

Date: **Monday, November 27, 2006**

Time: **9:00 a.m.**

Where: **Orange County Transportation Authority Headquarters
600 South Main Street, First Floor - Conference Room 154
Orange, California 92868**



AGENDA

Orange County Transportation Authority Board Meeting
OCTA Headquarters
First Floor - Room 154, 600 South Main Street
Orange, California
Monday, November 27, 2006, at 9:00 a.m.

ACTIONS

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA Clerk of the Board, telephone (714) 560-5676, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Invocation

Director Green

Pledge of Allegiance

Director Dixon

Agenda Descriptions

The 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 Board of Directors 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 Comments on Agenda Items

Members of the public wishing to address the Board of Directors regarding any item appearing on the agenda may do so by completing a Speaker's Card and submitting it to the Clerk of the Board. Speakers will be recognized by the Chairman at the time the agenda item is to be considered. A speaker's comments shall be limited to three (3) minutes.



AGENDA

ACTIONS

Special Matters

1. **Presentation of Resolutions of Appreciation to Departing Members of the Board**
2. **Presentation of Resolutions of Appreciation for Employees of the Month for November 2006**
Present Orange County Transportation Authority Resolutions of Appreciation Nos. 2006-124, 2006-125, 2006-126 to Daniel Gonzales, Coach Operator; Johnny Nguyen, Maintenance; and Kia Mortazavi, Administration, as Employees of the Month for November 2006.

Consent Calendar (Items 3 through 25)

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 Resolutions of Appreciation to Departing Members of the Board**
4. **Approval of Resolutions of Appreciation for Employees of the Month for November 2006**

Adopt Orange County Transportation Authority Resolutions of Appreciation Nos. 2006-124, 2006-125, and 2006-126 to Daniel Gonzales, Coach Operator; Johnny Nguyen, Maintenance; and Kia Mortazavi, Administration, as Employees of the Month for November 2006.

5. **Approval of Minutes**

Of the Orange County Transportation Authority and affiliated agencies' regular meeting of November 13, 2006.



AGENDA

ACTIONS

6. **Conflict of Interest Code and Annual Statement of Economic Interests Filing for 2006**
Wendy Knowles

Overview

Pursuant to the Orange County Transportation Authority's Conflict of Interest Code, Members of the Board of Directors and certain designated employees are required to file Statements of Economic Interests and the Conflict of Interest Code must be amended as appropriate.

Recommendations

- A. Adopt the Orange County Transportation Authority's Conflict of Interest Code and direct staff to forward the code for approval to the reviewing body, the Orange County Board of Supervisors.
- B. Direct the Clerk of the Board to distribute and monitor Statements of Economic Interests for 2006 for members of the Board of Directors, the Chief Executive Officer, and certain designated employees, and file those statements with the Clerk of the Orange County Board of Supervisors by April 2, 2007.

7. **Amendment to Agreement with Sloat Higgins Jensen & Associates for State Legislative Advocacy and Consulting Services**
P. Sue Zuhlke

Overview

On November 15, 2002, the Board of Directors approved an agreement with Sloat Higgins Jensen & Associates, in the amount of \$324,000, to provide state legislative advocacy and consulting services. Sloat Higgins Jensen & Associates was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.



AGENDA

ACTIONS

7. (Continued)

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-2-0947 between the Orange County Transportation Authority and Sloat Higgins Jensen & Associates, in an amount not to exceed \$339,984, to exercise the final two-year option term for state legislative advocacy and consulting services.

8. **Agreement for Project Management Consultant Selection for Freeway Chokepoint and Retrofit Soundwall Programs** Arshad Rashedi/Paul C. Taylor

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, the Board of Directors approved procurement of project management consultant services for the Freeway Chokepoint and Retrofit Soundwall programs. Offers were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

Recommendation

Authorize the Chief Executive Officer to execute Agreement C6-0670 between the Orange County Transportation Authority and Huitt-Zollars, Inc., in an amount not to exceed \$195,000, to provide specialized technical expertise and project management support services for the Freeway Chokepoint and Retrofit Soundwall programs.

9. **Master Plan of Arterial Highways Status Report** Wendy Garcia/Paul C. Taylor

Overview

The Orange County Transportation Authority is responsible for administering the Master Plan of Arterial Highways, including the review and approval of amendments requested by local agencies. The status of pending Master Plan of Arterial Highways actions and projects is presented for the Board of Directors information.



AGENDA

ACTIONS

9. (Continued)

Recommendation

Receive and file as an information item.

10. **Transportation Centers Assessment Study**

Wendy Garcia/Paul C. Taylor

Overview

The Orange County Transportation Authority is beginning a study of several transportation centers and park-and-ride lots. This study will assess the potential for private sector opportunities at these facilities. An update on this effort is provided for review and information.

Recommendation

Receive and file as an information item.

11. **Priorities for the 2007 Regional Transportation Plan**

Kurt Brotcke/Paul C. Taylor

Overview

The Southern California Association of Governments has started preparation of the 2007 Regional Transportation Plan. Orange County Transportation Authority draft priorities for this process are presented for review and approval.

Committee Recommendations

- A. Provide feedback on draft priorities for the 2007 Regional Transportation Plan and include an item eight to support efforts for an Anaheim to Ontario high-speed rail connector.
- B. Direct staff to forward the recommended priorities to the Southern California Association of Governments.



AGENDA

ACTIONS

12. **Amendment to Agreement for Project Management Assistance**
Annette L. Hess/James S. Kenan

Overview

On August 11, 2004, the Board of Directors approved an agreement with KENDA Systems, in the amount of \$200,000, to provide project management support. KENDA Systems was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-4-0645 between the Orange County Transportation Authority and KENDA Systems, in an amount not to exceed \$160,000, for project management support.

13. **Customer Relations Service Quality Report for First Quarter Fiscal Year 2006-07**
Adam Raley/Ellen S. Burton

Overview

The Customer Relations Service Quality Report is submitted to the Orange County Transportation Authority Board of Directors on a quarterly basis. The report provides a statistical analysis of customer communications received during the quarter, as well as details proactive activities undertaken by staff to ensure quality service to customers.

Recommendation

Receive information for discussion and possible action as deemed appropriate by the Board.



AGENDA

ACTIONS

14. **Special Needs in Transit Advisory Committee Appointments and Report of Activities for 2006**

Donna Berger/Ellen S. Burton

Overview

On December 31, 2006, the terms of ten Special Needs in Transit Advisory Committee members will expire. Additionally, one member resigned because other responsibilities prevented her from regularly attending. This report recommends candidates for appointment to three-year terms and seeks a Resolution of Appreciation to acknowledge the service of one member leaving the committee. The report also highlights the Special Needs in Transit Committee's activities for the year 2006.

Recommendations

- A. Approve the appointment of members to serve on the Special Needs in Transit Advisory Committee.
- B. Adopt a Resolution of Appreciation for one committee member who has served with distinction.
- C. Receive and file the Special Needs in Transit Advisory Committee's Report of Activities for 2006.

15. **Contractor Employee Health Benefits Incentive Program Elements**

Virginia Abadessa/James S. Kenan

Overview

On September 25, 2006, the Board of Directors adopted an incentive program that provides additional evaluation points to those contractors who offer affordable health insurance to their full-time employees who work exclusively for Orange County Transportation Authority. The Board of Directors requested staff to return to the Finance and Administration Committee to gain approval of the program elements.



AGENDA

ACTIONS

15. (Continued)

Committee Recommendations

- A. Use the 10-49 employees range. Contribution shall be for a single person, less than 30 percent. (A full-time employee shall be defined as someone who works more than 30 hours per week.)
- B. Family contribution will not be considered.

Orange County Service Authority for Freeway Emergencies Consent Calendar Matters

16. Agreement for Automatic Vehicle Location/Mobile Data Terminal Service for the Freeway Service Patrol Iain C. Fairweather/Paul C. Taylor

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, the Board of Directors approved automatic vehicle location/mobile data terminal service for the Freeway Service Patrol. Offers were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-6-0124 between the Orange County Transportation Authority and CompuSoft, in an amount not to exceed \$1,165,000, for automatic vehicle location/mobile data terminal service for the Freeway Service Patrol, including five years of support services.



AGENDA

ACTIONS

Orange County Local Transportation Authority Consent Calendar Matters

17. **Gateway Sign for Santa Ana Freeway (Interstate 5) Gateway Project**
Charles Guess/Paul C. Taylor

Overview

A conceptual design has been completed for a gateway sign along the Santa Ana Freeway (Interstate 5) at the Orange-Los Angeles county line within the City of Buena Park. The design was prepared in collaboration with the California Department of Transportation and the City of Buena Park and is a candidate for the California Department of Transportation Gateway Monument Demonstration Program.

Recommendations

- A. Approve the conceptual design and authorize staff to submit the design to the California Department of Transportation.
- B. Authorize the Chief Executive Officer to execute Amendment No. 3 to Cooperative Agreement C-5-2358 between the Orange County Transportation Authority and the City of Buena Park, in an amount not to exceed \$35,000, for final design, plans, specifications, and construction review.
- C. Authorize staff to coordinate with California Department of Transportation construction management staff to process the gateway sign work as a change order request to the Santa Ana Freeway (Interstate 5) Gateway freeway widening contract.



AGENDA

ACTIONS

18. **Oso Parkway/Pacific Park Drive Signal Synchronization Demonstration Project Status Report and Consultant Selection Evaluation Criteria**
Anup Kulkarni/Paul C. Taylor

Overview

In July 2006, the Board of Directors approved the Oso Parkway/Pacific Park Drive corridor for expanded signal synchronization. A status report on the effort and the consultant selection evaluation criteria to initiate the procurement process are provided for Board of Directors review and approval.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute a Memorandum of Understanding with the involved jurisdictions for implementation of the project.
- B. Approve the proposed consultant selection evaluation criteria.

19. **Amendment to Cooperative Agreement with the Department of California Highway Patrol**
T. Rick Grebner/Paul C. Taylor

Overview

On September 13, 2004, the Board of Directors approved a cooperative agreement with the Department of California Highway Patrol, in an amount not to exceed \$1,000,000, for required traffic control services for the Garden Grove Freeway (State Route 22) project.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 2 to Cooperative Agreement C-4-0588 between the Orange County Transportation Authority and the Department of California Highway Patrol, in an amount not to exceed \$300,000, for additional traffic enforcement services.



AGENDA

ACTIONS

Orange County Transit District Consent Calendar Matters

20. Agreement for Compressed Natural Gas Building Modifications at the Santa Ana Base

James J. Kramer/Paul C. Taylor

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, the Board of Directors approved compressed natural gas building modifications at the Santa Ana Base. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures.

Recommendations

- A. Amend the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, expense Account 1722-9022-D3126-DQE, by \$297,100.
- B. Authorize the Chief Executive Officer to execute Agreement C-6-0699 between the Orange County Transportation Authority and Thomco Construction, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$422,100, for compressed natural gas building modifications at the Santa Ana Base.

21. New Express Bus Service Update

Gordon Robinson/John D. Byrd

Overview

The Orange County Transportation Authority implemented new express bus service in July and September 2006 between Orange County and points of origin in Los Angeles, Riverside, and San Bernardino counties. The Board approved promotional fares for the three routes to attract and maintain customers. Since implementation, route adjustments have been instituted and additional changes are being planned to improve service.



AGENDA

ACTIONS

21. (Continued)

Recommendations

- A. Receive and file the express bus service update on routes 757, 758, and 794 as detailed in Attachment A.
- B. Extend the promotional fare for routes 757 and 758 until March 2007.

22. **Agreement to Replace Community Transportation Services Dispatch Radio Console**

Al Pierce/John D. Byrd

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, funding is available for the purchase of a replacement radio dispatch console system and support equipment for the Community Transportation Service dispatch center located at the Irvine Base.

Recommendation

Authorize the Chief Executive Officer to issue Agreement C-6-0757 between the Orange County Transportation Authority and IPC Information Systems, in an amount not to exceed \$86,184, for the purchase and installation of a new IPC Primet radio console system.

23. **Amendment to Agreement for Janitorial Services**

Al Pierce/John D. Byrd

Overview

On February 6, 2003, the Board of Directors approved an agreement with Diamond Contract Services, Inc., to provide janitorial services at all Orange County Transportation Authority-owned facilities for a one-year period with two one-year options.



AGENDA

ACTIONS

23. (Continued)

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 9 to Agreement C-2-1189 between the Orange County Transportation Authority and Diamond Contract Services, Inc., in an amount not to exceed \$300,000, to extend the contract from December 31, 2006, to April 30, 2007, for janitorial services at all Orange County Transportation Authority owned facilities.

24. **Amendment to Agreement for Bus Cleaning Services** Al Pierce/John D. Byrd

Overview

On September 22, 2003, the Board of Directors approved an agreement with Corporate Image Maintenance, to provide bus cleaning services at all Orange County Transportation Authority-owned facilities for a one-year period with two one-year options.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 8 to Agreement C-3-0577 between the Orange County Transportation Authority and Corporate Image Maintenance, in an amount not to exceed \$130,000, to extend the contract from December 31, 2006, through April 30, 2007, for bus cleaning services.

25. **Amendment to Agreement for Orange County ARC Lost and Found** Sharon Long/John D. Byrd

Overview

On December 29, 2004, the Board of Directors approved an agreement with Orange County ARC, in the amount of \$62,976, to provide lost and found services. Orange County ARC was retained in accordance with the Orange County Transportation Authority's procurement procedures for tracking and maintaining items found on fixed route and ACCESS bus systems.



AGENDA

ACTIONS

25. (Continued)

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-4-0857, between the Orange County Transportation Authority and Orange County ARC, in an amount not to exceed \$66,432, to exercise the second option year for lost and found services.

Regular Calendar

Orange County Transportation Authority Regular Calendar Matters

No items are agendized for this portion of the calendar.

Orange County Transit District Regular Calendar Matters

26. **ACCESS Service Update** Erin Rogers/John D. Byrd

Overview

On February 27, 2006, the Orange County Transportation Authority awarded a contract for the management and operation of ACCESS, Contracted Fixed Route, Stationlink, and Express Bus services to Veolia Transportation Services, Inc. Veolia Transportation Services, Inc., assumed operation of these services on July 1, 2006. Since that time, ACCESS service quality has declined. This report provides an update on Veolia Transportation Services, Inc., progress in meeting contractual performance standards in operating ACCESS services.



AGENDA

ACTIONS

26. (Continued)

Recommendations

- A. Defer action on the contract with Veolia Transportation Services, Inc., at this time; return to the Board with an update on contract compliance in 90 days.
- B. Continue to monitor the performance of Veolia Transportation Services, Inc., against contractual performance standards.
- C. Continue to provide weekly and monthly written reports to the Board of Directors.
- D. Provide oral reports to the Board of Directors quarterly.

Orange County Local Transportation Authority Regular Calendar Matters

27. Selection of a Consultant for Design Services for the Garden Grove Freeway (State Route 22) Phase II Improvement Project

T. Rick Grebner/Paul C. Taylor

Overview

On August 28, 2006, the Orange County Transportation Authority Board of Directors approved an implementation plan to move forward with the development of the Garden Grove Freeway (State Route 22) Phase II improvement project. The first step in implementing the plan is Board selection of the design consultant to begin preliminary engineering.

Committee Recommendations

- A. Select Parsons Transportation Group as the top-ranked firm to provide consultant design services for the easterly segment of the Garden Grove Freeway (State Route 22) Phase II improvement project. The easterly segment is defined as east of the Valley View Street bridge to just east of the Seal Beach Boulevard bridge.



AGENDA

ACTIONS

27. (Continued)

- B. Select TRC Solutions, Inc., as the top-ranked firm to provide consultant design services for the westerly segment of the Garden Grove Freeway (State Route 22) Phase II improvement project. The westerly segment is defined from just east of the Seal Beach Boulevard bridge to the San Diego Freeway (Interstate 405)/San Gabriel River Freeway (Interstate 605) interchange.
- C. Authorize staff to request cost proposals from Parsons Transportation Group and TRC Solutions, Inc., and negotiate agreements for their services, in a total amount not to exceed \$26,000,000.
- D. Authorize the Chief Executive Officer to execute the final agreements with Parsons Transportation Group and TRC Solutions, Inc. Prior to the execution of the final agreements, the Board of Directors will have final review and approval authority.
- E. Authorize the Chief Executive Officer to execute Contract Task Order Nos. 1 and 2 for preliminary engineering for both segments, in a total amount not to exceed \$10,000,000.
- F. Amend the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, expense Account 0010-7519-F7200-N1C, by \$10,000,000.
- G. Amend the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, revenue Account 0010-6045-F7200-N1C, by \$10,000,000.
- H. A quarterly report that quantifies the cost effectiveness and benefits of the process.



AGENDA

ACTIONS

Other Matters

28. **Garden Grove Freeway (State Route 22) Phase I Completion**
T. Rick Grebner/Paul C. Taylor

29. **Review of Performance of the Chief Executive Officer and Recommendations Regarding Compensation Adjustments**
Kennard R. Smart, Jr.

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

31. **Directors' Reports**

32. **Public Comments**

At this time, members of the public may address the Board of Directors regarding any items within the subject matter jurisdiction of the Board of Directors, but no action may be taken on off-Agenda items unless authorized by law. Comments shall be limited to three (3) minutes per speaker, unless different time limits are set by the Chairman subject to the approval of the Board of Directors.

33. **Closed Session**

- A. Pursuant to Government Code Section 54956.9(a) to discuss Cinergy Innovations, Inc. v. OCTA; OCSC No. 06CC04130.
- B. Pursuant to Government Code Section 54956.9(a) to discuss Tower Engineering v. Orange County Transportation Authority; OCSC No. 06CC06769.
- B. Pursuant to Government Code Section 54956.9(b).
- C. Pursuant to Government Code Section 54956.9(a) to discuss Juana Dominguez vs. Orange County Transportation Authority; OCSC No. 05CC12572.



AGENDA

34. Adjournment

The next regularly scheduled meeting of the OCTA/OCTD/OCLTA/OCSAFE/OCSAAV Board will be held at **9:00 a.m. on December 11, 2006**, at OCTA Headquarters at 600 South Main Street First Floor - Room 154, Orange, California.

ACTIONS



ORANGE COUNTY
TRANSPORTATION AUTHORITY

RESOLUTION

DANIEL GONZALES

WHEREAS, the Orange County Transportation Authority recognizes and commends Daniel Gonzales; and

WHEREAS, let it be known that Daniel Gonzales has earned a 22 year Safe Driving Award, and has been with the Authority since May 29, 1984. He has distinguished himself by maintaining an outstanding record for safety, attendance, and customer relations; and

WHEREAS, Daniel's dedication to his duties and desire to excel are duly noted and he is recognized as an outstanding Authority employee who has consistently demonstrated a level of professionalism that is the embodiment of the Authority's core values; and

WHEREAS, be it known that Daniel Gonzales takes great pride in his driving skills and demonstrates true professionalism in his overall performance as an OCTA Coach Operator.

NOW, THEREFORE, BE IT RESOLVED that the Authority does hereby declare Daniel Gonzales as the Orange County Transportation Authority Coach Operator Employee of the Month for November 2006; and

BE IT FURTHER RESOLVED that the Orange County Transportation Authority Board of Directors recognizes Daniel Gonzales' valued service to the Authority.

Dated: November 27, 2006

Arthur C. Brown, Chairman
Orange County Transportation Authority

Arthur T. Leahy, Chief Executive Officer
Orange County Transportation Authority

OCTA Resolution No. 2006-124





ORANGE COUNTY
TRANSPORTATION AUTHORITY

RESOLUTION

JOHNNY NGUYEN

WHEREAS, the Orange County Transportation Authority recognizes and commends Johnny Nguyen; and

WHEREAS, be it known that Johnny Nguyen is a valued member of the Maintenance Department. Through his diligent, conscientious efforts in performing all tasks, Johnny has consistently demonstrated a high level of achievement in meeting base mission goals by providing safe, clean, and ready for service vehicles at the Santa Ana Base. Johnny's expertise in the service island is exceptional. His skills and superb "can do attitude" in performing all facets of vehicle servicing have earned him the respect of all who work with him; and

WHEREAS, Johnny has been with the Authority since July 2002 and has achieved perfect attendance and an outstanding safety record; and

WHEREAS, his dedication to his duties and desire to excel are duly noted, and he is recognized as an outstanding Authority employee.

NOW, THEREFORE, BE IT RESOLVED that the Authority does hereby declare Johnny Nguyen as the Orange County Transportation Authority Maintenance Employee of the Month for November 2006; and

BE IT FURTHER RESOLVED that the Orange County Transportation Authority Board of Directors recognizes Johnny Nguyen's valued service to the Authority.

Dated: November 27, 2006

Arthur C. Brown, Chairman
Orange County Transportation Authority

Arthur T. Leahy, Chief Executive Officer
Orange County Transportation Authority

OCTA Resolution No. 2006-125





ORANGE COUNTY
TRANSPORTATION AUTHORITY

RESOLUTION

KIA MORTAZAVI

WHEREAS, the Orange County Transportation Authority recognizes and commends Kia Mortazavi; and

WHEREAS, be it known that Kia has performed his duties as Director of Strategic Planning demonstrating the highest professional standards and dedication to excellence in preparing for the future of Orange County Transportation; and

WHEREAS, Kia has been an outstanding leader on the team that moved forward the proposal to renew Measure M while also guiding major investment studies resulting in significant new initiatives for the Authority; and

WHEREAS, Kia brought the long-range transportation plan and its environmental documentation to completion on a compressed timetable, forming the foundation of the comprehensive 30-year investment plan for renewed Measure M; and

WHEREAS, Kia tirelessly made presentations and responded to inquiries that enabled the investment plan to be approved by every city and the County of Orange, enabling it to be placed before the voters.

NOW, THEREFORE, BE IT RESOLVED that the Authority does hereby declare Kia Mortazavi as the Orange County Transportation Authority Administrative Employee of the Month for November 2006; and

BE IT FURTHER RESOLVED that the Orange County Transportation Authority Board of Directors recognizes Kia Mortazavi's valued service to the Authority.

Dated: November 27, 2006

Arthur C. Brown, Chairman
Orange County Transportation Authority

Arthur T. Leahy, Chief Executive Officer
Orange County Transportation Authority

OCTA Resolution No. 2006-126



Minutes of the Meeting of the
Orange County Transportation Authority
Orange County Service Authority for Freeway Emergencies
Orange County Local Transportation Authority
Orange County Transit District
Board of Directors
November 13, 2006

Call to Order

The November 13, 2006, Special meeting of the Orange County Transportation Authority and affiliated agencies was called to order by Chairman Brown at 8:30 a.m. at the Orange County Transportation Authority Headquarters, Orange, California.

Roll Call

Directors Present: Arthur C. Brown, Chairman
Carolyn Cavecche, Vice Chair
Peter Buffa
Bill Campbell
Lou Correa
Richard Dixon
Michael Duvall
Cathy Green
Gary Monahan
Chris Norby
Curt Pringle
Susan Ritschel
Mark Rosen
James W. Silva
Thomas W. Wilson
Gregory T. Winterbottom
Cindy Quon, Governor's Ex-Officio Member

Also Present: Arthur T. Leahy, Chief Executive Officer
Richard J. Bacigalupo, Deputy Chief Executive Officer
Wendy Knowles, Clerk of the Board
Laurena Weinert, Assistant Clerk of the Board
Kennard R. Smart, Jr., General Counsel
Members of the Press and the General Public

Directors Absent: Miguel Pulido

Public Comments on Agenda Items

Chairman Brown announced that members of the public who wished to address the Board of Directors regarding any item appearing on the Special meeting agenda would be allowed to do so by completing a Speaker's Card and submitting it to the Clerk of the Board.

CLOSED SESSION

1. Closed Session

General Counsel stated that the Closed Session was being conducted pursuant to Government Code Section 54957 to review the performance of the Chief Executive Officer.

This item was continued to the November 27, 2006, regular Board meeting.

Adjournment

The meeting adjourned at 9:28 a.m. Chairman Brown announced that the Regular meeting of the OCTA/OCSAFE/OCSSAAV/OCLTA/OCTD Board would follow at **9:00 a.m. on November 13, 2006**, at OCTA Headquarters at 600 South Main Street, First Floor - Room 154, Orange, California.

ATTEST

Wendy Knowles
Clerk of the Board

Arthur C. Brown
OCTA Chairman

Minutes of the Meeting of the
Orange County Transportation Authority
Orange County Service Authority for Freeway Emergencies
Orange County Local Transportation Authority
Orange County Transit District
Board of Directors
November 13, 2006

Call to Order

The November 13, 2006, regular meeting of the Orange County Transportation Authority and affiliated agencies was called to order by Chairman Brown at 9:30 a.m. at the Orange County Transportation Authority Headquarters, Orange, California.

Roll Call

Directors Present: Arthur C. Brown, Chairman
Carolyn Cavecche, Vice Chair
Peter Buffa
Bill Campbell
Lou Correa
Richard Dixon
Michael Duvall
Cathy Green
Gary Monahan
Chris Norby
Curt Pringle
Susan Ritschel
Mark Rosen
Thomas W. Wilson
Gregory T. Winterbottom
Cindy Quon, Governor's Ex-Officio Member

Also Present: Arthur T. Leahy, Chief Executive Officer
Richard J. Bacigalupo, Deputy Chief Executive Officer
Wendy Knowles, Clerk of the Board
Laurena Weinert, Assistant Clerk of the Board
Kennard R. Smart, Jr., General Counsel
Members of the Press and the General Public

Directors Absent: Chris Norby
Miguel Pulido
James W. Silva

Invocation

Director Rosen gave the invocation.

Pledge of Allegiance

Director Winterbottom led the Board and audience in the Pledge of Allegiance to the Flag of the United States of America.

Public Comments on Agenda Items

Chairman Brown announced that members of the public who wished to address the Board of Directors regarding any item appearing on the agenda would be allowed to do so by completing a Speaker's Card and submitting it to the Clerk of the Board.

Special Matters

1. Recognition of OCTA's 2006 Annual Rodeo Winners

A video of the October 28, 2006, Annual Rodeo was shown, and the winners were recognized for achievement in their respective areas of competition.

2. Special Recognition for 30 Years of Safe Driving

General Manager of Transit, John Byrd, recognized Coach Operator Sherrie L. Matteson for achieving thirty years of safe driving and Chairman Brown awarded a check to Ms. Matteson for this accomplishment.

3. Sacramento Advocate Presentation

Chris Kahn and Kevin Sloat, OCTA's Sacramento Advocates, provided a verbal presentation to the Board.

Mr. Sloat offered his congratulations to OCTA on the passage of a renewed Measure M for the County, and Messrs. Kahn and Sloat presented a joint update on election results in races at the State level. Mr. Kahn provided comments in regard to the Governor's anticipated focus and actions. He stated that new bills will be introduced to the Legislature through the end of February 2007.

Mr. Sloat stated that there will be 36 new Assembly Members, which is a record for the number of new Members since 1966. He indicated there will also be a significant difference in membership in the Senate.

4. Public Hearing for Federal Fiscal Year 2006-07 Federal Transit Administration Section 5307 Program of Projects

Chairman Brown opened the Public Hearing regarding the Federal Fiscal Year 2006-07 Federal Transit Administration Section 5307 Program of Projects at this time and solicited comments from the public. No public comments were offered.

Clerk of the Board, Wendy Knowles, read into the record the process by which the public was made aware of today's Public Hearing.

Executive Director of Development, Paul Taylor, provided a brief verbal presentation on this program.

A motion was made by Director Buffa, seconded by Director Winterbottom, and declared passed by those present, to close the Public Hearing at this time.

Further comments were solicited by the Chairman. A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to authorize the Chief Executive Officer to submit and execute the federal fiscal year 2006-07 Section 5307 grant application.

(The minutes for the public hearing on this item were recorded verbatim by Barrister's Recording Service. That official record will be filed in the Clerk of the Board's office upon receipt by OCTA.)

Consent Calendar (Items 5 through 25)

Chairman Brown announced that all matters on the Consent Calendar would be approved in one motion unless a Board Member or a member of the public requested separate action on a specific item.

Director Rosen pulled item 7 for comment.

Orange County Transportation Authority Consent Calendar Matters

5. Approval of Minutes

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to approve the minutes of the Orange County Transportation Authority and affiliated agencies' regular meeting of October 23, 2006.

6. Fiscal Year 2006-07 Internal Audit Plan, First Quarter Update

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to receive and file the Orange County Transportation Authority Internal Audit Department Fiscal Year 2006-07 Internal Audit Plan First Quarter Update.

7. Orange County Transportation Authority 2007 Federal Legislative Platform

Director Rosen pulled this item for comment, and referenced page three of the federal platform, Section II e), "Support efforts to authorize and fund Maglev transportation from Anaheim to Ontario Airport and Ontario to Las Vegas." Director Rosen stated that he opposes this position in the platform, and stated that he does not feel there is justification for spending taxpayers' money to build this line.

