange County Transit District



**March 25, 2024**

**To:** Members of the Board of Directors

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

**Subject:** Approval to Release Invitation for Bids for Battery Electric Bus Chargers

### **Overview**

The Orange County Transportation Authority is underway with efforts to procure up to ten, 40-foot battery electric buses, which require battery charging stations. Staff has developed project specifications and is requesting Board of Directors' approval to release an invitation for bids for battery chargers necessary to support the planned battery electric bus procurement.

### **Recommendation**

Approve the release of Invitation for Bids 3-3067 to procure 11 battery chargers for 40-foot plug-in battery electric buses.

### **Discussion**

On June 12, 2023, the Orange County Transportation Authority (OCTA) Board of Directors (Board) approved funding to purchase up to 11 battery chargers to support the deployment and operation of ten pilot battery electric buses (BEB) that will be added to the fleet currently used to provide OCTA fixed-route service (OC Bus). The charging stations will be installed at the Santa Ana Bus Base where the new BEBs will be assigned. Operationally, these charging stations will provide the infrastructure resiliency needed to consistently deploy the BEBs. In addition to providing back-up to the charging stations located at the Garden Grove Bus Base, installing charging stations at two OCTA bases provides flexibility to deploy BEBs from either location on various routes.

The charging stations will consist of ten 150-kilowatt battery chargers and one 450-kilowatt pantograph style fast charger, which is designed to accommodate shorter charging times based on operational needs. The electrical energy will be transferred to the bus batteries by plug-in connectors from the 150-kilowatt

battery chargers and by inductive connection from the 450-kilowatt pantograph style charger.

The chargers will be capable of supplying power evenly or sequentially to the charging stations based on bus availability and time of use electricity rates. This allows each bus to be intelligently charged in a manner tailored to the power and logistical needs of each bus. In addition, training will be provided for the operation and maintenance of the charging stations.

***Procurement Approach***

OCTA's procurement policies and procedures require the Board to approve all invitation for bids (IFB) over \$1,000,000. Staff is requesting approval from the Board to release IFB 3-3067 for battery electric bus chargers for 40-foot plug-in battery electric buses (Attachment A).

The IFB will be released upon Board approval. The budget for this effort is \$2,500,000. The award will be made to the lowest responsive and responsible bidder in accordance with state law.

**Fiscal Impact**

Funding is included in OCTA's Fiscal Year 2023-24 Budget under Account No. 2114-9022-D2116-0DC.

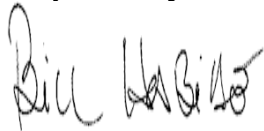
***Summary***

In order to support the OCTA Board approved zero-emission rollout plan, staff has developed a scope of work to procure equipment needed to support the operation of battery electric buses. Board of Directors' approval is requested to release Invitation for Bids 3-3067 for the purchase of 11 battery electric chargers for 40-foot plug-in battery electric buses.

***Attachment***

- A. Draft Invitation for Bids (IFB) 3-3067, Battery Chargers for 40-Foot Plug-In Battery Electric Buses

**Prepared by:**



Bill Habibe  
Senior Section Manager, Maintenance  
Transit Technical Services  
714-668-4574



Pia Veesapen  
Director, Contracts Administration and  
Materials Management  
714-560-5619

**Approved by:**



Cliff Thorne  
Director, Maintenance Administration  
714-560-5975



Johnny Dunning Jr.  
Chief Operating Officer, Operations  
714-560-5964



DRAFT INVITATION FOR BIDS (IFB) 3-3067

# BATTERY CHARGERS FOR 40-FOOT PLUG-IN BATTERY ELECTRIC BUSES



ORANGE COUNTY TRANSPORTATION AUTHORITY  
550 South Main Street  
P.O. Box 14184  
Orange, CA 92863-1584  
(714) 560-6282

## Key IFB Dates

Issue Date:	March 12, 2024
Pre-Bid Conference Date:	March 19, 2024
Question Submittal Date:	March 27, 2024
Bid Submittal Date:	April 9, 2024

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March 12, 2024

**SUBJECT: NOTICE OF INVITATION FOR BIDS (IFB)  
IFB 3-3067: "BATTERY CHARGERS FOR 40-FOOT PLUG-IN BATTERY  
ELECTRIC BUSES"**

**TO: ALL BIDDERS**

**FROM: CONTRACTS ADMINISTRATION AND MATERIALS  
MANAGEMENT DEPARTMENT**

The Orange County Transportation Authority (Authority) invites bids from qualified contractors to provide battery chargers for 40-foot plug-in battery electric buses. The budget for this project is \$2,500,000 for a six-month term.

**Please note that by submitting a Bid, Bidder certifies that it is not subject to any Ukraine/Russia-related economic sanctions imposed by the State of California or the United States Government including, but not limited to, Presidential Executive Order Nos. 13660, 13661, 13662, 13685, and 14065. Any individual or entity that is the subject of any Ukraine/Russia-related economic sanction is not eligible to submit a Bid. In submitting a Bid, all Bidders agree to comply with all economic sanctions imposed by the State or U.S. Government.**

**Bids must be received in the Authority's office at or before 11:00 a.m. on April 9, 2024.**

Bidders are advised that bid openings will be held both via teleconference and in-person. Bidders delivering bids at the Authority's office will be able to join bid openings in-person at Authority's Administrative Building located at 600 South Main Street, Orange, California 92868, Conference Room 101, or call-in using the following credentials:

1. [Bid Opening MS Teams Link](#)

Meeting ID: 236 694 136 283

Passcode: xBfEha

2. [+1 916-550-9867,,747554896#](#) United States, Sacramento

Phone Conference ID: 747 554 896#

The bid opening will begin promptly at 11:00 a.m. Attendees are required to complete the sign-in sheet on Exhibit G to this IFB and email it to the undersigned at [sding@octa.net](mailto:sding@octa.net) no later than noon **April 9, 2024**.

Bids delivered in person or by a means other than the U.S. Postal Service shall be submitted to the following:

**Orange County Transportation Authority  
Contracts Administration and Materials Management  
600 South Main Street, (Lobby Receptionist)  
Orange, California 92868  
Attention: Sue Ding, Sr. Contract Administrator**

Bids delivered using the U.S. Postal Service shall be addressed as follows:

**Orange County Transportation Authority  
Contracts Administration and Materials Management  
P.O. Box 14184  
Orange, California 92863-1584  
Attention: Sue Ding, Sr. Contract Administrator**

**Note: The Authority utilizes a third-party delivery service; therefore, anticipate a 48-hour delay in delivery of bids mailed to the P.O. Box listed above. Bids are considered received once time stamped at the Authority's physical address.**

Bids and amendments received after the date and time specified above will be returned to the bidders unopened.

Bidders interested in obtaining a copy of this IFB may do so by downloading the IFB from CAMM NET at <https://cammnet.octa.net>.

All bidders interested in doing business with the Authority are required to register their business on-line at CAMM NET. The website can be found at <https://cammnet.octa.net>. From the site menu, click on CAMM NET to register.

To receive all further information regarding this IFB, bidders and sub-contractors must be registered on CAMM NET with the following commodity code for this solicitation selected as part of the vendor's on-line registration profile:

Category:

Fuel & Lubricants; Equipment

Maintenance Services -  
Equipment

Professional Services

Commodity:

Fuel & Lubricant Equipment

Fuel Management Systems

Fuel & Lubricant Equipment -  
Service

Fuel Management Services

## Professional Consulting

## Alternative Fuels Consulting

A pre-bid conference will be held both on-site/in-person and via teleconference on March 19, 2024, at 1:30 p.m.

For prospective Bidders who wish to join on-site/in-person, the pre-bid conference will be held at the Authority's Administrative Office, 550 South Main Street, Orange, California, in Conference Room 101.

Prospective Bidders not attending in-person may join or call-in using the following credentials:

- [Pre-Bid Conference MS Teams Link](#)
- Or call in (audit only): [+1 916-550-9867](#)  
Phone Conference ID: 300 199 903#

Bidders are encouraged to subcontract with small businesses to the maximum extent possible.

All bidders will be required to comply with all applicable equal opportunity laws and regulations.

The award of this contract is subject to receipt of federal, state and/or local funds adequate to carry out the provisions of the agreement including the project specifications.

**SECTION I: INSTRUCTIONS TO BIDDERS**

## **SECTION I. INSTRUCTIONS TO BIDDERS**

### **A. PRE-BID CONFERENCE/SITE VISIT**

A pre-bid conference will be held both on-site/in-person and via teleconference on March 19, 2024, at 1:30 p.m.

For prospective Bidders who wish to join on-site/in-person, the pre-bid conference will be held at the Authority's Administrative Office, 550 South Main Street, Orange, California, in Conference Room 101.

Prospective Bidders not attending in-person may join or call-in using the following credentials:

- [Pre-Bid Conference MS Teams Link](#)
- Or call in (audit only): [+1 916-550-9867](#)  
Phone Conference ID: 300 199 903#

All prospective Bidders are encouraged to attend the pre-bid conference.

### **B. EXAMINATION OF BID DOCUMENTS**

By submitting a bid, bidder represents that it has thoroughly examined and become familiar with the work required under this IFB and that it is capable of performing quality work to achieve the Authority's objectives.

### **C. ADDENDA**

Any Authority changes to the requirements will be made by written addendum to this IFB. Any written addenda issued pertaining to this IFB shall be incorporated into the terms and conditions of any resulting Agreement. The Authority will not be bound to any modifications to or deviations from the requirements set forth in this IFB as the result of oral instructions. Bidders shall acknowledge receipt of addenda in their bids. Failure to acknowledge receipt of Addenda may cause the bid to be deemed non-responsive to this IFB and be rejected.

### **D. AUTHORITY CONTACT**

All questions and/or contacts with Authority staff regarding this IFB are to be directed to the following Contract Administrator:

Sue Ding, Sr. Contract Administrator  
Contracts Administration and Materials Management Department  
Phone: 714.560.5631

Email: [sding@octa.net](mailto:sding@octa.net)

## **E. CLARIFICATIONS**

### **1. Examination of Documents**

Should a bidder require clarifications of this IFB, the bidder shall notify the Authority in writing in accordance with Section D. Should it be found that the point in question is not clearly and fully set forth, the Authority will issue a written addendum clarifying the matter which will be sent to all firms registered on CAMM NET under the commodity codes specified in this IFB.

### **2. Preference for Materials**

In accordance with the California Public Contract Code Section 3400, reference to any equipment, material, article or patented process, by trade name, make, or catalog number, shall not be construed as limiting competition. In those cases where the specifications call for a designated material, product, or service by specific brand or trade name and there is only one brand or trade name listed, the item involves a unique or novel product application required to be used in the public interest or is the only brand or trade name known to the Authority.

Where the specifications or drawings identify any material, product or service by one or more brand names, whether or not "or equal" is added, and the bidder wishes to propose the use of another item as being equal, approval shall be requested as set forth below.

### **3. Submitting Requests**

- a. All questions, clarifications and requests for approved equals must be submitted via email to [sding@octa.net](mailto:sding@octa.net) and must be received by the Authority no later than **5:00 p.m., on March 27, 2024**.
- b. Questions and comments must be clearly labeled, "IFB 3-3067 Written Questions". The Authority is not responsible for failure to respond to a request that has not been labeled as such.

### **4. Authority Responses**

Responses from the Authority will be posted on CAMM NET, no later than five (5) calendar days before the scheduled date of bid opening. Bidders may download responses from CAMM NET at <https://cammnet.octa.net>, or request responses be sent via U.S. Mail by emailing the request to Sue Ding, Sr. Contract Administrator.



To receive email notification of Authority responses when they are posted on CAMM NET, bidders and their subcontractors must be registered on CAMM NET with at the following commodity code for this solicitation selected as part of the vendor's on-line registration profile:

<u>Category:</u>	<u>Commodity:</u>
Fuel & Lubricants; Equipment	Fuel & Lubricant Equipment
	Fuel Management Systems
Maintenance Services - Equipment	Fuel & Lubricant Equipment - Service
Professional Services	Fuel Management Services
Professional Consulting	Alternative Fuels Consulting

Inquiries received after **5:00 p.m. on, March 27, 2024**, will not receive a response.

#### **F. BRAND NAMES**

It should be understood that specifying a brand name, components, and/or equipment in this IFB shall not relieve the bidder from their responsibility to produce the product in accordance with the performance warranty and contractual requirements. The bidder is responsible for notifying the Authority of any inappropriate brand name, component, and/or equipment substitute for consideration by the Authority.

Brand names and model number, when used, are for the purpose of identifying a standard of requirement and are not to be construed as restricting the procurement to those brand names and model numbers called out. Refer to above Paragraph.

#### **G. SUBMISSION OF BIDS**

**Bidder is responsible for ensuring third-party deliveries arrive at the time and place as indicated in this IFB.**

##### **1. Date and Time**

**Bids must be received in the Authority's office at or before 11:00 a.m. on April 9, 2024.**

Bids received after the above-specified date and time will be returned to bidders unopened.

Bidders are advised that bid openings will be held both via teleconference and in-person. Bidders delivering bids at the

Authority's office will be able to join bid openings in-person at Authority's Administrative Building located at 600 South Main Street, Orange, California 92868, Conference Room 102, or call-in using the following credentials:

[Bid Opening MS Teams Link](#)

Meeting ID: 267 092 544 021

Passcode: d3HNYQ

[+1 916-550-9867,,173171957#](#)

Phone Conference ID: 173 171 957#

## **2. Address**

Bids delivered in person or by a means other than the U.S. Postal Service shall be submitted to the following:

**Orange County Transportation Authority  
Contracts Administration and Materials Management (Camm)  
600 South Main Street, (Lobby Receptionist)  
Orange, California 92868  
Attention: Sue Ding, Sr. Contract Administrator**

Or bids delivered using the U.S. Postal Services shall be addressed as follows:

**Orange County Transportation Authority  
Contracts Administration and Materials Management (Camm)  
P.O. Box 14184  
Orange, California 92863-1584  
Attention: Sue Ding, Sr. Contract Administrator**

**Note: The Authority utilizes a third-party delivery service; therefore, anticipate a 48-hour delay in delivery of bids mailed to the P.O. Box listed above. Bids are considered received once time stamped at the Authority's physical address.**

## **3. Identification of Bids**

Bidder shall submit its bid in a sealed package, addressed as shown above, bearing the bidder's name and address and clearly marked as follows:

**"IFB No. 3-3067 BATTERY CHARGERS FOR 40-FOOT PLUG-IN  
BATTERY ELECTRIC BUSES"**

Bidder shall be entirely responsible for any consequences, including disqualification of the bid, resulting from any inadvertent opening of unsealed or improperly identified packages. It is the bidder's sole responsibility to see that its bid is received as required.

**4. Acceptance of Bids**

- a. The Authority reserves the right to postpone bid openings for its own convenience.
- b. Bids received and opened by Authority are public information and must be made available to any person upon request.
- c. Submitted bids are not to be copyrighted.

**H. PRE-CONTRACTUAL EXPENSES**

The Authority shall not, in any event, be liable for any pre-contractual expenses incurred by bidder in the preparation of its bid. Bidder shall not include any such expenses as part of its bid.

Pre-contractual expenses are defined as expenses incurred by bidder in:

- 1. Preparing a bid in response to this IFB;
- 2. Submitting that bid to the Authority;
- 3. Negotiating with the Authority any matter related to this bid; or
- 4. Any other expenses incurred by bidder prior to date of award, if any, of the Agreement.

**I. JOINT BIDS**

Where two or more firms desire to submit a single bid in response to this IFB, they should do so on a prime-subcontractor basis rather than as a joint venture. The Authority intends to contract with a single firm and not with multiple firms doing business as a joint venture.

**J. TAXES**

Bids are subject to State and Local sales taxes. However, the Authority is exempt from the payment of Federal Excise and Transportation Taxes. Contractor is responsible for payment of all taxes for any goods, services, processes, and operations incidental to or involved in the contract.

**K. PROTEST PROCEDURES**

The Authority has on file a set of written protest procedures applicable to this solicitation that may be obtained by contacting the Contract Administrator responsible for this procurement. Any protests filed by a

bidder in connection with this IFB must be submitted in accordance with the Authority's written procedures.

**L. DELIVERY LOCATIONS:**

**Santa Ana Base**

4301 MacArthur Boulevard, Santa Ana, CA 92704

**M. CASH DISCOUNTS**

Cash/payment discounts will not be considered in the evaluation of bids.

**N. APPENDICES**

Information considered by bidder to be pertinent to this project and which has not been specifically solicited in any of the aforementioned sections may be placed in a separate appendix section. Bidders are cautioned, however, that this does not constitute an invitation to submit large amounts of extraneous materials; appendices should be relevant and brief.

