



July 1, 2024

To: Regional Transportation Planning Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: Master Agreement for State-Funded Projects

Overview

In order to access state funding for transportation projects authorized through state statute and budget actions, the Orange County Transportation Authority must execute a master agreement with the California Department of Transportation.

Recommendations

- A. Authorize the Chief Executive Officer to execute the Master Agreement for State-Funded Projects, Agreement No. 12-6071S21, and all necessary program supplement agreements with the California Department of Transportation for the reimbursement of state-funded transportation projects.
- B. Approve Orange County Transportation Authority Resolution No. 2024-025 as required by the California Department of Transportation to execute the above agreement and authorize the Chief Executive Officer to sign future program supplements agreements.

Background

On February 22, 2010, the Board of Directors (Board) approved Master Agreement No. 00267S for all OCTA-delivered state-funded transportation projects. The master agreement governs the general use of state funds enacted by the State Legislature. The state funds are administered by the California Department of Transportation (Caltrans), California Transportation Commission, and other state agencies. Following execution of the master agreements, Caltrans issues program supplement agreements that are tied to specific state-funded projects. The State has separate master agreements for federal funding and for state funding for streets and roads projects and a separate agreement for transit projects. The master agreement presented herein pertains to state-only funds for streets and roads projects.

Discussion

Since Board approval of the current master agreement (No. 00267S) in February 2010, new funding programs have emerged and both guidelines and requirements for existing programs have changed, necessitating the need for a new master agreement. Provisions in the new agreement, Master Agreement No. 126071S21 (Master Agreement), address each of these changes and also include other administrative and process changes such as adding references to the Department of General Services Division of the State Architect, clarifying invoicing procedures, and updating timely use of funds requirements. A term sheet outlining the major areas of the of the Master Agreement is provided in Attachment A. The Orange County Transportation Authority's legal counsel as well as the Planning and Finance and Administration divisions have reviewed the draft agreement.

The Master Agreement must be accompanied by a certifying resolution (Attachment B), which authorizes the Chief Executive Officer to sign and execute the agreement as well as the necessary program supplement agreements.

The Master Agreement will be effective upon Board approval, anticipated July 8, 2024, and will supersede the existing master agreement. Master agreements remain in effect until they require replacement or are terminated. Master agreements with the State have an average life of approximately ten years.

Summary

On February 22, 2010, the Board approved the current master agreement. Staff is requesting that the Board approve an updated master agreement and accompanying resolution in order to access state funding for use on transportation projects.

Attachments

- A. Term Sheet – Master Agreement Administering Agency State Agreement for State-Funded Projects Agreement No. 12-6071S21
- B. Resolution No. 2024-053 – Orange County Transportation Authority Authorization for the Execution of a Master Agreement and Program Supplements for State-Funded Projects

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