Director Pringle commented that \$45 million was put into the SAFETEA-LU bill two years for the Las Vegas to Anaheim segment. He further stated that route is the project; therefore, that is the project which is defined, and feels since the ability exists to pursue some of that money for the environmental work for Anaheim to Ontario, it would be a good consideration. He also stated that the two initial segments will be Las Vegas to Primm, NV, and Anaheim to Ontario, and these segments are part of a broader path.

Motion was made by Director Campbell, seconded by Director Buffa, and declared passed by those present, to:

- A. Adopt the Orange County Transportation Authority 2007 Federal Legislative Platform.
- B. Direct staff to distribute the adopted federal platform to legislators, advisory committees, local governments, affected agencies, the business community, and other interested parties.

8. Orange County Transportation Authority 2007 State Legislative Platform

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to:

- A. Adopt the Orange County Transportation Authority 2007 State Legislative Platform.
- B. Direct staff to modify the platform as needed following the November 7, 2006, election.
- C. Direct staff to distribute the adopted platforms to legislators, advisory committees, local governments, affected agencies, the business community, and other interested parties.
- D. Amend Section VII e) to read: "Monitor legislation affecting drivers' license privileges and standards related to age."

9. Amendment to Cooperative Agreement with the City of Buena Park for Construction of Intermodal Facility

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to:

- A. Authorize the Chief Executive Officer to execute Amendment No. 3 to Cooperative Agreement C-0-1150 between the Orange County Transportation Authority and the City of Buena Park, in an amount not to exceed \$1,146,000, to provide additional funding for incorporating bus passenger facilities and adding homeland security improvements to current construction.
- B. Authorize the use of \$630,000 in Commuter and Urban Rail Endowment funds for the incorporation of the bus passenger facilities into the station.
- C. Authorize the use of \$516,000 in Department of Homeland Security and Federal Transit Administration funds for the incorporation of a video surveillance system in the station.
- D. Amend the Fiscal Year 2006-07 Orange County Transportation Authority budget for \$1,146,000, which includes \$630,000 in Commuter and Urban Rail Endowment Funds and \$516,000 in Department of Homeland Security and Federal Transit Administration funds for the Buena Park Intermodal Facility.
- E. Authorize staff to make any necessary amendments to federal Transportation Improvement Program to facilitate the above actions.

10. Office Space for Garden Grove Freeway (State Route 22) Phase II Team

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute Amendment No. 11 to Agreement C-9-5172 between the Orange County Transportation Authority and UBS Partners (Colton Real Estate Group) for additional office space at the headquarters building at 600 South Main Street for space requirements associated with Phase II of the Garden Grove Freeway (State Route 22) expansion, at a monthly cost of \$25,117.

11. Selection of Firm for Right-of-Way Services

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute Agreement C-6-0653 between the Orange County Transportation Authority and Overland, Pacific & Cutler, Inc., in an amount not to exceed \$600,000, for right-of-way services.

12. Santa Ana River Crossings Memorandum of Understanding Recommendation

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to:

- A. Approve the Memorandum of Understanding between the Orange County Transportation Authority and the cities of Costa Mesa, Fountain Valley, and Huntington Beach regarding the proposed Garfield Gisler bridge crossing over the Santa Ana River, contingent on city council approvals.
- B. Authorize the Chief Executive Officer to execute the final Memorandum of Understanding.
- C. Approve amendment of the Master Plan of Arterial Highways to re designate the Garfield-Gisler bridge crossing as a "right-of-way reserve" corridor, subject to approval of General Plan amendments by the cities of Costa Mesa, Fountain Valley, and Huntington Beach.

13. Go Local Cooperative Agreements with Cities of Anaheim, Orange, Villa Park, Aliso Viejo, Laguna Beach, and San Clemente

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to:

- A. Authorize the Chief Executive Officer to execute Cooperative Agreement C-6-0668 between the Orange County Transportation Authority and the City of Anaheim, in an amount not to exceed \$100,000, for a citywide transit needs study and supporting technical studies.
- B. Authorize the Chief Executive Officer to execute Cooperative Agreement C-6-0695 between the Orange County Transportation Authority and the City of Orange, in an amount not to exceed \$100,000, to assess pedestrian connections to the Orange Metrolink station and the City of Orange feeder service to Anaheim stations.
- C. Authorize the Chief Executive Officer to execute Cooperative Agreement C-6-0769 between the Orange County Transportation Authority and the City of Villa Park, in an amount not to exceed \$100,000, to assess community interest in and opportunities for transit service connecting Villa Park to nearby Metrolink stations.
- D. Authorize the Chief Executive Officer to execute Cooperative Agreement C-6-0742 between the Orange County Transportation Authority and the City of Aliso Viejo, in an amount not to exceed \$100,000, to identify transit services and other support facilities which will attract riders to a future shuttle service operating between the Aliso Viejo Town Center and the Laguna Niguel/Mission Viejo Metrolink station.

13. (Continued)

- E. Authorize the Chief Executive Officer to execute Cooperative Agreement C-6-0774 between the Orange County Transportation Authority and the City of Laguna Beach, in an amount not to exceed \$100,000, to investigate partnering opportunities and options to link the City's transit system with either the Irvine or Laguna Niguel/Mission Viejo Metrolink station.
- F. Authorize the Chief Executive Officer to execute Cooperative Agreement C-6-0686 between the Orange County Transportation Authority and the City of San Clemente, in an amount not to exceed \$100,000, to create a multi-purpose circulator trolley service connecting San Clemente's Metrolink station to the city's downtown area and other points of interest.
- G. Authorize the Chief Executive Officer to amend the fiscal year 2006-07 budget, expense account 0010-7831/T5410, Contributions to Other Agencies, Local Transportation Authority, in the amount of \$3.4 million.

14. 511 Traveler Information System Status Report

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to:

- A. Direct staff to continue to work with other agencies toward a regionwide traveler information system.
- B. Direct staff to report back on budget implications prior to seeking approval to participate in 511 traveler information system.

15. Orange County Transportation Authority's Board Members' Health Care Benefits

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to:

- A. For Board Members whose term of office commenced prior to June 27, 2005, continue to provide health care benefits at no cost to the Board Member.
- B. For Board Members whose term of office commenced on or after June 27, 2005, but before the date of Board approval, continue to offer health benefits at the same premium cost paid by the Orange County Transportation Authority's full-time employees.

15. (Continued)

- C. For Board Members whose term of office commences on or after the date of Board approval, and who do not receive health benefits from the public entity they are elected to serve, offer health care benefits at the same premium costs paid by the Orange County Transportation Authority's full-time employees.
- D. For Board Members whose term of office commences on or after the date of Board approval, and who choose to receive health benefits from the public entity they are elected to serve, offer health care benefits at 100 percent of the premium costs paid by the Orange County Transportation Authority.
- E. Amend the Fiscal Year 2007 Personnel and Salary Resolution to reflect these changes.

16. 91 Express Lanes Traffic Operation Center Upgrade Including Leasehold Improvements Amendment and Video Camera Procurement

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to:

- A. Authorize the Chief Executive Officer to execute Agreement C-6-0469 between the Orange County Transportation Authority and Delcan Corporation, in an amount not to exceed \$755,097, for the Traffic Operation Center upgrade.
- B. Authorize the Chief Executive Officer to execute Amendment No. 9 to the lease between Orange County Transportation Authority and FKC Properties to cover leasehold improvements for the 91 Express Lanes Traffic Operations Center, in an amount not to exceed \$422,000.

17. Agreement for On-Call Financial Management Consultant Services

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute agreements between the Orange County Transportation Authority and the following firms:

- Booz Allen Hamilton, Agreement C-6-0606
- Darrel Cohoon and Associates, Agreement C-6-0734
- Kelly Hines Consulting, Agreement C-6-0735
- LMS Consulting, Agreement C-6-0736
- Sharon Greene and Associates, Agreement C-6-0737

These pre-qualified firms will provide specialized financial services on an on-call basis, in an amount not to exceed \$300,000 (for all services), for a three-year contract period.

18. Purchase Order for Property Insurance Policy

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to authorize the Chief Executive Officer to issue Purchase Order C-6-0755, in the amount not to exceed \$325,000, for the purchase of property insurance on behalf of the Orange County Transportation Authority for the period of December 01, 2006, to November 30, 2007.

19. Vanpool Program Update

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to:

- A. Incorporate the vanpool program in the Orange County Transportation Authority Comprehensive Funding Strategy and direct staff to return to the Board of Directors in the first quarter of 2007 for approval of an amendment.
- B. Approve the guiding principles for the regional agreement, which dictates how vanpool miles will be reported in the National Transit Database.
- C. Approve the evaluation criteria and authorize staff to release a Request for Proposals for vanpool providers.

Orange County Local Transportation Authority Consent Calendar Matters

20. Measure M Quarterly Progress Report

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

21. Measure M Eligibility Review for Fiscal Year 2006-07

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to approve Measure M turnback and competitive funding eligibility for all local jurisdictions in Orange County.

Orange County Transit District Consent Calendar Matters

22. Laidlaw Contract Compliance and Close-out Audit

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to direct staff to release \$678,864 as final payment to Laidlaw Transit Services, Inc. for services provided during the 39-month period April 1, 2003, through June 30, 2006.

23. Cooperative Agreement with Acacia Adult Day Services

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute Cooperative Agreement C-6-0752 between the Orange County Transportation Authority and Acacia Adult Day Services, in an amount not to exceed \$668,800, to share in the cost of providing adult day healthcare transportation through June 30, 2008.

24. Agreement to Purchase and Install 232 Replacement Liquefied Natural Gas Engines

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute Agreement C-6-0453 between the Orange County Transportation Authority and Cummins Cal Pacific, LLC, in an amount not to exceed \$20,057,452, for the replacement of natural gas engines in 232 transit buses, using the Cummins ISL engine model at a reduced oxides of nitrogen level of 0.2 gram.

25. On-Board Video Equipment in Bus Procurements

A motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to authorize the Chief Executive Officer to include on-board video equipment as standard equipment on future bus procurements.

Regular Calendar

There were no Regular Calendar matters.

Other Matters

26. Update on the City Selection Committee Appointments

Chief Executive Officer (CEO), Arthur T. Leahy, informed the Directors of the results of the City Selection Committee's elections for OCTA Board Members, which took place on November 9, 2006.

Current Directors re-elected to seats on the OCTA Board are:

- Art Brown – 4th District one city/one vote seat;
- Richard Dixon – 5th District one city/one vote seat;
- Cathy Green – 2nd District population-weighted seat;
- Miguel Pulido – 1st District population-weighted seat.

26. (Continued)

Newly elected to the Board are:

Jerry Amante – elected to the 3rd District population-weighted seat;

Allan Mansoor – elected to the 2nd District one city/one vote seat;

Paul Glaab – elected to the 5th District population-weighted seat.

27. Measure M Post-Election Update

CEO, Arthur T. Leahy, stated that the renewal of Measure M was passed by the voters and is currently at 69.2 percent. Mr. Leahy extended appreciation to a great number of people on the Board, the businesses who got involved, staff's efforts to prepare this measure for the ballot, and commented on what a beneficial program this has been to the County over the past many years, and now has the opportunity to continue improving transportation for those in Orange County.

Monte Ward addressed the Board and commended them for their involvement and leadership, as well as their personal support, in this important effort. He also expressed his gratitude to this Board, as well as to prior Board Members, for delivering on promises made with the first Measure M program. Without that to show to the voters, the current renewal would not have been possible.

Mr. Ward stated that a Measure M Workshop will likely be held early in February 2007 to address potential projects and assist new Board Members to become more informed of what the renewed Measure M will entail.

Public comments were heard from Hamid Bahadori, representing the Automobile Club of Southern California, who thanked the Board for their involvement and support of this effort and expressed his desire for the Auto Club to continue working with OCTA on plans for projects which will be accomplished under the renewed Measure M.

Directors Buffa, Campbell, Correa, Dixon, Pringle, Winterbottom, and Chairman Brown all extended their appreciation to CEO Art Leahy, OCTA staff, the Orange County Business Council, Peter Herzog (who provided a great deal of support and effort at the local level).

28. Garden Grove Freeway (State Route 22) Project Update

Paul C. Taylor updated the Board that 17 days remain on the Garden Grove Freeway (State Route 22) project, and it continues to be on-schedule. He stated that connectors are opening, and progress is seen every day in these final states.

29. ACCESS Service Update

Curt Burlingame, Section Manager, Transit, provided a verbal and PowerPoint presentation on the ACCESS service to date. Mr. Burlingame stated that daily monitoring of the performance issues takes place and while improvement is taking place, contract standards are still not being met.

Sharon Crenchaw, Veolia's Local Project Director, responded to a question by Director Green as to why the standards cannot be met. Ms. Crenchaw stated that it is Veolia's goal to reach the contract standards and feels they are getting closer every day. She expects that by the time they issue another set of driver assignments, improvement to the on-time performance will result. She also stated that a total of 10 vehicles have arrived, which will be a great asset.

Veolia's Regional Vice President, Justin Augustine, was also in attendance.

30. California Department of Transportation Report on Freeway Landscape Maintenance and Refuse Removal

James Pinheiro, Deputy District Director for Operations and Maintenance for Caltrans District 12, provided a verbal and extensive PowerPoint presentation on this issue in response to a recent request by the Board. Areas addressed were:

- √ Litter removal
- √ Goals
- √ Landscape elements and activities
- √ Landscape inventory
- √ Landscape allocation/expenditures for FY 2004-05
- √ Service scores and scoring system
- √ Projects, resources, and programs

A question-and-answer period followed, which resulted in requests by Directors for the following information, in part, to be provided to the Board:

- √ Provide amount of money spent for landscape maintenance since 1998
- √ Plan for how to improve target for success, not settle for failures in various areas
- √ More detailed information on the Adopt-a-Highway Program and how much is spent on this program, both in terms of money and level of effort to attract participants. Also, are multi-contracts a possibility for various stretches of highway.
- √ A recommendation for how landscaping can be better maintained throughout Orange County
- √ Presentation on how much has been spent on putting in landscaping, native plants, and including a listing of what native plants are available
- √ Additional information on the ramp program

30. (Continued)

CEO, Arthur T. Leahy, stated that this issue will come back to the Board late in January 2007.

31. Chief Executive Officer's Report

CEO, Arthur T. Leahy, reminded Board Members of the November 29 celebration of the completion of the State Route 22 Design-Build Project.

Mr. Leahy offered his appreciation and recognition of Board Members, many OCTA staff, and business leaders that resulted in the success of the vote on the renewal of the Measure M Program.

32. Directors' Reports

Director Pringle stated that on November 9, 2006, the City Selection Committee will meet to elect members of the 2007 OCTA Board of Directors.

33. Public Comments

At this time, Chairman Brown offered members of the public to address the Board of Directors regarding any items within the subject matter jurisdiction of the Board of Directors, but advised that no action may be taken on off-agenda items unless authorized by law. He further stated that comments would be limited to three (3) minutes per speaker, unless different time limits were set by the Chairman subject to the approval of the Board of Directors.

34. Closed Session

A Closed Session was not held as part of this Regular meeting.

22. Adjournment

The meeting adjourned at 11:47 a.m. Chairman Brown announced that the next regularly scheduled meeting of the OCTA/OCTD/OCLTA/OCSAFE/OCSSAAV Board would be held at **9:00 a.m. on November 27, 2006**, at OCTA Headquarters at 600 South Main Street, First Floor - Room 154, Orange, California.

ATTEST

Wendy Knowles
Clerk of the Board

Arthur C. Brown
OCTA Chairman



November 27, 2006

To: Members of the Board of Directors
From: Arthur T. Leahy, Chief Executive Officer
Subject: Conflict of Interest Code and Annual Statement of Economic Interests Filing for 2006

Overview

Pursuant to the Orange County Transportation Authority's Conflict of Interest Code, Members of the Board of Directors and certain designated employees are required to file Statements of Economic Interests and the Conflict of Interest Code must be amended as appropriate.

Recommendations

- A. Adopt the Orange County Transportation Authority Conflict of Interest Code and direct staff to forward the Code for approval to the reviewing body, the Orange County Board of Supervisors.
- B. Direct the Clerk of the Board to distribute and monitor Statements of Economic Interests for 2006 for Members of the Board of Directors, the Chief Executive Officer, and certain designated employees, and file those statements with the Clerk of the Orange County Board of Supervisors by April 2, 2007.

Background

The Political Reform Act requires that every local agency review its Conflict of Interest Code each year to determine if it is accurate to date. General Counsel has reviewed the code and the list of designated employees who are required to file Statements of Economic Interests.

Discussion

Members of the Orange County Transportation Authority (OCTA) Board of Directors, the Chief Executive Officer, and certain designated employees are required to file an annual Statement of Economic Interests Form 700 with the Clerk of the Orange County Board of Supervisors. In addition, other designated OCTA employees are required to file Form 700 with the OCTA's Clerk of the Board.

The Finance, Administration, and Human Resources Division reviewed the positions within the agency to determine which employees are required to file a statement, and under which category. General Counsel reviewed the employee list, the current Conflict of Interest Code, and its application to the OCTA.

The Appendix to the OCTA's Conflict of Interest Code lists the disclosure categories and a list of designated positions that are required to file with the OCTA's Clerk of the Board. Group 1 positions are required to disclose that person's interests in real property, investments, income, and business positions in business entities and sources of income. Group 2 positions must disclose that person's interest in investments, income, and business positions in business entities and sources of income.

The Clerk of the Board shall retain copies of all Statements of Economic Interests and forward the original statements of Board Members, the Chief Executive Officer, and certain designated employees, to the Filing Agency (Clerk of the Board, Orange County Board of Supervisors). The OCTA's Clerk of the Board shall retain original statements submitted by certain employees who are not required to be filed with the County Clerk.

Staff requests that all statements be submitted to the OCTA's Clerk of the Board by Friday, March 9, 2007, which will allow sufficient time for processing and meeting the California Fair Political Practices Commission's filing deadline of April 2, 2007.

Summary

The Board of Directors annually adopts the OCTA's Conflict of Interest Code, which directs that OCTA Board Members and certain designated OCTA employees file an annual Statement of Economic Interests, and these statements be filed with the Orange County Clerk of the Board of Supervisors and the OCTA's Clerk of the Board by no later than April 2, 2007.

Attachments

- A. Conflict of Interest Code for the Orange County Transportation Authority
- B. Disclosure Categories for Filers of Form 700

Prepared by:


Wendy Knowles
Clerk of the Board
(714) 560-5676

**CONFLICT OF INTEREST CODE FOR THE
ORANGE COUNTY TRANSPORTATION AUTHORITY**

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the Orange County Transportation Authority.

Designated employees shall file Statements of Economic Interests with the Orange County Transportation Authority Clerk of the Board, who will make the statements available for public inspection and reproduction (Government Code Section 81008). Upon receipt of the statements of the members of the Board of Directors, the Chief Executive Officer, Assistant Chief Executive Officer, Director, Finance and Administration, Treasurer, and the Manager, Treasury and Public Finance, the Orange County Transportation Authority Clerk of the Board shall make and retain a copy and forward the original of these statements to the Clerk of the Orange County Board of Supervisors. Statements for all other designated employees will be retained by the agency.

ADOPTED:

CONFLICT OF INTEREST CODE

ORANGE COUNTY TRANSPORTATION AUTHORITY

18730. Provisions of Conflict of Interest Codes

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code Section 87300 or the amendment of a conflict of interest code within the meaning of Government Code Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 81000, et seq. The requirements of a conflict of interest code are, in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) **Section 1. Definitions.** The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. Sections 18100, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) **Section 2. Designated Employees.** The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) **Section 3. Disclosure Categories.** This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to

Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under Article 2 of Chapter 7 of the Political Reform Act, Government Code Section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

Statements of Economic Interests shall be filed as follows:

(A) Members of the Board of Directors and the Chief Executive Officer shall file the original with the OCTA Clerk of the Board, who shall make and retain a copy and forward the original to the code reviewing body, the Board of Supervisors of the County of Orange, and

(B) All designated employees shall file the original with the OCTA Clerk of the Board.²

¹ Designated employees who are required to file Statements of Economic Interests under any other agency's conflict of interest code, or under Article 2 for a different jurisdiction, may expand their Statement of Economic Interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code Section 81004.

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office. Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

- (1)** File a written resignation with the appointing power, and
- (2)** File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

² See Government Code Section 81010 and 2 Cal. Code of Regs. Section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements. Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Government Code section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to 2 Cal. Code Regs. section 18754.

(D) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting. Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investments and Real Property Disclosure. When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$1,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000).

(B) *Personal Income Disclosure.* When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating five hundred dollars (\$500) or more in value or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000).
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and for the term of the loan.

(C) *Business Entity Income Disclosure.* When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her Statement of Economic Interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Government Code Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in excess of \$360.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than three hundred sixty dollars (\$360) in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to

any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f) and (g) of Government Code Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the

loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred dollars (\$500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
 - a. The date the loan was made.
 - b. The date the last payment of one hundred dollars (\$100) or more was made on the loan.
 - c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars (\$250) during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
2. A loan that would otherwise not be a gift as defined in this title.
3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification. No designated employee shall make, participate in making, or in any way attempt to use this or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars (\$2000) or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars (\$2000) or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating three hundred sixty dollars (\$360) or more in value provided to; received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation. No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees. In addition to the general disqualification provisions of Section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars (\$1,000) or more.

(10) **Section 10. Disclosure of Disqualifying Interest.** When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act must be accompanied by disclosure of the disqualifying interest.

(11) **Section 11. *Assistance of the Commission and Counsel.*** Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code Section 83114 and 2 Cal. Code Regs. sections 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) **Section 12. *Violations.*** This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000 - 91014. In addition, a decision in relation to which violation of the disqualification provisions of this code or of Government Code Section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code Section 91003.

AUTHORITY: Section 83112, Gov. Code

REFERENCE: Sections 87300-87302, 89503, and 89504, Gov. Code

(Adopted by the Fair Political Practices Commission February 4, 1993, and as amended through **November 10, 2006.**)

DISCLOSURE CATEGORIES FOR FILERS OF FORM 700

1. Designated employees in Group "1" must file:

An annual statement disclosing that person's interests in real property, investments, income, and business positions.

2. Designated employees in Group "2" must file:

An annual statement disclosing that person's interest in investments, income, and business positions.

Designated Positions and Disclosure Category
January 1 – December 31, 2006

| Designated Position | Disclosure Category |
|--|----------------------------|
| Alternative Fuels Technology Specialist | 2 |
| Alternative Fuels Technology Specialist, Associate | 2 |
| Assistant Base Manager, Bus Operations | 2 |
| Base Manager, Bus Operations | 1 |
| Base Manager, Vehicle Maintenance | 1 |
| Benefits Analyst, Senior, Deferred Compensation | 2 |
| Business Computing Solutions Specialist, Lead | 2 |
| Business Computing Solutions Specialist, Senior | 2 |
| Business Systems Analyst, Principal | 2 |
| Business Systems Analyst, Senior | 2 |
| Business Systems Analyst, Senior, Contracts Admin & Materials Mgmt | 1 |
| Chief Engineer | 1 |
| Chief Executive Officer | 1 |
| Civil Engineer, Principal | 1 |
| Civil Engineer, Senior | 1 |
| Claims Representative | 2 |
| Claims Representative, Associate | 2 |
| Claims Representative, Senior | 2 |
| Code Administrator | 2 |
| Code Administrator, Senior | 2 |
| Construction Safety Officer | 2 |
| Construction Services Supervisor | 2 |
| Consultant | 1 |
| Contract Transportation Analyst | 2 |
| Contract Transportation Analyst, Senior | 2 |
| Data Warehouse Architect | 2 |
| Data Warehouse Architect, Senior | 2 |
| Database Administrator | 2 |
| Database Administrator, Senior | 2 |
| Deputy Chief Executive Officer | 1 |
| Director, Board of Directors | 1 |
| Director, Clerk of the Board | 1 |
| Director, Finance, Administration and Human Resources | 1 |
| Director, Special Projects | 1 |
| Director, Strategic Planning | 1 |
| Executive Director, Development | 1 |
| Executive Director, Employee and Labor Relations, and Civil Rights | 1 |
| Executive Director, External Affairs | 1 |
| Executive Director, Finance, Administration, and Human Resources | 1 |
| Field Administrator | 1 |
| Field Administrator, Senior | 1 |
| Financial Analyst, Principal | 2 |
| Financial Analyst, Senior, Contracts Admin & Materials Mgmt | 2 |

**Designated Positions and Disclosure Category
January 1 – December 31, 2006**

| | |
|--|---|
| Fleet Analyst | 2 |
| Fleet Analyst, Senior | 2 |
| General Counsel | 1 |
| General Manager, Transit Operations | 1 |
| Government Relations Representative, Principal | 1 |
| Grants Funding Manager | 2 |
| Grants Funding Specialist | 2 |
| Grants Funding Specialist, Associate | 2 |
| HR Section Manager, Senior, Compensation and Benefits | 2 |
| Internal Auditor | 1 |
| Internal Auditor, Principal | 1 |
| Internal Auditor, Senior | 1 |
| Internal Communications and Employee Programs Manager | 2 |
| Intranet/Multimedia Specialist | 2 |
| Intranet/Multimedia Specialist, Senior | 2 |
| Inventory Analyst | 2 |
| Investment Officer | 2 |
| Investment Officer, Senior | 2 |
| IS Business Strategist | 1 |
| IS Project Manager I | 2 |
| IS Project Manager II | 2 |
| IS Project Manager III | 2 |
| IS Section Manager, Senior | 2 |
| IS Security Analyst | 2 |
| IS Security Analyst, Associate | 2 |
| IS Security Analyst, Senior | 2 |
| Lieutenant, Orange County Sheriff's Department | 1 |
| LNG Engineer | 2 |
| Local Government Relations Representative, Principal | 2 |
| Maintenance Analyst, Senior | 2 |
| Maintenance Field Administrator, Senior | 2 |
| Maintenance Supervisor, Electronics | 2 |
| Maintenance Supervisor, Vehicle Maintenance and Physical Support | 2 |
| Manager, Capital Programs & Metrolink Operations | 1 |
| Manager, 91 Express Lanes | 1 |
| Manager, Accounting and Financial Reporting | 1 |
| Manager, Community Transportation Services | 1 |
| Manager, Contracts Administration and Materials Management | 1 |
| Manager, Federal Relations | 1 |
| Manager, Financial Planning and Analysis | 1 |
| Manager, Fixed Route Operations | 1 |
| Manager, Human Resources | 1 |
| Manager, Information Systems | 1 |
| Manager, Internal Audit | 1 |
| Manager, Maintenance | 1 |

Designated Positions and Disclosure Category
January 1 – December 31, 2006

| | |
|--|---|
| Manager, Marketing | 1 |
| Manager, Metrolink Expansion | 1 |
| Manager, Operations Analysis | 1 |
| Manager, Planning and Analysis | 1 |
| Manager, Planning, Development and Commuter Rail | 1 |
| Manager, Planning, Scheduling, and Customer Advocacy | 1 |
| Manager, Public Communications | 1 |
| Manager, Risk Management | 1 |
| Manager, Safety, Environmental Compliance | 1 |
| Manager, Security Threat Assessment | 1 |
| Manager, State Relations | 1 |
| Manager, Transit System Development | 1 |
| Manager, Treasury | 1 |
| Marketing Contracts Administrator | 1 |
| Marketing Program Administrator | 2 |
| Media Relations Officer | 1 |
| Media Relations Specialist, Senior | 1 |
| Network Analyst | 2 |
| Network Analyst, Senior | 2 |
| OCTAP Administrator | 2 |
| Operations Analyst | 2 |
| Operations Analyst, Associate | 2 |
| Operations Analyst, Senior | 2 |
| Printing and Reprographics Administrator | 2 |
| Procurement Administrator | 2 |
| Procurement Administrator, Associate | 2 |
| Procurement Administrator, Senior | 1 |
| Program Manager, Development | 1 |
| Project Controls Analyst | 2 |
| Project Controls Analyst, Senior | 2 |
| Project Controls Manager | 2 |
| Project Manager, Development | 2 |
| Project Manager, Rail Program | 2 |
| Rail Right-of-Way Administrator | 1 |
| Right-of-Way Administrator | 1 |
| Right-of-Way Administrator, Principal | 1 |
| Right-of-Way Administrator, Senior | 1 |
| Safety, Health and Environmental Specialist | 2 |
| Safety, Health and Environmental Specialist, Senior | 2 |
| Schedule Analyst | 1 |
| Schedule Analyst, Associate | 1 |
| Schedule Analyst, Senior | 1 |
| Section Manager, Access Services | 1 |
| Section Manager, Accounting | 2 |
| Section Manager, Accounting Operations | 2 |

Designated Positions and Disclosure Category
January 1 – December 31, 2006

| | |
|--|---|
| Section Manager, Accounts Payable | 2 |
| Section Manager, Advertising and Promotions | 2 |
| Section Manager, Budget Development | 2 |
| Section Manager, Capital Programs | 1 |
| Section Manager, Central Communications Radio Operations | 1 |
| Section Manager, Claims | 2 |
| Section Manager, Comprehensive Business Plan/Grants | 2 |
| Section Manager, Corridor Studies | 1 |
| Section Manager, Creative Services | 2 |
| Section Manager, Electronics/Radio | 2 |
| Section Manager, Employee Relations | 2 |
| Section Manager, Employment | 2 |
| Section Manager, Facilities/Maintenance | 1 |
| Section Manager, General Accounting | 2 |
| Section Manager, General Services | 2 |
| Section Manager, GIS | 1 |
| Section Manager, IS Business Support Services | 2 |
| Section Manager, Long-Range Strategies | 1 |
| Section Manager, Maintenance | 2 |
| Section Manager, Maintenance Operations | 1 |
| Section Manager, Maintenance Procurement Team | 2 |
| Section Manager, Maintenance Resource Management | 1 |
| Section Manager, Maintenance Support Services | 2 |
| Section Manager, Marketing Research & Program Development | 2 |
| Section Manager, Motorist Services | 1 |
| Section Manager, Operations Planning and Scheduling | 1 |
| Section Manager, Operations Support | 2 |
| Section Manager, Payroll | 2 |
| Section Manager, Procurement Team | 1 |
| Section Manager, Programming | 1 |
| Section Manager, Project Delivery | 1 |
| Section Manager, Project Development | 1 |
| Section Manager, Regional Transportation Modeling | 1 |
| Section Manager, Right-of-Way | 1 |
| Section Manager, Scheduling | 1 |
| Section Manager, Strategic Planning | 1 |
| Section Manager, Training and Development | 2 |
| Section Manager, Transit Technical Services | 2 |
| Section Manager, Vehicle Maintenance Operations | 2 |
| Section Supervisor, Asset Management | 2 |
| Section Supervisor, Facility Maintenance | 2 |
| Section Supervisor, Office Services | 2 |
| Section Supervisor, Revenue | 1 |
| Section Supervisor, Stores, Contracts Admin & Materials Mgmt | 2 |
| Service Analyst, Senior | 1 |

Designated Positions and Disclosure Category
January 1 – December 31, 2006

| | |
|---|---|
| Small Business Program Administrator | 1 |
| Special Assignment, Local or Regional Initiatives | 1 |
| Special Assignment, Marketing Programs | 2 |
| Special Project Manager | 1 |
| Stops and Zones Analyst | 1 |
| Stops and Zones Analyst, Senior | 1 |
| Stops and Zones Planner, Associate | 1 |
| Stops and Zones Planner, Senior | 1 |
| Systems Software Analyst | 2 |
| Systems Software Analyst, Senior | 2 |
| Telecommunications Coordinator / Administrator | 2 |
| Training and Development Administrator | 2 |
| Training and Development Administrator, Senior | 2 |
| Transportation Analyst | 1 |
| Transportation Analyst, Principal | 1 |
| Transportation Analyst, Senior | 1 |
| Warranty Coordinator | 2 |
| Warranty Coordinator, Senior | 2 |
| Web Developer | 2 |
| Web Developer, Senior | 2 |



BOARD COMMITTEE TRANSMITTAL

November 27, 2006

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Amendment to Agreement with Sloat Higgins Jensen & Associates for State Legislative Advocacy and Consulting Services

Legislative and Government Affairs/Public November 16, 2006
Communications Committee

Present: Directors Buffa, Campbell, Cavecche, Correa, Ritschel and Wilson
Absent: Directors Rosen and Silva

Committee Vote

This item was passed by all Committee Members present.