**O. HAZARDOUS SUBSTANCES**

**1. CAL-OSHA Requirements**

All flammable, corrosive, toxic, or reactive materials being bid must have a complete CAL-OSHA Safety Data Sheet (SDS) accompanying the submitted bid.

**2. South Coast Air Quality Management District (SCAQMD)**

All materials (paints, coatings, inks, solvents, and adhesives) shall comply with the volatile organic compounds (VOC) content requirements of the applicable SCAQMD rules.

**3. Notice of Hazardous Substances**

Title 8, California Code of Regulations, Section 5194 (e) (c), states that the employer must inform any contractor employers with employees working in the employer's workplace of the hazardous substances to which their employees may be exposed while performing their work. In compliance with this requirement, the Authority hereby gives notice to all bidders that the following general categories of hazardous substances are present on the Authority's premises:

- Adhesives, sealant, patching, and coating products
- Antifreezes, coolants
- Cleaners, detergents

- Paints, thinners, solvents
- Pesticides, Petroleum products (diesel and unleaded fuel, oil products)
- Printing, photocopying materials
- Propane Welding materials/compressed gases (e.g., acetylene, oxygen, nitrogen)

More specific information may be obtained from the Authority's Safety and Benefits office at (714) 560-5854, and from Safety Data Sheets (SDS) for individual products.

#### **4. Hazardous Waste Labels**

Containers containing hazardous substances must be labeled with the following information:

- Identity of hazardous substance-chemical name, not manufacturer or trade name;
- Appropriate health warning relative to health and physical hazard; and
- Name and address of manufacturer or other responsible party. All containers containing hazardous substances may be rejected unless containers are properly labeled. Containers of 55 gallons or larger must have either weather resistant labels or the information should be painted directly on the containers.

#### **P. CONTRACT AWARD**

Any contract awarded as a result of this IFB, will be awarded to the lowest responsive and responsible bidder, in accordance with the requirements in this IFB. However, Authority reserves the right to award its total requirements to one bidder, or to apportion those requirements among several bidders, as the Authority may deem to be in its best interests. The Term of the Blanket Purchase Order will be six months.

#### **Q. AUTHORITY'S RIGHTS**

1. The Authority reserves the right to accept or reject any and all bids, or any item or part thereof, or to waive any informalities or irregularities in bids.
2. The Authority reserves the right to withdraw or cancel this IFB at any time without prior notice. The Authority makes no representations that any contract will be awarded to any bidder responding to this IFB.
3. The Authority reserves the right to issue a new IFB for the project.
4. The Authority reserves the right to postpone the bid opening for its own convenience.

5. Each bid will be received with the understanding that acceptance by the Authority of the bid to provide the goods and services described herein shall constitute a contract between the bidder and Authority which shall bind the bidder on its part to furnish and deliver at the prices given and in accordance with conditions of said accepted bid and specifications.
6. The Authority reserves the right to investigate the qualifications of any bidder, and/or require additional evidence of qualifications to perform the work.

**R. PUBLIC RECORDS AND INFORMATION**

Bids received by Authority are considered public information and will be made available to the public if requested to do so.

**S. FORMS**

**1. Status of Past and Present Contracts Form**

Bidder is required to complete and sign the form entitled "Status of Past and Present Contracts" provided in this IFB and submit as part of the bid. Bidder shall identify the status of past and present contracts where the firm has either provided services as a prime vendor or a subcontractor during the past five (5) years in which the contract has been the subject of or may be involved in litigation with the contracting authority. This includes, but is not limited to, claims, settlement agreements, arbitrations, administrative proceedings, and investigations arising out of the contract. Bidder shall have an ongoing obligation to update the Authority with any changes to the identified contracts and any new litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations that arise subsequent to the submission of the bid.

A separate form must be completed for each identified contract. Each form must be signed by the Bidder confirming that the information provided is true and accurate. Bidder is required to submit one copy of the completed form(s) as part of its bid.

**2. List of Subcontractors Form**

Bidder shall complete Exhibit F, which lists all subcontractors performing work in excess of one half of one percent (1/2 of 1%) of the bid amount per the instructions set forth in Section I "Instructions to Bidders".

**3. Bid Opening Sign-In Sheet**

Bidders are advised that an *optional* teleconference for the bid opening on April 9, 2024, at 11:00 a.m. is available. The bid opening will begin promptly at 11:00 a.m. Callers are requested to dial in and mute the call. Bids are still to be submitted per the instructions of IFB 3-3067 Attendees are required to complete the sign-in sheet on Exhibit G to this IFB and email it to the undersigned at [sding@octa.net](mailto:sding@octa.net) no later than noon **November 9, 2023**.

**SECTION II: KEY CONTRACTUAL TERMS**



## **SECTION II. KEY CONTRACTUAL TERMS**

The following terms and conditions are highlighted to make bidders aware of the contractual parameters of this procurement.

### **A. ACCEPTANCE OF ORDER**

Bidder will be required to accept a written Agreement or Purchase Order in accordance with and including as a part thereof the published notice of Invitation For Bids, the requirements, conditions and specifications, with no exceptions other than those specifically listed in the written Agreement or Purchase Order.

### **B. CHANGES**

By written notice or order, Authority may, from time to time, make changes including but not limited to drawings, designs, specifications, delivery schedules, property and services furnished by Authority. If any such change causes an increase or decrease in price of this Agreement or Purchase Order or in the time required for its performance, the bidder shall promptly notify Authority thereof and assert its claim for adjustment within thirty (30) days after the change is ordered, and an equitable adjustment shall be negotiated. However, nothing in this clause shall excuse the bidder from proceeding immediately with the Agreement or Purchase Order as changed.

### **C. INVOICE AND PAYMENT**

A separate invoice shall be issued for each shipment. Unless otherwise specified in the Agreement or Purchase Order, no invoice shall be issued prior to shipment of goods. Payment due dates, including discount period, will be computed from date of receipt of goods or of correct invoice (whichever is later) to date Authority check is mailed. Any discount taken will be taken on full amount of invoice, unless other charges are itemized and discount thereon is specifically disallowed.

### **D. WARRANTIES**

1. Bidder warrants to Authority that, for a period of one year following Authority's inspection and acceptance of each item delivered hereunder, each item shall conform to the requirements hereof and will be free from defects. In addition to other remedies, which may be available, the Authority may, at its option, return any nonconforming or defective items to bidder and/or require correction or replacement of said item at the location of the item when the defect is discovered, all at bidder's risk and expense. If Authority does not require correction or replacement of nonconforming or defective items, bidder shall repay such portion of the payment specified herein or such additional amount as is equitable under the circumstances. Authority's rights hereunder are in addition to, but not limited by, bidder's

standard warranties. Inspection and acceptance of items by Authority, or payment therefore, shall not relieve bidder of its obligations hereunder.

2. Any supplies or parts thereof corrected or furnished in replacement pursuant to this clause shall also be subject to all the provisions of this clause to the same extent as supplies initially delivered.

**E. EXCESS REPROCUREMENT LIABILITY**

Bidder shall be liable to Authority for all expenses incurred by Authority in reprocurring elsewhere the same or similar items or services offered by bidder hereunder, should bidder fail to perform or be disqualified for failure to meet the terms and conditions set forth herein.

**F. PACKING AND SHIPPING**

All items shall be prepared for shipment and packed to prevent damage or deterioration and shipped at the lowest transportation rates in compliance with carrier tariffs. All shipments to be forwarded on one day, via one route, shall be consolidated. Each container shall be consecutively numbered, and marked with the herein Agreement or Purchase Order and part numbers. Container and Agreement or Purchase Order numbers shall be indicated on bill of lading. Two copies of packing slips, showing Agreement or Purchase Order number, shall be attached to No. 1 container of each shipment. Items sold F.O.B. origin shall be shipped prepaid. No charges will be paid by Authority for preparation, packing, crating, cartage or freight.

**G. TITLE AND RISK OF LOSS**

Unless otherwise provided in the Agreement or Purchase Order, bidder shall have title to and bear the risk of any loss of or damage to the items purchased hereunder until they are delivered in conformity with this Agreement or Purchase Order at the F.O.B. point specified herein, and upon such delivery title shall pass from bidder and bidder's responsibility for loss or damage shall cease, except for loss or damage resulting from bidder's negligence. Passing of title upon such delivery shall not constitute acceptance of the item by Authority.

**H. NEW MATERIALS**

Except as to any supplies and components which this Agreement or Purchase Order specifically provides need not be new, the bidder represents that the supplies and components to be provided under this Agreement or Purchase Order are new and of recent manufacture (not used or reconditioned or recycled, and not of such age or so deteriorated as to impair their usefulness or safety). If at any time during the performance of this Agreement or Purchase Order, the bidder believes that the furnishing of supplies or components which are not new is

necessary or desirable, bidder shall notify the Authority immediately, in writing, including the reasons therefore and proposing any consideration which will flow to the Authority if authorization to use such supplies is granted.

**I. INSPECTION AND ACCEPTANCE**

All items are subject to final inspection and acceptance by Authority at destination. Final inspection will be made within a reasonable time after receipt of items hereunder.

Payment will be made within a reasonable time after inspection and formal acceptance of the equipment by the Authority.

**J. INDEMNIFICATION**

Bidder shall indemnify, defend and hold harmless Authority, its officers, directors, employees and agents from and against any and all claims (including attorneys' fees and reasonable expenses for litigation or settlement) for any loss or damages, bodily injuries, including death, damage to or loss of use of property caused by the negligent acts, omissions or willful misconduct by bidder, its officers, directors, employees, agents, subcontractors or suppliers in connection with or arising out of the performance of this Agreement or Purchase Order.

**K. INFRINGEMENT INDEMNITY**

In lieu of any other warranty by Authority or bidder against infringement, statutory or otherwise, it is agreed that bidder shall defend at its expense any suit against Authority based on a claim that any item furnished under this Agreement or Purchase Order or the normal use or sale thereof infringes any United States Letters Patent or copyright, and shall pay costs and damages finally awarded in any such suit, provided that bidder is notified in writing of the suit and given authority, information and assistance at bidder's expense for the defense of the suit. Bidder, at no expense to Authority, shall obtain for Authority the right to use and sell said item, or shall substitute an equivalent item acceptable to Authority and extend this patent indemnity thereto.

**L. SUBCONTRACTORS AND ASSIGNMENTS**

Neither this Agreement nor Purchase Order, nor any interest herein, nor any claim hereunder, may be assigned by the bidder either voluntarily or by operation of law, nor may all or substantially all of this Agreement or Purchase Order be further subcontracted by the bidder without the prior written consent of the Authority. No consent shall be deemed to relieve the bidder of its obligations to comply fully with the requirements hereof.

**M. DISPUTES**

This Agreement or Purchase Order shall be construed and all disputes hereunder

shall be settled in accordance with the laws of the State of California. Pending final resolution of a dispute hereunder, bidder shall proceed diligently with the performance of this Agreement or Purchase Order.

**N. NOTICE OF LABOR DISPUTE**

Whenever bidder has knowledge that any actual or potential labor dispute may delay this Agreement or Purchase Order, bidder shall immediately notify and submit all relevant information to Authority. Bidder shall insert the substance of this entire clause in any subcontract hereunder, as to which a labor dispute may delay this Agreement or Purchase Order.

**O. AUDIT AND INSPECTION OF RECORDS**

Bidder and/or subcontractors shall provide Authority, or other agents of Authority, such access to bidder's and/or subcontractor's accounting books, records, payroll documents and facilities as Authority deems necessary to examine, audit, and inspect all books, records, work data, documents and activities directly related hereto. Bidder shall maintain books, records, data and documents according to generally accepted accounting principles and shall clearly identify and make such items readily accessible to such parties during bidder's performance hereunder and for a period of four (4) years from the date of final payment by Authority hereunder.

**P. PROHIBITED INTEREST**

The bidder covenants that, for the term of this agreement, no member, director, officer or employee of the Authority during his/her tenure in office or for one year thereafter shall have any interest, direct or indirect, in this Agreement or the proceeds thereof.

**Q. RIGHTS IN DATA**

Bidder agrees that all data including, but not limited to, drawings, tapes, software, photo prints and other graphic information required to be furnished under this Agreement or Purchase Order, together with any other information presented orally, shall be furnished with unlimited rights and as such, shall be free from proprietary restriction except as elsewhere authorized in this Agreement or Purchase Order. Bidder further agrees that all such data are owned by Authority and that bidder shall have no interest or claim thereto, and that said data is subject to the provisions of the Freedom of Information Act, 5 USC 552.

**R. FEDERAL, STATE AND LOCAL LAWS**

Bidder warrants that in the performance of this Agreement or Purchase Order it shall comply with all applicable federal, state, and local laws and ordinances and all lawful orders, rules and regulations.

**S. EQUAL EMPLOYMENT OPPORTUNITY**

If awarded an Agreement or Purchase Order resulting from this IFB, bidder shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, age or national origin. The bidder shall take affirmative action to ensure that applicants are employed, and that employees are treated, during their employment, without regard to their race, religion, color, sex, age or national origin. Such actions shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

**T. TERMINATION**

Authority may terminate this Agreement for its convenience at any time, in whole or part, by giving successful bidder written notice thereof. Upon termination, the Authority may pay the successful bidder allowable costs incurred to date of termination, and those costs deemed reasonably necessary by the Authority to effect such termination. In addition, the Authority may pay the successful bidder a percentage of profit, which relates to Agreement work, accomplished to date of termination, which shall be the date of notice of termination.

The Authority may terminate the Agreement if a federal or state proceeding for the relief of debtors is undertaken by or against the successful bidder or if the successful bidder makes an assignment for the benefit of creditors, or in the event the successful bidder breaches the terms or violates the conditions of the Agreement, and does not within ten (10) days thereafter, cure such breach or violation, the Authority may immediately terminate the Agreement for default. The successful bidder shall be liable for any and all costs incurred by the Authority as a result of such default, including but not limited to reprocurement costs of the same or similar services defaulted by the successful bidder under this Agreement.

**U. CONFLICT OF INTEREST**

All bidders responding to this IFB must avoid organizational conflicts of interest, which would restrict full and open competition in this procurement. An organizational conflict of interest means that due to other activities, relationships or contracts, a bidder is unable, or potentially unable to render impartial assistance or advice to the Authority; a bidder's objectivity in performing the work identified in the project specifications is or might be otherwise impaired; or a bidder has an unfair competitive advantage. Conflict of Interest issues must be fully disclosed in the bidder's bid.

**V. CODE OF CONDUCT**

All bidders agree to comply with the Authority's Code of Conduct as it relates to Third-Party contracts, which is hereby referenced and by this reference is

incorporated herein. All bidders agree to include these requirements in all of its subcontracts.

**SECTION III: PROJECT SPECIFICATIONS**

**PROJECT SPECIFICATIONS**  
**Battery Chargers for 40-foot Plug-In Battery Electric Buses**

**1. Overview**

The Orange County Transportation Authority (OCTA) intends to procure one (1), 450 kWh pantograph vehicle charging station (charger) and ten (10), 150 kWh battery chargers to be used to recharge on-board batteries of 40-foot-battery electric buses, electric vans, and other electric vehicles having a wide range of on-board battery storage capacities. The vehicles will be interfaced with the chargers are equipped with different battery chemistry, e.g., Lithium-ion (Li-ion), Nickel Manganese cobalt (NMC), Nickel Metal Hydride (Ni-MH), Lithium Sulphur (Li-S) and others and as such, the battery chargers are expected to operate seamless under all potential different charging protocols and conditions.

OCTA intends to have these chargers installed at the OCTA Santa Ana Base location.

**2. Definitions**

**Charging Equipment:** The equipment that encompasses all the components needed to convert, control and transfer electricity from the grid to the vehicle for the purpose of charging batteries. May include chargers, controllers, couplers, transformers, ventilation, etc.

**OEM:** Original equipment manufacturer.

**BEB.** Battery Electric Bus.

**SOC.** Batteries State of Charge.

**UL.** Underwriters Laboratories.

**OCCP.** Open Charge Point Protocol.

**Charging Interface:** The equipment and/or coupler used to create a connection between the charging equipment and the vehicle for the purpose of recharging a vehicle's batteries.

**Charging Station:** The location that houses the charging equipment connected to a utility's electric service to provide electricity to a vehicle's battery system through a charging interface.

**Code:** A legal requirement.

**Energy Storage System (ESS):** A component or system of components that stores energy and for which its supply of energy is rechargeable by the on-vehicle system (engine/regenerative braking/ generator) or an off-vehicle energy source.

**DC to DC Converter:** A module that converts a source of direct current from



one voltage level to another.

