



**December 2, 2024**

**To:** Regional Transportation Planning Committee

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

**Subject:** Cooperative Agreement with the California Department of Transportation for the Interstate 5 Improvement Project Between Yale Avenue and State Route 55

**Overview**

The Orange County Transportation Authority proposes to enter into a cooperative agreement with the California Department of Transportation for construction capital and construction management support services for the Interstate 5 Improvement Project between Yale Avenue and State Route 55, which is Segment 2 of the Interstate 5 Improvement Project between Interstate 405 and State Route 55.

**Recommendations**

- A. Authorize the use of \$210,033,000 in Measure M2 funds for the Interstate 5 Improvement Project between Yale Avenue and State Route 55.
- B. Authorize the inclusion of \$27,861,000 in State Highway Operations and Protection Program funds for the Interstate 5 Improvement Project between Yale Avenue and State Route 55.
- C. Authorize the use of \$9,780,000 in Local Partnership Program – Formula funds for the Interstate 5 Improvement Project between Yale Avenue and State Route 55.
- D. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2645 between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$247,674,000, comprised of a construction capital share of \$202,243,000, and a construction management services share of \$45,431,000 for the Interstate 5 Improvement Project between Yale Avenue and State Route 55.

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- E. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above action.

***Discussion***

The Orange County Transportation Authority (OCTA), in partnership with the California Department of Transportation (Caltrans), is implementing the Interstate 5 (I-5) Improvement Project between the Interstate 405 (I-405) and State Route 55 (SR-55) (Project). The Project is Project B in the Measure M2 (M2) freeway program and is being advanced through the updated Next 10 Delivery Plan approved by the OCTA Board of Directors (Board) in November 2023.

Final design for the Project is nearing completion in two segments with the following project limits:

- Segment 1 extends from I-405 to Yale Avenue
- Segment 2 extends from Yale Avenue to SR-55

Segment 2 will add one general-purpose lane in both directions on the Project. The Project will re-establish existing auxiliary lanes and provide new auxiliary lanes where necessary and provide continuous access to the high-occupancy vehicle lanes and improve the existing on- and off-ramps. Separately, Caltrans has developed the plans, specifications, and estimates (PS&E) for a multi-asset project (MAP) within the same project limits, which includes pavement rehabilitation, safety device upgrades, census stations, additional signage, and electrical conduit replacements. The MAP scope is funded by the State Highway Operation and Protection Program (SHOPP), and the 100 percent design plans have been combined with the Segment 1 plans, with all improvements to be advertised in one construction bid package. This will ensure efficient construction of all improvements and will minimize disruption to the traveling public, construction fatigue, potential construction conflicts, and redundant work.

On June 8, 2020, the Board authorized Cooperative Agreement No. C-0-2317 with Caltrans to provide oversight of the PS&E, and to advertise and award the construction contracts for the Project. On June 13, 2022, the Board authorized Cooperative Agreement No. C-2-2232 with Caltrans to complete the right-of-way acquisition for the Project.

OCTA and Caltrans are proposing to enter into Cooperative Agreement No. C-4-2645 to define the specific roles and funding responsibilities for each agency to provide the construction capital and construction management support services for Segment 2, between Yale Avenue and SR-55.

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Bid documents for Segment 2 are being prepared for the construction contract, which is expected to be advertised by mid-2025. The total construction capital funding required for Segment 2 is \$202,243,000, comprised of \$24,000,000 in SHOPP funds, and \$178,243,000 in M2 funds. The total construction support funding for the Project is \$45,431,000, comprised of \$3,861,000 in SHOPP funds, \$9,780,000 in Senate Bill 1 (Chapter 5, Statutes of 2017) Local Partnership Program – Formula (LPP-F) funds and \$31,790,000 in M2 funds. Use of LPP-F funds for this Project is consistent with the Board-approved Capital Programming Policies. Attachment A provides the updated Capital Funding Plan, which provides summarized funding information for all OCTA's capital projects

As the implementing agency for construction of the Project, Caltrans will be responsible for advertising, bid opening, award, approval, and administration of the construction contract. Under the proposed cooperative agreement, Caltrans and OCTA have agreed to share in the construction management support services for the Project.

Caltrans, as the construction phase implementing agency, will provide the resident engineer and structures representative, and minimal other field personnel, along with construction administrative support and environmental and paleontology monitoring for the Project, at an estimated cost of \$23,431,000. Caltrans will draw down the state SHOPP and state LPP-F funds directly. OCTA will retain a consultant firm to augment Caltrans' field staff with electrical, structural and roadway inspection, surveying, office engineering, materials testing, and claims support services. OCTA's consultant will also provide a field office to house construction staff on the Project. The total estimated cost of OCTA consultant construction support is \$22,000,000 in M2 funds. Through separate contracts, OCTA will lead the public outreach efforts.

#### Fiscal Impact

The Project will be included in OCTA's Fiscal Year (FY) 2025-26 Budget and subsequent FY budgets, Capital Programs Division, account nos. 0017-9084-FB103-1OD and 0017-9085-FB103-1OD, and will be funded with a combination of state, federal, and local funds.

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***Summary***

Staff requests Board authorization to use \$210,033,000 in M2 funds, and approval for the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2645 between OCTA and Caltrans, in the amount of \$247,674,000, comprised of a construction capital share of \$202,243,000 and a construction management services share of \$45,431,000, for the Project.

***Attachment***

- A. Capital Funding Program Report

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