Director Wilson was not present to vote on this item.

Committee Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-2-0947 between the Orange County Transportation Authority and Sloat Higgins Jensen & Associates, in an amount not to exceed \$339,984, to exercise the final two-year option term for state legislative advocacy and consulting services.



November 16, 2006

To: Legislative and Government Affairs/Public Communications Committee

From: Arthur T. Leahy, Chief Executive Officer *ALV*

Subject: Amendment to Agreement with Sloat Higgins Jensen & Associates for State Legislative Advocacy and Consulting Services

Overview

On November 15, 2002, the Board of Directors approved an agreement with Sloat Higgins Jensen & Associates, in the amount of \$324,000, to provide state legislative advocacy and consulting services. Sloat Higgins Jensen & Associates was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-2-0947 between the Orange County Transportation Authority and Sloat Higgins Jensen & Associates, in an amount not to exceed \$339,984, to exercise the final two-year option term for state legislative advocacy and consulting services.

Background

For 20 years, the Orange County Transportation Authority (OCTA) and a predecessor agency retained the services of the same firm in Sacramento for state legislative advocacy and consulting services. In 2002, the Board of Directors authorized staff to solicit Requests for Proposals for these services. The procurement was originally handled in accordance with OCTA procedures for professional and technical services with the Legislative and Government Affairs Committee conducting interviews of the three qualified firms submitting proposals.

Upon the committee's recommendation, the Board of Directors, on November 15, 2002, awarded the agreement for state legislative advocacy

services to Sloat Higgins Jensen & Associates (SHJA). The agreement included one two-year term with two, two-year option terms. The initial term of the agreement commenced on December 1, 2002, and expired on November 30, 2004. On September 13, 2004, the Board of Directors exercised the first two-year option term of the agreement.

Discussion

Amendment No. 1 of the agreement with SHJA will expire November 30, 2006. On August 3, 2006, staff brought forward the contract status to the Legislative and Government Affairs/Public Communications Committee. The committee instructed staff to return in November with a performance evaluation of SHJA's services with a recommendation to exercise the final two-year option term of the agreement.

Staff's evaluation is included as Attachment A. Each issue has been evaluated based on effort and outcome using a rating of excellent, very good, good, fair, or poor. SHJA has provided a self assessment included as Attachment B. To assist in the evaluation, the Scope of Work for the advocacy and consulting services is included as Attachment C.

Staff has rated SHJA's efforts overall as very good based on responsiveness, advancing OCTA's positions and policies, and assisting in building cooperative relationships with legislators and members of various state departments, boards, and commissions. Staff has rated SHJA's outcomes overall as very good based on the outcomes of the issues discussed.

Based on SHJA's performance during the first four years of the agreement, it is being recommended to extend SHJA's agreement through the second two-year option term. The original agreement awarded on November 15, 2002, was in the amount of \$324,000. This agreement has been amended previously and is included as Attachment D. The total amount after approval of Amendment No. 2 will be \$1,003,968.

Fiscal Impact

The additional work described in Amendment No. 2 to Agreement C-2-0947 was approved in the OCTA's Fiscal Year 2007 Budget, State Relations Department, Account 1420-7519-A3202-9TW, and is funded through the general fund.

Summary

Based on the material provided, staff recommends approval of Amendment No. 2, in the amount of \$339,984, to Agreement C-2-0947 with Sloat Higgins Jensen & Associates.

Attachments

- A. Staff Evaluation of Services Provided by Sloat Higgins Jensen & Associates
- B. Sloat Higgins Jensen & Associates Self Assessment of Work Performed for OCTA in 2006
- C. Sacramento Legislative Advocacy and Consulting Services, Scope of Work
- D. Sloat Higgins Jensen & Associates Agreement C-2-0947 Fact Sheet

Prepared by:



P. Sue Zuhlke
Manager, Safety & State Relations
(714) 560-5574

**Staff Evaluation of Services Provided by
Sloat Higgins Jensen & Associates**

The following narrative provides specific information with respect to major issues addressed by Sloat Higgins Jensen & Associates (SHJA) in 2006 and general services provided. Each issue has been evaluated based on effort and outcome using a rating of excellent, very good, good, fair, or poor.

Strategic Growth Plan and Infrastructure Bonds

Effort: Excellent; Outcome: Very Good

In January, the Governor introduced his Strategic Growth Plan which included a transportation infrastructure bond comprised mainly of transportation projects selected by the Department of Transportation (Caltrans). The plan did not necessarily reflect the main priorities of the Orange County Transportation Authority (OCTA) and failed to recognize the contributions of local transportation sales tax agencies. In early February, the Board of Directors adopted policy positions to guide the evaluation of a transportation infrastructure bond proposal. These guiding principles stated that any bond should complement local sales tax measures, not be repaid with existing revenue sources, distribute funding in a fair and equitable manner, provide private funding options where appropriate, and expedite project delivery through measures such as design-build and consolidated environmental review.

SHJA was a prominent advisor to both the Governor's office and the Legislature throughout negotiations on the transportation bond. SHJA worked with legislative committee staffs to coordinate presentations by OCTA on coordination with local sales tax measures on the ballot, equitable distribution of funds for priority projects nominated by regional agencies instead of project earmarks, public private partnerships, and design-build. The result of these efforts culminated with a transportation bond proposal that included formula funds for transit and local streets and roads, \$1 billion for a state and local partnership program, \$1 billion augmentation for the State Transportation Improvement Program (STIP), and competitive funding for corridor mobility improvement projects with high priority to be given to projects nominated by both Caltrans and the local transportation agency.

Additionally, trailer bills were introduced to provide for limited public private partnership opportunities for goods movement, 12 design-build projects, National Environmental Policy Act (NEPA) review delegation to Caltrans, and protection of Proposition 42. All bills except the design-build bill passed both houses and were signed by the Governor. The design-build authority passed the Senate, but failed passage in the Assembly. Although system-wide design-build legislation did not get enacted this session, SHJA and staff made tremendous progress advancing the benefits of design-build and rebutting the false information being circulated by opponents of design-build.

Sponsor Legislation - Reimbursement of Local Funds Expended on Projects Programmed in the STIP

Effort: Excellent; Outcome: Fair

OCTA sponsored AB 267 (Daucher, R-Brea) which would have allowed local agencies to be reimbursed for local expenditures advanced on projects programmed in the STIP. Under existing practices, a local agency can only be reimbursed for expenditures in the 12 months prior to an allocation by the California Transportation Commission (CTC). AB 267 would have allowed that reimbursement to occur at any time if certain conditions were met. Initially, the bill was strongly opposed by CTC staff and Caltrans had also expressed concern to the Governor's office.

SHJA and OCTA staff worked with Commissioner Bergeson and CTC staff to assist in drafting amendments in order for the CTC to remain neutral on the bill. SHJA was instrumental in coordinating a meeting with the Governor's office, Caltrans, Business, Transportation & Housing Agency, and OCTA staff which culminated with Caltrans remaining neutral on the bill. SHJA and staff were able to get the bill moved through the Assembly; however, the bill was held in the Senate Appropriations suspension file without a hearing due to circumstances beyond SHJA and staff's control.

This bill will be reintroduced in 2007.

Sponsor Legislation – Stabilize Funding for Project Planning, Programming, and Monitoring (PPM)

Effort: Good; Outcome: Poor

AB 2538 (Wolk, D-Davis), co-sponsored by the California Association of Councils of Governments (CALCOG) and OCTA, would have established a stable base of funding for planning, programming, and monitoring and authorized each transportation planning agency or county transportation commission to request and program up to 5 percent of their county share for (PPM) purposes. This was the second session that OCTA sought to introduce legislation to stabilize PPM funding. Due to the response from Assembly Appropriations Committee staff a few years ago, OCTA staff convinced CALCOG to find an author to carry this legislation following over 20 months of negotiations with all concerned agencies and the CTC.

Unfortunately, CALCOG failed to actively pursue an author and another transportation agency, not actively engaged during the negotiations, approached Assembly Member Wolk to author the legislation drafted by OCTA staff. Although SHJA had already submitted language to legislative counsel and could have secured an author, we believed it was better for CALCOG to take the lead to show broad consensus.

Unfortunately, Assembly Member Wolk accepted an amendment to eliminate the language from the bill that provided stability for PPM funding, a move which made the bill only beneficial to agencies in her area. Under existing law, transportation agencies

within her district could only program 1 percent of the county shares for PPM and wanted the amount increased to 5 percent.

SHJA convened numerous meetings with Assembly Appropriations Committee staff and Assembly Member Wolk's staff to explain the necessity of the stable funding. Unfortunately, Appropriations Committee staff was not able to grasp the concept that PPM funds are part of the county shares distributed by formula and was concerned that the bill removed the ability of the Legislature to appropriate funds.

Other Significant Legislation

Effort: Excellent; Outcome: Excellent

Two bills introduced in 2006 were of significance to transit operations. SB 1726 (Lowenthal, D-Long Beach) was introduced as a California Transit Association (CTA) sponsor bill to protect transit agencies' ability to use current technology to display route information on bus headsigns. Over the last couple of years, the California Highway Patrol (CHP) had begun to issue citations to several transit agencies because the bus headsign displayed information in a color other than amber and/or displayed text that flashed (paged) or scrolled across the headsign. Numerous attempts to address the issue administratively failed. The CTA sponsored a bill to update the Vehicle Code to include current technologies which was formally opposed by the CHP. A few transit agencies vehemently opposed giving into CHP's requests to modify parts of the language including excluding the use of red and blue on the headsigns. OCTA staff convinced the transit agencies to negotiate with CHP, while SHJA worked with the Administration and CHP to also make concessions. As a result, this bill was signed by the Governor.

AB 1699 (Frommer, D-Glendale) would have banned the push mode in commuter rail operations. OCTA opposed this legislation which could have severely impacted Metrolink operations because Federal Railroad Administration (FRA) studies found that statistically significant data did not exist to suggest that the push mode is less safe than any other mode. OCTA and Metrolink offered alternatives to the author that would have had a more significant impact on the safety of rail passengers. The author amended his bill to provide for additional studies. The Governor vetoed this bill as unnecessary based on the research conducted by the FRA.

Another significant bill supported by OCTA was AB 372 (Nation, D-San Rafael). AB 372 extended the design-build authority for transit projects. Although the author accepted amendments offered by the Professional Engineers in California Government to prohibit the use of this authority on highway projects, this bill provided an opportunity for staff and SHJA to discuss the success of the SR-22 improvement project being constructed under this transit authority.

State Budget Issues Affecting Transportation

Effort: Excellent; Outcome: Excellent

While the Governor's budget proposal for fiscal year 2006-2007 provided full funding of Proposition 42, it retained all of the "spillover" for the General Fund. Through SHJA's participation in the transit lobby coalition and direct advocacy on behalf of OCTA, the final budget allocated nearly half of the "spillover" revenue (\$323 million) to transit with 80 percent instead of 50 percent dedicated to transit operations through formula distribution. This distribution of "spillover" provided OCTA an additional \$13.6 million for transit. The General Fund used \$200 million of "spillover" revenue to repay Proposition 42 loans and contribute \$125 million to the Bay Bridge. The final budget included additional early Proposition 42 repayments totaling more than \$1.5 billion. SHJA effectively advocated for early repayment to provide funding for the STIP which allowed OCTA projects to remain funded and provide funding for local streets and roads that would have not otherwise been available.

During sub-committee hearings on the budget, Assembly Budget Subcommittee #5 on Transportation and Technology took action to approve trailer bill language that would have prevented the construction of the Foothill Transportation Corridor-South (FTC-S) toll road. As a vital part of Orange County's mobility, SHJA advocated against the proposal to eliminate the FTC-S. The Assembly Budget Subcommittee #5's proposal failed.

General Services

Effort: Very Good; Outcome: Very Good

SHJA has regularly scheduled meetings with legislators, committee consultants, Administration staff, and staff of various state departments, boards, and commission to discuss issues of importance to OCTA. Administration staff has relied on SHJA to discuss and provide recommendations on a number of issues including the cost overruns of the Bay Bridge, transportation funding, and an infrastructure bond.

SHJA has been responsive to requests by OCTA staff, provided timely information and reports, and provided testimony in legislative committees that accurately reflect Board positions on legislation and policy issues.

Overall Rating

Effort: Very Good; Outcome: Very Good

SHJA's efforts overall are rated as very good based on responsiveness, time dedicated to advocating for and advancing OCTA's positions and policies, timeliness of information, assisting in building cooperative relationships with legislators and members of various state departments, boards, and commissions, and availability. SHJA's outcomes overall are rated as very good based on the outcomes of the issues discussed.

**SLOAT HIGGINS JENSEN & ASSOCIATES
SELF ASSESSMENT OF WORK PERFORMED
FOR OCTA IN 2006**

- The Governor completed action on the 2006 Legislative Session September 30th by taking action on the last of the 1,172 bills sent to him by the Legislature in 2006.
- Of those he signed 910 into law and vetoed 262. Most of the bills signed into law will go into effect on January 1, 2006.
- Depending on the outcome of the election and the Measure M extension, 2006 could go down as one of the more productive sessions for transportation both for Orange County and the State of California.
- The OCTA Board and staff focused our efforts this year on the Governor's Strategic Growth Plan, the State Budget, and several pieces of legislation.
- We feel we met and exceeded expectations in these areas.
- Transportation became a major focus in Sacramento in 2006 with the release of the Governor's budget and the release of the Governor's Strategic Growth Plan for California in January.
- Although we did not have a position on the bond, we had clear direction to ensure fair treatment for Orange County, ensuring that OCTA was relevant in the discussions going on both in the Governor's office and the Legislature.
- We were pleased that OCTA was included in all major discussions in the Governor's office. We were successful in convincing them to avoid earmarks for specific projects.
- We spent time with members of the Orange County legislation delegation, education them to the impacts to Orange County and the interaction with the extension of Measure M.
- We also treated it as a priority to show that the work of the Measure Counties have kept transportation moving forward in California and we need to be sure that actions taken by the State compliment what is happening at the local level rather than hurting.
- Our direction from the OCTA Board was to see that Measure Counties were treated fairly in the bond and rewarded rather than punished for providing local funding to the transportation mix. We were very pleased the final bond included funding for the State and Local Partnership program.
- Numerous hearings were held in the Legislature and it was clear that the Legislature as well as the Governor were focused with making dramatic change and investment in the transportation arena.
- Working together we were able to see Protection for Proposition 42 go forward to the voters as well as a major transportation bond that has the potential to help Orange County through increased funding for the STIP, local streets and roads funding and money specifically for Measure Counties.

- If measures 1A and 1B pass in November- Protection of Proposition 42, as well as increased funding through the bond will allow for the STIP process to run as it was intended and projects will be able to programmed in the STIP into the future.
- Our direction from the Board was to see that Proposition 42 was funded and that past loans from Proposition 42 were repaid. We were pleased that the enacted Transportation Budget included both of these elements. This was especially important to see that Cities and Counties received local street and road monies.
- We were very pleased with this year's OCTA Lobby day in Sacramento- the timing was interesting and our meetings with Legislative leadership and the Administration allowed us keen insight into the Bond deliberations (giving that they originally failed the night of the OCTA delegation dinner). The direct presence of OCTA Board Members and Staff was imperative to show the importance and the relevancy of OCTA.
- Although supportive of bills to expand design-build, we were disappointed the Governor signed SB 1026 which allowed the I-405 HOV lane in Los Angeles. Our fear, which was realized, was that it would take pressure off of doing additional design-build projects in the State. OCTA rightly opposed the bill but with the signature by the Governor, no other design-build legislation was able to get through the process.
- Throughout the year we worked on a number of different issues:
 - ✓ SB 1726- the bill to authorize buses to be properly equipped with illuminated head signs;
 - ✓ Amending AB 1699 to ensure that the "push" mode in commuter rail operation is not banned which would have had a dramatic fiscal impact on OCTA.
 - ✓ Derailing efforts to keep public agencies from promoting a bond or ballot measure that has not qualified for the ballot; [(SB 740 (Romero), a bill we didn't have a position but worked behind the scenes. The bill would have prohibited the use of public funds for the creation of video news releases by state agencies. It was amended to also prohibit the use of public funds for promoting a bond or ballot measure that has not yet qualified for the ballot. Senator Romero took an additional amendment to take out the language dealing with public agencies and bond measures. It moved forward without the campaign language)].
 - ✓ Working with the Governor's office and Attorney General to ensure that Orange County is not unfairly target for Greenhouse gas emissions.
- We were disappointed that two OCTA sponsored bills did not make it to the Governor in 2006 in the way intended:
- AB 267 (Daucher) which would have clarified that local entities who advance STIP projects with local funds are reimbursed. This bill advanced through most of the legislative process and had support within the Governor's office and the CTC. Unfortunately, election year politics did not enable the bill to move to the Governor.
- AB 2538 (Wolk) was introduced to allow local entities to unitize more of their county share money for Programmed Planning and Monitoring activities. Although the bill was signed into law, the provisions that would have benefited

OCTA were taken out. This was largely due in our opinion to staff in the capitol not fully understanding the intent and the interaction with current transportation funding in the State. Although we were disappointed in the outcome, we hope that the stage is set for accomplishing this goal through future legislation.

- As stated earlier, 2006 has the potential to be the most successful year for transportation funding in recent memory. SHJ&A feels that we met our goals with respect to the Governor's Strategic Growth Plan, the State Budget and many pieces of Legislation. While we did not achieve all of our goals, OCTA is well positioned for 2007 and beyond in the Legislative arena and the Administration to continue to meet and exceed future goals.

**Sacramento Legislative Advocacy and Consulting Services
Scope of Work**

Reporting Relationship

The Director of Government Relations and/or his/her designee will be the key contact and will direct the work of the CONSULTANT.

Role of the CONSULTANT

Under the direction of the Director of Government Relations and/or his/her designee, the CONSULTANT shall be responsible for implementing the objectives described below.

Objectives

Objective 1: Maintain regular contact with the Governor's office; members of the Legislature and committee staff; and state departments, agencies, boards, commissions, committees, and staff to determine impending changes in laws, regulations, and funding priorities that relate to the OCTA.

- Meet with members of the Governor's office and Legislature to discuss policy issues affecting OCTA.
- Attend meetings of the California Transportation Commission and report issues that could affect programming of OCTA projects.
- Attend meetings of the Board of Equalization and report issues that could affect funding.
- Participate in transportation related meetings with various state departments, including, but not limited to, the Department of Finance; Business, Transportation, and Housing; Department of Transportation; California Highway Patrol; Environmental Protection Agency; and Air Resources Board.

Objective 1 Deliverable:

1. Electronic reports of issues that could affect OCTA projects or funding.

Objective 2: Notify OCTA of anticipated, newly introduced, or amended state legislation and proposed regulations which could impact OCTA.

- Provide bill number and brief summary of introduced or amended state legislation via e-mail.
- Provide hard copies of legislation and committee analyses.
- Provide information relative to legislative hearings.

- Advise OCTA of proposed transportation, environmental, employment, and safety related legislation and regulations which could impact OCTA and provide copies as requested.

Objective 2 Deliverables:

1. Copies of legislation, committee analyses, and proposed regulations.
2. Electronic notification of introduced bills and amendments, with summaries.
3. Notification of legislative hearings.

Objective 3: Advocate OCTA's legislative program and positions on legislation, proposed regulations, and funding and transportation programming priorities as adopted by the Board of Directors.

- Participate in the preparation of OCTA's legislative program by informing staff of upcoming legislative proposals, budget forecasts, and potential policy issues.
- Assist in securing authors and drafting language for sponsor bills.
- Assist in drafting amendments to legislation and regulations.
- Testify on behalf of OCTA on Board adopted positions on legislation at committee and floor hearings, as appropriate.
- Provide copies of all written correspondence, testimony, and position papers given on behalf of OCTA.
- Schedule meetings with legislators, Governor's office, and state departments for OCTA Directors and staff to advocate legislative and funding priorities.
- Participate in transit and transportation lobbying coalitions.
- Analyze and prepare advice on the proposed state budget as it relates to transportation, including, but not limited to, identifying decreases/increases in existing programs, new funding sources, and strategies to enhance transportation funding for OCTA.

Objective 3 Deliverables:

1. Copies of all written correspondence, testimony, and position papers given on behalf of OCTA.
2. Schedule of meetings with legislators, Governor, and administration.
3. Budget analyses.

Objective 4: Provide written and oral reports.

- While the Legislature is in session, prepare monthly written reports highlighting transportation and related developments in Sacramento of importance to OCTA.
- Submit an annual written report of advocacy activities and accomplishments.

- Six times per year, present an oral report to the Board of Directors during a regular meeting.
- Once per month, participate via telephone in the Legislative and Government Affairs Committee meeting or other designated committee of the Board of Directors.
- Maintain close contact with the Manager of Government Relations on issue of importance.
- Provide electronic updates via e-mail to designated recipients on meetings of the Legislature, transportation issues of importance, press releases, and other issues of importance to OCTA.

Objective 4 Deliverables:

1. Monthly written reports highlighting transportation and related developments in Sacramento.
2. Annual written report of advocacy activities and accomplishments.
3. Six oral presentations to the Board of Directors.
4. Monthly conference calls with the Legislative and Government Affairs Committee or other designated committee.
5. Electronic updates on issues of importance.

Objective 5: Maintain Sacramento office.

- Maintain an office in Sacramento, convenient to the State Capitol.
- Provide briefings at office prior to meetings at the Capitol.
- Have available an office for use by Board members and staff while performing OCTA business in Sacramento.

Objective 5 Deliverable:

1. Office in Sacramento.

Objective 6: Provide monthly invoices of services provide.

- Provide a written summary of meetings attended on behalf of OCTA.
- Provide a list of issues advocated during the month and status.
- Indicate number of hours dedicated to OCTA advocacy.

Objective 6 Deliverable:

1. Monthly invoice that includes a written summary of meetings attended on behalf of OCTA, list and status of issues advocated during the month, and number of hours dedicated to OCTA advocacy.

**Sloat Higgins Jensen & Associates
Agreement C-2-0947 Fact Sheet**

1. November 15, 2002, Agreement C-2-0947, \$324,000, approved by the Board of Directors.
 - Contract to provide State Legislative Advocacy and Consulting Services.
2. September 13, 2004, Amendment No. 1 to Agreement C-2-0947, \$339,984, approved by the Board of Directors.
 - Amendment to exercise the first two-year option term and increase the maximum obligation by \$339,984.
3. November 27, 2006, Amendment No. 2 to Agreement C-2-0947, \$339,984, pending approval by Board of Directors.
 - Amendment to exercise the second and final two-year option term and increase the maximum obligation by \$339,984.

Total committed to Sloat Higgins Jensen & Associates for State Legislative Advocacy and Consulting Services, Agreement C-2-0947: \$1,003,968.



BOARD COMMITTEE TRANSMITTAL

November 27, 2006

To: Members of the Board of Directors
From: Wendy Knowles^{WV}, Clerk of the Board
Subject: Agreement for Project Management Consultant Selection for Freeway Chokepoint and Retrofit Soundwall Programs

Regional Planning and Highways Committee

November 20, 2006

Present: Directors Cavecche, Correa, Dixon, Green, Monahan, Norby, Pringle, Ritschel, and Rosen
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Agreement C6-0670 between the Orange County Transportation Authority and Huitt-Zollars, Inc., in an amount not to exceed \$195,000, to provide specialized technical expertise and project management support services for the Freeway Chokepoint and Retrofit Soundwall programs.



November 20, 2006

To: Regional Planning and Highways Committee

From: Arthur T. Leahy, Chief Executive Officer

Subject: Agreement for Project Management Consultant Selection for Freeway Chokepoint and Retrofit Soundwall Programs

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, the Board of Directors approved procurement of project management consultant services for the Freeway Chokepoint and Retrofit Soundwall programs. Offers were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

Recommendation

Authorize the Chief Executive Officer to execute Agreement 6-0670 between the Orange County Transportation Authority and Huitt-Zollars, Inc., in an amount not to exceed \$195,000, to provide specialized technical expertise and project management support services for the Freeway Chokepoint and Retrofit Soundwall programs.

Background

The Orange County Transportation Authority (Authority) and the California Department of Transportation (Caltrans) have been working together to identify potential spot improvements and operational enhancements along major Orange County freeways. This program is known as the Freeway Chokepoint Program.

In addition to Freeway Chokepoint Program, the Freeway Retrofit Soundwall Program, working cooperatively with Caltrans, is a voluntary program created by the Authority to help address residential neighborhood concerns with general freeway traffic noise.

Implementation and delivery of the Freeway Chokepoint and Retrofit Soundwall programs requires project management support services to supplement one full-time position dedicated to these programs. The main function of the project management consultant (PMC) is to provide quality assurance (QA) reviews of various environmental and technical studies. The highly specialized technical expertise needed to perform this function is not available with on-board Authority staff or other current consultants.

Discussion

This procurement was handled in accordance with the Authority's procedures for professional and technical services. In addition to cost, many other factors are considered in an award for professional and technical services. Therefore, the requirement was handled as a competitive negotiated procurement. Award is recommended to the firm offering the most effective overall proposal considering such factors as staffing, prior experience with similar projects, approach to the requirement, and technical expertise in the field.