**High Voltage (HV):** Greater than 50 V(AC and DC).

**Zero-Emission Vehicle (ZEV):** A vehicle that emits no tailpipe emissions from the onboard source of power.

**Special Tools:** Tools not normally stocked by the Agency.

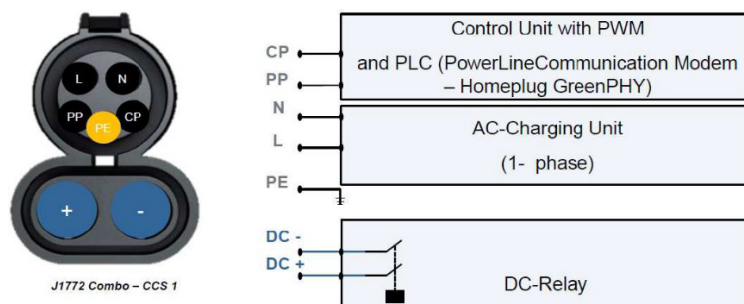
**State of Charge (SoC):** Quantity of electric energy remaining in the battery relative to the maximum rated amp-hour (Ah) capacity of the battery expressed in a percentage. This is a dynamic measurement used for the energy storage system. A full SoC indicates that the energy storage system cannot accept further charging from the engine-driven generator or the regenerative braking system.

**overhead conductive charger:** An overhead pantograph charger conforming to the SAE J3105-1 standard capable of delivering up to 450 kW or higher to the bus to support automated, on-demand, conductive charging. Can be used for depot or on-route charging operations.

## 2.1. Intended Use

The battery chargers are intended for OCTA's New Flyer Xcelsior heavy-duty bus platform, configured with a 438 kWh, Xalt Energy Storage System (ESS), in compliance with both SAE J3105 and OppCharge charging standards. The battery chargers shall be equipped with intelligent, programmable controllers capable of adjusting energy throughput to reduce cost based on demand charges.

The buses shall be charged using Direct Current (DC) CCS Type 1 compliant equipment based on, SAE J1772 and SAE J3068 standards and, rapid charging, using OppCharge compliant fast charging equipment. The bus builder is working to have full compliance with SAE J3105 standard. Bus charging can be initiated from either the charger user panel or the bus, however, will only begin once all programmed safety conditions are met. The bus monitors battery State of Charge (SOC), temperature and other parameters during charging and determines the maximum charge rate to be pulled from the charger. Alternatively, a low power charge can be selected at the charger panel.

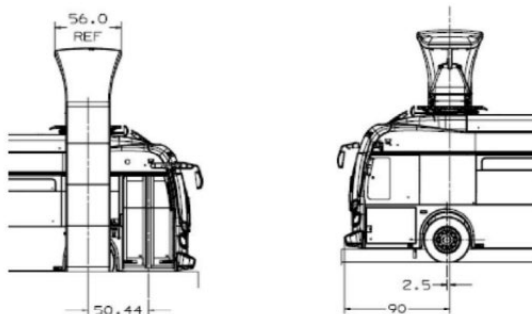
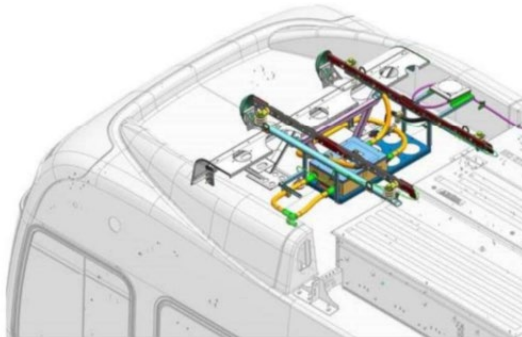


## 2.2. Pantograph. Overhead Charging Provisions

Contractor shall provide four-point contact, downward-extending pantograph style high power charger in compliance with SAE J3105-1 or, an applicable open standard required to be interfaced with the bus' roof-mounted contact rails to allow charging of the energy storage system on-route, at terminals, or at a depot, at the maximum recommended rate for the energy storage system.



The existing rails mounted on the roof of the OCTA buses are based on New Flyer's configuration in accordance with SAEJ3105 charge rail positioning. The approximate location is shown in the images below.



### **3.4 Referential Bus Specification**

Brand:	New Flyer
Fuel:	Battery Powered Buses
Battery Manufacturer:	XALT Energy Storage System
Battery Capacity:	438 kWh to 650 kWh
Connector Interface:	SAE J1772 standard
Pantograph:	SAE J3105 standard
Number:	C40LFR
Length:	40'
Axle type:	MAN V8-65L Front, 14,870 Lbs. & MAN HP-1352-B Rear, 27,760 Lbs.
Axle Ratio:	544:1

## **3. Requirements**

### **3.1. General**

The intent of this specification is to describe OCTA's expectations of the requested deliverables without necessarily describing each individual item, connector, product, features, attributes, functionality, interface, etc., in all-inclusive detail; therefore, the Contractor must comply with the requirements as stated in this project specifications document and submit its bid accordingly.

### **3.2. Legal**

All provided products and work shall comply with all applicable federal, state, local regulations, and accepted industry practices typical for this type of work/deliverables. The successful bidder shall not be allowed to subcontract more than fifteen percent (15%) of the total contractual award. In the event of any conflict between the requirements of this specification and any applicable legal requirement, the legal requirement shall prevail. Technical requirements that exceed the legal requirements are not considered to conflict.

### **3.3. Southern California Edison**

OCTA will potentially partner with Southern California Edison (SCE) and their Charge Ready Program. As such, the battery chargers that will be permitted are those currently approved by SCE, or at the time of bidder's proposal it a requirement for them to be SCE approved.

### **3.4. Material/workmanship**

All components provided/supplied shall be new and of Original Equipment Manufacturer (OEM). In no case shall be used, reconditioned, or obsolete

parts be accepted. Unless otherwise specified, the dimensions of all parts shall be in accordance with current standards, i.e., Society of Automotive Engineers (SAE) or the metric equivalent. All parts shall conform in material, design and workmanship to industry standards and shall meet or exceed all UL (Underwriters Laboratories) and/or Intertek ETL (Electrical Testing Labs) safety certifications and standards. No advantages shall be taken by the Contractor in the omission of any parts or details that make the battery chargers complete and ready for service, even though such parts or details are not mentioned in this Project Specifications.

Workmanship throughout shall conform to the highest standard of commercially accepted practice for this class of work/product/deliverables and shall result in a neat and finished appearance. Exposed metal surfaces that are susceptible to corrosion shall be properly prepared and coated with protective coating to insure against corrosion or deterioration during the operational life expectancy of the equipment. Chargers shall be equipped with emergency stop and, normal on & off switching provisions having clear, visual, or audible indicators of the charger's status indicating if the chargers are "Active/On or Non-Active/Off".

### **3.5. AC/DC ARC FLASH RISK ASSESSMENT**

Bidders must provide in their bid submittals, a charger's AC/DC Arc Flash Risk Assessment including the personal protective equipment (PPE) category required for personnel operating the units. Refer to Section 6. Submittal. It shall be the operator's responsibility to properly identify the Arc Flash Category level and PPE needed.

### **3.6. OEM Parts**

OCTA requires the use of OEM parts when available. Any substitutions for OEM parts with another manufacturer's part must be identified and be formally approved by OCTA before issuing the contract.

### **3.7. Bus OEM. New Flyer of America.**

The OEM builder, New Flyer of America, requires the plug-in chargers to operate under the SAE J1722 and, the pantograph chargers under SAE J3105 protocols.

For any questions and/or clarifications, please contact New Flyer's  
Walter Yang.

Regional Sales Manager.

C 480.688.0798

walter\_yang@newflyer.com

### **3.8. Delivery Schedule**

All hardware shall be delivered within one hundred and twenty (120) days

after award of agreement.

### **3.9. Training and Manuals**

Operating, maintenance and upkeeping Training shall be provided within one hundred twenty (120) days of award of agreement and shall include visual aids that will be retained by OCTA's Training Section, programming instructions, 10 sets of hardbound operating and service manuals plus, one set of electronic manuals intended to be uploaded in OCTA's electronic training library.

## **4. Specification**

### **4.1. Type**

The plug-in battery chargers shall be ABB HVC150C, or equivalent, individual depot charge boxes with pedestals or approved equal platforms. The battery chargers shall be OCPP 2.01 Certified.

#### **OPTIONAL PRICING REQUESTED.**

The chargers shall be configured to operate in a parallel fashion and shall be built with all necessary provisions to allow future expansion by being capable of having two additional, remote plug-in dispensers added, for a total of three energy delivery points, e.g., one via pantograph provisions, plus two via plug-in connectors.

At the time of delivery, the chargers shall be equipped with one-single plug-in dispenser.

### **4.2. Plug-In Chargers. Design Requirements:**

- a. The chargers shall be capable of connecting to a three-phase, 60 Hz electrical supply at 480 VAC, or approved alternative.
- b. Charging protocol, SAE J1772.
- c. Certified UL/CSA.
- d. The charging system must be able to dispense power as commanded by the battery management system of a range of vehicle types. Actual charge power is dependent on vehicle battery voltage and will decrease as battery voltage increases.
- e. While charging, power factor shall exceed 95 percent (or 0.95).
- f. Standby power consumption must be minimized.
- g. The charging equipment shall be capable of operating continuously in the manufacturer's designed operating profile without performance or safety degradations.
- h. The connectors shall not be energized except when mated with the bus mounted receptacle.
- i. Access doors shall be lockable (cabinets keyed the same) and use secure latching.

- j. Chargers shall be equipped with robust cable management hardware sufficient to safely, and effectively store charging cables, for 12-ft cable length, while providing operators with ease of connection to the bus. Cable management provisions shall, at all times, prevent the cable from touching the ground.
- k. Chargers shall allow the Authority to set operational power limits.
- l. New charging sessions shall be automatically restarted after power outage and restoration, to the extent safe and in accordance with applicable standards.
- m. Controls shall include features to prevent progressive charging system damage resulting from any one or more operating issues, or out-of-limit operating conditions.
- n. The electronics enclosures shall be located outdoors and as such, they must be rated at UL 508A or above.
- o. Each charger shall be capable of communicating to an external network for the purposes of charge management and control.
- p. Charging equipment with multiple dispensers shall be capable of providing power to all connected buses to provide battery and cabin temperature preconditioning.
- q. If multiple dispensers cannot be powered simultaneously, charging equipment provides a means of sequencing among the dispensers during and after charging to provide battery and cabin temperature preconditioning, as well as to continually restore any charge that may be lost in the bus while the dispenser was unpowered.
- r. Charging equipment is capable of scheduled completion of charges and temperature preconditioning activities where the schedule is settable and changeable by Authority.
- s. Chargers shall be equipped with local operator panel at dispenser for automatic or manual operation, for retrieving diagnostic codes, and for resetting charging session(s).
- t. External (emergency disconnect switch or main breaker shutoff) shall be provided in compliance with applicable electrical codes, standards, and requirements.

#### **4.3. Pantograph/Overhead Conductive Chargers. Design Requirements.**

At the time of delivery, the pantograph charger shall be equipped with provisions to interact with New Flyer's configuration in accordance with SAEJ3105 charge rail positioning and OCTA bus requirements.

#### **OPTIONAL PRICING REQUESTED.**

In addition to the pantograph charging provisions, the pantograph charger shall be designed/configured to operate in a parallel fashion, built with all necessary provisions to allow future expansion by being capable of having three remote plug-in dispensers added, at later date if the Authority desires to follow this route.

- a. The overhead conductive charging stations must comply with all applicable local, state, and federal codes.
- b. The charger shall be capable of connecting to a three-phase, 60 Hz electrical supply at 480 VAC, or approved alternative.
- c. The overhead pantograph support structural element shall be designed so it can attach to the horizontal ground as a freestanding structural element.
- d. The charging system must be able to dispense a rated continuous output of (approx.) 450 kWh.
- e. The connector type shall be inverted pantograph.
- f. The charging equipment shall be capable of operating continuously without performance or safety degradations in the OCTA environment, and under all weather conditions found in Orange County, California when interfaced with any electric bus or vehicle equipped with overhead railings.
- g. To ensure proper bus alignment, chargers shall utilize communication links in accordance with SAE J3105 standards to determine bus identity and when bus is properly aligned for extension of pantograph.
- h. Charging equipment shall be rated for wind and seismic loadings as determined by ASCE 7, with an importance factor of 1.0, while supporting a retracted or operationally extended pantograph and/or applicable conditions at the Authorities' San Ana Base location.
- i. While charging, power factor shall exceed 95 percent (or 0.95).
- j. Standby power consumption must be minimized.
- k. The connectors shall not be energized except when mated with the bus charge rails.
- l. Access doors shall be lockable (cabinets keyed the same) and use secure latching.
- m. Charger shall be capable of setting operational limitations on charging.
- n. New charging sessions shall be automatically restarted after power outage and restoration, to the extent safe and in accordance with applicable standards.
- o. Controls shall include features to prevent progressive charging system damage resulting from any one or more operating issues or out-of-limit operating conditions.
- p. If electronics enclosures are located outdoors, they must be rated at UL 508A or above.
- q. Each charger shall be capable of communicating to an external network for the purposes of charge management and control.
- r. The overhead pantograph shall be capable of manually disconnecting and retracting the charging interface in the event of a system or power failure.
- s. All manual operations for the chargers must include detailed, explicit instructions for ensuring that power is removed, and the system is safe prior to any work on the system.

- t. Chargers shall be equipped with local operator panels for manual operation, for retrieving diagnostic codes and for resetting charge session.
- u. The charging system must be equipped with [local operator panel, cloud-based system] for manual operation, retrieving diagnostic codes, and resetting charging sessions for the set of chargers being offered.
- v. External, emergency disconnect switch or main breaker shutoff shall be provided in compliance with electrical codes, standards, and local requirements.

#### **4.4. Data Collection/Applicable to Plug-in and Pantograph Chargers.**

##### **Description**

The following information for each charging event (session) will be collected and available via secure web interface, and available for download/export to Excel/CSV:

1. Telematic Interface with BEB's to log initial and final SOC and other pertinent data.
2. Odometer reading (fleet vehicles)
3. Charging session being Time Stamped (local time)
4. Unique ID for Charging Event
5. Unique ID for BEB based on the Authority's BEB numbering sequences, e.g., bus # 1210, 1211, etc.
6. Charger ID and Location.
7. Charging Event Duration (connect time)
8. Active Charging Time
9. Energy (kWh) delivered/dispensed.
10. Session fee (if any)
11. Unique ID for Authority Personnel or another user's connecting and activating the charger.
12. Report showing number of sessions by time, viewable by sessions per day, per week, or per month and exportable to Excel/CSV
13. Report showing total energy (kWh), viewable by energy per day, per week, or per month and exportable to Excel/CSV
14. Report showing each charger utilization (hours per day), configurable by hours of the day (e.g., 8am to 5pm), weekday vs weekend (or both).
15. Report showing revenue over time, viewable by day, by week, or by month and exportable to Excel/CSV
16. Report unauthorized charging incidents upon detection of unrecognizable vehicular ID.
17. Report irregular charging status, charging interruption, and inability to charge up vehicle due to any reasons.



#### **4.5. Networking and Cloud Services.**

##### **Applicable to Plug-ins and Pantograph chargers.**

1. Chargers must be networked for remote management – describe in comments how stations communicate with the network and with each other.
2. Chargers shall have the ability to operate on the OCPP Network (preferred).
3. Chargers must connect to the network via the Ethernet.
4. Chargers and Network must be PCI (Payment Card Industry) compliant.
5. Chargers must have the ability to notify the driver or fleet manager (for fleet vehicles) when charging is complete or if a charging session has been disrupted.
6. Chargers must have the ability to limit access to the station – describe in comments how user access may be restricted including ability to selectively hide the station from online services (mobile apps, station maps, etc.)
7. Chargers must have the ability to collect revenue from the driver – describe in comments how sessions are authorized and how funds are collected from drivers and settled with the station owner.
8. Chargers must have flexible pricing options, including hourly, by kWh, by session, and vary the price by time of day or length of session – describe pricing options in comments.
9. Chargers must be able to provide free charging to select vehicles/drivers – describe capabilities in comments.
10. Chargers' real-time status and availability must be available to drivers online via mobile app and/or website – described in comments.
11. Non-payment access control for Authority's vehicles.
12. Options for dual access for Level III chargers; payment and non-payment
13. Networking options with OCTA's S&A Fleetwatch system

#### 4.6. Supporting Materials.

- a. The bidder shall provide complete charging equipment specifications for the equipment being proposed.
- b. The bidder shall provide information and options for power supply requirements for individual chargers.
- c. The bidder shall provide mounting and installation manuals for all necessary components, including civil, electrical, and mechanical infrastructure requirements.
- d. If the bidder has multiple options above the required power level, those options should be clearly described, including costs for each.
- e. The bidder shall provide a complete description of the vendor qualifications that may be required to perform work related to installation or maintenance of the bidder's equipment.
- f. The bid package shall contain a complete description of the charging equipment, including:
  - Southern California Edison approval for the proposed chargers; plug-in and pantograph.
  - compliance with charge standards, electrical safety standards and UL classification.
  - charger efficiency.
  - charger dimensions/weight.
  - connector type.
  - rated power output.
  - standby power consumption.
  - a graph showing continuous current output versus voltage throughout the full operating range.
  - IP and/or NEMA ratings.
  - country of origin.
  - Buy America compliance.
  - ambient operating temperature ratings.
  - equipment thermal management; and
  - details on:
    - charging instructions.
    - automatic and manual control capabilities.
    - dispenser control panel display features and operator functions, if equipped.
    - communication management options (cellular, Ethernet, fiber, Wi-Fi).
    - operations and maintenance manuals.
    - options for preventive maintenance (contract with OEM terms/cost, training to perform with own forces/contracted third party).
    - electrical disconnect switch description; and
    - maintenance requirements.
- g. The Bidder must describe the methods for ensuring that charging equipment is capable of safely and effectively making connections and operating in all weather conditions, e.g., hot days, cooler days, rain, etc.

