



June 1, 2026

To: Regional Transportation Planning Committee

From: Darrell E. Johnson, Chief Executive Officer

A handwritten signature in blue ink, appearing to read "Darrell Johnson", is written over the "From:" line of the memo.

Subject: Amendment to Cooperative Agreement with the California Department of Transportation for the State Route 91 Improvement Project Between State Route 55 and Lakeview Avenue

Overview

On July 10, 2023, Orange County Transportation Authority Board of Directors approved a cooperative agreement between the Orange County Transportation Authority and the California Department of Transportation for construction capital and construction management support services for the State Route 91 Improvement Project between State Route 55 and Lakeview Avenue. Board of Directors' approval is requested to amend the cooperative agreement to address additional construction capital costs.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-3-2655 between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$8 million, for additional construction capital costs for the State Route 91 Improvement Project between State Route 55 and Lakeview Avenue. This will increase the maximum cumulative obligation of the cooperative agreement to a total contract value of \$109,988,000.

Discussion

The Orange County Transportation Authority (OCTA), in partnership with the California Department of Transportation (Caltrans), is implementing the State Route 91 (SR-91) Improvement Project between State Route 57 and State Route 55 (SR-55) (Project). Measure M2 Project I was advanced as part of the updated Next 10 Delivery Plan approved by the OCTA Board of Directors (Board) in November 2023.

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The Project will make general purpose lane improvements in the eastbound direction between La Palma Avenue and SR-55 and provide westbound (WB) operational improvements between Acacia Street and La Palma Avenue and between SR-55 and Lakeview Avenue. Construction is underway for the Project in three segments with the following limits:

- Segment 1 extends from SR-55 to Lakeview Avenue
- Segment 2 extends from La Palma Avenue to SR-55
- Segment 3 extends from Acacia Street to La Palma Avenue

Segment 1 will realign the existing WB SR-91 Lakeview Avenue on- and off-ramps to direct traffic to WB SR-91 and add a new drop on-ramp from the middle of the Lakeview Avenue overcrossing bridge that connects directly to southbound (SB) SR-55, separating WB SR-91 traffic from merging SB SR-55 traffic. The existing Lakeview Avenue bridge will be replaced with a new six lane bridge with shoulders and sidewalks. Separately, Caltrans has developed the plans, specifications, and estimates for a multi-asset project (MAP) within the same project limits, which includes pavement rehabilitation, safety device upgrades, census stations, updated smart street lighting, and electrical conduit replacements. The MAP scope is funded by the State Highway Operation and Protection Program (SHOPP), and the design plans were combined with the Segment 1 plans, with all improvements advertised in one construction bid package. This ensured efficient construction of all improvements and will minimize disruption to the traveling public, construction fatigue, potential construction conflicts, and redundant work.

On July 10, 2023, the OCTA Board authorized Cooperative Agreement No. C-3-2655 with Caltrans to provide construction capital and construction support services for Segment 1.

On November 28, 2024, the Board authorized Amendment No. 1 to Cooperative Agreement No. C-3-2655 with Caltrans to provide additional construction capital funding, enabling Caltrans to award the Segment 1 contract to the apparent low bidder after bids slightly higher than the engineer's estimate were received.

Additional construction funding for capital costs is now required due to a variety of issues that have emerged during construction. The following describes the specific construction issues which have been encountered and require additional funding:

- During the installation of pile foundations for one of the soundwalls, it was discovered that an existing reinforced concrete pipe (RCP) was in conflict with the piles. This conflict required redesigning the drainage system to avoid conflicting piles.

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- The National Pollution Discharge Elimination System under the Clean Water Act requires the Project to filter runoff water from the freeway prior to discharging it to local drainage systems. During construction, it was identified that the designed freeway water discharge system did not adequately convey water to the designated existing drainage system. This resulted in a new drainage design to effectively filter the water from the freeway and redirect it to new drainage system.
- Three private properties sustained damage from flooding due to incomplete drainage and temporary drainage system designs. The property owners are being compensated by the contractor for their damages.
- During the construction of Segment 1, 91 Express Lane delineators and crash cushions located near the connector between SR-91 and SR-55 have been damaged multiple times by vehicles. As a result, delineators and crash cushions were required to be removed and replaced by the contractor at a rate higher than anticipated.
- The contractor encountered buried asbestos pipes within the excavation limits along SR-91 that had to be removed and disposed of by a certified hazardous waste subcontractor. This removal and disposal resulted in additional costs.
- For bridge pile driving, noise and vibration monitoring were not identified for some of the private properties. As a result, additional noise and vibration monitoring is needed during construction of the west side of Lakeview Avenue bridge.

Additionally, due to changes and the increased scope of work, delays have extended the duration of the construction contract by 22 working days. At this time, Segment 1 construction is scheduled to be completed in late 2028. These changes to the scope of work, and the associated extended construction schedule, have resulted in the need for additional construction capital costs of \$8 million.

The total construction capital funding previously approved by the OCTA Board for Segment 1 was \$101,358,000 comprised of \$42,566,000 in Trade Corridor Enhancement Program funds, \$5 million in Federal Earmark, \$7,070,000 in SHOPP, and \$46,722,000 in SR-91 Express Lanes excess revenues (SR-91 EL revenues). The total increase to Cooperative Agreement No. C-3-2655 is \$8 million, proposed to be funded with \$7,700,000 of SR-91 EL revenues and

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\$300,000 with SHOPP funds, and the total construction capital and construction management support cost is revised from \$101,358,000 to \$109,358,000.

This amendment will increase the total cooperative agreement value to \$109,358,000, which includes SR-91 EL revenues revised from \$46,722,000 to \$54,422,000 and Caltrans SHOPP from \$ 7,070,000 to \$7,370,000 (Attachment A).

Fiscal Impact

Funding for the Project will be included in the proposed OCTA's Fiscal Year 2026-27 Budget, Capital Programs Division, Account No. 0017-9084-FI106-1OQ, and will be funded with a combination of federal, state, and local funds.

Summary

Staff requests Board approval for the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-3-2655 with Caltrans, in the amount of \$8 million, for additional construction capital cost for the Project. This will increase the maximum obligation of the cooperative agreement to a total contract value of \$109,358,000.

Attachment

- A. California Department of Transportation, Cooperative Agreement No. C-3-2655 Fact Sheet

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