The project was advertised on September 8, 2006, in a newspaper of general circulation, and on CAMMNET. A pre-proposal meeting was held on September 27, 2006, and was attended by 13 people representing 13 firms.

On October 12, 2006, five offers were received. An evaluation committee composed of staff from the Authority and Caltrans was established to review all offers submitted. The offers were evaluated on the basis of staffing, technical expertise, work plan and cost. On October 25, 2006, interviews were held with the three short-listed firms. Based on their findings, the evaluation committee recommends the following firm to the Regional Planning and Highways Committee for consideration of an award:

Firm and Location

Huitt-Zollars, Inc.
Irvine, California

The Huitt-Zollars, Inc. team of consultants presented an excellent technical proposal that demonstrated the firm's extensive experience on similar types of projects. The team demonstrated a thorough and complete QA plan in the interview, a key component of the PMC role and responsibilities.

Fiscal Impact

The project was approved in the Authority's Fiscal Year 2006-07 Budget, Development/Project Development, Account 1537-7519.

Summary

Based on the information provided, staff recommends award of Agreement 6-0670 to Huitt-Zollars, Inc., in an amount not to exceed \$195,000, for PMC services for the Freeway Chokepoint and Retrofit Soundwall programs.

Attachment

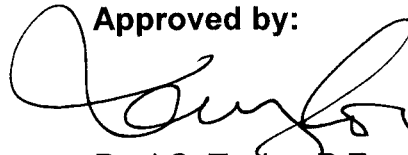
None.

Prepared by:



Arshad M. Rashedi, P.E., PMP
Section Manager, Project Management
(714) 560-5874

Approved by:



Paul C. Taylor, P.E.
Executive Director, Development
(714) 560-5431



BOARD COMMITTEE TRANSMITTAL

November 27, 2006

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Master Plan of Arterial Highways Status Report

November 20, 2006

Present: Directors Correa, Cavecche, Dixon, Green, Monahan, Norby, Pringle, Ritschel, and Rosen
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Director Green opposed the deletion of the Hoover Street/Gothard Street connector request.

Committee Recommendation

Receive and file as an information item.



November 20, 2006

To: Regional Planning and Highways Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Master Plan of Arterial Highways Status Report

Overview

The Orange County Transportation Authority is responsible for administering the Master Plan of Arterial Highways, including the review and approval of amendments requested by local agencies. The status of pending Master Plan of Arterial Highways actions and projects is presented for the Board of Directors information.

Recommendation

Receive and file as an information item.

Background

The Orange County Master Plan of Arterial Highways (MPAH) serves as a long-range blueprint to ensure consistent standards and coordinated planning for over 1,400 miles of arterial streets in Orange County. The MPAH was initially established in 1956 and is continuously updated to reflect changing development and traffic patterns. It is the only roadway plan of its type in Southern California, and provides a comprehensive planning tool that unifies local roadway plans to ensure regional balance and adequate capacity. Since 1990, consistency of local jurisdiction General Plan Circulation Elements with the MPAH has been required for the receipt of Measure M funding by the cities and the County to implement projects on MPAH facilities.

As part of the MPAH consistency requirement, local jurisdictions must also obtain Orange County Transportation Authority (OCTA) approval of proposed changes to MPAH facilities on their General Plan Circulation Elements. The MPAH Guidelines adopted by the OCTA Board of Directors (Board) on

November 27, 1995, and amended in April 1998, include procedures to be followed by local agencies requesting amendments to the MPAH. These guidelines are intended to ensure consistency in planning for roads at local and countywide levels. Procedures are summarized as follows:

- The local agency submits its request to change the transportation element of their General Plan in writing to OCTA, including a detailed description of the proposed amendment and documentation to support the basis for the request, such as a traffic study to assess the impacts of the proposal.
- Upon receiving an MPAH amendment request and supporting documents, OCTA convenes a staff conference with the requesting agency and representatives of adjacent jurisdictions, if necessary. The conference will determine if there is mutual agreement on the proposed amendment.
- If there is mutual agreement, OCTA provides a written response to that effect and submits the request to the OCTA Board for approval. Upon OCTA Board approval, the local agency proceeds with the process of amending its General Plan to reflect the change to its Circulation Element.
- If there is no mutual agreement or more information is needed, a cooperative study is initiated with the goal of reaching consensus between OCTA, the local agency, and affected jurisdictions as appropriate.

Proposed amendments are submitted to the OCTA Board on a quarterly basis for approval. Exceptions to this schedule may be made where a compelling need can be demonstrated by the local agency for approval prior to the next scheduled quarterly approval.

Discussion

There are currently 12 active proposed amendments to the MPAH under review, in the cooperative study process, or on hold pending resolution of issues with other agencies or the refinement of development plans. A summary of these requests is shown below. Attachment A discusses the status of the amendments in more detail.

Summary of Currently Active MPAH Amendment Requests

| JURISDICTION | STREET | REQUESTED ACTION |
|------------------|--|---|
| Brea | Brea Boulevard | Downgrade from a major (6-lane divided) arterial to a primary (4-lane divided) arterial |
| Brea | Puente Street/Whittier Boulevard | Downgrade from secondary (4-lane undivided) arterial to collector (2-lane) street |
| Brea | Tonner Canyon Road/Valencia Avenue | Delete |
| Costa Mesa | Gisler Avenue | Delete Santa Ana River bridge |
| Costa Mesa | 19 th Street | Delete Santa Ana River bridge |
| County of Orange | Rancho Mission Viejo circulation plan | Develop a circulation plan for the proposed Rancho Mission Viejo community |
| Dana Point | Golden Lantern | Downgrade from major (6-lane divided) arterial to a primary (4-lane divided) arterial |
| Huntington Beach | Hamilton Avenue | Delete west of Newland Street |
| Irvine | Great Park circulation plan | Add future streets to the MPAH within the former El Toro airbase area |
| San Clemente | Talega Valley Road | Delete proposed extension north of city limits |
| Tustin | Tustin Legacy streets | Add circulation plan for the Tustin Legacy development to the MPAH |
| Westminster | Hoover Street/Gothard Street connector | Delete |

Recent Administrative MPAH Actions

Minor temporary changes to MPAH facilities, such as temporary reductions in the number of lanes through re-striping, are considered administrative and do not require an amendment of the MPAH. In such cases, the existing

curb-to-curb width must be retained, and the city must agree to restore the original number of lanes if traffic conditions warrant in the future. A letter of concurrence regarding these requirements is requested from the city prior to any re-striping. Two cities have recently requested and been approved for re-striping projects. The letters of concurrence from the cities below are shown in Attachments B and C.

- Dana Point: Golden Lantern between Stonehill Drive and Pacific Coast Highway re-stripe from six lanes to four lanes.
- Fullerton: Valencia Drive between Highland Avenue and Brookhurst Road re-stripe from four lanes to two lanes; and Acacia Avenue between Chapman Avenue and the south city limit restripe from four lanes to two lanes.

Summary

OCTA is responsible for administering the MPAH, including the review and approval of amendments requested by local agencies. Several amendments have been proposed by local jurisdictions. These are under study by OCTA and are summarized for the Board's review.

Attachments

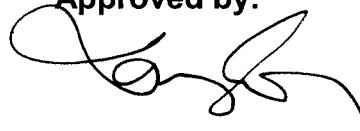
- A. Details of Currently Active MPAH Amendment Requests
- B. City of Dana Point Concurrence Letter dated August 16, 2006
- C. City of Fullerton Concurrence Letter dated August 16, 2006

Prepared by:



Wendy Garcia
Transportation Analyst
(714) 560-5738

Approved by:



Paul C. Taylor, P.E.
Executive Director, Development
(714) 560-5431

Details of Currently Active MPAH Amendment Requests

There are currently twelve active proposed amendments to the MPAH under review, in the cooperative study process, or on hold pending resolution of issues with other agencies or the refinement of development plans. The details of these requests are discussed below. Regionally significant MPAH amendments under study involve changes to the arterial network resulting from the following proposed large scale development plans:

- Tustin Legacy (former Tustin Marine Corps Helicopter Air Station)
- Great Park/El Toro re-use (Irvine)
- Ranch Mission Viejo (County of Orange)

Tustin - Tustin Legacy

As a military reservation, the former Tustin Marine Corps Helicopter Air Station (MCHAS) did not contain any public streets that were on the MPAH. The sale of the former base property led to plans for a large scale, multi-use master planned development known as the Tustin Legacy. The City of Tustin has been developing a planned circulation system in cooperation with developers over the past several years. The key arterials will be extensions of both Tustin Ranch Road (north-south) and Warner Avenue (east-west) through the Tustin Legacy area. Tustin Ranch Road will connect to Von Karman Avenue in Irvine to create a new arterial parallel to Red Hill Avenue and Jamboree Road. The extension of Warner Avenue will connect existing segments of this street on both sides of the former air station. In addition, Tustin has proposed the addition of several secondary streets in Tustin Legacy to the MPAH. The addition of these facilities to the MPAH is awaiting finalization of alignments by the city.

Irvine - Great Park

Like the Tustin MCHAS, the former El Toro Marine Corps Air Station (MCAS) also did not contain public streets that were on the MPAH. With the closure of the base and the development of a non-aviation land use plan by the City of Irvine, a circulation system needed to be developed to support the new planned land uses. A planned circulation system was developed for inclusion in the Environmental Impact Report (EIR) for the Great Park in 2003. Following adoption of the EIR by Irvine, the city requested addition of the new arterial streets in the Great Park to the MPAH.

Since that time, a developer has been selected (Lennar) and has acquired the developable property from the Department of the Navy. In addition, the Great Park Corporation was established as a public entity to oversee the overall re-development of the former air base, including the public park lands. Plans are currently being finalized by Lennar and the Great Park Corporation, including refinements to the circulation plan. Due to the on-going planning for the circulation plan, the addition of these facilities to the MPAH is on hold until final land use and circulation plans have been approved. In addition, OCTA and Irvine are in continuing negotiations regarding impacts of the

Marine Way extension (part of the proposed Great Park circulation plan) to the OCTA Irvine Bus Base.

County of Orange - Rancho Mission Viejo

The proposed Rancho Mission Viejo (RMV) development, located east of San Juan Capistrano and Mission Viejo, is the largest single development currently being planned in Orange County and will probably be the last major development in south Orange County. As currently planned, the development would include up to 14,000 new homes to be developed over a 30-year period. The MPAH cooperative study process was completed in 2004.

Major circulation issues involving the RMV development include existing congestion on existing facilities in the area such as I-5, Ortega Highway, Crown Valley Parkway, and Oso Parkway, and resistance by neighboring jurisdictions to additional traffic passing through their communities on these already congested facilities. The circulation plan proposed by RMV attempts to focus traffic to the proposed Foothill Transportation Corridor (FTC) South to minimize impacts to I-5 and the surrounding communities. An EIR was completed in 2004 that was challenged by the City of Mission Viejo and other parties, partly on circulation issues. A settlement agreement was negotiated in 2005 that provided for increased developer funding for cities impacted by the proposed development. However, the County and RMV are still making revisions to both the land use and circulation plans as the result of continuing discussions with federal and state natural resource agencies. As a result, the addition of planned streets in the RMV area has not been finalized.

Santa Ana River Crossings (SARX) Study

The Garfield-Gisler bridge crossing, over the Santa Ana River, is one of four crossings over the Santa Ana River identified in the MPAH to facilitate east-west traffic flow between the San Diego Freeway (Interstate 405) and Pacific Coast Highway in Orange County. Two of the four bridge crossings, Hamilton Avenue/Victoria Street and Adams Street, have been completed. The remaining two designated bridge crossings, Banning Avenue/19th Street and Garfield Avenue/Gisler Avenue, have been the subject of several studies to evaluate their potential deletion from the MPAH.

One of OCTA's policies in evaluating a request to amend the MPAH is that there must be a consensus among the cities affected by the proposed amendment. This policy was adopted by the OCTA Board of Directors on April 13, 1998. This policy was implemented to insure that the actions requested by any given city would not result in unacceptable impacts to another city. This policy has been communicated to the four participating cities (Costa Mesa, Fountain Valley, Huntington Beach, and Newport Beach) throughout the study effort, including elected officials at Santa Ana River Crossings (SARX) Study Policy Advisory Committee meetings as early as November 1998. Discussions among the four cities were conducted in 2002 to attempt

to reach a consensus on the issue. However, those discussions were not successful at that time.

In June 2005, the OCTA Board of Directors authorized staff to lead a cooperative study focusing on the Garfield-Gisler Bridge crossing. Each of the affected agencies (i.e., the cities of Costa Mesa, Fountain Valley, and Huntington Beach) has been an active participant in the study process. Representatives from the City of Newport Beach and County of Orange have monitored the study's progress.

The Circulation Feasibility Study and Cost Estimate for the Garfield-Gisler Crossing of the Santa Ana River was completed in June 2006. The Garfield-Gisler Ad-Hoc Policy Advisory Committee recommended entering into an agreement to build the "Smart Street and Bridge Widening Alternative A" improvements, preserve the Garfield-Gisler bridge right-of-way on the Orange County MPAH, and refrain from using the bridge for General Plan purposes or traffic analysis. This agreement has been formalized in an MOU, which has been approved unanimously by the Costa Mesa City Council and will be presented for approval to the Huntington Beach and Fountain Valley City Councils on November 6 and 7, 2006, respectively.

Discussions regarding the 19th Street/Banning Avenue Bridge are currently on hold pending completion of the Garfield-Gisler Study and other transportation studies in the Costa Mesa/Newport Beach area.

Brea – Brea Boulevard (Downgrade)

The City of Brea requested to downgrade Brea Boulevard between Imperial Highway and the south City limits from a Major (six-lane divided) to a Primary (four-lane divided) Arterial and reclassify Brea Boulevard north of Lambert Road from a Primary to a Secondary (four-lane undivided) Arterial. This amendment is currently on hold at the request of the City.

Brea – Puente Street and Whittier Boulevard (Downgrade)

The City of Brea has requested that both Puente Street from Central Avenue to Whittier Boulevard and Whittier Boulevard from Puente Street to Brea City limits be downgraded from secondary arterials to collectors (two-lane undivided) on the MPAH. Brea, in consultation with the City of La Habra, is currently initiating a traffic study.

Brea – Tonner Canyon Road/Valencia Avenue Extensions (Deletion)

For several years, Brea has sought deletion of Tonner Canyon Road and Valencia Avenue (north of Carbon Canyon Road) from the MPAH. The basis for the request was to prevent regional traffic from cutting through the city on Valencia Avenue. However, a possible extension of Tonner Canyon Road into Diamond Bar was identified as an alternative in the Four Corners Study in 2000. OCTA has maintained that resolution of

the regional issue should come before OCTA considers any request to delete the streets from the MPAH.

In 2004, the city requested re-initiation of the MPAH process for the amendments proposed in the recently updated General Plan, including re-classification of Brea Boulevard (item above), and the deletion of Tonner Canyon. OCTA recommended addressing Brea Boulevard only at this time due to the Four Corners issue, which remains unresolved.

Dana Point – Golden Lantern (Downgrade)

In May 2006, the City of Dana Point requested reclassification of Golden Lantern between Camino Del Avion and Dana Point Harbor from a Major Arterial to a Primary Arterial. OCTA has recommended that any action await the outcome of the South Orange County Major Investment Study, which may recommend arterial improvements.

Huntington Beach – Hamilton Avenue Extension (Deletion)

In 2005, the City of Huntington Beach requested the deletion of the future alignment of Hamilton Avenue between Newland Avenue and Beach Boulevard from the MPAH. The area of the future alignment is located within the Coastal Zone and has been designated as wetlands. Additionally, the wetlands property is a Caltrans wetlands mitigation area. OCTA is awaiting initiation of the Cooperative Study by the City.

San Clemente – Souse Road (Deletion)

In May 2001, the City of San Clemente requested deletion of Talega Valley Road from the MPAH. At that time, OCTA requested that further action wait until the circulation plan for Rancho Mission Viejo (RMV) was finalized. The RMV land use plan has now been revised to reduce the level of proposed development south of Ortega Highway and has eliminated the need for an extension of Talega Valley Road (now named Souse Road) north of Camino Terra Grande in the City of San Clemente. OCTA is working with San Clemente and the County of Orange to complete the amendment process.

Westminster – Hoover Street/Gothard Street Connection (Deletion)

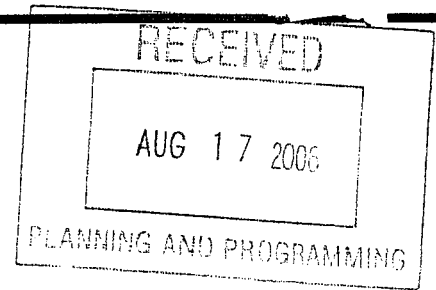
In 2000, the City of Westminster requested deletion of a proposed connection between Hoover Street in Westminster and Gothard Street in Huntington Beach. This connection had been added to the MPAH at the request of both cities in 1989. However, Huntington Beach still supports the eventual completion of the facility. In 2003, OCTA recommended that any action await the completion of the Interstate 405 Major Investment Study (MIS), as the future expansion of the freeway could impact the need for the connection. To date, Westminster has not initiated a cooperative study.

CITY OF DANA POINT



ATTACHMENT B

OFF



August 16, 2006

Mr. Kia Mortazavi
Strategic Planning Director
Orange County Transportation Authority
P.O. Box 14184
Orange, CA 92863-1584

**SUBJECT: RESTRIPING OF GOLDEN LANTERN BETWEEN CAMINO DEL
AVION AND DANA POINT HARBOR DRIVE - CONCURRENCE
AS REQUESTED IN LETTER DATED AUGUST 11, 2006**

Dear Mr. Mortazavi:

The City of Dana Point received your letter dated August 11, 2006 related to a request to reclassify Golden Lantern between Stonehill Drive and Dana Point Harbor Drive on the Master Plan of Arterial Highways (MPAH) and allow a continuous bike lane to be striped. A copy of the letter is included as Attachment 'A'.

The City is in concurrence with the terms outlined in your letter, and hopes to complete the signing and striping modifications during the week of August 21, 2006 if all goes as planned.

We wanted to thank Wendy Garcia, Glen Campbell and Charlie Larwood of your staff for their assistance with this request. They have been very helpful, and we look forward to working with you and your staff team in the future, particularly on the Major Investment Study that is in progress.

Yours truly,

Douglas Chotkeyvs
City Manager

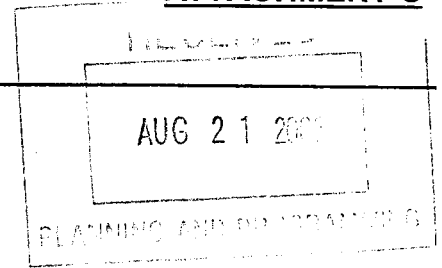
cc: Mr. Brad Fowler, Director of Public Works & Engineering Services
Mr. Matthew Sinacori, City Engineer
Mr. Kyle Butterwick, Director of Community Development
Ms. Brenda Chase, Senior Planner



CITY OF FULLERTON

City Manager's Office

ATTACHMENT C



August 16, 2006

Kia Mortazavi
Director, Strategic Planning
Orange County Transportation Authority
P.O. Box 14184
Orange, CA 92863

RE: Valencia Drive and Acacia Avenue Restriping – City of Fullerton

Dear Mr. Mortazavi:

We are in receipt of your July 10, 2006, letter regarding the restriping of the subject streets. The City concurs with your requirement that the roadway right-of-way and curb and gutter configuration will be preserved, so that if traffic volumes increase in the future beyond a two-lane facility level of service, the roadways can be reinstated as four lanes at OCTA's request.

If you have any questions, please contact Don Hoppe, Director of Engineering, at (714) 738-6864.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Meyer".

Chris Meyer
City Manager

CM:dja

Copies: Don Hoppe, City Engineer
Mark Miller, Traffic Engineer
Wendy Garcia, OCTA



BOARD COMMITTEE TRANSMITTAL

November 21, 2006

To: Members of the Board of Directors
WV
From: Wendy Knowles, Clerk of the Board
Subject: Transportation Centers Assessment Study

This item will be considered by the Transit Planning and Operations Committee on November 22, 2006. Following Committee consideration of this matter, staff will provide you with a summary of the discussion and action taken by the Committee.

Please call me if you have any comments or questions concerning this correspondence. I can be reached at (714) 560-5676.



November 22, 2006

To: Transit Planning and Operations Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Transportation Centers Assessment Study

Overview

The Orange County Transportation Authority is beginning a study of several transportation centers and park-and-ride lots. This study will assess the potential for private sector opportunities at these facilities. An update on this effort is provided for review and information.

Recommendation

Receive and file as an information item.

Background

One of the Chairman's goals for 2006 includes study of a "park-and-fly" system linking park-and-ride lots to the regional airport system. This Transportation Centers Assessment Study is a first step in addressing the Chairman's goal by identifying potential opportunities for Orange County Transportation Authority (OCTA) owned transportation centers and park-and-ride lots. The Southern California Association of Governments is also looking at regional airport connectivity through the 2007 Regional Transportation Plan.

OCTA owns the Brea Park-and-Ride, Fullerton Park-and-Ride, Goldenwest Transportation Center in Huntington Beach, Laguna Hills Transportation Center, Newport Transportation Center, and Santa Ana Transit Terminal (SATT). With the exception of SATT, these facilities have some level of parking dedicated to carpools, and opportunities may exist to enhance these facilities with private sector uses compatible with existing transit uses.

Discussion

OCTA is in the process of retaining consultant services to conduct an assessment of several OCTA-owned transportation centers and park-and-ride

facilities for potential private sector transportation services and development. The consultant is expected to be under contract by late November 2006. The intent of this effort is to enhance the value of OCTA-owned facilities with potential private sector investment. That investment could take the form of new private sector transportation services (e.g., bus connections to airports) and/or new development (e.g., new commercial or other uses) at these facilities.

The consultant tasks for this effort include: (1) preparing an inventory describing the current uses of each facility; (2) identifying opportunities and potential limitations to improvements at each facility; (3) conducting a market assessment describing potential new markets for each facility; (4) identifying and interviewing potential private sector development interests; and (5) preparing findings and recommendations.

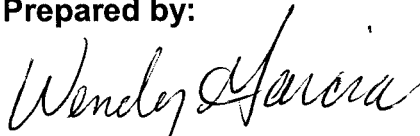
The final findings and recommendations from this study will be brought back to the Board of Directors (Board) by June 2007. Specific recommendations for each facility will be included in this report.

Summary

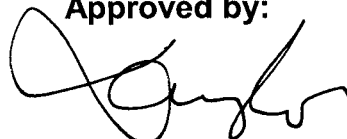
Staff is in the process of retaining consultant services to study the potential for adding new private sector transit services, such as bus service to airports, and joint-use development at several OCTA-owned transportation centers and park-and-ride lots. Staff will return to the Board by June 2007 with findings and recommendations.

Attachment

None.

Prepared by:

Wendy Garcia
Transportation Analyst
(714) 560-5738

Approved by:

Paul C. Taylor, P.E.
Executive Director, Development
(714) 560-5431



BOARD COMMITTEE TRANSMITTAL

November 27, 2006

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Priorities for the 2007 Regional Transportation Plan

Regional Planning and Highways Committee

November 20, 2006

Present: Directors Cavecche, Correa, Dixon, Green, Monahan, Norby, Pringle, Ritschel, and Rosen
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations (reflects a change to staff recommendations)

- A. Provide feedback on draft priorities for the 2007 Regional Transportation Plan and include an item eight to support efforts for an Anaheim to Ontario high-speed rail connector.
- B. Direct staff to forward the recommended priorities to the Southern California Association of Governments.



November 20, 2006

To: Regional Planning and Highways Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Priorities for the 2007 Regional Transportation Plan

Overview

The Southern California Association of Governments has started preparation of the 2007 Regional Transportation Plan. Orange County Transportation Authority draft priorities for this process are presented for review and approval.

Recommendations

- A. Provide feedback on draft priorities for the 2007 Regional Transportation Plan.
- B. Direct staff to forward the recommended priorities to the Southern California Association of Governments.

Background

Every four years, the Southern California Association of Governments (SCAG) updates the long-range Regional Transportation Plan (RTP) to meet state and federal mandates. The RTP sets the direction for improvements to the region's transportation system over the next 20 plus years for the six-county SCAG area and demonstrates the regional strategies to fulfill federal air quality conformity requirements. Regional transportation projects must be included in the approved RTP in order to move through the project delivery process. The 2007 RTP process has been initiated by SCAG. The final plan is scheduled for completion in December 2007. As SCAG advances this process, the Orange County Transportation Authority (OCTA) has a number of specific priorities that should be included and addressed as part of the 2007 RTP. This report presents draft OCTA priorities for that process.

Discussion

Potential OCTA priorities for the 2007 RTP occur in the context of OCTA's recent approval of the 2006 Long-Range Transportation Plan, the need to ensure local input into the overall transportation planning process, regional initiatives to improve carpool lanes, and statewide efforts to develop new high-speed ground transportation systems. With this context, OCTA recommends that SCAG:

1. Include Orange County's transportation projects, as defined in the 2006 Long-Range Transportation Plan, in the 2007 RTP;
2. Keep OCTA and local agencies fully involved in the 2007 RTP development process;
3. Use Orange County Projections 2006 as the basis for Orange County demographics for the 2007 RTP;
4. Evaluate regional high-occupancy vehicle (HOV) policies including limited versus continuous access, hours of operation, and the overall benefits of the regional HOV system;
5. Stay focused on regional planning issues and abandon efforts to pursue construction authority;
6. Support statewide efforts for high-speed rail with Anaheim to Los Angeles as the first segment of the system; and
7. Support efforts to keep the RTP a vision document and not a detailed financial plan as recommended by federal agencies.

OCTA staff is seeking policy input on these draft priorities. Board of Directors-approved priorities will be forwarded to SCAG for the 2007 RTP. The draft RTP is due out for public review by July 2007, and OCTA would expect these priorities to be reflected in that document.

Summary

The 2007 RTP has been initiated by SCAG, and draft priorities for this process are submitted to the Board of Directors for review and comment.

Attachment

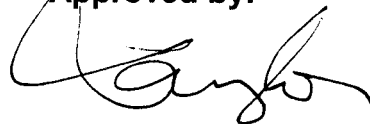
None.

Prepared by:



Kurt Brotcke
Department Manager, Planning and
Analysis
(714) 560-5742

Approved by:



Paul C. Taylor, P.E.
Executive Director, Development
(714) 560-5431



BOARD COMMITTEE TRANSMITTAL

November 27, 2006

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board ^{WV}
Subject: Amendment to Agreement for Project Management Assistance

Finance and Administration Committee

November 8, 2006

Present: Directors Campbell, Cavecche, Correa, Duvall, Pringle and Wilson
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-4-0645 between the Orange County Transportation Authority and KENDA Systems, in an amount not to exceed \$160,000, for project management support.



November 8, 2006

To: Finance and Administration Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Amendment to Agreement for Project Management Assistance

Overview

On August 11, 2004, the Board of Directors approved an agreement with KENDA Systems, in the amount of \$200,000, to provide project management support. KENDA Systems was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-4-0645 between the Orange County Transportation Authority and KENDA Systems, in an amount not to exceed \$160,000, for project management support.

Background

The Orange County Transportation Authority (Authority) is in the process of replacing the existing maintenance, inventory, and purchasing system with Mincom's Enterprise Asset Management (EAM) system called Ellipse. The project officially began in July 2004 after Mincom was approved by the Board of Directors on May 24, 2004, for \$3,500,000. The replacement system will provide the Authority with a state-of-the-art application. Ellipse will enhance staff's ability to plan, control, track, and account for maintenance, purchasing, and materials management activities. Implementing a new system will also allow for an update of business practices using technology developed for a transit industry increasingly reliant on electronic transactions and information flow.

Due to the complexities of the project and the length of time required to implement Mincom's EAM application, the Authority has dedicated a full-time

staff member to fulfill the role of lead project manager. The lead project manager has been the main point of contact for Mincom's project manager.

To keep pace with the demands of the implementation, the Authority contracted for an assistant project manager to support and report to the Authority's lead project manager. The assistant project manager has been responsible for supporting the lead project manager in all activities and tasks required to implement the Ellipse application. The added support has allowed the lead project manager more time to concentrate on the contractual and business issues leaving the logistics and technical activities for the assistant project manager.

Throughout the project, adjustments to the overall schedule have been made to accommodate the work at hand. On January 19, 2006, the Authority issued a formal stop work notice to Mincom in response to contractual differences. Negotiations occurred and on June 24, 2006, the Board approved an amendment to the Mincom agreement with a new contract expiration date of August 2007.

To accommodate the schedule change and provide project management support following the cut-over, the contract for the assistant project manager needs to be amended. As a time and expense agreement, staff intends to only expend what is necessary to successfully implement this project.