- h. In addition to the Authority's requirements, the bidder must describe software and connectivity options, web tools, APIs, etc. to facilitate data transmission to back offices and remote management of the charger.

#### **4.7. Quantity**

Ten (10), plug-in, HVC150C chargers with boxes, pedestals and all required parts and accessories, plus one (1) pantograph style charger with all required parts and accessories.

### **5. Logistics**

#### **5.1. Delivery Location**

Contractor shall be responsible for delivering all components provided to the Santa Ana Base location:

Santa Ana Base, Maintenance  
4301 West MacArthur Blvd.  
Santa Ana, CA 92704

#### **5.2. Damage**

If any abnormalities, damage, missing components, and any others are detected by OCTA personnel after the delivery of the chargers, the Contractor shall be responsible for correcting all discrepancies found during the OCTA's initial inspection at the OCTA facility. If the charger(s) are required to be sent out for repairs, then the Contractor shall be solely responsible for all packaging, shipping chargers, scheduling, fees, etc.

The contractor assumes all liabilities and risks associated with component delivery, storage, proper licensing and insurance for drivers and companies used to transfer components to and from OCTA's properties.

Contractor shall exclusively be responsible for all damages, liabilities, risks, and others, and excludes OCTA, OCTA property, OCTA personnel, representatives, agents and others of any liabilities, damages and/or risks associated with the delivery of these components to the specified OCTA Location.

#### **5.3. Service**

If the chargers fail to properly operate after installation in the OCTA facility, or within the warranty period, the Contractor shall be responsible to perform the needed repairs at the OCTA facility, within twenty-four (24) hours after receipt of the notification of failure. Labor required to remove and install a defective component, shall be billed back to the Contractor. If the charger(s) are required to be sent out for repairs, then the Contractor shall be solely responsible for all packaging, shipping chargers, scheduling, fees, etc.

## **5.4. Warranty**

An all-inclusive warranty, without exceptions, on all provided components shall be for thirty-six (36) months. The warranty shall commence after each charger's installation and after the in-service start up. All warranty services shall be provided by the Contractor, on site at OCTA's location where the chargers shall be installed. The contractor shall correct any, and all defects under the warranty provisions. After correcting the defect, the Contractor shall undertake all reasonably steps designed to prevent the occurrence of the same defect in all other chargers, or components impacted by the identified defect. The charger's in-service/operation dates shall be considered after their installation, and it shall be used as the start of the warranty. OCTA shall provide proof of in-service/operation start date.

### **Corrosion Warranty.**

The plug-in and pantograph chargers shall be covered by a 6-year, all inclusive, corrosion warranty. The Contractor shall be responsible for any needed upkeeping, application of coatings, maintenance and/or, periodic replacement of components prone to rust, or experiencing rusting conditions. All work shall be performed at the OCTA location where the chargers will be domiciled.

## **5.5. Training**

The contractor shall coordinate and schedule all training sessions with OCTA's Maintenance Training Section. Training may be held onsite or virtually as requested by OCTA. Additionally, Contractor shall be responsible for providing all manuals, study guides, audio visuals, materials, printouts, and all others required to provide the requested content on a class-room environment.

### **5.5.1. Operator Training**

Five (5) sessions of three (3) hours each, intended for OCTA's personnel responsible for operating, connecting, and disconnecting the chargers to the buses. Training shall include detailed safety guidelines, personnel protective equipment required, modes of operation and any others associated with this level of activities.

### **5.5.2. Maintenance Training**

Five (5) training sessions of three (3) hours each, intended for OCTA's Facility Maintenance personnel responsible for servicing, maintaining, performing daily operational checkups and all other tasks related to servicing the chargers associated with daily, routine, or periodic maintenance and servicing functions.

## **5.6. Diagnostic Tools.**

Contractor shall provide an itemized, and detailed list of tools, peripherals, interfaces, and any others required to perform diagnostics, status reviews, troubleshooting and any others associated with the maintenance and upkeep of the chargers and its software-based control system.

## **6. Submittal**

**Contractor/Bidder must provide the following information as part of their bid:**

1. Contractor's statement indicating its intention to meet all requirements listed in the scope of work including the expected delivery timeline using as a reference the notice to proceed.
2. AC/DC Arc Flash Risk Assessment for the charger's operation, servicing, and maintenance.
3. Applicable MSDS.
4. Production schedule, including manufacturing phases and delivery timeline to OCTA. All hardware shall be delivered within ninety (90) days of award of agreement. Training shall be delivered within one hundred twenty (120) days of award of agreement or, as scheduled by the Authority.
5. Manuals; four (4) Complete, separate sets of manuals including Servicing, Operating, Maintenance, Safety Guidelines, Software (or App) Operation, wireless interface, configuration changes, etc.
6. A clearly outlined and detailed list of components to be provided by the Contractor, e.g., charger, mounting pedestal, cable management provisions, software, interfaces, etc., including firm-fixed pricing, tax included, for all components, parts, systems, etc. to be provided in compliance with OCTA specs.
7. Complete, and detailed warranty statement.
8. Detailed list of diagnostic tools and peripherals required to inspect, service and maintain the chargers and its operational control system.

**SECTION IV: BID PACKAGE**

## **SECTION IV. BID PACKAGE**

The bidder shall complete all the forms identified below. The bid must not contain exceptions to or deviations from the terms or requirements of this IFB.

### **EXHIBIT A. BID FORM**

The bidder must complete the Bid Form. In addition to providing the lump sum bid, the bidder affirms that the Bid Form statements are true and correct.

**EXHIBIT B. PRICE SUMMARY SHEET** – pricing for all line items must be filled out. Bidders submitting an incomplete Price Summary Sheet will be deemed to be non-responsive.

### **EXHIBIT C. INFORMATION REQUIRED OF BIDDER**

Bidder must provide all the information requested in this form.

### **EXHIBIT E. STATUS OF PAST AND PRESENT CONTRACTS FROM**

Bidder shall complete and submit Exhibit E, per the instructions set forth in Section I “Instructions to Bidders.”

### **EXHIBIT F. LIST OF SUBCONTRACTORS**

Bidder shall complete and submit Exhibit F, per the instructions set forth in Section I “Instructions to Bidders.”

**EXHIBIT A: BID FORM**



**BID FORM**

INVITATION FOR BIDS NUMBER:	3-3067
DESCRIPTION:	BATTERY CHARGERS FOR 40- FOOT PLUG-IN BATTERY ELECTRIC BUSES
BIDDER'S NAME AND ADDRESS	_____ _____ _____
NAME OF AUTHORIZED REPRESENTATIVE	_____
TELEPHONE NUMBER	_____
FAX NUMBER	_____
EMAIL ADDRESS	_____
I acknowledge receipt of IFB and Addenda Numbers:	_____
AUTHORIZED SIGNATURE TO BIND BID:	_____
PRINT SIGNER'S NAME AND TITLE:	_____ _____
DATE SIGNED:	_____

**BLANKET PURCHASE ORDER**

Effective for a (6)-month term until December 31, 2024 for the Authority's requirements as specified in Section III, entitled "Project Specifications."

Prices quoted shall remain firm for the term of the Purchase Order and include direct costs, indirect costs, standby time, trip time, profits, and any other costs.

This bid shall be in effect for 120 days after the bid close date.

Any Purchase Order awarded as a result of this IFB will be awarded to the lowest priced, responsive and responsible Bidder and shall be on a lump sum basis, in accordance with the requirements in this IFB.

Bidders must submit pricing for **all items listed on Exhibit B, Price Summary Sheet**, in order to be considered responsive.

**EXHIBIT B: PRICE SUMMARY SHEET**

**PRICE SUMMARY SHEET**

Enter below the firm-fixed price for each item described in Section III, Project Specifications. Prices shall include direct costs, indirect costs, shipping and handling, profits, and any other costs specified in the Project Specifications.

Item No.	Ten (10) 150 KWH Battery charger and one (1) 350-500 KWH Pantograph	Qty	Unit Price	Extended
1	150 KWH Battery Charger, including all required provisions, cable management such as cable retractors etc., intended to prevent cable and connectors to make physical contact with the ground and all others as described in the technical specifications.	10	\$ _____/ea	\$ _____
2	350 - 500 KWH Complete Pantograph style battery charger with the support structure/provisions required to be mounted/bolted to the ground as a free-standing structure. The Pantograph style charger shall provide four-point contact, downward-extending pantograph style high power charger in compliance with SAE J3105-1 or, an applicable open standard required to be interfaced with the bus' roof-mounted contact rails to allow charging of the energy storage system on-route, at terminals, or at a depot, at the maximum recommended rate for the bus/or vehicle's energy storage system.	1	\$ _____/ea	\$ _____
3	Diagnostics tools and troubleshooting equipment and interfaces including detailed list with itemized pricing for each item. OCTA reserves the right to select any, all or none of the items provided under this category.	1	\$ _____/ea	\$ _____
4	<b>Operator Training Hours:</b> Fifteen (15) Training hours to be provided at any OCTA facility located in Orange County, California, shall include all maintenance, service and repair manuals, study guides, audio visuals, materials, printouts and, all others required to provide the requested content in a class-room environment.	15 hrs.	\$ _____/hr	\$ _____
5	<b>Maintenance Training Hours:</b> Fifteen (15) Training hours to be provided at any OCTA facility located in Orange County, California, shall include all needed/required maintenance, service and repair manuals, study guides, audio visuals, materials, printouts and, all others required to provide the requested content in a class-room environment.	15 hrs.	\$ _____/hr	\$ _____
6	<b>Optional Pricing: For OCTA</b> to set up pantograph charger to operate in a parallel fashion, built with all necessary provisions to allow future expansion by being capable of having three remote plug-in dispensers added, at later date if the Authority desires to follow this route.	1	\$ _____/ea	\$ _____
7	<b>Warranty all inclusive, 36 months starting after commissioning (full install and operational) the</b> for 150KWH Battery Charger, Depot Charge box, cables and others	10	\$ _____/ea	\$ _____
8	<b>Warranty Corrosion, all inclusive, all components, 72 months starting after commissioning (full install and operational) the</b> for 150KWH Battery Charger, Depot Charge box, cables and others	10	\$ _____/ea	\$ _____
9	<b>Pantograph. All inclusive Warranty</b> , 36 months starting after commissioning (full install and operational) the for pantograph battery Charger, including enclosures, retracts, protections, articulation, cables and others	1	\$ _____/ea	\$ _____
10	<b>Pantograph. Corrosion Warranty, all inclusive, all components, for 72 months starting after commissioning (full install and operational status) the</b> for pantograph Battery Charger, Depot Charge box, cables and others	1	\$ _____/ea	\$ _____
11	Delivery charges			\$ _____
12	Santa Ana sales Tax 9.25% (applicable to parts only)			\$ _____
<b>TOTAL PRICE:</b>			\$ _____	

**EXHIBIT C: INFORMATION REQUIRED OF BIDDER**

**INFORMATION REQUIRED OF BIDDER**

The bidder is required to supply the following information. Additional sheets may be attached if necessary.

1. Name of Bidder: \_\_\_\_\_
2. Business Address: \_\_\_\_\_
3. Telephone (    ) \_\_\_\_\_ Fax (    ) \_\_\_\_\_ E-Mail: \_\_\_\_\_
4. Type of Firm - Individual, Partnership or Corporation: \_\_\_\_\_
5. Corporation organized under the laws of state of: \_\_\_\_\_
6. Contractor's License No.: \_\_\_\_\_ Class \_\_\_\_\_ Years of Experience: \_\_\_\_
7. Expiration Date of License: \_\_\_\_\_
8. Is your firm a certified small business in California? Yes \_\_\_\_ No \_\_\_\_
9. List the names and addresses of all owners of the firm or names and titles of all officers of the corporation:
10. List at least three project references for services rendered in the last two years:

Type of Service/Product	Date Completed	Name and Address of Owner	Contact Name, Phone Number and Email address	Total Cost

**EXHIBIT D: HEALTH, SAFETY & ENVIRONMENTAL SPECIFICATIONS**

## LEVEL 1 HEALTH, SAFETY AND ENVIRONMENTAL SPECIFICATIONS

### PART I – GENERAL

#### 1.1 GENERAL HEALTH, SAFETY & ENVIRONMENTAL REQUIREMENTS

- A. The Contractor, its subcontractors, suppliers, and employees have the obligation to comply with all Authority health, safety and environmental compliance department (HSEC) requirements of this safety specification, project site requirements, bus yard safety rules, as well as all federal, state, and local regulations pertaining to scope of work, contracts or agreements with the Authority. Additionally, manufacturer requirements are considered incorporated by reference as applicable to this scope of work.
- B. Observance of repeated unsafe acts or conditions, serious violation of safety standards, non-conformance of Authority health, safety and environmental compliance department (HSEC) requirements, or disregard for the intent of these safety specifications to protect people and property, by Contractor or its subcontractors may be cause for termination of scope or agreements with the Authority, at the sole discretion of the Authority.
- C. The health, safety, and environmental requirements, and references contained within this scope of work shall not be considered all-inclusive as to the hazards that might be encountered. Safe work practices shall be planned and performed, and safe conditions shall be maintained during this work scope.
- D. The Authority Project Manager shall be responsible to ensure a safety orientation is conducted of known potential hazards and emergency procedures for all Contractor personnel, subcontractors, suppliers, vendors, and new employees assigned to the project prior to commencement of the project.
- E. The Contractor shall ensure that all Contractor vehicles, including those of its subcontractors, suppliers, vendors and employees are parked in designated parking areas, and comply with traffic routes, and posted traffic signs in areas other than the employee parking lots.
- F. California Code of Regulations (CCR) Title 8 Standards are minimum requirements; each Contractor is encouraged to exceed minimum requirements. When the Contractor's safety requirements exceed statutory standards, the more stringent requirements shall be applied for the safeguard of public and employees.

#### 1.2 REGULATORY

- A. Injury/Illness Prevention Program  
The Contractor shall comply with CCR Title 8, Section with California Code of Regulations (CCR) Title 8, Section 3203. The intent and elements of the IIPP shall be implemented and enforced by the Contractor and its sub-tier contractors, suppliers, and vendors. The program shall be provided to the Authority's Project Manager, upon request, within 72 hours.



## LEVEL 1 HEALTH, SAFETY AND ENVIRONMENTAL SPECIFICATIONS

- B. Substance Abuse Prevention Program  
Contractor shall comply with the Policy or Program of the Company's Substance Abuse Prevention Policy that complies with the most recent Drug Free Workplace Act. The program shall be provided to the Authority's Project Manager, upon request, within 72 hours.
- C. Heat Illness Prevention Program  
Contractor shall comply with CCR Title 8, Section, Section 3395, Heat Illness Prevention. The program shall be provided to the Authority's Project Manager, upon request, within 72 hours.
- D. Hazard Communication Program  
Contractor shall comply with CCR Title 8, Section 5194 Hazard Communication Standard. Prior to use on Authority property and/or project work areas Contractor shall provide the Authority Project Manager copies of SDS for all applicable chemical products used, if any. The program shall be provided to the Authority's Project Manager, upon request, within 72 hours.
- a. All chemicals including paint, solvents, detergents and similar substances shall comply with South Coast Air Quality Management District (SCAQMD) rules 103, 1113, and 1171.
- E. Storm Water Pollution Prevention Plan  
The Contractor shall protect property and water resources from fuels and similar products throughout the duration of the contract. Contractor shall comply with Storm Water Pollution Prevention Plan (SWPPP) requirements. The program or plan if required by scope shall be provided to the Authority's Project Manager, upon request, within 72 hours.

### 1.3 INCIDENT NOTIFICATION AND INVESTIGATION

- A. The Authority shall be promptly notified of any of the following types of incidents including but not limited to:
1. Damage incidents of property (incidents involving third party, contractor or Authority property damage);
  2. Reportable and/or Recordable injuries (as defined by the U. S. Occupational Safety and Health Administration), a minor injury, and near miss incidents;
  3. Incidents impacting the environment, i.e. spills or releases on Authority projects or property.
  4. Outside Agency Inspections; agencies such as Cal/OSHA, DTSC, SCAQMD, State Water Resources Control Board, FTA, CPUC, EPA, USACE and similar agencies.

## LEVEL 1 HEALTH, SAFETY AND ENVIRONMENTAL SPECIFICATIONS

- B. Notifications shall be made to Authority representatives, employees and/or agents. This includes incidents occurring to contractors, vendors, visitors, or members of the public that arise from the performance of Authority contract work. An immediate verbal notice followed by an initial written incident investigation report shall be submitted to the Authority's Project Manager within 24 hours of the incident.
- C. A final written incident investigative report shall be submitted within seven (7) calendar days and include the following information. The Current Status of anyone injured, photos of the incident area, detailed description of what happened, Photos of the existing conditions and area of the injury/incident, the contributing factors that lead to the incident occurrence, a copy of the company policy or procedure associated with the incident and evaluation of effectiveness, copy of task planning documentation, copy of the Physician's first report of injury, copy of Cal/OSHA 300 log of work related injuries and illnesses, the Cal/OSHA 301 Injury Illness Incident Report, and corrective actions initiated to prevent recurrence. This information shall be considered the minimum elements required for a comprehensive incident report provided to OCTA.
- D. A Serious Injury, Serious Incident, OSHA Recordable Injury/Illness, or a Significant Near Miss shall require a formal incident review at the discretion of the Authority's Project Manager. The incident review shall be conducted within seven (7) calendar days of the incident. This review shall require a company senior executive, company program or project manager from the Contractors' organization to participate and present the incident review as determined by the OCTA Project Manager. The serious incident presentation shall include action taken for the welfare of the injured, a status report of the injured, causation factors that lead to the incident, a root cause analysis (using 5 whys and fishbone methods), and a detailed recovery plan that identifies corrective actions to prevent a similar incident, and actions to enhance safety awareness.
  - 1. Serious Injury: includes an injury or illness to one or more employees, occurring in a place of employment or in connection with any employment, which requires inpatient hospitalization for a period in excess of twenty-four hours for other than medical observation, or in which an employee suffers the loss of any member of the body, or suffers any serious degree of physical disfigurement. A serious injury also includes a lost workday or reassignment or restricted injury case as determined by the Physician's first report of injury or Cal/OSHA definitions.
  - 2. Serious Incident: includes but not limited to property damage of \$500.00 or more, an incident requiring emergency services (local fire, paramedics and ambulance response), news media or OCTA media relations response, and/or incidents involving other agencies (Cal/OSHA, EPA, AQMD, DTSC, Metrolink, FTA, FRA etc.) notification or representation.
  - 3. OSHA Recordable Injury / Illness: includes and injury / illness resulting in medical treatment beyond First Aid, an injury / illness which requires restricted duty, or an injury / illness resulting in days away from work.

## LEVEL 1 HEALTH, SAFETY AND ENVIRONMENTAL SPECIFICATIONS

4. Significant Near Miss Incident: includes incidents where no property was damaged and no personal injury sustained, but where, given a slight shift in time or position, damage and/or injury easily could have occurred.

### 1.4 DESIGNATED HEALTH AND SAFETY REPRESENTATIVE

- A. Upon contract award, the contractor within 10 business days shall designate a health and safety representative and provide a resume and qualifications to the Authority project manager, upon request, within 72 hours.
- B. This person shall be a competent or qualified individual as defined by the Occupational, Safety, and Health Administration (OSHA), familiar with applicable CCR Title 8 Standards (Cal/OSHA) and has the authority to affect changes in work procedures that may have associated cost, schedule and budget impacts.

### 1.5 PERSONAL PROTECTIVE EQUIPMENT

- A. The Contractor, its subcontractors, suppliers, and employees are required to comply with applicable personal protective equipment (PPE) requirements while performing work at any Authority project or property. Generally minimum PPE requirements include eye protection; hearing protection, head protection, class 2 or 3 safety reflective vests, and appropriate footwear.
- B. The Contractor, its subcontractors, suppliers, and employees are required to provide their own PPE, including eye, head, foot, and hand protection, safety vests, or other PPE required to perform their work safely on Authority projects or property. The Authority requires eye protection on construction projects and work areas that meet ANSI Z-87.1 Standards.

### 1.6 REFERENCES

- A. CCR Title 8 Standards (Cal/OSHA)
- B. FCR Including 1910 and 1926 Standards
- C. NFPA, NEC, ANSI, NIOSH Standards
- D. Construction Industry Institute (CII)
- E. OCTA Yard Safety Rules

END OF SECTION

**EXHIBIT E: STATUS OF PAST AND PRESENT CONTRACTS FORM**

**STATUS OF PAST AND PRESENT CONTRACTS FORM**

On the form provided below, Offeror/Bidder shall list the status of past and present contracts where the firm has either provided services as a prime vendor or a subcontractor during the past five (5) years in which the contract has been the subject of or may be involved in litigation with the contracting authority. This includes, but is not limited to, claims, settlement agreements, arbitrations, administrative proceedings, and investigations arising out of the contract.

A separate form must be completed for each contract. Offeror/Bidder shall provide an accurate contact name and telephone number for each contract and indicate the term of the contract and the original contract value. Offeror/Bidder shall also provide a brief summary and the current status of the litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations. If the contract was terminated, list the reason for termination.

Offeror/Bidder shall have an ongoing obligation to update the Authority with any changes to the identified contracts and any new litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations that arise subsequent to the submission of the bid. Each form must be signed by an officer of the Offeror/Bidder confirming that the information provided is true and accurate.

<b>Project city/agency/other:</b>	
<b>Contact Name:</b>	<b>Phone:</b>
<b>Project Award Date:</b>	<b>Original Contract Value:</b>
<b>Term of Contract:</b>	
<b>(1) Litigation, claims, settlements, arbitrations, or investigations associated with contract:</b>	
<b>(2) Summary and Status of contract:</b>	
<b>(3) Summary and Status of action identified in (1):</b>	
<b>(4) Reason for termination, if applicable:</b>	

By signing this Form entitled "Status of Past and Present Contracts," I am affirming that all of the information provided is true and accurate.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**EXHIBIT F: LIST OF SUBCONTRACTORS**

**LIST OF SUBCONTRACTORS**

List only the subcontractors which will perform work or labor or render services to the Bidder in excess of one-half of one percent of the Bidder's total bid amount. Do not use alternative subcontractors for the same work. (Use additional sheets if necessary.)

<b>Name &amp; Address Under Which Subcontractor is Licensed</b>	<b>License Number</b>	<b>Specific Description of Work to be Rendered</b>	<b>Type</b>	<b>Dollar Amount</b>
				\$
				\$
				\$
				\$
				\$
				\$
				\$

<b>TOTAL VALUE OF SUBCONTRACTED WORK</b>	<b>\$</b>
--	-----------

Bidder's Name: \_\_\_\_\_

<b>*Type:</b>	
1. Subcontractor	3. Trucker
2. Vendor/Supplier	4. Broker

**EXHIBIT G: BID OPENING SIGN-IN REGISTRATION**





## **BID OPENING REGISTRATION**

**IFB #: 3-3067**

**Date: November 9, 2023, 11:00 a.m.**

**Title: Battery Chargers for 40-Foot Plug-In Battery Electric Buses**

<b>Company Name</b>	<b>Attendee's Name</b>	<b>Email Address</b>
<b>Attendee's Signature:</b>	<hr/>	



## COMMITTEE TRANSMITTAL

**March 25, 2024**

**To:** Members of the Board of Directors

**From:** Andrea West, Clerk of the Board *Andrea West*

**Subject:** Amendment to Agreement for Detail Bus Cleaning and Pesticide Application Services

Transit Committee Meeting of March 14, 2024

**Present:** Directors Aitken, Amezcua, Do, Harper, Jung, Klopfenstein, and Sarmiento

**Absent:** None

**Committee Vote**

This item was passed by the Members present.

**Committee Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-0-2702 between the Orange County Transportation Authority and Gamboa Services, Inc., doing business as Corporate Image Maintenance, in the amount of \$810,550, to exercise the two-year option term of the agreement effective May 1, 2024 through April 30, 2026, for continued detail bus cleaning and pesticide application services. This will increase the maximum obligation of the agreement to a total contract value of \$1,887,276.



**March 14, 2024**

**To:** Transit Committee

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

**Subject:** Amendment to Agreement for Detail Bus Cleaning and Pesticide Application Services

### **Overview**

On April 12, 2021, the Orange County Transportation Authority Board of Directors approved an agreement with Gamboa Services, Inc. doing business as Corporate Image Maintenance, to provide detail bus cleaning and pesticide application services for a three-year initial term with one, two-year option term. The initial term expires April 30, 2024. Staff is requesting Board of Directors' approval to exercise the two-year option term.

### **Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-0-2702 between the Orange County Transportation Authority and Gamboa Services, Inc., doing business as Corporate Image Maintenance, in the amount of \$810,550, to exercise the two-year option term of the agreement effective May 1, 2024 through April 30, 2026, for continued detail bus cleaning and pesticide application services. This will increase the maximum obligation of the agreement to a total contract value of \$1,887,276.

### **Discussion**

Transit buses routinely require detail cleaning and pesticide application services to effectively control pests. The Orange County Transportation Authority (OCTA) pest management program consists of contracted services for licensed application of pesticides, placement of bait, and detail cleaning after baiting. Detail cleaning is an important element of the program, providing for pest prevention as well as removal of chemical residue that follows pesticide applications. OCTA has historically used a contractor with experience in detail bus cleaning and appropriately certified to handle the chemicals used for this service. Exercising the option term within the current contract for these services

will allow the contractor to continue providing the required scheduled pesticide and bait application, up to four times per year on buses, and a complete interior detail cleaning after pesticide application on these buses.

***Procurement Approach***

This procurement was handled in accordance with Board of Directors (Board)-approved policies and procedures for professional and technical services. On April 12, 2021, the Board approved award of the agreement with Gamboa Services, Inc., doing business as Corporate Image Maintenance, in the amount of \$1,076,726, for a three-year initial term with a two-year option term effective May 1, 2021 through April 30, 2024. The original agreement was awarded on a competitive basis and has been previously amended as described in Attachment A.

The proposed Amendment No. 2 is to exercise the option term of the agreement through April 30, 2026. Amending this agreement will increase the maximum cumulative payment obligation by \$810,550, bringing the total contract value to \$1,887,276 to continue services.

Pricing for the option term will remain the same through April 30, 2026, as negotiated in the original agreement.

**Fiscal Impact**

The project was approved in OCTA's Fiscal Year 2023-24 Budget, Operations Division, Maintenance Department, account nos. 2162-7613-D3107-2WP, 2168-7613-D3107-2WP, and 2194-7613-D3107-2WP. Operations Division, Contracted Services, account nos. 2136-7613-D1208-0B2, 2137-7613-D1244-0B1, 2138-7613-D2108-0GH, and 2148-7613-D2140-0JT and is funded through the Local Transportation Fund.

***Summary***

Based on the information provided, staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-0-2702 with Gamboa Services, Inc., doing business as Corporate Image Maintenance, in the amount of \$810,550, to exercise the two-year option term effective May 1, 2024 through April 30, 2026, for detail bus cleaning and pesticide application services. This will increase the maximum obligation of the agreement to a total contract value of \$1,887,276.

***Attachment***

- A. Gamboa Services, Inc. doing business as Corporate Image Maintenance  
Agreement No. C-0-2702 Fact Sheet

**Prepared by:**

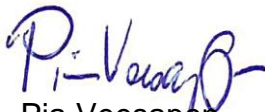


Cliff Thorne  
Director, Maintenance Administration  
714-560-5975

**Approved by:**



Johnny Dunning, Jr.  
Chief Operating Officer, Operations  
714-560-5710



Pia Veasapen  
Director, Contracts Administration  
and Materials Management  
714-560-5619

**Gamboa Services, Inc. doing business as Corporate Image Maintenance  
Agreement No. C-0-2702 Fact Sheet**

1. April 12, 2021, Agreement No. C-0-2702, \$1,076,726, approved by the Board of Directors (Board).
  - Agreement to provide detail bus cleaning and pesticide application services for a three-year initial term effective May 1, 2021 through April 30, 2024, with a two-year option term.
2. October 5, 2021, Amendment No. 1 to Agreement No. C-0-2702, \$0, approved by the Contracts Administration and Materials Management Department.
  - Amendment to update Exhibit A, Scope of Work and Exhibit B, Price Summary Sheet defined in the agreement at no increase to the maximum cumulative payment obligation.
3. March 25, 2024, Amendment No. 2 to Agreement No. C-0-2702, \$810,550, pending approval by the Board.
  - Amendment to exercise a two-year option term of the agreement from May 1, 2024 through April 30, 2026.

Total committed to Gamboa Services, Inc., doing business as Corporate Image Maintenance, after approval of Amendment No. 2 to Agreement No. C-0-2702: \$1,887,276.



## COMMITTEE TRANSMITTAL

**March 25, 2024**

**To:** Members of the Board of Directors

**From:** Andrea West, Clerk of the Board

A handwritten signature in cursive script, reading 'Andrea West', is written over the printed name of the Clerk of the Board.

**Subject:** May 2024 OC Bus Service Change

Transit Committee Meeting of March 14, 2024

**Present:** Directors Aitken, Amezcua, Do, Harper, Jung, Klopfenstein, and Sarmiento

**Absent:** None

**Committee Vote**

This item was passed by the Members present.

**Committee Recommendation**

Receive and file as an information item.



**March 14, 2024**

**To:** Transit Committee  
**From:** Darrell E. Johnson, Chief Executive Officer  
**Subject:** May 2024 OC Bus Service Change

### **Overview**

The proposed May 2024 OC Bus service change consists of the implementation of minor adjustments in response to customer comments and operator feedback. These upcoming changes are consistent with the regular service change process.

### **Recommendation**

Receive and file as an information item.

### **Background**

The Orange County Transportation Authority (OCTA) generally implements regular schedule and route revisions to selected OC Bus routes up to four times a year (February, May, August, and November). The proposed OC Bus service changes discussed herein are scheduled for implementation on May 12, 2024.

### **Discussion**

OCTA continually monitors the performance of the bus transit service and adjusts to improve the service. The adjustments take into account changes in traffic conditions, changes in school schedules or land use, and customer comments as well as coach operator feedback. The changes also consider the performance of OC Bus routes and are intended to improve overall transit service.

The proposed changes for the May 2024 OC Bus service change will focus on improvements to service quality and reliability. This service change focuses on the following improvements:

- Schedule adjustments to improve on-time performance and/or time schedules with school bell times on Routes 30, 37, 43, 46, 50, 53, 59, 60, 64, 71, 79, 83, 167, 178, 529, and 543.



- Additional bus trips on Routes 37, 43, and 47.
- Minor schedule adjustments to address customer feedback on Route 70.
- Seasonal transition to summer schedules for Routes 1, 29, 47, and 89 due to an increase in beach traffic.

The May 2024 OC Bus service change does not recommend realignment or discontinuation of any routes. The recommendations are detailed in Attachment A and represented in Attachment B.

The proposed changes will result in a minor decrease in OC Bus service levels of about 56 fewer revenue vehicle hours annually. Overall, the decrease in annual revenue vehicle hours is due to service adjustments on OC Bus routes that operate year-round, which offset the temporary increases during the summer. System-wide service levels will remain at about 1.46 million annual revenue vehicle hours.

### ***Summary***

The proposed May 2024 OC Bus service change will result in minor adjustments to OC Bus service. These adjustments include improvements to service quality and reliability. Customers will be notified of the changes three weeks prior to implementation.