Discussion

This procurement was originally handled in accordance with the Authority's procedures for professional and technical services. The original agreement was awarded on a competitive basis. It has become necessary to amend the agreement due to an extended project implementation schedule.

Staff requested a price proposal from KENDA Systems to perform this additional work. The proposal was reviewed by the internal auditor and the cost was found to be fair and reasonable for the work to be performed.

The original agreement awarded on August 23, 2004, was in the amount of \$200,000. This agreement has been amended previously (Attachment A). The total amount after approval of Amendment No. 3 will be \$520,000.

Fiscal Impact

The additional work described in Amendment No. 3 to Agreement C-4-0645 was approved in the Authority's Fiscal Year 2006 Budget, Finance,

Administration and Human Resources, Account 1281-7519-IX031-9R7, and is funded through the General Fund.

Summary

Based on the material provided, staff recommends approval of Amendment No. 3, in the amount of \$160,000, to Agreement C-4-0645 with KENDA Systems.

Attachment

- A. KENDA Systems Agreement C-4-0645 Fact Sheet

Prepared by:



Annette Hess
Business Strategist
Information Systems
(714) 560-5536

Approved by:



James S. Kenan
Executive Director, Finance, Administration
and Human Resources
(714) 560-5678

ATTACHMENT A

KENDA Systems Agreement C-4-0645 Fact Sheet

1. August 11, 2004, Agreement C-4-0645, \$200,000, approved by Board of Directors.
 - To provide project management assistance during the implementation of the Ellipse software package.
2. August 16, 2005, Amendment No. 1 to Agreement C-4-0645 approved by purchasing agent.
 - To extend the term of the agreement 10 months for continued project management services at no increase in the maximum cumulative payment obligation
3. November 14, 2005, Amendment No. 2 to Agreement C-4-0645 approved by Board of Directors.
 - To extend the term of the agreement to December 2006 for continued project management services.
 - To increase the maximum cumulative payment obligation by \$160,000, to cover the extension of project management services.
4. November 27, 2006, Amendment No. 3 to Agreement C-4-0645 pending approval by Board of Directors.
 - To extend the term of the agreement to December 2007 for continued project management services.
 - To increase the maximum cumulative payment obligation by \$160,000, to cover the extension of project management services.

Total committed to KENDA Systems, Agreement C-4-0645 : \$520,000.



BOARD COMMITTEE TRANSMITTAL

November 21, 2006

To: Members of the Board of Directors

From: ^{WV}Wendy Knowles, Clerk of the Board

Subject: Customer Relations Service Quality Report for First Quarter
Fiscal year 2006-07

This item will be considered by the Transit Planning and Operations Committee on November 22, 2006. Following Committee consideration of this matter, staff will provide you with a summary of the discussion and action taken by the Committee.

Please call me if you have any comments or questions concerning this correspondence. I can be reached at (714) 560-5676.



November 22, 2006

To: Transit Planning and Operations Committee

From: Arthur T. Leahy, ^{KW} Chief Executive Officer

Subject: Customer Relations Service Quality Report for First Quarter
Fiscal Year 2006-07

Overview

The Customer Relations Service Quality Report is submitted to the Orange County Transportation Authority Board of Directors on a quarterly basis. The report provides a statistical analysis of customer communications received during the quarter, as well as details proactive activities undertaken by staff to ensure quality service to customers.

Recommendation

Receive information for discussion and possible action as deemed appropriate by the Board.

Background

The Customer Relations Department is responsible for identifying and resolving service quality issues through the use of proactive and responsive methods. Customer Relations disseminates information to customers concerning Orange County Transportation Authority (OCTA) services and policies and serves as the channel through which customers' opinions about those services and policies are transmitted to OCTA.

Discussion

Responsibilities within the Customer Relations Department are varied. As its primary function, Customer Relations responds to communications from customers and inputs information into a database. Staff interacts closely with numerous departments to obtain resolution to customers' concerns. Customer Relations participates in monthly meetings with both Transit and Community Transportation Services (CTS), as well as with the contractor responsible for providing ACCESS service and contracted fixed route service, to ensure customer concerns are heard and problems are resolved. Staff also interacts

closely with Service Planning and Customer Advocacy to accommodate the needs of riders.

In addition to its primary function, the department oversees the Customer Information Center (CIC) which provides routing information to bus riders; the issuance of Reduced Fare Identification (RFID) cards to seniors and persons with disabilities; and the sale of bus passes and ACCESS coupons to the public via mail, phone, and online. Customer Relations is also responsible for addressing customer service issues at 91 Express Lanes meetings and resolving complaints from customers about toll violations received on the 91 Express Lanes; oversight of the OCTA Store; production of Riders' Alerts to notify customers of changes to bus routes and schedules; visiting new vendors selling OCTA fare media; and oversight of the Special Needs in Transit Advisory Committee. Below are highlights of Customer Relations activity during the period of July 1 through September 30, 2006.

Communications from Customers

Customer Relations receives and processes communications from customers on a variety of topics. The concern most often expressed by customers during this quarter was being passed by while waiting for a bus. The most frequent concern raised by users of contracted service (fixed route and ACCESS) had to do with vehicles not arriving to pick them up. Listed below is a breakdown of the types and numbers of concerns that Customer Relations received during the quarter.

Communications were received in the form of telephone calls (11,397), emails (935), and letters (77), for a total of 12,409 communications on a variety of topics, versus the 10,566 communications received last quarter.

Contracted Fixed Route Service and ACCESS Service

During the quarter, there were 606,282 contracted service boardings. Of these boardings, 315,265 were on ACCESS service, while 291,017 were on contracted fixed route. Based on communications received from customers, there were 4.10 complaints for every 1,000 boardings on ACCESS service and 2.63 complaints for every 4,000 boardings on contracted fixed route service.

These figures do not comply with the performance standards of one complaint per 1,000 boardings for ACCESS and one complaint per 4,000 boardings for contracted fixed route established in the contract with the provider, Veolia Transportation.

Continuing key issues for contracted service include:

1. Vehicles Not Arriving

During the period July 1 to September 30, Customer Relations received 428 complaints from riders about contracted vehicles not arriving to pick them up, compared to the 179 complaints reported in the previous quarter. This is a 139 percent increase in complaints about vehicles not arriving. Fifty-three of the complaints were for contracted fixed routes, while 375 were from ACCESS riders.

2. Vehicles Running Behind Schedule

There were 419 complaints about contracted drivers running late, versus 113 in the previous quarter. This is a 271 percent increase in complaints about vehicles running behind schedule. Fifty-seven of these complaints were for Veolia-operated fixed route service while 362 were about ACCESS rides.

3. Driver Judgment (any questionable decision, action, or omission on the part of the contracted service driver)

A total of 111 complaints were received from riders about the judgment displayed by contracted drivers, compared to 87 received last quarter. This is a 28 percent increase in complaints about driver judgment. Eleven of these complaints were reported by riders of Veolia-operated fixed route service while 100 were from ACCESS riders.

Fixed Route Operations

During this quarter, there were 17,421,119 fixed route boardings. Based on the customer communications received, there were 4.77 complaints per 100,000 boardings, which is well within the Transit Division's goal of six complaints per 100,000 boardings.

Continuing key issues for fixed route service include:

1. Pass-bys

A total of 193 complaints were received from passengers who reported being passed by OCTA buses, compared to 139 complaints received last quarter.

2. Driver Judgment (any questionable decision, action, or omission on the part of a coach operator)

There were 125 complaints received about the judgment displayed by OCTA coach operators. This is six less than the 131 complaints received last quarter.

3. Driving Techniques

There were 105 complaints about the driving techniques displayed by coach operators, compared to 130 complaints received in the previous quarter.

Customer Relations Activities

- ACCESS Contract Transition

The operation of ACCESS service was transitioned to a new service provider, Veolia Transportation, at the beginning of the quarter. Since then, there have been numerous service issues that have caused significant problems with ACCESS service. As a result, the number of complaints and telephone calls received by the Customer Relations Department increased significantly. Attachment B identifies the complaints received for contracted service during the quarter.

Customer Relations met with staff from the Community Transportation Services Department and Veolia Transportation to relay reported problems on a variety of issues including on-time performance, long telephone hold times, missed trips, dispatcher responsiveness, inability to contact drivers, and problems with the Call Oscar taxi service.

- OCTA Store

During this quarter, sales at the OCTA Store totaled \$205,290 versus the \$204,879 in sales during the previous quarter. One-hundred-fifty-two (152) new accounts for the 91 Express Lanes were established during the quarter, compared to 191 in the previous quarter and 248 in the first quarter of the previous fiscal year.

- Pass Sales

There was a total of \$399,483 in passes sold within the Pass Sales Section, compared to \$446,010 sold last quarter and \$406,877 sold in the first quarter of the last fiscal year.

- **Call Recording System**

Installation of the Wygant Call Center Recording System occurred during the quarter. This system records all incoming telephone calls for Customer Relations, ACCESS Eligibility, and contracted paratransit staff at OCTA Headquarters. The new system allows Customer Relations to retrieve and review recordings, save selected telephone calls, and email telephone recordings to other staff members for call quality monitoring.

- **Customer Information Center Procurement**

During the quarter, an agreement was reached between OCTA and Alta Resources to operate the Customer Information Center for an initial four and one-half year term from January 1, 2007 through June 30, 2011, in an amount not to exceed \$6,917,366. This agreement also includes three one-year option terms.

- **Partners in Progress Awards**

These awards are presented by Customer Relations and the Special Needs in Transit Advisory Committee to fixed route coach operators who provide exceptional service to persons with disabilities or senior citizens. Ten coach operators were presented with this award during the quarter.

- **Coach Operators with Ten or More Complaints**

Customer Relations continued to meet with base management staff, as well as with senior managers from the Transit Division, regarding coach operators who have ten or more customer complaints. The team discussed the individual complaints and coach operator responses. Additionally, base management provided information regarding training and disciplinary actions that have been implemented in an effort to prevent further complaints. These meetings have been highly successful in improving communication between Customer Relations and base management staff, and reducing the number of coach operators with ten or more complaints. The number of these operators has decreased dramatically from 50 in 2002 to six as of September 30, 2006.

Summary

During the quarter, both OCTA and Veolia staff continued to address service quality issues by initiating various measures intended to improve customer service. Customer comments for the first quarter of the fiscal year, as well as a comparison with other quarters, are shown in the attachments following this report.

Attachments

- A. Fixed Route Operations Complaints
- B. Contracted Service Complaints
- C. Total Compliments, Complaints, and Comments
- D. OCTA Store Revenue 2005/2006
- E. Pass Sales Section Monthly Sales Totals/Pass-By-Mail, Telephone,
On-Line Orders

Prepared by:



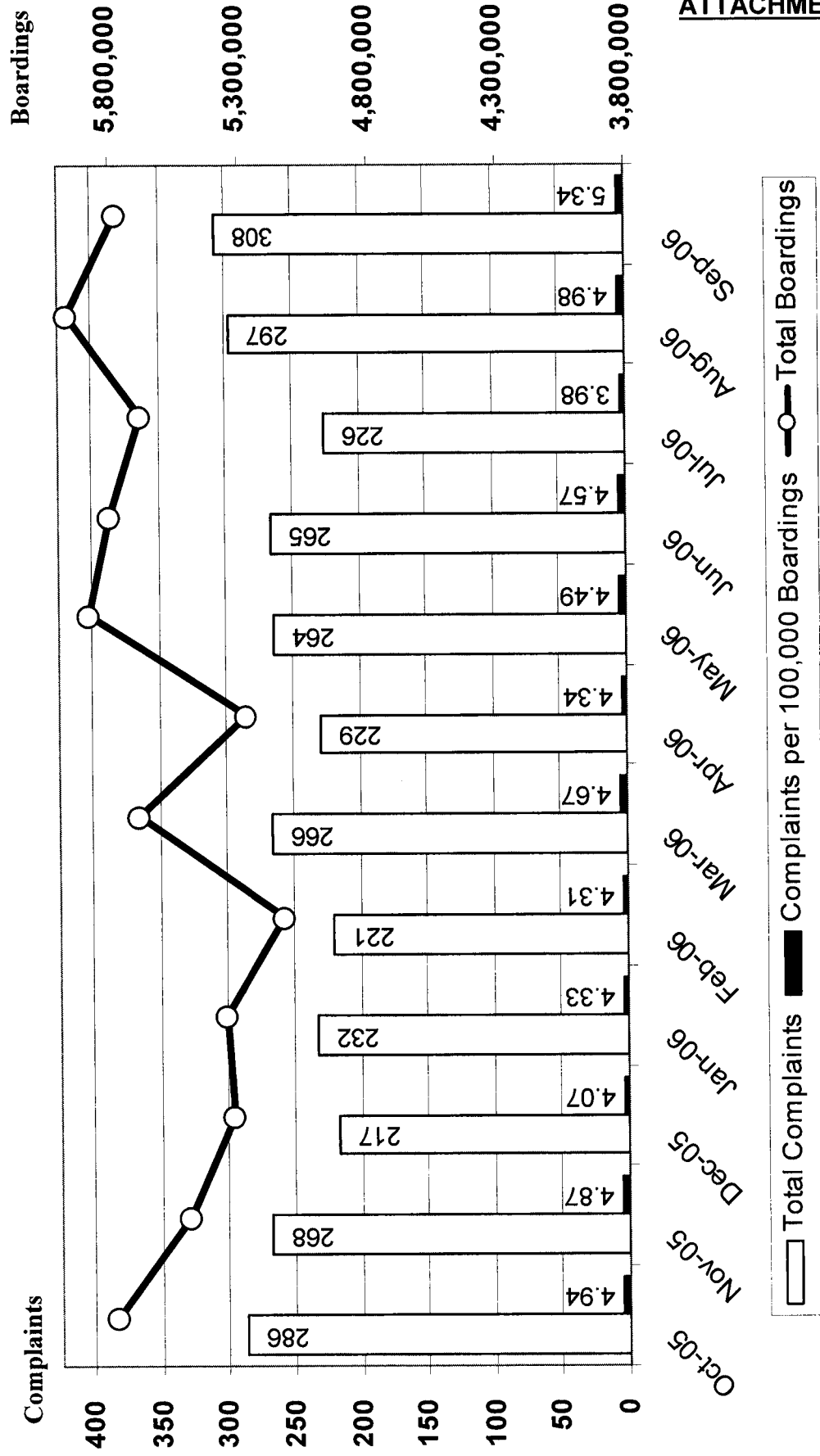
Adam D. Raley
Senior Customer Relations
Specialist
(714) 560-5510

Approved by:

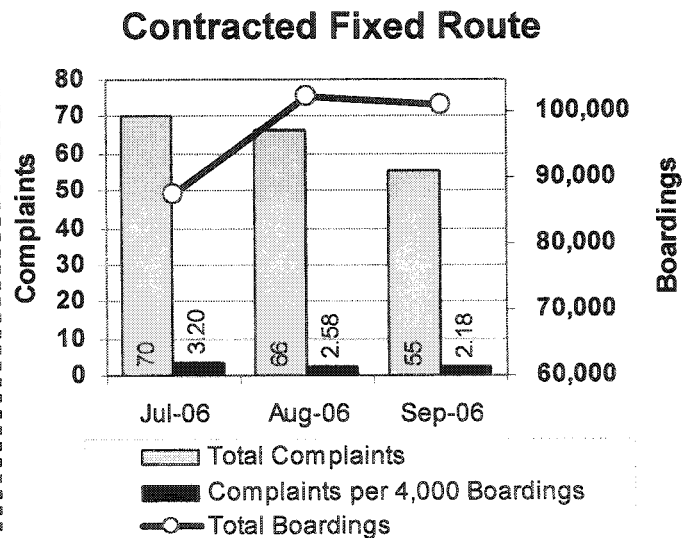
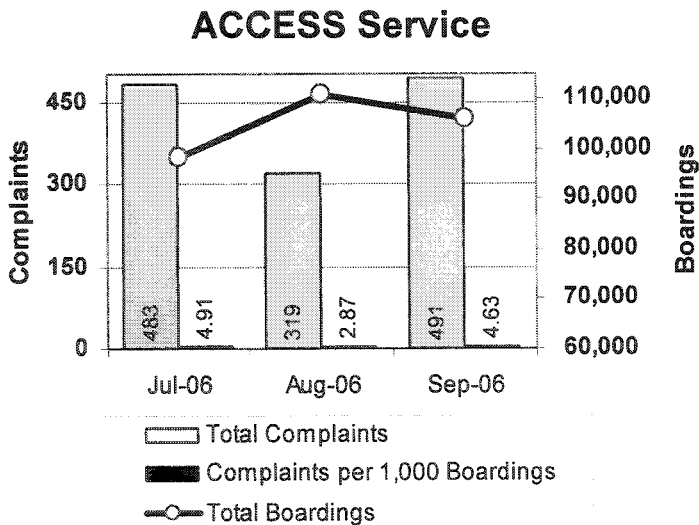
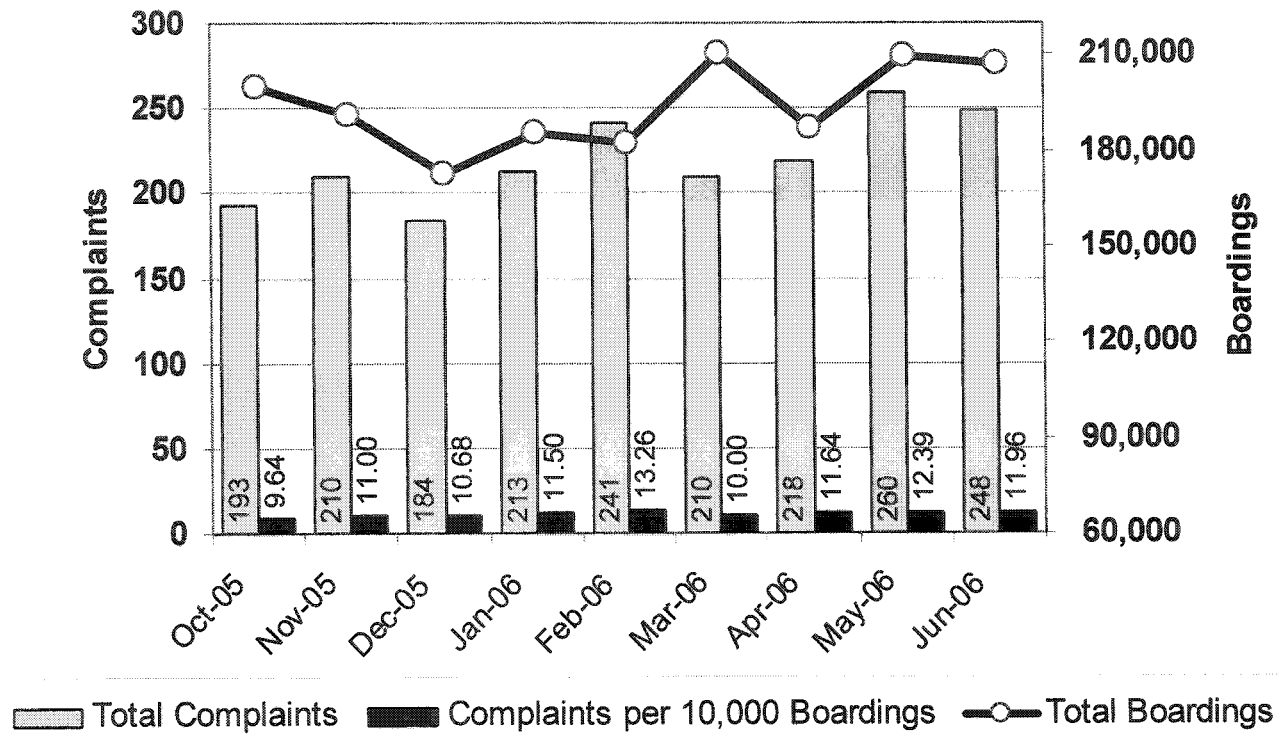


Ellen S. Burton
Executive Director, External Affairs
(714) 560-5923

Fixed Route Operations Complaints

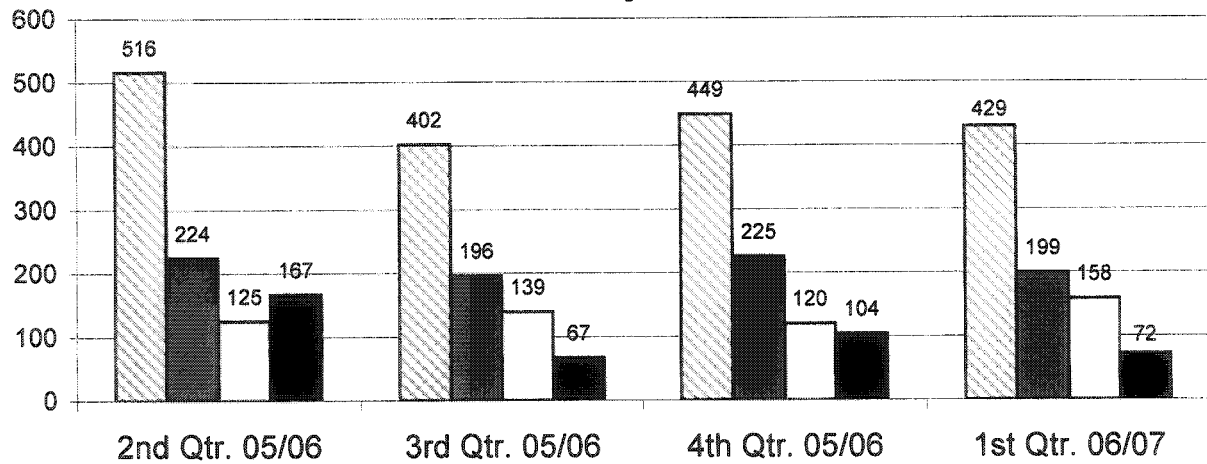


Contracted Service Complaints

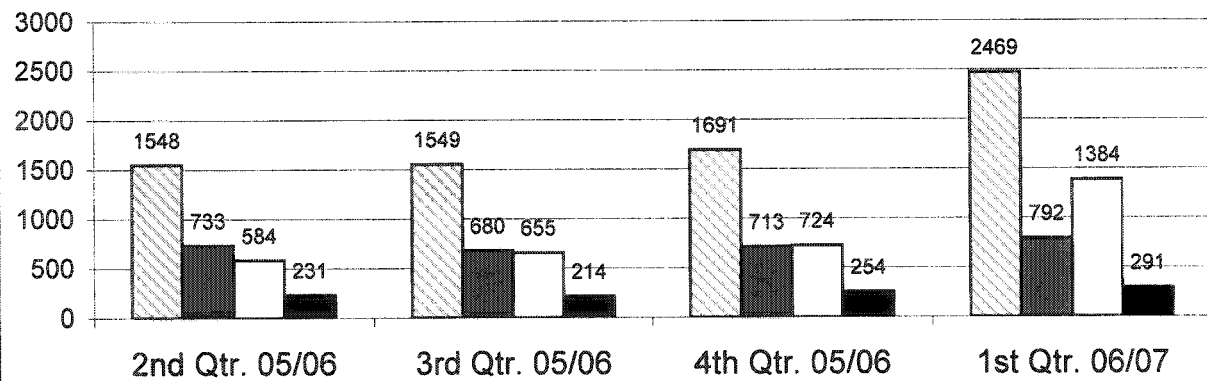


ACCESS service and contracted fixed route complaints were reported on one chart prior to this fiscal year. These figures are now being reported separately.