### ***Attachments***

- A. May 2024 Service Change: Bus Route Recommendations
- B. May 2024 Bus Service Change: Bus Routes Recommendations

#### **Prepared by:**



Eric Hoch  
Transportation Analyst, Sr.  
(714) 560-5830

#### **Approved by:**



Kia Mortazavi  
Executive Director, Planning  
(714) 560-5741

**May 2024 Service Change: Bus Route Recommendations**

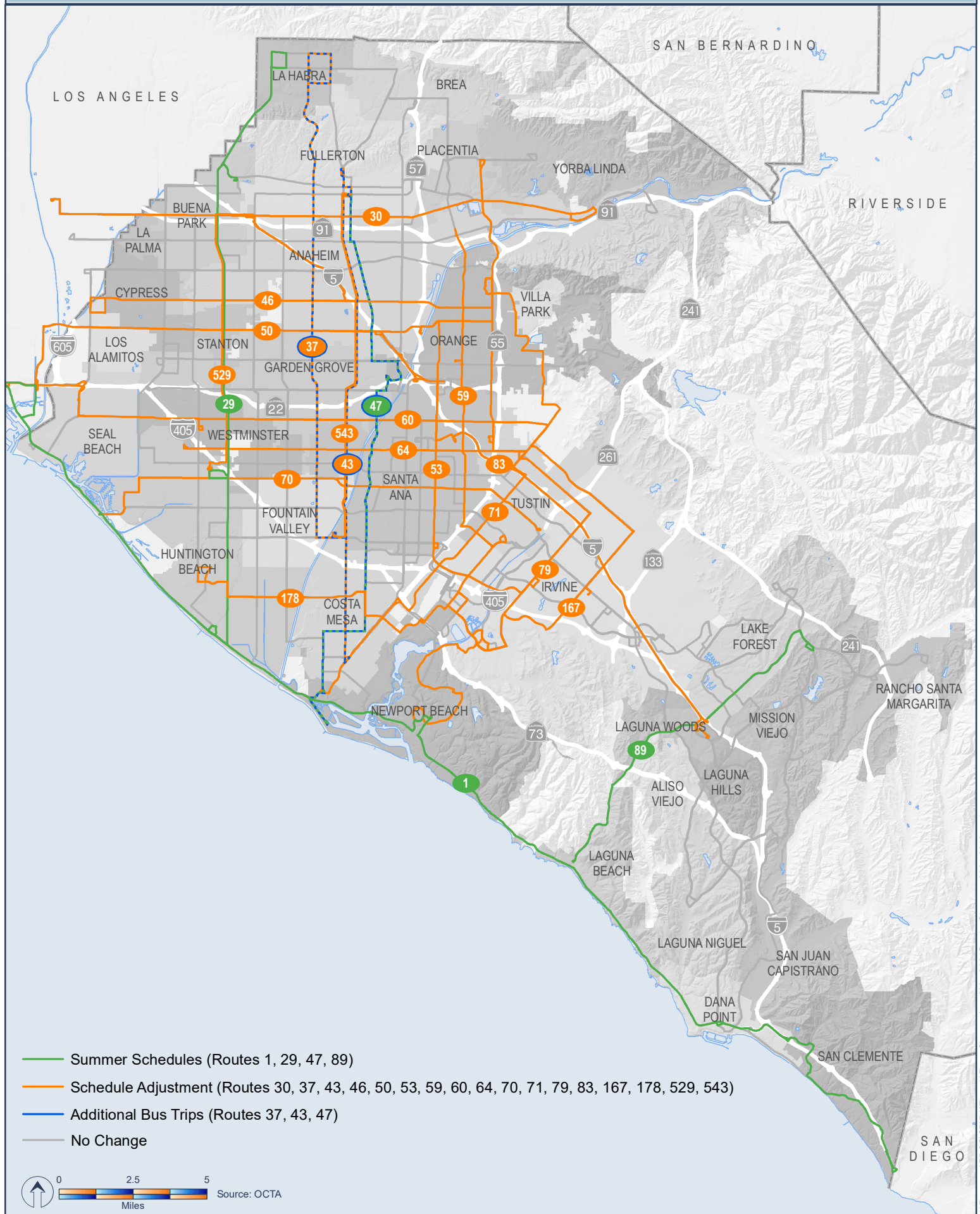
		CHANGE IN SERVICE LEVELS				
Route	Description	WKD RVH	SAT RVH	SUN RVH	Annual RVH	Peak Vehicles
<b>Service Adjustments</b>						
37	Add one NB afternoon WKD trip to mitigate overcrowding due to student ridership	(0.2)	-	-	(60)	1
43	Add one NB evening WKD trip to maintain 30-minute service until 11:00pm	1.8	-	-	459	-
46	Adjust WKD schedule to accommodate students at Gilbert High School	-	-	-	-	-
47	Adjust WKD schedule and add three new SB morning WKD trips to mitigate overcrowding due to student ridership at Godinez Fundamental High School and Costa Mesa High School	1.6	-	-	395	-
59	Adjust WKD schedule to accommodate students at Century High School	-	-	-	-	-
64	Adjust WKD schedule to transition to 12-minute peak frequency earlier in the afternoon to mitigate overcrowding at Santa Ana High School	-	-	-	-	-
70	Adjust WKD start time of one EB afternoon trips to connect with Metrolink train	-	-	-	-	-
76	Adjust WKD schedule to accommodate students at Segerstrom High School	0.1	-	-	21	-
79	Adjust WKD start time of one NB afternoon trip to accommodate students at C.E. Utt Middle School	0.1	-	-	21	-
167	Adjust WKD schedule to accommodate students at University High School and Foothill High School	0.1	-	-	21	-
<b>On-Time Performance Schedule Adjustments</b>						
1	WKD, SAT, SUN summer schedule	15.6	9.6	9.6	1,254	2
29	WKD, SAT, SUN summer schedule	2.5	17.4	12.0	563	2
30	WKD schedule adjustments to improve OTP	0.8	-	-	191	-
43	SAT, SUN schedule adjustments to improve OTP	-	0.3	0.3	28	-
47	WKD, SAT, SUN summer schedule	11.0	13.0	13.0	1,053	1
50	WKD schedule adjustments to improve OTP	(8.0)	(0.1)	(0.0)	(2,042)	(1)
53	WKD schedule adjustments to improve OTP	(1.1)	(0.0)	(0.0)	(293)	-
60	SAT schedule adjustments to improve OTP	-	(0.2)	-	(8)	-
64	WKD schedule adjustments to improve OTP	(5.2)	-	-	(1,334)	(1)
71	WKD schedule adjustments to improve OTP	(3.0)	-	-	(757)	-
83	WKD, SAT, SUN schedule adjustments to improve OTP	-	-	-	-	-
89	WKD, SAT, SUN summer schedule	2.1	3.2	4.4	240	1
178	WKD schedule adjustments to improve OTP	1.4	-	-	344	(1)
529	WKD schedule adjustments to improve OTP	(0.7)	-	-	(179)	-
543	WKD schedule adjustments to improve OTP	0.1	-	-	26	-
<b>Total</b>		<b>18.7</b>	<b>43.1</b>	<b>39.1</b>	<b>(56)</b>	<b>4</b>

**Acronyms**

EB - eastbound	SB - southbound
NB - northbound	SUN - Sunday
OTP - on-time performance	WB - westbound
RVH - revenue vehicle hour	WKD - weekday
SAT- Saturday	

# May 2024 Service Change: Bus Route Recommendations

**ATTACHMENT B**





## COMMITTEE TRANSMITTAL

**March 25, 2024**

**To:** Members of the Board of Directors  
**From:** Andrea West, Clerk of the Board *Andrea West*  
**Subject:** Consultant Selection for Real Property Management Services

Transit Committee Meeting of March 14, 2024

**Present:** Directors Aitken, Amezcua, Do, Harper, Jung, Klopfenstein, and Sarmiento  
**Absent:** None

**Committee Vote**

This item was passed by the Members present.

**Committee Recommendations**

- A. Approve the selection of Cal Pacific Land Services, Inc., as the firm to provide real property management services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-3-2807 between the Orange County Transportation Authority and Cal Pacific Land Services, Inc., as the firm to provide real property management services, in the amount of \$750,000, for a five-year term.



**March 14, 2024**

**To:** Transit Committee

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

**Subject:** Consultant Selection for Real Property Management Services

### **Overview**

On October 20, 2023, the Orange County Transportation Authority issued a request for proposals for consultant services to provide real property management services for Orange County Transportation Authority-owned properties. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute the agreement for these services.

### **Recommendations**

- A. Approve the selection of Cal Pacific Land Services, Inc., as the firm to provide real property management services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-3-2807 between the Orange County Transportation Authority and Cal Pacific Land Services, Inc., as the firm to provide real property management services, in the amount of \$750,000, for a five-year term.

### **Discussion**

The Orange County Transportation Authority (OCTA) Real Property Department staff manages OCTA-owned properties such as the Orange/Olive railroad right-of-way (ROW), the abandoned Pacific Electric railroad ROW, multiple highway-widening projects, and other OCTA-owned properties acquired in support of highway and transit projects.

There are approximately 1,000 licenses related to these properties that require regular monitoring for rent increases, proof of insurance documentation, and property inspections. There is also a continuous need to amend existing licenses

and to negotiate new license terms. OCTA also needs to manage several occupied commercial properties in connection with the Capital Delivery Program. The current contract for these services expires on March 31, 2024. Board of Director's (Board) approval is requested to execute a new agreement to allow for real property management specialized services to continue.

### ***Procurement Approach***

This procurement was handled in accordance with OCTA's Board-approved procedures for professional and technical services. In addition to cost, many other factors are considered in an award for professional and technical services. The award is recommended to the firm offering the most comprehensive overall proposal, considering such factors as project organization and staffing, prior experience with similar projects, work plan, as well as cost and price.

On October 20, 2023, Request for Proposals (RFP) 3-2807 was issued electronically on CAMM NET. The RFP was advertised in a newspaper of general circulation on October 21 and October 26, 2023. A pre-proposal conference was held on October 30, 2023, with four attendees representing three firms. Three addenda were issued to provide a copy of the pre-proposal registration sheet and presentation, provide responses to questions received, and handle administrative issues related to the RFP.

On November 20, 2023, six proposals were received. An evaluation committee consisting of OCTA staff from Contracts Administration and Materials Management, Real Property, and Rail Capital Programs departments, as well as an external representative from the Southern California Regional Rail Authority, met to review all proposals received. The proposals were evaluated based on the following evaluation criteria and weightings:

- |                                     |            |
|-------------------------------------|------------|
| • Qualifications of the Firm        | 20 percent |
| • Staffing and Project Organization | 30 percent |
| • Work Plan                         | 30 percent |
| • Cost and Price                    | 20 percent |

Several factors were considered in developing the criteria weights. Qualifications of the firm was weighted at 20 percent to ensure that the firm has the capability and experience to complete the project. Staffing and project organization was weighted at 30 percent as the firm must demonstrate the professional qualifications of the project manager and key personnel which are critical to ensure successful project completion. The work plan was weighted at 30 percent to emphasize the importance of the technical approach and understanding of the RFP's requirements in developing timely schedules and



work approach. Cost and price was weighted at 20 percent to ensure that OCTA receives value for the services provided.

On December 18, 2023, the evaluation committee reviewed all proposals based on the evaluation criteria and short-listed the three most qualified firms listed below in alphabetical order:

Firm and Location

Cal Pacific Land Services, Inc. (CPLS)  
Headquarters: Garden Grove, California  
Project Office: Garden Grove, California

Epic Land Solutions, Inc. (Epic)  
Headquarters: Torrance, California  
Project Office: Torrance, California

Paragon Partners Consultants, Inc. (PPC)  
Headquarters: Cypress, California  
Project Office: Cypress, California

On January 3, 2024, the evaluation committee interviewed the short-listed firms. The interviews consisted of a presentation allowing each team to present its qualifications, highlight its proposal, and respond to evaluation committee questions. Each firm was asked general questions relative to qualifications, staffing, proposed project organization, and approach to the work plan, as well as specific clarification questions related to each firm's proposal.

After considering responses to the questions asked during the interviews, the evaluation committee reviewed the preliminary ranking and made no adjustments to the preliminary scores. CPLS remained the top-ranked firm with the highest cumulative score.

The short-listed firms were requested to submit a Best and Final Offer (BAFO) at the conclusion of the interviews to address missing price proposal information. Based on the evaluation of the written proposals, information obtained during the interviews, and the BAFO, the evaluation committee recommends CPLS as the top ranked firm to provide real property management services. CPLS ranked highest among the proposing firms because of the tenure and relevant experience in performing real property management services for railroad ROW. The firm demonstrated a clear understanding of the project requirements and presented a comprehensive work plan for tasks that are critical to the success of the project.

The following is a summary of the proposal evaluation results.

#### Qualifications of the Firm

All three short-listed firms demonstrated relevant experience providing real property management services for other agencies. Positive references were received for all three short-listed firms.

CPLS was founded in 2008. The firm consists of three personnel, including the founder. CPLS is a land services and ROW consulting firm specializing in railroad ROW property management services for public agencies. CPLS has experience providing relevant services, including reviewing licenses, property inspections, determining fair market rent, negotiations, document preparation, and reporting. CPLS currently provides railroad property management services for OCTA and for the ports of Los Angeles and Long Beach, encompassing over 1,500 licenses. Previously, CPLS provided tenant file review and audit services to OCTA for the Los Angeles–San Diego–San Luis Obispo (LOSSAN) Rail Corridor ROW project, and property management to OCTA on an on-call basis as a subcontractor. CPLS proposed one subconsultant to provide title services.

Epic was founded in 2000 and has over 50 real estate and utility professionals at their headquarters in the City of Torrance. Epic is a full-service real property and utility coordination professional services firm. Epic provides program management consultant services for the Riverside County Transportation Commission (RCTC) for active and non-active railroad ROW and miscellaneous property and provided rail ROW property management services for the San Bernardino County Transportation Authority (SBCTA). Epic is responsible for managing over 100 licenses and nearly 300 insurance certifications for RCTC and SBCTA, combined. Some tasks being performed include reviewing licenses, performing site visits, determining market rent, negotiating leases, coordination with rail owners, collection of rent, mapping, and reporting.

Paragon was founded in 1993 and is headquartered in the City of Cypress and has over 100 ROW consultants and support personnel. The firm provides comprehensive ROW, land rights, and project management consulting services to public agencies and private clients. The firm has provided ROW, acquisition, and/or analysis services to OCTA on various projects. The firm currently provides on-call property management and ROW services to the Orange County Sanitation District, and lease management/property management services to the ports of Los Angeles and Long Beach.



### Staffing and Project Organization

All short-listed firms proposed experienced project managers, key personnel, and subconsultants with relevant real property management experience.

CPLS proposed a project team that has relevant experience performing real property management activities similar to those required in the RFP. The proposed project manager (PM) has 25 years of experience providing property management services for public agencies, primarily for railroad ROW. The proposed ROW agent has several decades of ROW and real property experience, including eight years with CPLS, and is proposed as the personnel to fulfill the requirement for providing in-house services. The proposed ROW agent's relevant experience includes assessment of fair market rent, rent review and increases, negotiating and revising license agreements, collection of past due rent, tracking and obtaining current insurance certificates, property inspections, preparing notices, tracking rent, and report preparation. Both proposed personnel are currently providing railroad ROW property management services under OCTA's current agreement, and to the ports of Los Angeles and Long Beach. During the interview, the proposed team discussed roles and experience of each personnel and elaborated on the approach to the scope of work (SOW), as well as responding to the evaluation committee's questions regarding availability of personnel.

Epic proposed a team that demonstrated experience performing many of the real property management activities required in the SOW. The proposed PM has 11 years of experience providing property management of railway and rail corridors, including as a PM for on-call property management services for RCTC and railroad ROW property management for SBCTA. The firm's proposal indicated that a site inspector, rather than an ROW agent identified in the RFP, would be provided. The proposed site inspector was proposed as a dedicated field personnel for conducting property inspections and handling utility coordination tasks. The proposed site inspector has three years of relevant experience, including one year with Epic, with relevant experience on the RCTC project. The team has demonstrated experience with various responsibilities related to the services, including management of license agreements, quality control, budgeting, property inspections, and document administrative duties. During the interview, the team responded to the evaluation committee's questions, though some responses were high level and offering little clarity.

Paragon proposed a team that demonstrated experience performing many of the real property management activities required in the SOW. The proposed PM has 35 years of diverse real estate experience, including licenses, document preparation, management of excess land, and management of a real estate team while working at the Los Angeles County Metropolitan Transportation Authority (LA Metro). At LA Metro, the PM's role included management of a real

estate team that provided property management assistance in relation to various light rail projects. Paragon's proposed ROW agent has seven years of experience as a field contractor. The proposed ROW agent was designated as the in-house personnel. During the interview, the team responded to the evaluation committee's questions, with limited participation by the proposed ROW agent.

#### Work Plan

All short-listed firms met the requirements of the RFP, and each firm adequately discussed its approach to real property management services.

CPLS presented a comprehensive work plan to meet the requirements of the RFP. The proposal demonstrated the firm's understanding of the services, addressed the key responsibilities, and how each would be accomplished. Potential issues and challenges were identified with a description of effective solutions to those issues. CPLS discussed a solution to challenges encountered in establishing fair market rent for short-term licenses, with an added purpose of reducing OCTA's maintenance responsibilities and risk profile. The work plan also described the sometimes-contentious nature of prior rights and public utility use of the ROW along with the approach to deescalating conflict and resolving matters with these entities. The work plan describes tracking insurance certificates and reviewing those issued prior to a certain date for potentially updating the requirements prior to renewal. The firm's proposal described enhancements to the master agreement for utilities, additional conversion of old agreements into new ones with updated rates, and updating ROW maps as new properties are obtained. Quality assurance and quality control (QA/QC) practices were addressed. The schedule control discussion included long lead items and problem items first. Budget control was addressed and would focus efforts on the priorities. CPLS' work plan aligns with the SOW mandate for delivering a specified minimum number of hours for in-house support which will be fulfilled by the proposed ROW agent.

Epic presented a work plan that addressed the specific RFP requirements for the services. The firm's overall approach to meeting the requirements is accomplished through four main actions, including maximizing revenue, regular inspections to provide predictable property maintenance, minimizing liability, and the use of technology. The proposal identified potential special issues and solutions, such as determining fair market value through a comparative, across-the-fence methodology. The proposal also described how the firm successfully resolved a property ownership dispute with a railroad. Fair market rent and rent increases are proposed to be established through fair market evaluation and consumer price index adjustments. The work plan included a discussion on the automation of the tracking of tenant insurance documents and the process to ensure certificates of insurance remain current. The firm's QA/QC

process includes file audits, internal audits, and checklists. The schedule control discussion included critical path schedule items and communication with OCTA personnel. The firm proposed budget control approaches such as tracking expenses and efficient use of personnel. The minimum hours for the in-house personnel were not discussed in the proposal.

Paragon broadly presented a work plan that addressed the RFP requirements. The firm demonstrated a general understanding of the tasks required to manage OCTA property, going into depth for some tasks but not others. Proactive approaches to revenue review were presented. The firm provided a detailed plan of the means and methods they would use to conduct fair market valuations. The work plan indicated that the team would verify that proper insurance certificates were received without further elaboration. The firm's proposed QA/QC process includes a checklist and a specific plan. Schedule control would be addressed through regular status meetings with OCTA. The firm's budget control process referred to tracking estimated costs versus actual costs. The minimum hours for the in-house personnel were not discussed in the proposal.

#### **Cost and Price**

Pricing scores were based on a formula which assigned the highest score to the firm with the lowest weighted average hourly rate, and scored the other proposals' weighted average hourly rates based on their relation to the lowest weighted average hourly rate. While the weighted average hourly rate proposed by CPLS is the highest amongst the three short-listed firms, CPLS demonstrated its qualifications and tenure in providing real property management services. CPLS personnel possess extensive experience providing property management services for railroad ROW. Having CPLS' proposed ROW agent in-house enhances OCTA's operational efficiency. CPLS' proposed rates are within OCTA's independent cost estimate.

#### **Procurement Summary**

Based on the evaluation of the written proposals, information obtained during the interviews, and the BAFO, the evaluation committee recommends the selection of CPLS as the firm to provide real property management services. CPLS demonstrated relevant experience, proposed highly qualified key personnel, and delivered a comprehensive proposal and interview that was responsive to all the requirements of the RFP.

**Fiscal Impact**

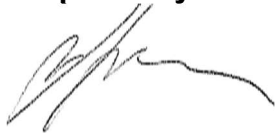
This project was approved in OCTA's Fiscal Year 2023-24 Budget, Capital Programs Division, account nos. 0018-7514-D4803-DKM, 0018-7514-T1000-OJS, and 1722-7514-D2601-ODK, and is funded using Local Transportation and Commuter Rail Urban Endowment funds.

**Summary**

Staff requests Board of Directors' authorization for the Chief Executive Officer to negotiate and execute Agreement No. C-3-2807 with Cal Pacific Land Services, Inc., in the amount of \$750,000, for real property management services, for a five-year term.

**Attachments**

- A. Review of Proposals, RFP 3-2807 Real Property Management Services
- B. Proposal Evaluation Criteria Matrix (Short-Listed), RFP 3-2807 Real Property Management Services
- C. Contract History for the Past Two Years, RFP 3-2807 Real Property Management Services

**Prepared by:**

Joe Gallardo  
Manager, Real Property  
(714) 560-5546

**Approved by:**

James G. Beil, P.E.  
Executive Director, Capital Programs  
(714) 560-5646



Pia Veasapen  
Director, Contracts Administration and  
Materials Management  
(714) 560-5619

**Review of Proposals**

**RFP 3-2807 Real Property Management Services**

Presented to the Transit Committee - March 14, 2024

**6 proposals were received, 3 firms were interviewed, 1 firm is being recommended**

Overall Ranking	Overall Score	Firm & Location	Subconsultants	Evaluation Committee Comments	Weighted Average Hourly Rate
1	85	Cal Pacific Land Services, Inc. Garden Grove, California	Commonwealth National Commercial Services	<p>Firm has demonstrated experience providing railroad right-of-way (ROW) property management services for public agencies, including for the Orange County Transportation Authority (OCTA) and the ports of Los Angeles and Long Beach.</p> <p>The proposed project manager (PM) has 25 years of experience providing property management services for public agencies, primarily with railroad property management and currently provides services to OCTA.</p> <p>Firm presented a comprehensive work plan that addressed the specific request for proposals (RFP) requirements, including the minimum in-house hours.</p> <p>The proposed ROW agent has several decades of ROW and real property management experience and currently provides services to OCTA.</p> <p>One subconsultant proposed for title services.</p> <p>Positive references received.</p> <p>Firm provided detailed responses to interview questions, supporting the information in the proposal and confirmed the availability for each proposed personnel.</p>	\$121
2	79	Epic Land Solutions, Inc. Torrance, California	None	<p>Firm has demonstrated experience providing railroad ROW-related services to public agencies, including property management services for the Riverside County Transportation Commission and ROW property management services to the San Bernardino County Transportation Authority.</p> <p>The proposed PM has 11 years of experience providing property management services for railway and rail corridors.</p> <p>The proposed site inspector, in lieu of a ROW agent, has three years of relevant experience, including one year with the firm.</p> <p>Firm presented a work plan that addressed the specific RFP requirements.</p> <p>Firm proposed no subconsultants.</p> <p>Positive references received.</p> <p>Firm responded to all interview questions, though some were high level offering little clarity.</p>	\$108
3	73	Paragon Partners Consultants, Inc. Cypress, California	None	<p>Firm has demonstrated experience providing property management and ROW services to the Orange County Sanitation District, and lease management/property management services to the ports of Los Angeles and Long Beach.</p> <p>The proposed PM is licensed with 35 years of diverse real estate experience, document preparation, management of excess land, and management of a real estate team, including with the Los Angeles Metropolitan Transportation Authority.</p> <p>The proposed ROW agent has seven years of experience as a field contractor.</p> <p>Firm broadly presented a work plan that addressed the RFP requirements.</p> <p>Firm proposed no subconsultants.</p> <p>Positive references received.</p> <p>Firm provided responses to all interview questions with limited participation from the proposed ROW agent.</p>	\$107

**Evaluation Panel: Five Members**

Internal:

- Contracts Administration and Materials Management (1)
- Real Property (2)
- Rail Capital Programs (1)

External:

- Southern California Regional Rail Authority (1)

**Evaluation Criteria:**

Qualifications of the Firm

- Staffing and Project Organization
- Work Plan
- Cost and Price

**Weight Factors**

- 20 percent
- 30 percent
- 30 percent
- 20 percent

**PROPOSAL EVALUATION CRITERIA MATRIX (SHORT-LISTED)**  
**RFP 3-2807 Real Property Management Services**

<b>Cal Pacific Land Services, Inc.</b>							
Evaluator Number	1	2	3	4	5	Weights	Criteria Score
Qualifications of Firm	4.5	4.5	4.5	4.5	4.0	4	<b>17.6</b>
Staffing/Project Org	4.0	4.0	4.0	4.0	3.5	6	<b>23.4</b>
Work Plan	4.5	4.5	4.0	4.5	4.5	6	<b>26.4</b>
Cost and Price	4.42	4.42	4.42	4.42	4.42	4	<b>17.7</b>
<b>Overall Score</b>	<b>86.7</b>	<b>86.7</b>	<b>83.7</b>	<b>86.7</b>	<b>81.7</b>		<b>85</b>

<b>Epic Land Solutions, Inc.</b>							
Evaluator Number	1	2	3	4	5	Weights	Criteria Score
Qualifications of Firm	4.5	4.5	4.5	4.0	4.5	4	<b>17.6</b>
Staffing/Project Org	3.0	3.0	3.0	3.0	3.0	6	<b>18.0</b>
Work Plan	4.0	3.5	4.0	4.0	4.0	6	<b>23.4</b>
Cost and Price	4.95	4.95	4.95	4.95	4.95	4	<b>19.8</b>
<b>Overall Score</b>	<b>79.8</b>	<b>76.8</b>	<b>79.8</b>	<b>77.8</b>	<b>79.8</b>		<b>79</b>

<b>Paragon Partners Consultants, Inc.</b>							
Evaluator Number	1	2	3	4	5	Weights	Criteria Score
Qualifications of Firm	3.5	4.0	4.0	4.0	4.0	4	<b>15.6</b>
Staffing/Project Org	3.0	3.5	3.0	3.0	3.0	6	<b>18.6</b>
Work Plan	3.0	3.0	3.0	3.0	4.0	6	<b>19.2</b>
Cost and Price	5.0	5.0	5.0	5.0	5.0	4	<b>20.0</b>
<b>Overall Score</b>	<b>70.0</b>	<b>75.0</b>	<b>72.0</b>	<b>72.0</b>	<b>78.0</b>		<b>73</b>

Range of scores for the non-short-listed firms was 29 to 47.

**CONTRACT HISTORY FOR THE PAST TWO YEARS**  
**RFP 3-2807 Real Property Management Services**

Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
<b>Cal Pacific Land Services, Inc.</b>						
Contract Type: Time and Expense	C-8-1853	Real Property Management Services	March 19, 2019	March 30, 2024		\$675,000
<i>Subconsultants:</i>						
<i>Integra Realty Resources</i>						
<b>Total</b>						<b>\$675,000</b>
<b>Epic Land Solutions, Inc.</b>						
Contract Type: Time and Expense	C-9-1613	On-Call Right-of-Way Support Services for Capital Improvement Projects	July 31, 2020	July 31, 2024		\$3,500,000
<i>Subconsultants:</i>						
<i>Bess Testlab, Inc.</i>						
<i>Coast Surveying</i>						
<i>Commonwealth Land Title Company</i>						
<i>Desmond, Marcello &amp; Amster</i>						
<i>Diaz Yourman &amp; Associates</i>						
<i>Donna Desmond Associates</i>						
<i>Golden State Escrow, Inc.</i>						
<i>Guida Surveying Inc.</i>						
<i>Hodges Lacey &amp; Associates LLC</i>						
<i>Integra Realty Resources- Orange County</i>						
<i>Integra Realty Resources - Los Angeles</i>						
<i>Keith Settle &amp; Company, Inc.</i>						
<i>Psomas</i>						
<i>Santolucito Doré Group, Inc.</i>						
<i>TLC Interpreting &amp; Translation Services, LLC</i>						
<b>Total</b>						<b>\$3,500,000</b>
<b>Paragon Partners Consultants, Inc.</b>						
Contract Type: N/A	N/A	N/A	N/A	N/A		N/A
<i>Subconsultants:</i>						
N/A						
<b>Total</b>						<b>\$0</b>



## COMMITTEE TRANSMITTAL

**March 25, 2024**

**To:** Members of the Board of Directors

**From:** Andrea West, Clerk of the Board *Andrea West*

**Subject:** Amendments to Agreements for Design Support Services and Construction Management Services for the OC Streetcar Project

### Transit Committee Meeting of March 14, 2024

**Present:** Directors Aitken, Amezcua, Do, Harper, Jung, Klopfenstein, and Sarmiento

**Absent:** None

### **Committee Vote**

This item was passed by the Members present.

### **Committee Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 14 to Agreement No. C-5-3337 between the Orange County Transportation Authority and HNTB Corporation, in the amount of \$2,000,000, and extend the agreement term through August 31, 2025, 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 \$34,083,841.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 21 to Agreement No. C-6-0926 between the Orange County Transportation Authority and PGH Wong Engineering, Inc., in the amount of \$7,700,000, and extend the agreement term through February 28, 2025, for continued OC Streetcar project construction management services. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$42,782,570.





**March 14, 2024**

**To:** Transit Committee

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

**Subject:** Amendments to Agreements for Design Support Services and Construction Management Services for the OC Streetcar Project

### **Overview**

The Orange County Transportation Authority is currently underway with the implementation of the OC Streetcar project. Staff is seeking Board of Directors' approval for two contract amendments for design support services and construction management services needed to support the ongoing delivery of the OC Streetcar project.

### **Recommendations**

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 14 to Agreement No. C-5-3337 between the Orange County Transportation Authority and HNTB Corporation, in the amount of \$2,000,000, and extend the agreement term through August 31, 2025, 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 \$34,083,841.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 21 to Agreement No. C-6-0926 between the Orange County Transportation Authority and PGH Wong Engineering, Inc., in the amount of \$7,700,000, and extend the agreement term through February 28, 2025, for continued OC Streetcar project construction management services. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$42,782,570.

***Discussion***

The Orange County Transportation Authority (OCTA), in cooperation with the cities of Garden Grove and Santa Ana, is implementing a modern streetcar that will operate between the Santa Ana Regional Transportation Center in the City of Santa Ana and the intersection of Harbor Boulevard and Westminster Avenue in the City of Garden Grove. The OC Streetcar project (Project) will improve transit connectivity and accessibility, increase transit options, relieve congestion, and provide benefits to the community and traveling public. The Project is being implemented as part of Measure M2 (M2) Project S – Transit Extensions to Metrolink, approved by Orange County voters in November 2006.

Construction activities have been underway since the issuance of the Notice to Proceed to Walsh Construction Company II, LLC, (Walsh) on March 4, 2019. As of the end of February 2024, Construction is approximately 86 percent complete. Construction milestones include the completion of the Santa Ana River and Westminster bridges with the placement of handrails, installation of all tracks and overhead contact system (OCS) poles, placement of approximately 80 percent of the roadway final pavement and striping work, and the reopening of the Santa Ana Boulevard and Santiago Street intersection.

In the Pacific Electric Right-of-Way (PEROW) portion of the alignment, ballasted rail installation was completed, and fence installation is ongoing. The at-grade crossings at Fairview Street, Fifth Street, and Raitt Street are completed with train warning and gate systems installation efforts ongoing. At the maintenance and storage facility (MSF), key activities near completion include installation of exterior walls, conduit and piping, roofing material and skylights, interior painting, heating, ventilation, air conditioning, and bi-fold doors and windows. Given the significance of the MSF to vehicle testing, staff is continuing to coordinate with Walsh to ensure significant completion of the MSF for vehicle storage at the earliest possible date.

Other ongoing construction activities include preparation for the final pavement and striping work at the Santa Ana Boulevard and Ross Street intersection, and Segments 4 and 5, placement of new traffic signal poles at various street intersections, placement of decorative pavers and concrete at Sasscer Park, installation of OCS hardware and overhead wires, service connections for the four traction power substations, installation of canopy and equipment at all 16 stations, parking lot construction at the Harbor Boulevard and Santa Ana

Regional Transportation Center stations, and preparation for tree installation along Fourth Street.

Pursuant to Federal Transit Administration (FTA) requirements, staff will be conducting a project risk assessment consistent with achieving 90 percent construction completion. Staff will return to the Board of Directors (Board) to present the results of the risk analysis, including any adjustments to the project cost and schedule, in late 2024. Until the risk assessment process is complete, staff is seeking a 12-month extension for agreements with HNTB Corporation (HNTB) for continued design support during construction (DSDC) and with PGH Wong Engineering, Inc., (PGH Wong) for continued construction management support. This approach will allow the project team to manage the respective contract budgets most effectively until an adjusted project completion date can be determined. Additionally, staff continues to closely monitor consultant support costs to ensure all work efforts are efficient and aligned with managing the contractor to complete project construction. Staff will review these costs each month with the contractors and elevate those discussions as needed to confirm efficiency in their work products.