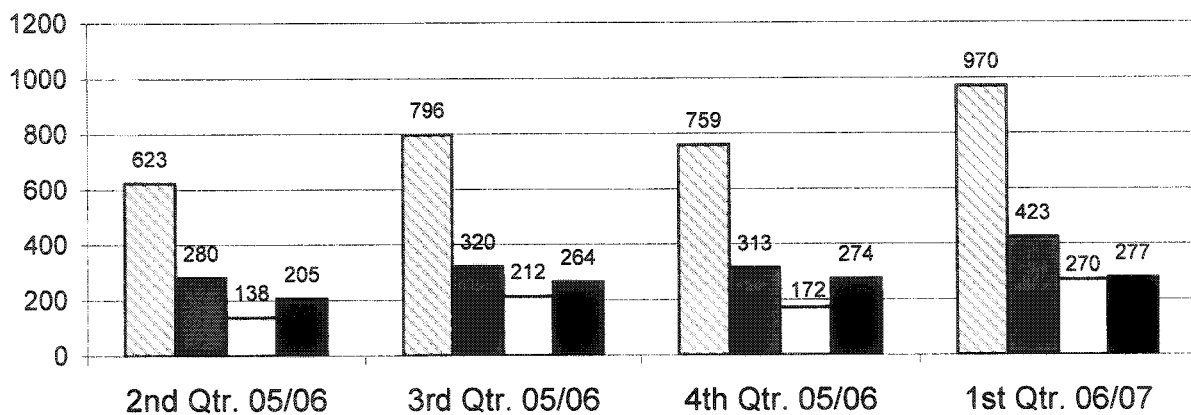
Total Compliments



Total Complaints

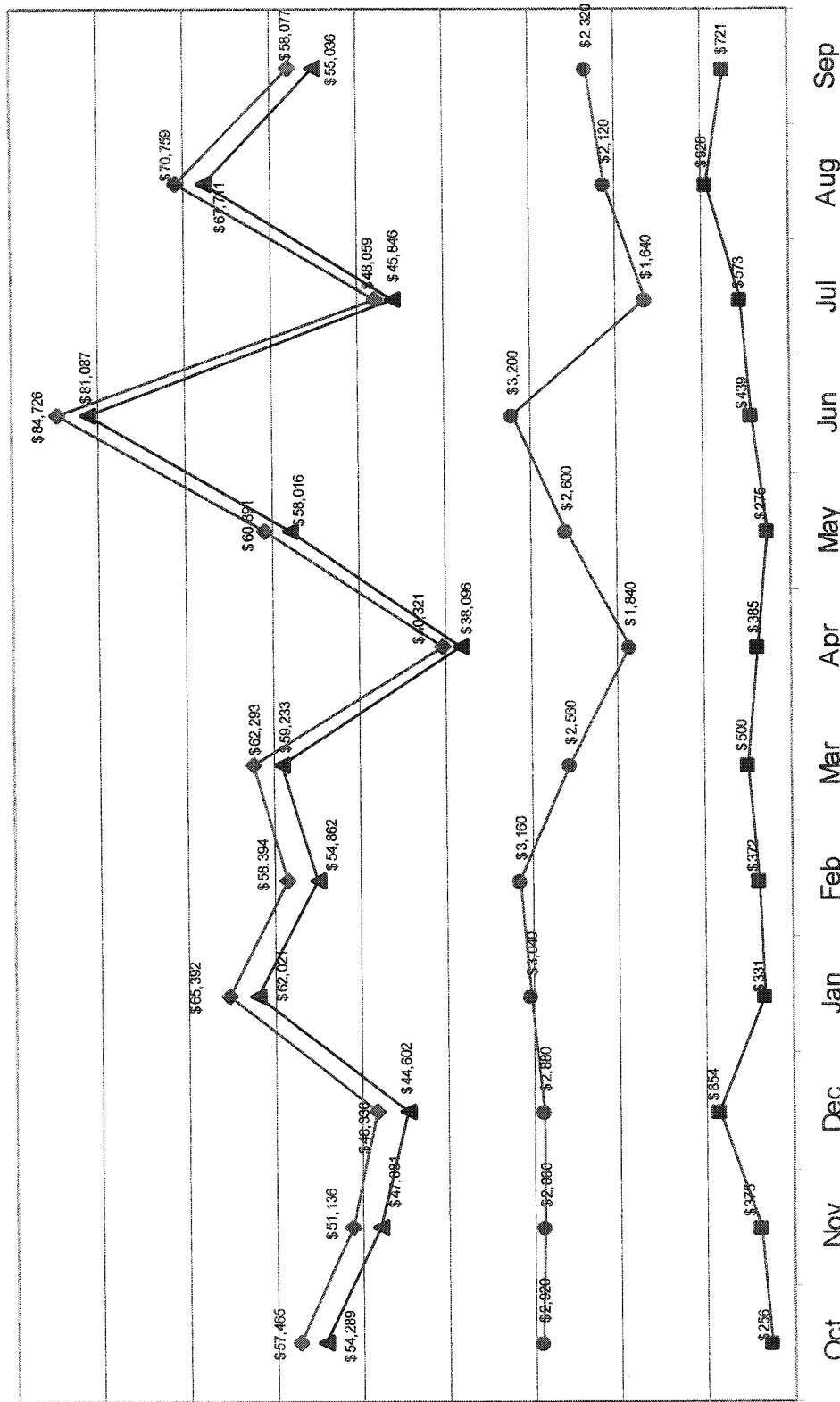


Total Comments



Total
 Fixed Route Operations
 Contracted Service
 Other

OCTA Store Revenue 2006/2007



▲ Pass Sales ◆ Total ■ Merchandise Sales ● Transponder Sales

Pass Sales Section Monthly Sales Totals

Pass-By-Mail, Telephone, On-Line Orders

| PASS TYPE | Apr-06 QUANTITY SOLD | May-06 QUANTITY SOLD | Jun-06 QUANTITY SOLD | Jul-06 QUANTITY SOLD | Aug-06 QUANTITY SOLD | Sep-06 QUANTITY SOLD |
|--|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| Senior/Disabled Pass | 271 | 780 | 308 | 526 | 408 | 589 |
| Regular Pass | 491 | 684 | 569 | 592 | 646 | 651 |
| Youth Pass | 447 | 541 | 208 | 185 | 618 | 1,156 |
| Summer Youth Pass | 0 | 420 | 1,086 | 160 | 0 | 0 |
| Regular PP Day Pass | 5,450 | 8,523 | 9,951 | 8,360 | 7,843 | 6,350 |
| Sr/Disabled PP Day Pass | 760 | 1,257 | 1,160 | 1,548 | 1,020 | 704 |
| 7-Day pass | 169 | 178 | 121 | 131 | 139 | 147 |
| 7-Day Sr/Dis pass | 2 | 5 | 1 | 2 | 4 | 8 |
| 15-Day Pass | 41 | 42 | 50 | 72 | 73 | 23 |
| 15-day Sr/Dis pass | 6 | 2 | 4 | 4 | 5 | 5 |
| ACCESS Coupons | 2,770 | 2,008 | 2,138 | 1,764 | 2,003 | 1,829 |
| Door-to-Door Cpns | 202 | 176 | 119 | 106 | 108 | 96 |
| Express Pass | 49 | 52 | 47 | 42 | 47 | 45 |
| RFID Duplicates | 48 | 26 | 21 | 21 | 28 | 20 |
| Exchanges/Refunds | (\$351.00) | (\$805.40) | (\$762.80) | (\$835.80) | (\$667.90) | (\$824.50) |
| Number of Transactions | 1,954 | 2,355 | 2,646 | 1,756 | 2,018 | 2,247 |
| On-line Sales (Included in Sales Totals below) | \$28,500.00 | \$38,510.00 | \$46,325.00 | \$29,215.00 | \$30,988.50 | \$39,207.00 |
| Sales Totals | \$117,389.20 | \$ 160,073.20 | \$168,547.50 | \$123,264.70 | \$132,749.50 | \$143,468.60 |
| Prior Year Monthly Sales | Apr-05 | May-05 | Jun-05 | Jul-05 | Aug-05 | Sep-05 |
| Senior/Disabled Pass | 607 | 599 | 674 | 452 | 829 | 585 |
| Regular Pass | 624 | 581 | 591 | 490 | 596 | 501 |
| Youth Pass | 690 | 519 | 218 | 206 | 836 | 1015 |
| Summer Youth Pass | 0 | 328 | 785 | 147 | 50 | 0 |
| Regular PP Day Pass | 4,207 | 8,624 | 11,109 | 5,650 | 5,663 | 6,190 |
| Sr/Disabled PP Day Pass | 1,355 | 990 | 1,610 | 930 | 840 | 880 |
| 7-Day pass | 15 | 67 | 23 | 113 | 5 | 135 |
| 7-Day Sr/Dis pass | 4 | 4 | 4 | 53 | 0 | 4 |
| 15-Day Pass | 20 | 44 | 25 | 40 | 25 | 29 |
| 15-Day Sr/Dis Pass | 8 | 5 | 4 | 7 | 5 | 6 |
| ACCESS Coupons | 2,879 | 2,651 | 2,679 | 2,050 | 2,829 | 2,262 |
| Door-to-Door Cpns | 139 | 290 | 117 | 145 | 288 | 161 |
| Express Pass | 45 | 45 | 46 | 34 | 42 | 50 |
| RFID Duplicates | 23 | 25 | 19 | 20 | 55 | 15 |
| Exchanges/Refunds | N/A | N/A | N/A | N/A | N/A | (\$383.25) |
| Number of Transactions | 1,925 | 2,287 | 2,450 | 1,629 | 1,986 | 2,297 |
| On-line Sales (Included in Sales Totals below) | \$22,811.50 | \$26,026.00 | \$33,881.50 | \$20,069.50 | \$53,306.00 | \$68,271.50 |
| Sales Totals | \$141,028.95 | \$157,691.15 | \$176,166.80 | \$115,057.80 | \$150,063.80 | \$141,755.18 |



BOARD COMMITTEE TRANSMITTAL

November 21, 2006

To: Members of the Board of Directors

From: ^{WK} Wendy Knowles, Clerk of the Board

Subject: Special Needs in Transit Advisory Committee Appointments and Report of Activities for 2006

This item will be considered by the Transit Planning and Operations Committee on November 22, 2006. Following Committee consideration of this matter, staff will provide you with a summary of the discussion and action taken by the Committee.

Please call me if you have any comments or questions concerning this correspondence. I can be reached at (714) 560-5676.



November 22, 2006

To: Transit Planning and Operations Committee

From: Arthur T. Leahy, Chief Executive Officer

Subject: Special Needs in Transit Advisory Committee Appointments and Report of Activities for 2006

Overview

On December 31, 2006, the terms of ten Special Needs in Transit Advisory Committee members will expire. Additionally, one member resigned because other responsibilities prevented her from regularly attending. This report recommends candidates for appointment to three-year terms and seeks a Resolution of Appreciation to acknowledge the service of one member leaving the committee. The report also highlights the Special Needs in Transit Committee's activities for the year 2006.

Recommendations

- A. Approve the appointment of members to serve on the Special Needs in Transit Advisory Committee.
- B. Adopt a Resolution of Appreciation for one committee member who has served with distinction.
- C. Receive and file the Special Needs in Transit Advisory Committee's Report of Activities for 2006.

Background

The Special Needs in Transit Advisory Committee (Special Needs Committee) was originally formed in 1992 in response to the Americans with Disabilities Act (ADA) and formalized the predecessor "504 Committee." The Special Needs Committee's mission is to advise the Orange County Transportation Authority (OCTA) on the promotion of more integrated public transit services and improve two-way communication between the OCTA and its customers who

have special transportation needs. Members also provide support for ACCESS service eligibility appeals.

On March 10, 2005, the Board of Directors approved the restructured Special Needs Committee increasing committee membership from 28 to 34 appointees. This action was taken pursuant to the passage of Assembly Bill 710 (Chapter 469, Statutes of 2004) that expanded the OCTA Board of Directors. The Board also directed staff to initiate recruitment of participants. The new members were appointed to one-, two-, or three-year terms, with the opportunity to be appointed to additional three-year terms during future recruitments. On September 27, 2005, the restructured committee held its first meeting, and the committee has continued to meet monthly since that date.

Discussion

Appointment of Special Needs Committee Members

On December 31, 2006, the terms of ten members will expire. Additionally, one member resigned prior to the expiration of her term. To commence the current appointment process, those committee members whose terms were expiring were asked if they wanted their names submitted for reappointment. All ten members have agreed to continue to serve if reappointed. To solicit new members, over 1,000 applications were mailed to countywide organizations and individuals with interest in transit for persons with special needs.

All applications were reviewed by staff to determine qualified candidates who meet the following criteria:

- demonstrated interest and involvement with persons with disabilities, senior citizens, and others with special needs;
- large, active constituencies with whom regular interface regarding transportation matters is conducted; and
- a willingness to dedicate no fewer than 25 hours a year to OCTA meetings and activities.

Each affected OCTA Board Member reviewed application materials and has appointed/re-appointed a qualified member(s) who meets the above criteria. The proposed members have a high level of interest in senior or special needs transportation activities and a proven history of community involvement. The 34-member committee reflects a broad representation. Attachment C is a list of current members and the proposed appointees, affiliations, tenure of

service, and the appointing Board Member. The recommended appointees are designated with an asterisk.

Recognition of Departing Special Needs Committee Member

It is proposed that Julie Inman, a departing member of the Special Needs Committee, be recognized for efforts and leadership during her term of service. Attachment D is a copy of the Resolution of Appreciation to be presented to departing member Julie Inman, Irvine Residents with Disabilities Board. Ms. Inman has met the attendance criteria specified in the committee bylaws and has served with distinction.

2006 Activities

Throughout the year, the Special Needs Committee has played an instrumental role in addressing a variety of transportation issues affecting senior citizens and individuals with disabilities. Below are some of the highlights from the past year.

Renewed Measure M

OCTA staff gave a comprehensive presentation on the Renewed Measure M Plan to committee members outlining the increasing population of seniors and persons with disabilities, as well as improvement projects included in the plan. The Special Needs Committee formed an ad hoc committee to review the proposed Renewed Measure M Draft Transportation Investment Plan and make recommendations. These recommendations, along with the Special Needs Committee's formalized support for the Renewed Measure M Plan, were unanimously approved by the whole committee and communicated to the OCTA Board of Directors.

Contract Transportation Service Provider Transition

On July 1, 2006, provision of OCTA contracted transportation services (ACCESS, contracted fixed route, and Stationlink) was transitioned to Veolia Transportation. Concurrent with this change was a significant decline in the quality of service, a decline in on-time performance and an increase in missed trips. The Special Needs Committee worked actively and cooperatively with the OCTA's Community Transportation Services Department and Veolia Transportation to identify and address ongoing service issues on behalf of their constituencies including the Regional Center of Orange County, The Braille Institute, numerous adult day health service organizations, the California Paralyzed Veterans Association, and Goodwill Industries of Orange County.

Acceptable Use of Wheelchairs on Fixed Route Bus System

At the request of OCTA Transit management, the Special Needs Committee formed an ad hoc task force to study and make recommendations about the acceptable use of wheelchairs on fixed route buses. The goal is to establish guidelines that comply with ADA regulations, while preventing unacceptable, and sometimes dangerous, use of wheelchairs as shopping carts.

Fixed Route System Improvements

The Special Needs Committee participated in the planning of proposed improvements to the fixed route bus system by providing input to OCTA Service Planning and Customer Advocacy staff. This year, the Special Needs Committee gave feedback on changes proposed for March 2006, September 2006, December 2006, and fiscal year 2007 in its entirety.

Long Range Transportation Plan

OCTA's Development staff addressed the Special Needs Committee regarding the OCTA's Long Range Transportation Plan and its relationship to the Measure M Transportation Investment Plan. The Special Needs Committee provided feedback on a variety of issues including traffic light signal synchronization.

New ACCESS Rider's Guide

Special Needs Committee members provided input to the OCTA ACCESS Eligibility Section for the publication of an updated and more user-friendly ACCESS Rider's Guide.

Exceptional Service Awards

Selection and presentation of Exceptional Service Awards to ACCESS drivers continues to be a function of the Special Needs Committee. This year the Special Needs Committee presented awards to ten paratransit drivers for outstanding service to special needs customers.

Next Steps

Following approval of appointments by the Board of Directors, members will be notified and begin their terms by attending an orientation briefing and regular committee meeting in January 2007. Staff will return to the Board next year

with a report on the Special Needs Committee's activities, and the appointment of members whose three-year terms have expired.

Summary

The Special Needs in Transit Advisory Committee has served in an advocacy role on transit issues that have arisen throughout the year. All members whose appointment terms are ending wish to continue to serve. One member resigned because other responsibilities prevented her from complying with committee bylaws regarding attendance. Affected Board Members have submitted the name(s) of an individual(s) for approval. A resolution for recognition of service by a qualifying outgoing member is recommended for approval at this time.

Attachments

- A. Orange County Transportation Authority Special Needs in Transit Advisory Committee Mission Statement
- B. Orange County Transportation Authority Special Needs in Transit Advisory Bylaws
- C. 2006 Special Needs in Transit Advisory Committee Members
- D. Orange County Transportation Authority Resolution

Prepared by:



Donna Berger
Senior Customer Relations Specialist
(714) 560-5538

Approved by:



Ellen S. Burton
Executive Director, External Affairs
(714) 560-5923

***ORANGE COUNTY TRANSPORTATION AUTHORITY
SPECIAL NEEDS IN TRANSIT ADVISORY COMMITTEE***

MISSION STATEMENT

As representatives of a broad base of individuals with disabilities and senior citizens in the county, the mission of the Orange County Transportation Authority (OCTA) Special Needs in Transit Advisory Committee is to advise the Authority on the promotion of more integrated public transit services and to improve two-way communication between OCTA and its customers who have special transportation needs.

To carry out its mission, the Special Needs in Transit Advisory Committee will:

- Advise OCTA about issues relating to special needs transit service.
- Recommend the appropriate mechanism for obtaining disabled and senior service users' input on issues.
- Recommend policy reviews as they pertain to service operations meeting the special needs of individuals with disabilities and senior citizens.
- Communicate with care providers, agency clients and the special needs audience regarding service-related information.
- Assist with special needs service evaluations.

**Orange County Transportation Authority
Special Needs in Transit Advisory Committee
Bylaws
Adopted March 10, 2005**

Membership and Term

Each voting member of the Orange County Transportation Authority (OCTA) 17-member Board of Directors will appoint two persons representing individuals with disabilities or senior citizens to serve on the Special Needs in Transit Advisory Committee (Special Needs Committee).

- The initial terms for the 2005 Special Needs Committee will be staggered at one, two, and three years. The names have been selected by lottery to determine duration of the first term for each individual member.
- All subsequent appointments will be for three-year terms.
- All members will serve terms as appointed. Once terms expire, subsequent appointments will be based on OCTA Board membership in place at that time.
- Any new member appointed by a Board member to fill an open position created by a resignation will serve the remainder of the resigning member's term.

Election/Removal of Chair and Vice-Chair

The members of the Special Needs Committee will elect, by majority vote, a Chair and Vice-Chair at the first committee meeting to be held in August 2005 and at the first meeting of each subsequent year. The individuals selected as Chair and Vice-Chair will serve for one year and will be eligible for re-election. As the Chair and Vice-Chair terms expire, the committee will conduct another election to fill the vacant positions. These positions may be replaced at any time by a majority vote of the full committee.

In the event of resignations, the replacement will be elected by a majority vote.

Duties of the Chair/Vice-Chair

Chair:

- Conduct meetings
- Approve meeting agenda

- Act as spokesperson for the Special Needs Committee when required
- Determine assignments on any standing or ad hoc committees established, and various other activities
- Serve on the Eligibility Appeals Board or appoint a designee.

Vice-Chair:

- Perform duties of Chair when Chair is absent
- Serve on the No-show Appeals Board or appoint a designee
- Serve as Chair of ad hoc committees if appointed
- Perform other duties as required.

Quorum

Attendance by one-third of those appointed will establish a quorum. A quorum must be present for any votes to be valid. Information and discussion may take place if a quorum is not present.

Meetings

The Special Needs Committee will regularly meet once every month from January through November.

- Members of the Special Needs Committee will adopt a set time and date for the meetings.
- Because of the important issues before the Special Needs Committee, members are expected to attend all meetings. Members unable to attend due to extenuating circumstances must notify OCTA staff prior to the meeting. If a member misses three consecutive meetings within a twelve-month period, that member may be subject to removal by a majority vote of the Special Needs Committee and approval of the appointing Board member, or by the appointing Board member acting alone.
- Committee members participate in committee activities on behalf of the organization or constituency they represent. Personal interests or issues should not interfere with committee business at any time.

Affiliation

Members may not use their OCTA Special Needs in Transit Advisory Committee affiliation to represent personal or constituency opinions. Members may not represent themselves as representatives of the Special Needs Committee unless given direction to do so by a majority vote of the committee.

Public Outreach Participation

Throughout the year, committee members will have the opportunity to participate in various public outreach programs to help OCTA seek input on specific issues. Committee members may be invited to participate in outreach programs which may include, for example, ad hoc committees, focus groups, roundtable discussions, and public open houses.

Failure to comply with the Special Needs in Transit Advisory Committee Bylaws will result in removal from the committee by a majority vote of the committee and approval of the appointing Board member or by action of the appointing Board member acting alone.

2006 Special Needs In Transit Advisory Committee Members

| Board Members | Candidates Selected | Affiliation | Term Expires |
|--|------------------------------|--|--------------|
| Peter Buffa (M. Brewer appointees) | Denise Larsen | North O.C. Community College District | 2008 |
| | Kimberly Beeson | Irvine Adult Day Health Services, Inc. | 2008 |
| Art Brown | Thomas Atkins | Buena Park Senior Center | 2007 |
| | JoAnn Hill | Speech & Language Development Center | 2008 |
| Bill Campbell | Karen Roper | O.C. Office on Aging | 2008 |
| | Ellen Schenk | Goodwill Industries of Orange County | 2009 |
| Carolyn Cavecche | Jay Farrell | Braille Institute Participant | 2007 |
| | Sue Lau | Polio Survivors Plus; AARP | 2008 |
| Lou Correa | Francine Harris | Santa Ana Senior Center | 2009 |
| | Gary Mudge | California Paralyzed Veterans | 2007 |
| Richard Dixon | Roberta Menn | Saddleback Valley Unified School District | 2007 |
| | Jerry Schmitt | Vocational Visions | 2009 |
| Michael Duvall | Tabitha Evans | Multiple Sclerosis Society, O.C. Chapter | 2007 |
| | William Larson | Orange County ARC | 2007 |
| Cathy Green | Bob Tiezzi | Orange County ARC | 2008 |
| | Pethuru Lourthu | Westview Services, Inc. Anaheim | 2009 |
| Gary Monahan | Henry Michaels | California Elwyn Rehabilitation Department | 2008 |
| | Madeline Rae Jensen | Senior Citizen's Advisory Council | 2008 |
| Chris Norby | Paul Miller PH.D. | Disabled Student Services, CSUF | 2007 |
| | Alice Grant R.N. PH.D | Community Organizations of Anaheim | 2008 |

**2006 Special Needs In Transit Advisory
Committee Members**

| Board Members | Candidates Selected | Affiliation | Term Expires |
|------------------------------|--------------------------------|--|-------------------------|
| Curt Pringle | Diana Burkhardt | Braille Institute | 2007 |
| | Susan Ray | Council Services Coordinator- City of Anaheim | 2007 |
| Miguel Pulido | Vera Judge | Orange County IHSS- Public Authority | 2009 |
| | Lisa Murillo | Easter Seals, Southern California | 2008 |
| Susan Ritschel | Mary Pat Daly-Hiller | City of Mission Viejo | 2007 |
| | Frederic J. Zepp | Capistrano Valley Community Foundation | 2009 |
| Mark Rosen | Joseph Pak | Asian & Pacific Islander Community Alliance – Orange County | 2007 |
| | Mallory Vega | Acacia Adult Day Services | 2009 |
| James W. Silva | Christy Krausman | California Elwyn | 2007 |
| | Christina Overman | URS Corporation | 2009 |
| Thomas W. Wilson | Ann McClellan | Dayle McIntosh Center | 2009 |
| | Denise Welch | Senior Citizens Advisory Council | 2009 |
| Greg Winterbottom | Aurora Barrios | Lakeview Senior Center | 2009 |
| | Douglas Miller | Regional Center of Orange County (RCOC) | 2008 |

Revised on 11/15/06

**ORANGE COUNTY
TRANSPORTATION AUTHORITY**

RESOLUTION

WHEREAS, Julie Inman has served with distinction as a member of the Special Needs in Transit Advisory Committee; and

WHEREAS, Julie Inman, a committee member, demonstrated a spirited commitment to the special transportation needs of senior citizens and persons with disabilities; and

WHEREAS, Julie Inman committed her personal time and provided valuable insight and experience in assessing the transit challenges faced by seniors with disabilities and special needs; and

WHEREAS, Julie Inman has directed her efforts to ensuring that the Authority's special needs customers receive quality service; and

WHEREAS, Julie Inman has, at all times, maintained a sense of the committee's mission and displayed her keen understanding of the issues and their fiscal impacts, while maintaining her intense desire to improve special needs transportation; and

NOW, THEREFORE, BE IT RESOLVED that the Orange County Transportation Authority Board of Directors honors Julie Inman's leadership and dedication to improving transportation for persons with special needs.

BE IT FURTHER RESOLVED that the Orange County Transportation Authority Board of Directors recognizes Julie Inman's valued service to the community.

Dated: December 11, 2006

Resolution adopted unanimously
at the regular meeting of the
Orange County Transportation Authority

Arthur C. Brown, Chairman
Orange County Transportation Authority



BOARD COMMITTEE TRANSMITTAL

To: Members of the Board of Directors

From: Wendy Knowles, Clerk of the Board

Subject: Contractor Employee Health Benefits Incentive Program Elements

Finance and Administration Committee

November 8, 2006

Present: Directors Campbell, Cavecche, Correa, Duvall, Pringle and Wilson,

Absent: None

Committee Vote

This item was passed by the Committee, with Directors Cavecche and Duvall voting in opposition.

Committee Recommendations (Reflect a Change from Staff Recommendations)

- A. Use the 10-49 employees range. Contribution shall be for a single person, less than 30 percent. (A full-time employee shall be defined as someone who works more than 30 hours per week.)
- B. Family contribution will not be considered.



November 8, 2006

To: Finance and Administration Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Contractor Employee Health Benefits Incentive Program Elements

Overview

On September 25, 2006, the Board of Directors adopted an incentive program that provides additional evaluation points to those contractors who offer affordable health insurance to their full-time employees who work exclusively for Orange County Transportation Authority. The Board of Directors requested staff to return to the Finance and Administration Committee to gain approval of the program elements.

Recommendation

Approve the incentive program elements that define the criteria to be used for determining an affordable health benefits plan.

Background

The Orange County Transportation Authority (OCTA) does not require firms under contract to provide health benefits to their employees. In February 2005, the Board of Directors (Board) discussed enacting such a requirement while taking action to exercise the option term for a janitorial services contract. The Board asked staff to research this topic and present the findings at a subsequent Board meeting. On December 12, 2005, the Board reviewed the options presented by staff and agreed to create procurement incentives, which would encourage contractors to provide health benefits to their employees. Staff presented various incentive options to the Finance and Administration Committee on March 22, 2006, July 12, 2006, and September 13, 2006. On September 25, 2006, the Board approved the incentive program and directed staff to return to the Finance and Administration Committee for their approval of the specific program elements.

Discussion

The incentive program approved by the Board will add language to Request for Proposals (RFP) documents stating that OCTA strongly encourages all contractors to offer health insurance to their full-time employees with affordable deductibles and co-payment terms. Firms submitting proposals will be asked to indicate if they offer health insurance to their employees. If they do provide health insurance, the firms will be required to provide details on the health benefits offered including: if the coverage is for the employee only or includes family members; what is the employee eligibility for receiving health benefits (i.e. part-time or full-time); how does the employer determine full-time status; what is the amount and percentage of cost sharing between the employer and employee; what are the various deductibles and/or co-payment terms; and what, if any, are the additional health benefits offered i.e. dental services, vision services or wellness programs. Documentation showing proof of such health insurance will be required. Such documentation may be quotes from health insurance providers or copy of a most recent health insurance invoice with a plan summary attached. Documentation must not include particular names or other personal information about the employees and/or family members. The firms will be required to certify that the information provided is accurate and if selected, the firm will provide health benefits for the duration of the contract term at the same level or better.

In the evaluation criteria, under the cost and price category, firms will have the ability to earn up to an additional ten points if they provide health insurance to their employees with affordable deductibles or co-payment terms.

In an effort to determine what would constitute an affordable deductible or co-payment, staff obtained information from Mercer Consulting. This firm conducts an annual survey of approximately 3,000 firms nationwide to obtain data regarding employer-sponsored health plans. This information is used to benchmark average health benefits offered to employees and the costs of these benefits each year. In reviewing the survey for 2005, staff and Mercer consultants determined that there are three categories that would closely match the composition of the firms OCTA is targeting with the incentive program. The three categories are small employer with 10 to 49 employees, employers with 50 to 199 employees, and food service/lodging services. The food service/lodging category was selected because it included janitorial-type services.

The survey shows that for small employers with 10 to 49 employees and employers with 50 to 199 employees, both Preferred Provider Organization (PPO) and Health Maintenance Organization (HMO) plans were offered. The

percentage of the average premium paid by the employee for small employers with 10 to 49 employees was 32 percent for the PPO plans and 33 percent for the HMO plans, while for the employees working for employers with 50 to 199 employees, the average percentage of premium paid for the PPO plans was 27 percent and 30 percent for the HMO plans. In the food service/lodging category, the employees pay approximately 26 percent of the premium for a PPO plan. No HMO plans were offered to employees in the food service/lodging category.

The plan designs offered by the PPO and HMO programs provide for basic health services including hospitalization, doctor's visits, prescription drugs assistance, and maximum limits on out-of-pocket costs. Attachment A describes the plan designs and premium percentages offered for each employment group. Staff is recommending that proposal evaluation committees use the information provided in Attachment A as the benchmark for determining an affordable health benefits plan. Firms submitting a proposal must provide at least the same level of services and at the premiums/co-payment terms identified in Attachment A or better in order to receive the additional ten points. Because health benefits change each year, staff will obtain annual updates of these plan designs from Mercer Consulting.

The selected service contractor will be required to provide the insurance for the duration of the contract and update the proof of health insurance on an annual basis. Staff will track the health insurance requirement in the same manner used to monitor the other insurances required in the contract.

The program will focus on service procurements in which contractor's employees work exclusively for OCTA; however, the Board may chose to include this incentive in all procurements. Currently, OCTA has three contracts in place where the contractor's employees work on a daily basis at OCTA facilities or projects. These contracts are for janitorial, bus cleaning and detailing, and bus shelter maintenance services.


Summary

Orange County Transportation Authority has created an incentive program that encourages firms doing business with The Orange County Transportation Authority to offer their employees health benefits. A method for determining what constitutes an affordable plan has been developed.


Attachment

A. Contractor Health Care Benefits – Common Plan Design Information

Prepared by:


Virginia Abadessa
Manager, Contracts Administration and
Materials Management
(714) 560-5623

Approved by:


James S. Kenan
Executive Director, Finance,
Administration and Human Resources
(714) 560-5678

Contractor Health Care Benefits – Common Plan Design Information
2005 Benefit Highlights

| PPO Plan Designs: | 10-49 Employees | 50-199 Employees | Food Service / Lodging |
|----------------------------|-------------------------------|-------------------------------|-------------------------------|
| In-Network Deductible | \$500 Single / \$1,500 Family | \$500 Single / \$1,000 Family | \$750 Single / \$1,500 Family |
| In-Network OOP Max. | \$2,500 | \$2,000 | \$2,500 |
| Out-of-Network Coinsurance | 30% | 30% | 30% |
| Office Visit Copay | \$20 | \$20 | \$20 |
| Retail Copays | \$11 / \$24 / \$44 | \$11 / \$25 / \$43 | \$11 / \$26 / \$64 |
| Mail-Order Copays | \$14 / \$32 / \$57 | \$15 / \$34 / \$59 | \$22 / \$47 / \$77 |
| Single Contribution | 32% of premium | 27% of premium | 26% of premium |
| Family Contribution | 59% of premium | 55% of premium | 50% of premium |

| HMO Plan Designs: | 10-49 Employees | 50-199 Employees | Food Service / Lodging |
|---------------------------|------------------------|-------------------------|-------------------------------|
| Office Visit Copay | \$20 | \$15 | N/A |
| Inpatient Hospitalization | \$250 deductible | \$500 deductible | N/A |
| Emergency Room Copay | \$50 | \$63 | N/A |
| Retail Copays | \$11 / \$24 / \$44 | \$11 / \$25 / \$43 | N/A |
| Mail-Order Copays | \$14 / \$32 / \$57 | \$15 / \$34 / \$59 | N/A |
| Single Contribution | 33% of premium | 30% of premium | N/A |
| Family Contribution | 61% of premium | 53% of premium | N/A |

Source: Mercer National Survey of Employer-Sponsored Health Plans



BOARD COMMITTEE TRANSMITTAL

November 27, 2006

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Agreement for Automatic Vehicle Location/Mobile Data Terminal Service for the Freeway Service Patrol

Regional Planning and Highways Committee

November 20, 2006

Present: Directors Cavecche, Correa, Dixon, Green, Monahan, Norby, Pringle, Ritschel, and Rosen
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Agreement C-6-0124 between the Orange County Transportation Authority and CompuSoft, in an amount not to exceed \$1,165,000, for automatic vehicle location/mobile data terminal service for the Freeway Service Patrol, including five years of support services.



November 20, 2006

To: Regional Planning and Highways Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Agreement for Automatic Vehicle Location/Mobile Data Terminal Service for the Freeway Service Patrol

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, the Board of Directors approved automatic vehicle location/mobile data terminal service for the Freeway Service Patrol. Offers were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-6-0124 between the Orange County Transportation Authority and CompuSoft, in an amount not to exceed \$1,165,000, for automatic vehicle location/mobile data terminal service for the Freeway Service Patrol, including five years of support services.

Background

The Orange County Transportation Authority (Authority), in conjunction with the California Department of Transportation and the California Highway Patrol (CHP), sponsors Orange County's Freeway Service Patrol (FSP) program. The FSP provides tow truck assistance to motorists on Orange County freeways to alleviate congestion.

The purpose of the automatic vehicle location/mobile data terminal (AVL/MDT) service is to equip the Authority's contracted FSP tow trucks and the CHP's FSP supervisory vehicles with the capability for automating the exchange and recording of information between supervisors, drivers, and dispatchers using two-way wireless communications.

Implementation of the service will increase the productivity of FSP tow trucks in

the following ways: (1) allow CHP supervisors to monitor the locations of tow trucks, thereby ensuring the trucks are on their sections of the freeway during hours of FSP service, (2) reduce the amount of time tow truck drivers spend in voice communications, (3) reduce congestion and improve air quality, and (4) produce more complete and reliable information regarding the number, type, and locations of assistance provided.

Discussion

This procurement was handled in accordance with the Authority's procedures for professional and technical services. In addition to cost, many other factors are considered in an award for professional and technical services. Therefore, the requirement was handled as a competitive negotiated procurement. This award is recommended to the firm offering the most effective overall proposal considering such factors as staffing, prior experience with similar projects, approach to the requirement, and technical expertise in the field.

The project was advertised on May 1 and May 8, 2006, in a newspaper of general circulation and on CAMMNET to 714 firms. Pre-proposal meetings were held on May 9 and May 22, 2006, and were attended by five consultants and three consultants respectively.

On June 30, 2006, four offers were received. An evaluation committee composed of staff from the Motorist Services Department, the Information Services Department, the Contract Administration and Materials Management Department, the Los Angeles County Metropolitan Transportation Authority, CHP, and the Authority consultant, Jennillian Corporation, was established to review all offers submitted. The offers were evaluated on the basis of the following criteria and weightings assigned to each:

- | | |
|-------------------------------------|------------|
| • Qualifications of the Firm | 20 percent |
| • Staffing and Project Organization | 20 percent |
| • Work Plan | 35 percent |
| • Cost and Price | 25 percent |

The criteria-weightings were approved by the Regional Planning and Highways Committee on March 20, 2006, and by the Board of Directors on March 27, 2006. Based on their findings, the evaluation committee recommended the following

firm to the Regional Planning and Highways Committee for consideration of an award:

Firm and Location

CompuSoft
Fullerton, California

CompuSoft scored especially high on work plan for the following reasons: (1) CompuSoft will assign ownership of the software to the Authority, thereby enabling the Authority to modify the software as needs change without paying a fee to the developer. (2) CompuSoft will write the MDT software using Microsoft Visual Basic Studio as the development tool, Microsoft Programming Interfaces, and will use Microsoft MapPoint as the mapping platform for AVL. Use of standard software will enable the Authority to retain any qualified Microsoft specialist to modify the software. CompuSoft's full-time local presence will facilitate communication throughout development, installation, and ongoing support.

Fiscal Impact

The project was approved in the Authority's Fiscal Year 2006-07 Budget for the Orange County Service Authority for Freeway Emergencies (OCSAFE), Account 0013-7612-AC320-CS8, and is funded through a combination of Service Authority for Freeway Emergency funds and a grant from the Mobile Sources Reduction Committee (MSRC) of the Southern California Air Quality Management District. The MSRC grant will pay for two thirds of the cost and OCSAFE will pay one third.

Summary

Based on the information provided, staff recommends award of Agreement C-6-0124 to CompuSoft, in an amount not to exceed \$1,165,000, for Automatic Vehicle Location/Mobile Data Terminal service.

Attachment

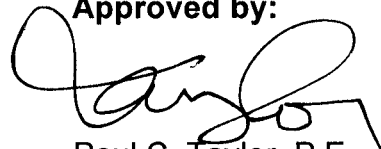
None.

Prepared by:



Iain C. Fairweather
Manager Motorist Services
(714) 560-5858

Approved by:



Paul C. Taylor, P.E.
Executive Director, Development
(714) 560-5431



BOARD COMMITTEE TRANSMITTAL

November 27, 2006

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Gateway Sign for Santa Ana Freeway (Interstate 5) Gateway Project

Regional Planning and Highways Committee

November 20, 2006

Present: Directors Cavecche, Correa, Dixon, Green, Monahan, Norby, Pringle, Ritschel, and Rosen
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

- A. Approve the conceptual design and authorize staff to submit the design to the California Department of Transportation.
- B. Authorize the Chief Executive Officer to execute Amendment No. 3 to Cooperative Agreement C-5-2358 between the Orange County Transportation Authority and the City of Buena Park, in an amount not to exceed \$35,000, for final design, plans, specifications, and construction review.
- C. Authorize staff to coordinate with California Department of Transportation construction management staff to process the gateway sign work as a change order request to the Santa Ana Freeway (Interstate 5) Gateway freeway widening contract.



November 20, 2006

To: Regional Planning and Highways Committee
From: ^{ATLIE} Arthur T. Leahy, Chief Executive Officer
Subject: Gateway Sign for Santa Ana Freeway (Interstate 5) Gateway Project

Overview

A conceptual design has been completed for a gateway sign along the Santa Ana Freeway (Interstate 5) at the Orange-Los Angeles county line within the City of Buena Park. The design was prepared in collaboration with the California Department of Transportation and the City of Buena Park and is a candidate for the California Department of Transportation Gateway Monument Demonstration Program.

Recommendations

- A. Approve the conceptual design and authorize staff to submit the design to the California Department of Transportation.
- B. Authorize the Chief Executive Officer to execute Amendment No. 3 to Cooperative Agreement C-5-2358 between the Orange County Transportation Authority and the City of Buena Park, in an amount not to exceed \$35,000, for final design, plans, specifications, and construction review.
- C. Authorize staff to coordinate with California Department of Transportation construction management staff to process the gateway sign work as a change order request to the Santa Ana Freeway (Interstate 5) Gateway freeway widening contract.

Background

On August 14, 2006, the Orange County Transportation Authority (Authority) Board of Directors (Board) directed staff to develop a conceptual design for a gateway sign at the Orange-Los Angeles county line based on the

signage developed by the City of Buena Park, at the Riverside Freeway (State Route 91) and Beach Boulevard.

The Authority is responding to the California Department of Transportation (Caltrans) Gateway Monument Demonstration Program and is moving to include it as part of the Interstate 5 (I-5) Gateway freeway widening project. The Caltrans Gateway Monument Demonstration Program runs for a four-year period from January 1, 2005 through December 31, 2008; however, proposals can only be submitted from January 1, 2005 to December 31, 2006. At the conclusion of the four-year period, Caltrans will evaluate the program to determine its success and decide whether it should continue. Any signs placed as part of the program need to be constructed by December 31, 2008.

On July 25, 2005, the Board approved Cooperative Agreement C-5-2358 with the City of Buena Park, in the amount of \$1,976,000, for reimbursement of a portion of the cost for coordination and mitigation measures during construction of the I-5 Gateway project. On August 14, 2006, the Board authorized Amendment No. 2, in an amount not to exceed \$10,000, for the conceptual design of the Orange County gateway sign on the I-5 in Buena Park.

Discussion

The Authority and the City of Buena Park collaborated in developing the conceptual design for a gateway sign as part of the I-5 Gateway project. The next step is to submit the conceptual design to the Caltrans District 12 Gateway sign coordinator for review. The design team anticipates a short review time because many of the issues have been vetted on the initial Buena Park State Route 91 (SR-91) gateway sign; therefore, staff is prepared to move into final design and construction as quickly as possible in order to meet Caltrans demonstration program deadlines.

The City of Buena Park has Clark & Green Associates under contract for sign design work on the SR-91. Due to Clark & Green Associates' success in working with Caltrans and the short time available to meet Caltrans' December 2006 proposal deadline, City of Buena Park staff concur with Authority staff that utilizing this firm for the final design of the I-5 Gateway project sign would be in the best interest of the project. The City of Buena Park will proceed with an agreement with Clark & Green Associates for the final design of the Orange County gateway sign pending Board approval of the cooperative agreement amendment.

Once the final design has been approved, construction of the sign will require utilization of the change order request process as part of the I-5 Gateway

freeway widening project, working with Caltrans construction management staff. The scope of work is within the project limit areas and will require close coordination with the current freeway widening contractor, the joint venture of FCI/Balfour Beatty. This close coordination necessitates the use of a negotiated change order with the contractor. At the conceptual design phase the construction cost estimate is \$140,000 in 2006 dollars, with funding to be from the project construction contingency fund.

In accordance with the Caltrans Monument Demonstration Program the Authority is responsible for the maintenance of the proposed sign, which is estimated to be an annual cost of \$15,000 to \$20,000, in 2006 dollars.

Fiscal Impact

The additional work described in Amendment No. 3 to Cooperative Agreement C-5-2358 was not included in the Authority's Fiscal Year 2006-07 Budget. Funds will be transferred within Account 0010-7519-F1610, Local Transportation Authority, Other Professional Services.

Summary

A conceptual design has been completed for a gateway sign to be placed at the Orange-Los Angeles county line within the City of Buena Park as part of the Caltrans Gateway Monument Demonstration Program. The design presented for approval is based on current signage being used by the City of Buena Park at SR-91.

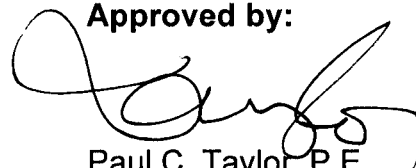
Attachment

- A. City of Buena Park Cooperative Agreement C-5-2358 Fact Sheet

Prepared by:

Charles Guess, P.E.
Charles Guess, P.E.
Program Manager, Development
(714) 560-5775

Approved by:


Paul C. Taylor, P.E.
Executive Director, Development
(714) 560-5431

ATTACHMENT A

City of Buena Park Cooperative Agreement C-5-2358 Fact Sheet

1. July 25, 2005, Cooperative Agreement C-5-2358, \$1,976,000, approved by Board of Directors.
 - Cost sharing for project related costs related to the Santa Ana Freeway (Interstate 5) Gateway project.
2. January 9, 2006, Amendment No. 1 to Cooperative Agreement C-5-2358, \$265,650, approved by Board of Directors.
 - Reimburse City of Buena Park for additional project related costs.
3. August 14, 2006, Amendment No. 2 to Cooperative Agreement C-5-2358, \$10,000, pending approval by Board of Directors.
 - Reimburse City of Buena Park for conceptual design services for the Interstate 5 (I-5) Gateway project.
4. November 13, 2006, Amendment No. 3 to Cooperative Agreement C-5-2358, \$35,000, pending approval by Board of Directors.
 - Reimburse City of Buena Park for final design services for the I-5 Gateway project.

Total committed to City of Buena Park, Cooperative Agreement C-5-2358: \$2,286,650.



BOARD COMMITTEE TRANSMITTAL

November 27, 2006

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Oso Parkway/Pacific Park Drive Signal Synchronization Demonstration Project Status Report and Consultant Selection Evaluation Criteria

Regional Planning and Highways Committee

November 20, 2006

Present: Directors Cavecche, Correa, Dixon, Green, Monahan, Norby, Pringle, Ritschel, and Rosen
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute a Memorandum of Understanding with the involved jurisdictions for implementation of the project.
- B. Approve the proposed consultant selection evaluation criteria.



November 20, 2006

To: Regional Planning and Highways Committee
From: ^{ATL/ES2} Arthur T. Leahy, Chief Executive Officer
Subject: Oso Parkway/Pacific Park Drive Signal Synchronization Demonstration Project Status Report and Consultant Selection Evaluation Criteria

Overview

In July 2006 the Board of Directors approved the Oso Parkway/Pacific Park Drive corridor for expanded signal synchronization. A status report on the effort and the consultant selection evaluation criteria to initiate the procurement process are provided for Board of Directors review and approval.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute a Memorandum of Understanding with the involved jurisdictions for implementation of the project.
- B. Approve the proposed consultant selection evaluation criteria.

Background

On July 24, 2006, the Board of Directors (Board) approved the Oso Parkway/Pacific Park Drive corridor segment from the City of Aliso Viejo to the City of Rancho Santa Margarita, as the south Orange County demonstration project for expanded, inter-jurisdictional signal synchronization.

Staff is presenting a status report on the effort and requesting Orange County Transportation Authority (OCTA) Board approval of the evaluation criteria which will be used to evaluate proposals received in response to the Request for Proposals (RFP). The RFP will be released after approval of the evaluation criteria.

Discussion

OCTA, the California Department of Transportation, County of Orange, and cities of Aliso Viejo, Laguna Niguel, Laguna Hills, and Mission Viejo (agencies) intend to enter into a Memorandum of Understanding (MOU) describing roles and responsibilities for the project. Proposed MOU terms include:

- The project will underscore the benefits of interagency signal synchronization through re-timing of existing signals.
- OCTA will retain a traffic consultant to prepare optimized signal timing plans for the agencies to implement subject to their review and approval.
- The consultant will assist in the implementation of the timing plans.
- The traffic consultant will prepare “before” and “after” studies, proactively monitor the system, and recommend improvements.
- The signal and detection equipment should be in good working order and have high maintenance priority by the agencies during the course of the project.

OCTA staff will work with the agencies using the information above as a guide. A MOU following these guidelines is expected by spring 2007. The Board recommendation authorizes the Chief Executive Officer to negotiate and execute this MOU.

OCTA staff is currently preparing a staff report and presentation identifying key issues related to signal synchronization objectives. It is expected that the Board will provide overall direction and strategy on OCTA signal synchronization projects based on that discussion. This overall strategy will be included as part of the project as appropriate.

Proposed Budget, Schedule, and Evaluation Criteria

OCTA will require traffic consultant services to conduct the project and the fiscal year 2006-07 budget includes \$250,000 for this purpose. The project start date is anticipated in spring 2007 and completion of all work, including final project reporting, by summer 2008. The following evaluation criteria weighting will be used to evaluate proposals received in response to an RFP for this purpose.

Qualifications of the Firm – 25 percent

Technical experience in performing and implementing signal synchronization, including collecting turning movement counts; demonstrated familiarity with signal timing hardware and software; experience working with multiple public agencies; strength and stability of the firm; strength, stability, experience and technical competence of subcontractors; assessment by client references.

Staffing and Project Organization – 25 percent

Qualifications of project staff, particularly key personnel and especially the Project Manager; key personnel's level of involvement in performing related work cited in "Qualifications of the Firm" section; logic of project organization; adequacy of labor commitment; concurrence in the restrictions on changes in key personnel.

Work Plan – 25 percent

Depth of Offeror's understanding of OCTA's requirements and overall quality of work plan; logic, clarity and specificity of work plan; appropriateness of labor distribution among the tasks; ability to meet the project deadline; reasonableness of proposed schedule; utility of suggested technical or procedural innovations.

Cost and Price – 25 percent

Reasonableness of the total price and competitiveness of this amount with other offers received; adequacy of data in support of figures quoted; reasonableness of individual task budgets; cost effectiveness of labor hours; basis on which prices are quoted.

Summary

A status report and the evaluation criteria for traffic consultant services for the project are provided for Board review and approval.

Attachment

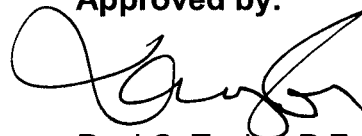
None.

Prepared by:



Anup Kulkarni
Section Manager II
Regional Modeling
(714) 560-5867

Approved by:



Paul C. Taylor, P.E.
Executive Director
Development
(714) 560-5431



BOARD COMMITTEE TRANSMITTAL

November 27, 2006

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board *WK*
Subject: Amendment to Cooperative Agreement with the Department of California Highway Patrol

Regional Planning and Highways Committee

November 20, 2006

Present: Directors Cavecche, Correa, Dixon, Green, Monahan, Norby, Pringle, Ritschel, and Rosen
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 2 to Cooperative Agreement C-4-0588 between the Orange County Transportation Authority and the Department of California Highway Patrol, in an amount not to exceed \$300,000, for additional traffic enforcement services.



November 20, 2006

To: Regional Planning and Highways Committee

From: Arthur T. Leahy, Chief Executive Officer

Subject: Amendment to Cooperative Agreement with the Department of California Highway Patrol

Overview

On September 13, 2004, the Board of Directors approved a cooperative agreement with the Department of California Highway Patrol, in an amount not to exceed \$1,000,000, for required traffic control services for the Garden Grove Freeway (State Route 22) project.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 2 to Cooperative Agreement C-4-0588 between the Orange County Transportation Authority and the Department of California Highway Patrol, in an amount not to exceed \$300,000, for additional traffic enforcement services.

Background

On August 23, 2004, the Orange County Transportation Authority (Authority) Board of Directors (Board) awarded the Garden Grove Freeway (State Route 22) design-build contract to the joint venture of Granite-Meyers-Rados (GMR). The Authority required the execution of various cooperative agreements for the implementation of the State Route 22 (SR-22) project.

On September 12, 2004, Cooperative Agreement C-4-0588, with the California Highway Patrol (CHP) for traffic enforcement services for the SR-22 project was approved by the Board. This agreement was necessary to provide traffic enforcement services during operations typical to highway construction projects. These services are critical to ensure the safety of motorists during lane closures activities including bridge demolition, erection and removal of temporary bridge support systems (falsework), installation and removal of temporary traffic barriers, and other miscellaneous activities that require high

visibility CHP enforcement. The level of CHP utilization can vary depending on contractor operations and construction activity scheduling.

In July 2006, staff re-evaluated the current construction activity plan based on GMR's project completion date of November 30, 2006, and contacted CHP to begin the process for an amendment in the amount of \$100,000. On October 1, 2006, the Chief Executive Officer executed Amendment No. 1 to Cooperative Agreement C-4-0588, to continue the CHP services.

The original cost estimate for the CHP services was \$1,000,000, which was based on the project duration of 800 calendar days. This cost estimate did not include additional scope changes extending beyond the 800 days as previously approved by the OCTA Board. Such additional scope items include the Magnolia Bridge full replacement, application of rubberized asphalt between Magnolia Street and Euclid Street, and the construction of soundwalls along various on and off ramps. Such additional scope require additional services beyond the November 30, 2006, substantial completion date.

Discussion

The cooperative agreement is for traffic control and enforcement services on an as-needed basis for freeway lane closures during the finalization of SR-22 construction. These services are critical to ensure the safety of motorists during lane closures that normally occur at night. The original cost estimate of \$1,000,000 cost for CHP services was based on the project duration of 800 calendar days (nights) and did not include contract scope changes approved by the Board.

The SR-22 project, will be substantially complete on November 30, 2006, but will continue to require CHP utilization for contract changes authorized by the Authority beyond the contract substantial completion date. These services are necessary for activities including the following:

- construction staging at Magnolia Street and SR-22 to accommodate the new bridge replacement;
- placement of rubberized Asphalt just east of Magnolia Street to Euclid Street;
- de-mobilization of construction equipment related to SR-22 bridge and roadway construction;
- placement of soundwalls resulting from refined sound studies and community concerns; and

- mobilization of necessary mobilization of materials and equipment for project landscaping.

The CHP services will be authorized on an as-needed basis to allow for continued safety during finalization of SR-22.

The additional work described in Amendment No. 2 to Agreement C-4-0588, was partially approved in the Authority's Fiscal Year 2006-07 Budget, Development Division, Account 0010-9017-F7100-9MF, and is funded through the Local Transportation Authority. Funds have been transferred within Account 0010-9017-F7100 to accommodate the additional requirements.

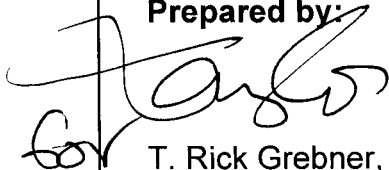
Summary

Staff recommends approval of Amendment No. 2, in the amount of \$300,000, to Cooperative Agreement C-4-0588 with the Department of California Highway Patrol.

Attachment

- A. Cooperative Agreement C-4-0588 Fact Sheet

Prepared by:



T. Rick Grebner, P.E.
Program Manager
(714) 560-5729

Approved by:



Paul C. Taylor, P.E.
Executive Director, Development
(714) 560-5431

ATTACHMENT A

Cooperative Agreement C-4-0588 Fact Sheet

1. September 13, 2004, Cooperative Agreement C-4-0588, \$1,000,000 approved by Board of Directors.
 - Traffic Enforcement Agreement for the Garden Grove Freeway (State Route 22) project.
2. October 1, 2006, Amendment No. 1 to Agreement C-4-0588, \$100,000, approved by the Chief Executive Officer.
 - Additional funds to cover State Route 22 (SR-22) project traffic control services provided by the Department of California Highway Patrol (CHP).
3. November 27, 2006, Amendment No. 2 to Agreement C-4-0588, \$300,000, pending approval by Board of Directors.
 - Additional funds to cover SR-22 project traffic control services provided by CHP.

Total committed to CHP, Cooperative Agreement C-0-0588: \$1,400,000



BOARD COMMITTEE TRANSMITTAL

November 21, 2006

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Agreement for Compressed Natural Gas Building Modifications
at the Santa Ana Base

This item will be considered by the Transit Planning and Operations Committee on November 22, 2006. Following Committee consideration of this matter, staff will provide you with a summary of the discussion and action taken by the Committee.

Please call me if you have any comments or questions concerning this correspondence. I can be reached at (714) 560-5676.



November 22, 2006

To: Transit Planning and Operations Committee

From: Arthur T. Leahy, ^{ATL} Chief Executive Officer

Subject: Agreement for Compressed Natural Gas Building Modifications at the Santa Ana Base

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, the Board of Directors approved compressed natural gas building modifications at the Santa Ana Base. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures.

Recommendations

- A. Amend the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, expense Account 1722-9022-D3126-DQE, by \$297,100.
- B. Authorize the Chief Executive Officer to execute Agreement C-6-0699 between the Orange County Transportation Authority and Thomco Construction, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$422,100, for compressed natural gas building modifications at the Santa Ana Base.

Background

On April 9, 2001, the Orange County Transportation Authority (Authority) selected Boyle Engineering for design services for the Santa Ana Base. The Santa Ana Base was designed to accommodate gasoline, diesel, and liquefied natural gas vehicles. The Authority began bus operations from the Santa Ana Base in May 2005. On July 11, 2005, the Board of Directors (Board) authorized staff to issue a Request for Proposals for the design and construction of a natural gas fueling station and associated building improvements at the Santa Ana Base. On November 28, 2005, the Board approved a lease-to-own agreement with California Trillium Company for the compressed natural gas (CNG) fueling facility at the Santa Ana Base.

On July 14, 2005, the Authority executed a contract task order with STV Incorporated (STV) to review the Santa Ana Base for code compliance to fuel and maintain CNG buses. The facility audit report prepared by STV indicated that revisions to the ventilation system, including replacement of exhaust fans, was required for the Santa Ana Base to be code compliant. On August 18, 2006, the Authority executed a contract task order with STV to provide design and construction support services for CNG building modifications at the Santa Ana Base.

Discussion

This procurement was handled in accordance with the Authority's procedures for public works and construction projects, which conform to state requirements. Public work projects are handled as sealed bids and award is made to the lowest responsive, responsible bidder. On October 5, 2006, Invitation for Bids No. 6-0699 was released and posted on CAMMNET and an electronic notification was sent to 601 firms. The project was advertised on October 5 and October 11, 2006, in a newspaper of general circulation. A pre-bid conference was held on October 12, 2006, and was attended by 10 firms. Addendum No. 1 was issued on October 18, 2006, to address administrative issues and provide clarifications to the plans and specifications. Addendum No. 2 was issued on October 26, 2006, to provide clarifications to the plans. Addenda Nos. 3 and 4 were issued on October 26 and October 27, 2006, respectively, to address administrative issues. On November 3, 2006, three bids were received. All bids were reviewed by the staff from Development and Contracts Administration and Materials Management departments to ensure compliance with the terms and conditions, specifications, and drawings. Listed below are the three bids received. State law requires award to the lowest responsive, responsible bidder.

| <u>Firm and Location</u> | <u>Bid Price</u> |
|--|------------------|
| Thomco Construction, Inc. Anaheim, California | \$422,100 |
| T&M Painting & Construction, Inc. Anaheim, California | \$485,000 |
| Big West Construction Corporation Irvine, California | \$575,000 |

Fiscal Impact

The project was approved in the Authority's Fiscal Year 2006-07 Budget, Development, Account 1722-9022-D3126-DQE, in the amount of \$125,000, and is funded through the Orange County Transit District. A budget increase in the amount of \$297,100 in Development, Account 1722-9022-D3126-DQE is requested to fully fund the required facility modifications at the Santa Ana Base.

Summary

Staff has reviewed the bids received and requests Board approval to increase Development Budget, Account 1722-9022-D3126-DQE, and execute Agreement C-6-0699, in the amount of \$422,100, with Thomco Construction, Inc., the lowest responsive, responsible bidder, for compressed natural gas building modifications at the Santa Ana Base.

Attachment

None.

Prepared by:



James J. Kramer, P.E.
Senior Project Manager
(714) 560-5866

Approved by:



Paul C. Taylor, P.E.
Executive Director, Development
(714) 560-5431



BOARD COMMITTEE TRANSMITTAL

November 21, 2006

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: New Express Bus Service Update

This item will be considered by the Transit Planning and Operations Committee on November 22, 2006. Following Committee consideration of this matter, staff will provide you with a summary of the discussion and action taken by the Committee.

Please call me if you have any comments or questions concerning this correspondence. I can be reached at (714) 560-5676.



November 22, 2006

To: Transit Planning and Operations Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: New Express Bus Service Update

Overview

The Orange County Transportation Authority implemented new express bus service in July and September 2006 between Orange County and points of origin in Los Angeles, Riverside, and San Bernardino counties. The Board approved promotional fares for the three routes to attract and maintain customers. Since implementation, route adjustments have been instituted and additional changes are being planned to improve service.

Recommendations

- A. Receive and file the express bus service update on routes 757, 758 and 794 as detailed in Attachment A.
- B. Extend the promotional fare for routes 757 and 758 until March 2007.

Background

Last summer, the Orange County Transportation Authority (Authority) implemented new and improved express bus service between points of origin in Los Angeles, Riverside, and San Bernardino counties, and employment centers in Orange County. A public hearing was conducted in August 2006, and the Board approved a recommendation to offer introductory promotional fares of \$1.25 for routes 757 (Pomona to Santa Ana Express) and 758 (Chino to Irvine Spectrum Express), and \$2.50 for Route 794 (Riverside/Corona to South Coast Metro Express).

The introductory fares were scheduled to run for six months from the implementation date for each service. Routes 757 and 758 were implemented in July 2006 and are scheduled for a fare change in January 2007, while Route 794 began service in September 2006 and is scheduled for a fare change in March 2007.

Since the implementation of the new services, Authority staff have monitored ridership while maintaining a constructive dialog with service users and employers. In response to customer input, adjustments in service have been made and others are under review. To date, the new express bus services have been well received.

Discussion

Attachments A and B show maps and ridership statistics for routes 757, 758, and 794.

Route 757 was realigned in July 2006 to serve the Fairplex Park-and-Ride in Pomona, Children's Hospital of Orange County (CHOC), St. Joseph's Hospital, MainPlace Mall, and the Santa Ana Civic Center. Route 758, launched in July 2006, provides service between the Chino Transit Center and the Irvine Transportation Center. Both routes charge an introductory fare of \$1.25 due to expire in January 2007. Routes 794 and 794A began service in September 2006, operating from the Tyler Mall in Riverside and the Canyon Community Church in Corona to the South Coast Metro area. An introductory fare of \$2.50 is due to expire in March 2007. Each of these routes has enjoyed success in attracting ridership.

Since implementation, Authority staff have maintained contact with service riders and representatives of employment centers served by the new express bus routes. As part of this on-going dialogue, changes have either been or will be made to the routes of all three services to improve customer satisfaction.

Route 757 was changed to operate on the Garden Grove freeway (State Route 22) now that the new freeway ramps at La Veta/Bristol and The City Drive are open. By utilizing the freeway, this change will greatly reduce the travel time in this segment of the route. Based on discussions with staff from Spectrumotion in the Irvine Spectrum, Route 758 will be modified to operate via Sand Canyon Avenue as shown on Attachment A. This change will make the service more convenient and attractive to current and future service users.

The schedule and ridership volume for Route 794 has been closely monitored and additional stand-by service offered to ensure adequate capacity is provided for the most popular trips currently scheduled.

Ridership response to the three express routes has been positive. Routes 757 and 758 were estimated to attract between 48 and 80 riders a day. As of the end of September, ridership has averaged about 96 boardings daily, exceeding the target range. Similarly, Route 794 was estimated to generate between 168

and 280 boardings each day. In September, less than one month after implementation, Route 794 averaged about 150 boardings daily, very close to the estimated range.