#### HNTB

As the engineer of record, HNTB is providing DSDC as required by the contract, and efforts are consistent with most major construction projects. The efforts include review and response to Walsh's requests for information (RFIs), and review and acceptance of required contractor drawings and specifications submittals. The high number of interrelated elements of this Project, including railroad communications, trackwork, and a 50,000 square-foot MSF, make the design and construction complex and require the technical expertise of multiple disciplines. This complexity, especially at the MSF with design elements for electrical, mechanical, structural, civil, communication, and security, has resulted in the high number of submittals, RFIs, and in some cases, design modifications to address unforeseen conditions.

A significant increase in the level of effort and an extended period of performance has been required of HNTB due to project challenges. As of mid-February 2024, Walsh has submitted 1,793 RFIs and 2,208 contract submittals, each of which require review and action by the designer. This level of effort is significantly higher than what was anticipated at the time of the original contract execution.

A continuation of services is required for review and acceptance of contractor submittals, review and response to RFIs, preparation of requested modifications

to plans and specifications to address unforeseen conditions discovered during construction and/or to enhance system operations and safety and participate in project meetings with the construction management team to ensure and facilitate configuration of remaining project elements being constructed.

Beginning in July 2022, the Board approved continued DSDC services for HNTB in 12-month increments. This approach allows the project team to better assess field conditions and more reasonably estimate the anticipated quantity of remaining submittals, RFIs, and design modifications that require HNTB's support. RFIs and submittals are anticipated to continue for project elements that are being finalized for start-up and testing, including communication systems, railroad signaling systems, traction power substations, the OCS, and the MSF. The current contract has remaining funds through August 2024, and staff is requesting Board approval to amend the contract to ensure continuity of services. Until the project completion date can be finalized, staff has developed a conservative assumption on the required level of effort needed through August 2025 based on prior utilization of resources.

Amendment No. 14, in the amount of \$2,000,000, is required for continuity of services to avoid construction delays and to extend the term of the agreement through August 31, 2025.

PGH Wong

On July 25, 2016, the Board approved an agreement with PGH Wong for a five-year term to provide construction management services (CMS) for the Project. As the construction manager on behalf of OCTA, PGH Wong has been administering and overseeing the construction contract. Some of the key tasks under this contract include:

- Coordination between Walsh and the project team
- Performing quality assurance, including inspections
- Oversight of safety and environmental compliance
- Change management and claims support
- Oversight of labor compliance
- Support services for testing, commissioning, and start-up
- Coordination with other third-party stakeholders (cities of Garden Grove and Santa Ana, County of Orange, and Orange County Fire Authority)
- Day-to-day construction management activities, including project reporting and documentation, review of payment applications, and document control

On December 13, 2021, the Board approved Amendment No. 14 to Agreement No. C-6-0926 with PGH Wong for continued CMS through March 2024, with a contract expiration to include closeout through November 2024. An increased level of effort and extended period of performance is required of PGH Wong due to project challenges. This continued level of effort is required to manage specific areas, including:

- Enhanced oversight of quality inspections, including some instances of repeat inspections to assure compliance.
- The number of RFIs submitted by Walsh, which require extensive time and effort to coordinate responses, provide clarifications, and issue construction change notices.
- The volume and complexity of Walsh's submittals for several project elements that require extensive coordination between various technical disciplines to review and approve. This effort also includes resubmittals and changes required by field conditions.
- The volume of change directives, contract change orders, and processing of time and materials payments.
- Reviewing schedules and coordination with Walsh, including an increased number of meetings with Walsh for attempting to resolve numerous schedule and cost disputes, as well as to provide an accurate reflection of progress.
- The number of project meetings with both Walsh and stakeholders to resolve ongoing, complex issues, and to ensure proper integration of project elements, as well as an increased number of construction partnering sessions.

Staff is requesting Board approval for the additional funds in the amount of \$7,700,000, for continued CMS and to extend the term of the agreement through February 28, 2025, to manage the contract budget most effectively until an adjusted project completion date can be determined.

### ***Procurement Approach***

#### **Design Support Services During Construction**

The original procurement was handled in accordance with OCTA's Board-approved procedures for architectural and engineering services, which conform to both federal and state laws. The original agreement was issued on February 1, 2016, in the amount of \$16,434,022. This agreement has been previously amended as shown in Attachment A.

OCTA staff and HNTB have agreed upon the level of effort for the required services and staff found HNTB's price proposal, in the amount of \$2,000,000, to be fair and reasonable relative to the negotiated level of effort and the independent cost estimate prepared by the OCTA program management team. Proposed Amendment No. 14 to Agreement No. C-5-3337, in the amount of \$2,000,000, will increase the total contract value to \$34,083,841 and extend the term of the agreement through August 31, 2025.

#### **CMS**

The original procurement was handled in accordance with OCTA's Board-approved procedures for architectural and engineering services, which conform to both state and federal laws. Agreement No. C-6-0926 was issued on December 6, 2016, in the amount of \$10,752,136. This agreement has been previously amended as shown in Attachment B.

OCTA staff and PGH Wong have agreed upon the required level of effort for additional CMS through February 28, 2025. Staff found PGH Wong's cost proposal to be fair and reasonable relative to the negotiated level of effort and the independent cost estimate prepared by the OCTA project management team. Proposed Amendment No. 21 to Agreement No. C-6-0926, in the amount of \$7,700,000, will increase the total contract value to \$42,782,570 and extend the term of the agreement through February 28, 2025.

#### **Fiscal Impact**

Funding for the PGH Wong contract amendment is included in OCTA's Fiscal Year (FY) 2023-2024 Budget, Capital Programs Division, Account No. 0051-9018-TS010-Z84 and is funded with Federal Transit Administration Section 5309 New Starts grant funds and local Measure M2 funds. Funding for the HNTB contract amendment is included in OCTA's proposed FY 2024-25 Budget, Capital Programs Division, Account No. 0051-7519-TS010-Z84 and is funded with Federal Transit Administration Section 5309 New Starts grant funds and local Measure M2 funds.

#### **Next Steps**

Staff will return to the Board in late 2024 to present the results of the FTA-required risk analysis, including any adjustments to the project cost and schedule and any required contract amendments needed as a result.

***Summary***

Staff requests Board of Directors' approval to authorize the Chief Executive Officer to negotiate and execute Amendment No. 14 to Agreement No. C-5-3337 between the Orange County Transportation Authority and HNTB Corporation, in the amount of \$2,000,000, and extend the agreement term through August 31, 2025, for continued design support services during construction for the OC Streetcar project. Staff also requests Board of Directors' approval to authorize the Chief Executive Officer to negotiate and execute Amendment No. 21 to Agreement No. C-6-0926 between the Orange County Transportation Authority and PGH Wong Engineering, Inc., in the amount of \$7,700,000, and extend the agreement term through February 28, 2025, for continued construction management services for the OC Streetcar project.

***Attachments***

- A. HNTB Corporation, Agreement No. C-5-3337 Fact Sheet
- B. PGH Wong Engineering, Inc., Agreement No. C-6-0926 Fact Sheet

**Prepared by:**



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**Approved by:**



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**HNTB Corporation  
Agreement No. C-5-3337 Fact Sheet**

1. September 14, 2015, Agreement No. C-5-3337, \$16,434,022, approved by the Board of Directors (Board).
  - The agreement was executed on February 1, 2016, to provide design services to prepare the plans, specifications, and estimates for the OC Streetcar project.
2. December 15, 2016, Amendment No. 1 to Agreement No. C-5-3337, \$239,192, approved by the Contracts Administration and Materials Management (CAMM) Department.
  - Provide additional design services for field survey and potholing work.
3. February 27, 2017, Amendment No. 2 to Agreement No. C-5-3337, \$37,434, approved by the CAMM Department.
  - Provide additional design services required for relocation of the traction power substation (TPSS) and right-of-way (ROW) legal documentation.
4. April 28, 2017, Amendment No. 3 to Agreement No. C-5-3337, \$207,273, approved by the CAMM Department.
  - Provide additional design support services necessary for modifications to the maintenance and storage facility (MSF) and for additional potholing services necessary at various locations within the project alignment.
5. May 22, 2017, Amendment No. 4 to Agreement No. C-5-3337, \$864,491, approved by the Board.
  - Provide additional design services because of streetcar stop modifications, various governmental agency requests, and ROW studies.
6. March 20, 2018, Amendment No. 5 to Agreement No. C-5-3337, \$0, approved by the CAMM Department.
  - Modify California Public Utilities Commission Task 7, authorized by Amendment No. 4.



7. June 20, 2018, Amendment No. 6 to Agreement No. C-5-3337, \$249,217, approved by the CAMM Department.
  - Provide additional design services during the extended bid period, modify traffic signal plans, Orange County Sanitation District sewer, TPSS site designs, the northeast corner of Santa Ana Boulevard and Ross Street, and the pedestrian plaza adjacent to Sasser Park, and to review the construction schedule and engineer's estimate.
8. November 12, 2018, Amendment No. 7 to Agreement No. C-5-3337, \$1,152,212, approved by the Board.
  - Provide additional design services during the extended bid period, extended coordination with third-party utility relocations, addition of traffic signal interconnects, closed-circuit television (CCTV) cameras at Harbor Boulevard park-and-ride, modifications to the MSF, including moving CCTV servers into the facility and automatic operation of the rail gates into the yard, power isolation, TPSS revisions, and added effort to obtain the MSF building permit.
9. October 28, 2019, Amendment No. 8 to Agreement No. C-5-3337, \$1,500,000, approved by the Board.
  - Provide additional design support services during construction and extend the contract term by 27 months from December 31, 2019 through March 31, 2022.
10. June 22, 2020, Amendment No. 9 to Agreement No. C-5-3337, \$ 0, approved by the CAMM Department.
  - Transfer \$67,176 unspent design budget for preparation of procurement specifications for ticket vending machines to design support services during construction.
11. September 14, 2020, Amendment No. 10 to Agreement No. C-5-3337, \$2,900,000, approved by the Board.
  - Provide additional design support services during construction.
12. June 14, 2021, Amendment No. 11 to Agreement No. C-5-3337, \$2,500,000, approved by the Board.
  - Provide additional design support services during construction and extend the contract term by six months from April 1, 2022 through September 30, 2022.

13. July 25, 2022, Amendment No. 12 to Agreement No. C-5-3337, \$3,000,000, approved by the Board.
  - Provide additional design support services during construction and extend the contract term by 12 months from September 30, 2022 through September 30, 2023.
14. April 24, 2023, Amendment No. 13 to Agreement No. C-5-3337, \$3,000,000, approved by the Board.
  - Provide additional design support services during construction and extend the contract term by 12 months from September 30, 2023 through September 30, 2024.
15. March 25, 2024, Amendment No. 14 Agreement No. C-5-3337, \$2,000,000, pending Board approval.
  - Provide additional design support services during construction and extend the contract term through August 31, 2025.

Total funds committed to HNTB Corporation after approval of Amendment No. 14 to Agreement No. C-5-3337: \$34,083,841.

**PGH Wong Engineering, Inc.  
Agreement No. C-6-0926 Fact Sheet**

1. July 25, 2016, Agreement No. C-6-0926, in the amount of \$10,752,136, approved by the Board of Directors (Board).
  - The agreement was executed on December 6, 2016, for construction management services (CMS) to support the OC Streetcar project (Project) for a five-year term.
2. November 12, 2018, Amendment No. 1 to Agreement No. C-6-0926, \$153,972, approved by the Contracts Administration and Materials Management (CAMM) Department.
  - Increase maximum obligation to add subconsultant Gonzales-White Consulting Services to perform labor compliance support.
  - Modify the key personnel for prime consultant PGH Wong Engineering, Inc., (PGH Wong) and subconsultant MARRS Services, Inc. (MARRS).
  - Add subconsultant Safework, Inc. (Safework).
  - Modify hourly rate and other direct costs schedules for all firms.
  - Incorporate revised health, safety, and environmental specifications.
3. June 27, 2019, Amendment No. 2 to Agreement No. C-6-0926, \$0, approved by the CAMM Department.
  - Modify payment article.
  - Modify hourly rate schedule for PGH Wong and subconsultants MARRS, Towill, Inc. (Towill), and UltraSystems Environmental, Inc. (UltraSystems).
  - Modify other direct costs schedule for PGH Wong.
4. February 10, 2020, Amendment No. 3 to Agreement No. C-6-0926, \$0, approved by the CAMM Department.
  - Modify hourly rate schedule for PGH Wong and subconsultants AP Engineering and Testing, Inc., (AP Engineering) and UltraSystems.
5. March 24, 2020, Amendment No. 4 to Agreement No. C-6-0926, \$0, approved by the CAMM Department.
  - Modify other direct costs schedule for UltraSystems.

6. April 2, 2020, Amendment No. 5 to Agreement No. C-6-0926, \$0, approved by the CAMM Department.
  - Modify hourly rate schedules for PGH Wong and subconsultants Consultant Engineering, Inc., (CEI) and Inspection Services, Inc. (ISI).
  - Modify other direct costs schedule for subconsultant AP Engineering.
7. July 8, 2020, Amendment No. 6 to Agreement No. C-6-0926, \$0, approved by the CAMM Department.
  - Modify hourly rate schedule for PGH Wong.
8. September 18, 2020, Amendment No. 7 to Agreement No. C-6-0926, \$0, approved by the CAMM Department.
  - Modify hourly rate schedule for PGH Wong and subconsultants AP Engineering and UltraSystems.
9. October 21, 2020, Amendment No. 8 to Agreement No. C-6-0926, \$0, approved by the CAMM Department.
  - Add subconsultant PaleoWest, LLC, to provide cultural support services.
10. November 6, 2020, Amendment No. 9 to Agreement No. C-6-0926, \$0, approved by the CAMM Department.
  - Modify other direct costs schedule for subconsultants AP Engineering and UltraSystems.
11. February 3, 2021, Amendment No. 10 to Agreement No. C-6-0926, \$247,504, approved by the CAMM Department.
  - Provide additional tribal monitoring services.
  - Modify key personnel.
  - Modify hourly rate schedule for PGH Wong and subconsultants CEI, Safework, and Towill.
12. March 22, 2021, Amendment No. 11 to Agreement No. C-6-0926, \$6,828,164, approved by the Board.
  - Increase maximum cumulative obligation for additional CMS to support the Project and extend the contract term by five months to November 30, 2021.

13. June 29, 2021, Amendment No. 12 to Agreement No. C-6-0926, \$0, approved by the CAMM Department.
  - Modify hourly rate schedule for subconsultant Safework.
14. September 2, 2021, Amendment No. 13 to Agreement No. C-6-0926, \$0, approved by the CAMM Department.
  - Modify key personnel.
  - Extend the contract term by six months through May 31, 2022.
  - Modify hourly rate schedule for PGH Wong and subconsultant Towill.
  - Modify other direct costs schedule for subconsultant Towill.
15. December 13, 2021, Amendment No. 14 to Agreement No. C-6-0926, \$17,100,794, approved by the Board.
  - Increase maximum cumulative obligation for additional CMS to support the Project through March 2024 and extend the contract term through November 30, 2024.
  - Modify payment article.
16. December 7, 2021, Amendment No. 15 to Agreement No. C-6-0926, \$0, approved by the CAMM Department.
  - Add MTGL, Inc. as subconsultant.
17. August 3, 2022, Amendment No. 16 to Agreement No. C-6-0926, \$0, approved by the CAMM Department.
  - Modify hourly rate schedule for PGH Wong and subconsultant UltraSystems.
18. October 11, 2022, Amendment No. 17 to Agreement No. C-6-0926, \$0, approved by the CAMM Department.
  - Modify key personnel.
  - Modify hourly rate schedule for PGH Wong and subconsultant Safework.
19. March 16, 2023, Amendment No. 18 to Agreement No. C-6-0926, \$0, approved by the CAMM Department.
  - Update key personnel.
  - Modify hourly rates and other direct costs schedules for PGH Wong and subconsultants ISI and UltraSystems.

20. December 14, 2023, Amendment No. 19 to Agreement No. C-6-0926, \$0, pending approval by the CAMM Department.
- Update key personnel.
  - Modify hourly rate schedule for PGH Wong and subconsultant UltraSystems.
  - Modify other direct costs schedule for subconsultant UltraSystems.
21. February 15, 2024, Amendment No. 20 to Agreement No. C-6-0926, \$0, pending approval by the CAMM Department.
- Modify hourly rate schedule for subconsultant Towill.
22. March 25, 2024, Amendment No. 21 to Agreement No. C-6-0926, \$7,700,000, pending Board approval.
- Increase maximum cumulative obligation for additional CMS to support the Project and extend the contract term through February 28, 2025.

Total funds committed to PGH Wong Engineering, Inc. after approval of Amendment No. 21 to Agreement No. C-6-0926: \$42,782,570.