As mentioned earlier in this report, the promotional fares were due to expire six months after the implementation date of each service. However, the dates for which the fares are to lapse are not concurrent. Further, in order to implement the permanent fare proposed for routes 757 and 758, the Board must conduct a public hearing prior to adoption as the permanent fare is not currently part of the official Authority schedule of tariffs. While a hearing is scheduled for February 2007, it is necessary to request authorization to extend the introductory fares for routes 757 and 758 by three months, to coincide with the lapsing date for the introductory fare for Route 794. Doing so will streamline and simplify the fare adjustment process and should reduce confusion for riders and coach operators alike.

After considerable review, the Authority's Fare Policy Committee is recommending that the fares for routes 757 and 758 be adjusted from \$1.25 to \$2.50, with new prepaid passes to be offered. In regards to the new prepaid passes, a \$2.50 Day Pass will be available for purchase by the public, as well as a new Express Bus Monthly Pass for \$86.00.

The Fare Policy Committee is also recommending that the fare for Route 794 be set at \$3.75, which is the current fare charged for similar Authority express buses operating between Los Angeles and Orange counties. Prepaid media would be made available to Route 794 customers as well. With Board approval, the new fares would become effective in March 2007.

Next Steps

Staff will continue to monitor the performance of the express bus routes implemented this past summer. A public hearing will be scheduled for February 2007 regarding proposals to change the fares of routes 757 and 758. With Board approval, the promotional fare for routes 757 and 758 will be extended to March 2007 to coincide with the expiration of the introductory fare for Route 794, and the implementation of the new fare structure approved by the Board of Directors.

Summary

Last summer, new and improved express bus routes 757, 758 and 794 were instituted between points of origin in Los Angeles, Riverside, and San Bernardino counties and employment centers in Orange County.


The new services have been well received and additional changes have been instituted in response to customer input.

The introductory fares associated with new routes are scheduled to expire in 2007, and staff will schedule a public hearing to consider the new permanent fare structure proposed by the Authority's Fare Policy Committee. The new fares are proposed to be implemented in March 2007.

Attachments

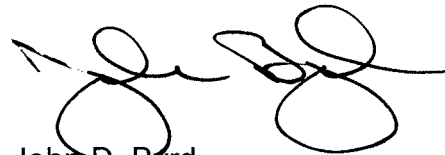
- A. Express Bus Route Maps
- B. Ridership Statistics

Prepared by:

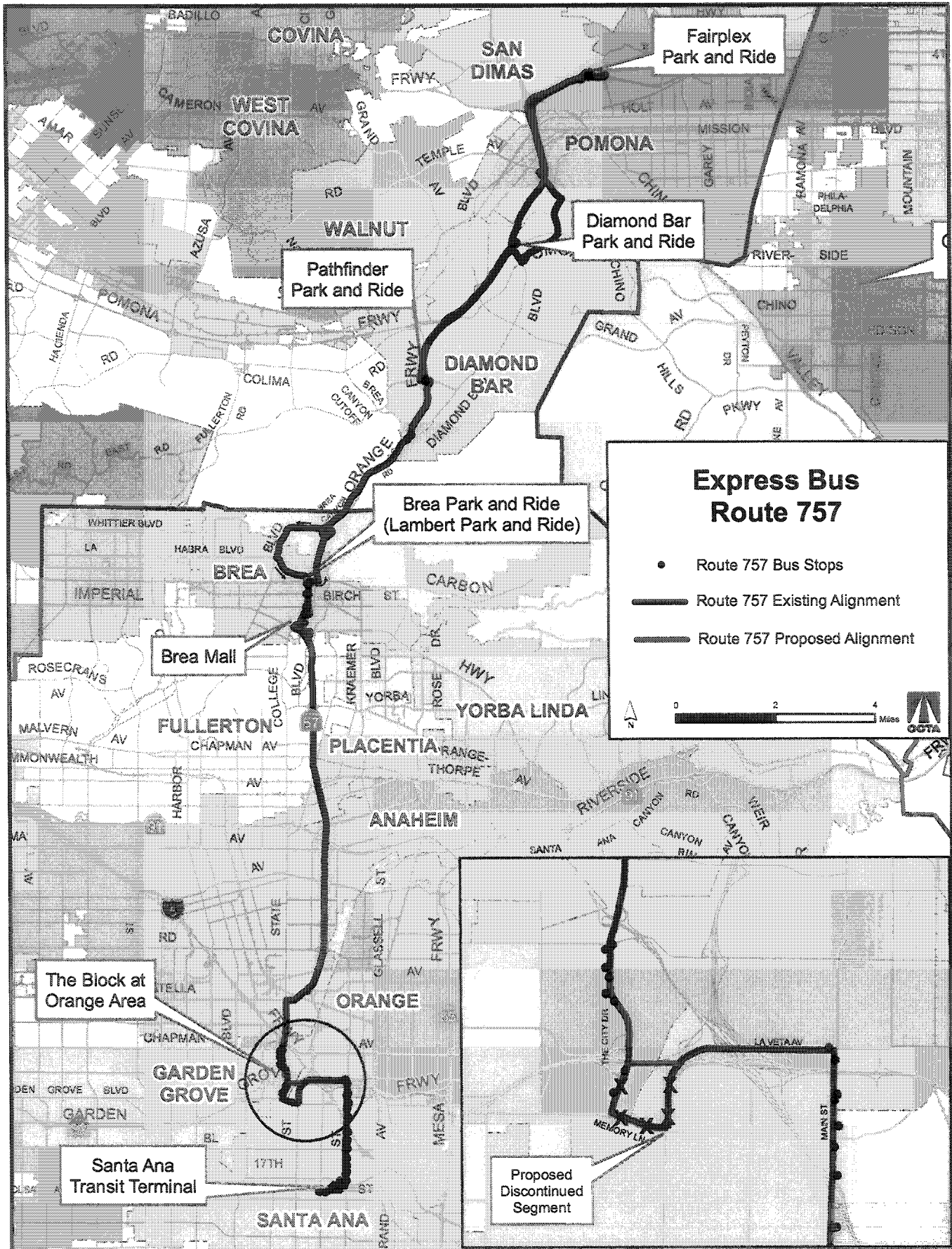


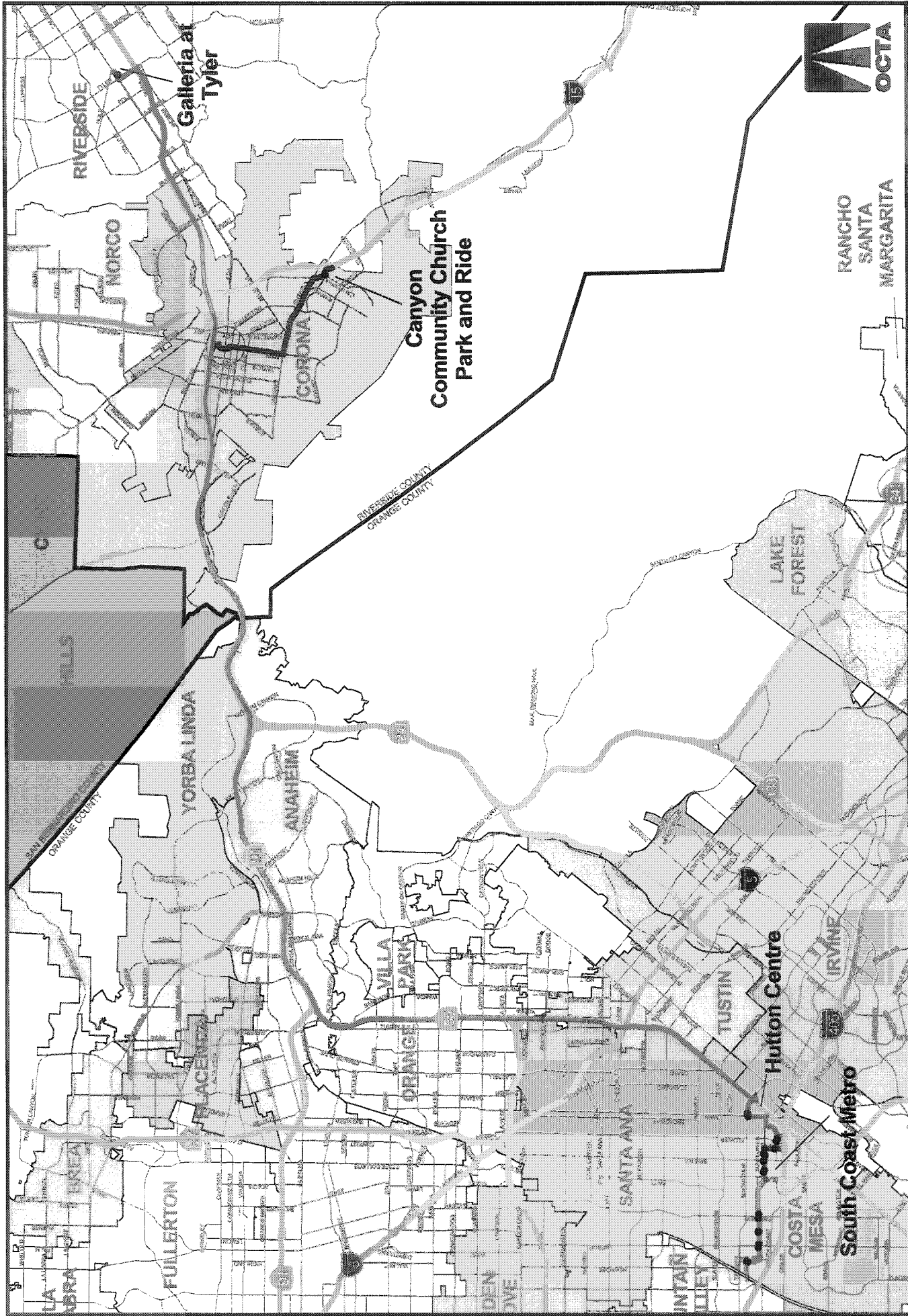
Gordon Robinson
Senior Transportation Analyst,
Service Planning and Customer
Advocacy
(714) 560-5715

Approved by:



John D. Byrd
General Manager, Transit
(714) 560-5341



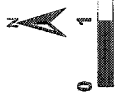


• Bus Stops (Existing)

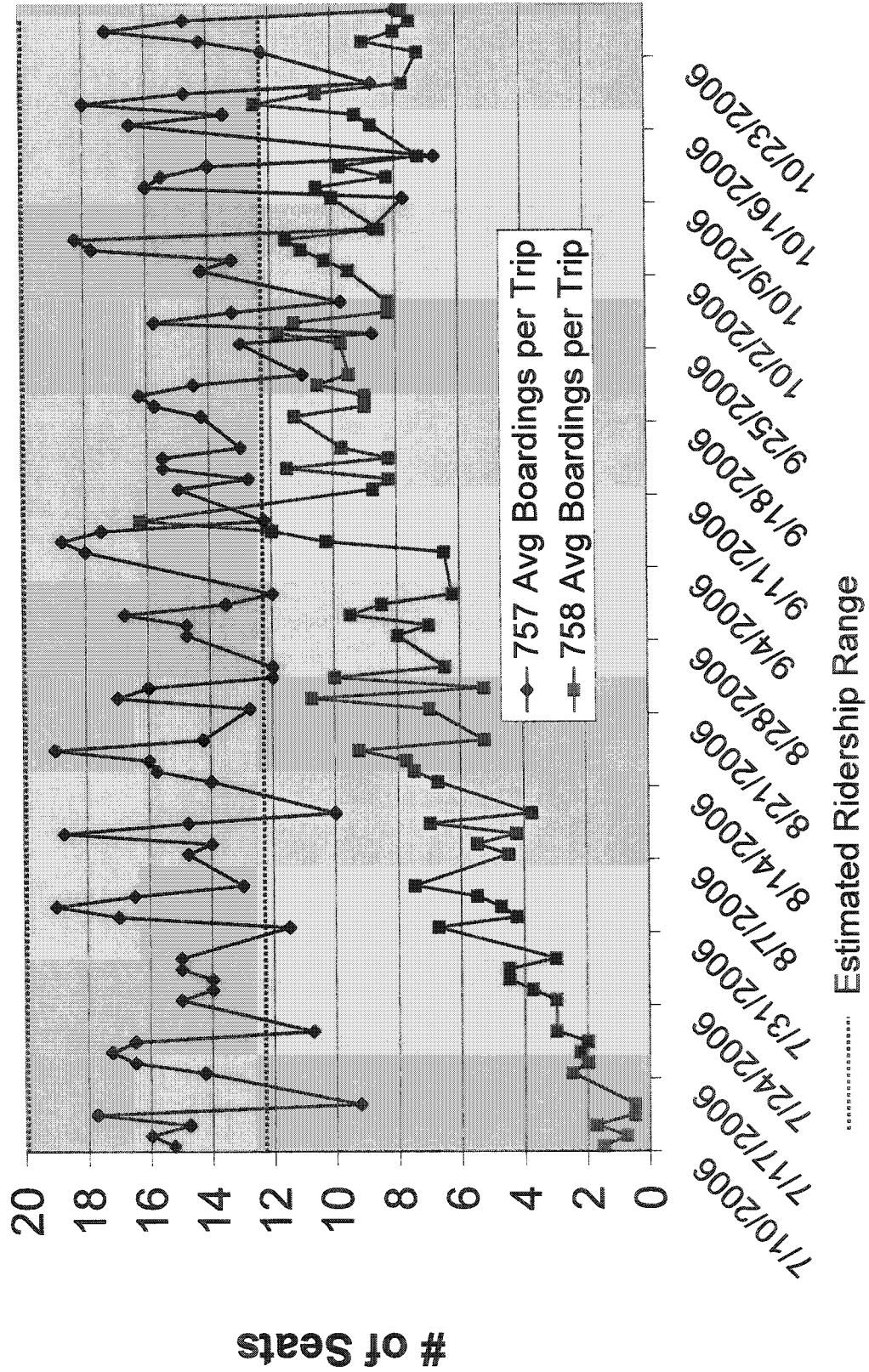
— 794 Riverside to South Coast Metro

— 794A Corona to South Coast Metro

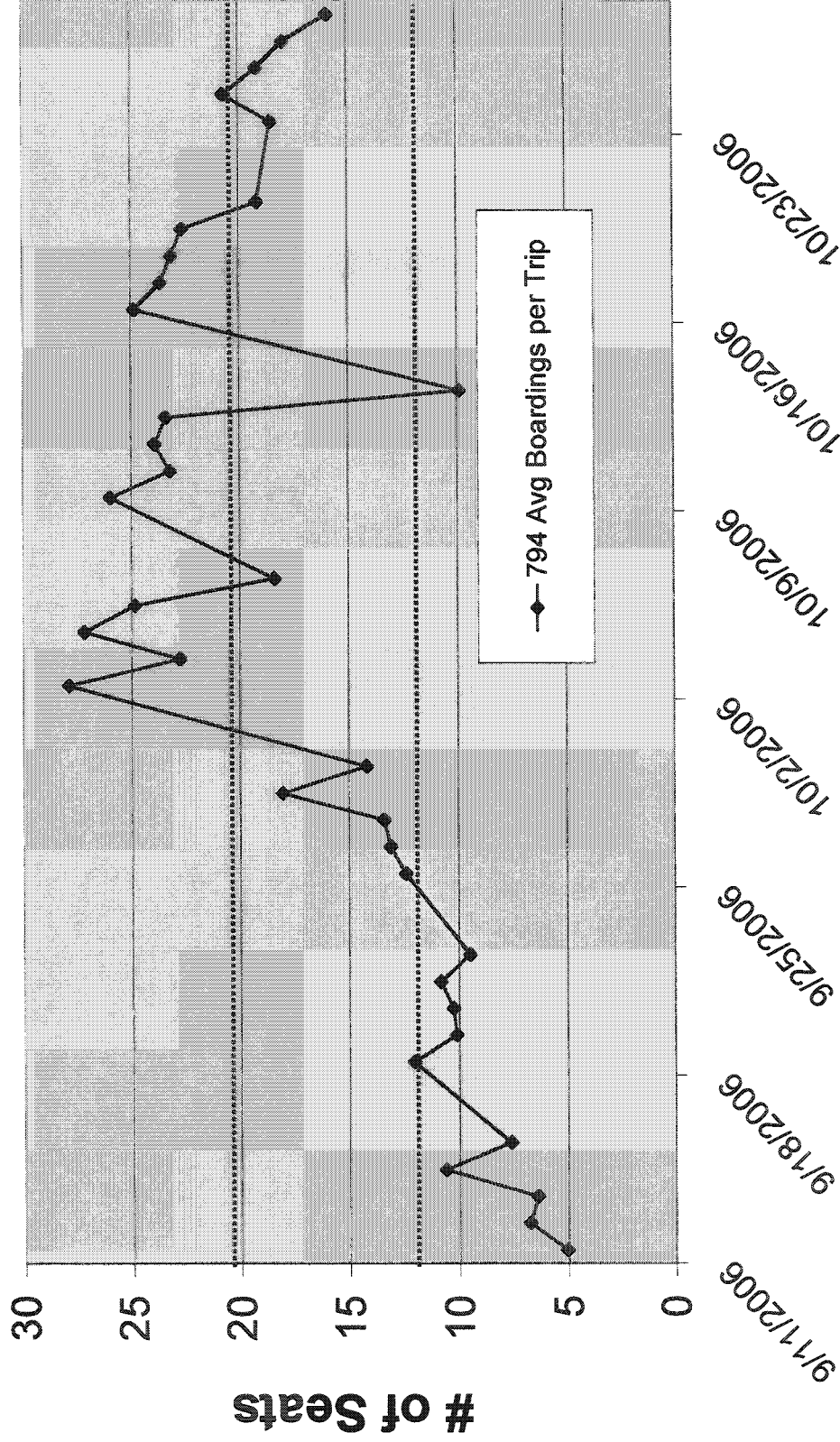
Express Bus Routes 794/794A



Route 757 and 758



Route 794



..... Estimated Ridership Range



BOARD COMMITTEE TRANSMITTAL

November 21, 2006

To: Members of the Board of Directors

From: ^{WV} Wendy Knowles, Clerk of the Board

Subject: Agreement to Replace Community Transportation Services Dispatch Radio Console

This item will be considered by the Transit Planning and Operations Committee on November 22, 2006. Following Committee consideration of this matter, staff will provide you with a summary of the discussion and action taken by the Committee.

Please call me if you have any comments or questions concerning this correspondence. I can be reached at (714) 560-5676.



November 22, 2006

To: Transit Planning and Operations Committee
ATL/EZ
From: Arthur T. Leahy, Chief Executive Officer
Subject: Agreement to Replace Community Transportation Services
Dispatch Radio Console

Overview

As part of the Orange County Transportation Authority Fiscal Year 2006-07 Budget, funding is available for the purchase of a replacement radio dispatch console system and support equipment for the Community Transportation Service dispatch center located at the Irvine Base.

Recommendation

Authorize the Chief Executive Officer to issue Agreement C-6-0757 between the Orange County Transportation Authority and IPC Information Systems, in an amount not to exceed \$86,184, for the purchase and installation of a new IPC Primet radio console system.

Background

The Orange County Transportation Authority (Authority) operates a radio dispatch center at the Community Transportation Services (CTS) Irvine Operations and Maintenance Base, which utilizes an Orbacom (now IPC) radio dispatch console system to allow dispatchers to communicate to coach operators. The Orbacom console system presently being utilized is over 25 years old. Many of its components are obsolete and unavailable. Currently, only three of the original five dispatch positions are operational and the remaining two positions are not repairable.

Discussion

Due to sophisticated technical requirements, the purchase of a new radio console system was handled as a sole source procurement. These requirements include interface with existing communications systems and the

**Agreement to Replace Community Transportation
Services Dispatch Radio Console**

Page 2

urgency of replacing the system. The proposal from IPC Information Systems includes five personal computer based desktop consoles, Primet 20 switch, turn-key installation, spare components, training, and one-year premium service agreement.

The Authority's Internal Audit Department conducted a price review and found that the price quoted by IPC Information Systems was fair and reasonable.

Fiscal Impact

Funds for this project are available in Transit/Maintenance Department, Account 2166-9027-D3107-C9P, Fiscal Year 2006-07 Budget.

Summary

Staff recommends approval of Agreement C-6-0757 with IPC Information Systems, in an amount not to exceed \$86,184, for the purchase of an IPC Primet radio console system for Community Transportation Services at the Irvine base.

Attachment


None.

Prepared by:



Al Pierce
Manager, Maintenance
(714) 560-5975

Approved by:



John D. Byrd
General Manager, Transit
(714) 560-5341



BOARD COMMITTEE TRANSMITTAL

November 21, 2006

To: Members of the Board of Directors
From: ^{WV}Wendy Knowles, Clerk of the Board
Subject: Amendment to Agreement for Janitorial Services

This item will be considered by the Transit Planning and Operations Committee on November 22, 2006. Following Committee consideration of this matter, staff will provide you with a summary of the discussion and action taken by the Committee.

Please call me if you have any comments or questions concerning this correspondence. I can be reached at (714) 560-5676.



November 22, 2006

To: Transit Planning and Operations Committee
From: ^{ATL/EZ} Arthur T. Leahy, Chief Executive Officer
Subject: Amendment to Agreement for Janitorial Services

Overview

On February 6, 2003, the Board of Directors approved an agreement with Diamond Contract Services, Inc., to provide janitorial services at all Orange County Transportation Authority-owned facilities for a one-year period with two one-year options.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 9 to Agreement C-2-1189 between the Orange County Transportation Authority and Diamond Contract Services, Inc., in an amount not to exceed \$300,000, to extend the contract from December 31, 2006, to April 30, 2007, for janitorial services at all Orange County Transportation Authority owned facilities.

Background

The Orange County Transportation Authority (Authority) - owned facilities that require janitorial services include three large bus maintenance and operation bases and eight transit centers and park-and-ride facilities throughout Orange County. These facilities require janitorial services on a daily basis. The Authority requires the vendor to furnish a qualified labor force sufficient in number to complete all specified requirements in the prescribed time and to furnish all materials and equipment to perform these services.

Agreement C-2-1189 was established to provide on-going janitorial services for the Authority's bases, transportation centers, and park-and-ride facilities. The current agreement expires on December 31, 2006.

Discussion

In order to accommodate the Board of Directors request for contractors to provide health care coverage for employees, the existing contract with Diamond Contract Services, Inc., must be extended while the details of providing health insurance are identified. Contracts Administration and Materials Management recommends a four-month extension to allow for these health insurance activities.

Diamond Contract Services, Inc., has agreed to extend the term of the Agreement from December 31, 2006, through April 30, 2007. A ten percent increase in pricing was requested by the contractor for this extended period to cover employee costs and a California minimum wage increase.

Fiscal Impact

The additional work described in Amendment No. 9 to Agreement C-2-1189 was approved in the Authority's Fiscal Year 2006-07 Budget, Operations Division/Maintenance Department, Account 7615, and is funded through Local Transportation Funds.

Summary

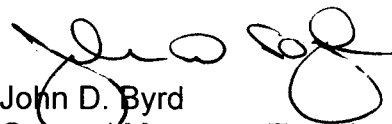
Based on the material provided, staff recommends approval of Amendment No. 9 to Agreement C-2-1189, in the amount of \$300,000, with Diamond Contract Services, Inc.

Attachment

- A. Diamond Contract Services, Inc., Agreement C-2-1189 Fact Sheet.

Prepared by:

Al Pierce
Maintenance Manager
(714) 560-5975

Approved by:

John D. Byrd
General Manager, Transit
(714) 560-5341

**Diamond Contract Services, Inc.
Agreement C-2-1189 Fact Sheet**

1. March 1, 2003, Agreement C-2-1189, \$582,782, approved by Board of Directors.
 - To provide janitorial services at all Authority owned facilities
2. March 1, 2003, Amendment No. 1 to Agreement C-2-1189, no cost increment, approved by section manager of maintenance procurement.
 - Delete Article 5, Paragraph D
3. March 1, 2004, Amendment No. 2 to Agreement C-2-1189, \$594,438, approved by Board of Directors.
 - To exercise the first option year
4. March 1, 2004, Amendment No. 3 to Agreement C-2-1189, \$7,500, approved by section manager of maintenance procurement.
 - Extra services to clean overhead areas of the shop at Garden Grove Base and to include parts, body, and tool rooms.
5. March 1, 2005, Amendment No. 4 to Agreement C-2-1189, \$700,000, approved by Board of Directors.
 - To exercise the second option year
6. March 1, 2005, Amendment No. 5 to Agreement C-2-1189, no cost increment, approved by Board of Directors.
 - To add the Santa Ana Base
7. January 23, 2006, Amendment No. 6 to Agreement C-2-1189, \$350,000, approved by Board of Directors.
 - To extend the contract by four months, through June 30, 2006
8. May 22, 2006, Amendment No. 7 to Agreement C-2-1189, \$370,000, approved by the Board of Directors.
 - To extend the contract by six months, through December 31, 2006

9. October 2, 2006, Amendment No. 8 to Agreement C-2-1189, no cost increment, approved by section manager of maintenance procurement.
 - To add janitorial services for Irvine II Base.
10. December 11, 2006, Amendment No. 9 to Agreement C-2-1189, \$300,000, pending approval by the Board of Directors.
 - To extend the contract by four months, through April 30, 2007

Total committed to Diamond Contract Services, Inc., Agreement C-2-1189: \$2,904,720.



BOARD COMMITTEE TRANSMITTAL

November 21, 2006

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board ^{WK}
Subject: Amendment to Agreement for Bus Cleaning Services

This item will be considered by the Transit Planning and Operations Committee on November 22, 2006. Following Committee consideration of this matter, staff will provide you with a summary of the discussion and action taken by the Committee.

Please call me if you have any comments or questions concerning this correspondence. I can be reached at (714) 560-5676.



November 22, 2006

To: Transit Planning and Operations Committee
From: ATL/EL Arthur T. Leahy, Chief Executive Officer
Subject: Amendment to Agreement for Bus Cleaning Services

Overview

On September 22, 2003, the Board of Directors approved an agreement with Corporate Image Maintenance, to provide bus cleaning services at all Orange County Transportation Authority-owned facilities for a one-year period with two one-year options.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 8 to Agreement C-3-0577 between the Orange County Transportation Authority and Corporate Image Maintenance, in an amount not to exceed \$130,000, to extend the contract from December 31, 2006, through April 30, 2007, for bus cleaning services.

Background

The Orange County Transportation Authority's (Authority) interior bus cleaning and environmental control program consists of contractor services for licensed application of environmental control solutions and cleaning. This agreement provides for scheduled environmental control application four times per year including a complete interior detail cleaning. Corporate Image Maintenance provides all supervision, equipment, labor, and materials to perform this service for the Authority's fixed route buses.

The agreement also provides for supplemental tasks such as exterior window hard water spot and calcium removal, applying window sealant, and removal/replacement of window protectors. The original agreement was issued for one year, with two one-year options.

Discussion

In order to accommodate the Board of Directors request for contractors to provide health care coverage for employees, the existing contract with Corporate Image Maintenance must be extended while the details of providing health insurance are identified. Contracts Administration and Materials Management recommends a four-month extension to allow for these health insurance activities.

Corporate Image Maintenance has agreed to extend the term of the agreement from December 31, 2006, through April 30, 2007. A 3 percent increase in pricing was requested by the contractor for this extended period.

Fiscal Impact

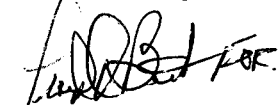
The additional work described in Amendment No. 8 to Agreement C-3-0577 was approved in the Authority's Fiscal Year 2006-07 Budget, Transit Division/Maintenance Department, Account 2166-7613, and is funded through Local Transportation Funds.

Summary

Based on the material provided, staff recommends approval of Amendment No. 8, for \$130,000, to Agreement C-3-0577 with Corporate Image Maintenance.

Attachment

- A. Corporate Image Maintenance Agreement C-3-0577 Fact Sheet

Prepared by:

Al Pierce
Maintenance Manager
(714) 560-5975

Approved by:

John D. Byrd
General Manager, Transit
(714) 560-5341

**Corporate Image Maintenance
Agreement C-3-0577 Fact Sheet**

1. September 22, 2003, Agreement C-3-0577, \$400,000, approved by Board of Directors.
 - Bus Cleaning and Environmental Control Services.
2. May 10, 2004, Amendment No. 1 to Agreement C-3-0577, no cost increase, approved by section manager of maintenance procurement.
 - Add additional, one-time task for cleaning and detailing of the Authority's company equipment assigned (CEA) vehicles.
3. September 13, 2004, Amendment No. 2 to Agreement C-3-0577, \$450,000, approved by Board of Directors.
 - Exercise the first option year.
4. June 30, 2005, Amendment No. 3 to Agreement C-3-0577, no cost increase, approved by section manager of maintenance procurement.
 - To add price summary for new tasks and add Santa Ana Base as a work location.
5. August 22, 2005, Amendment No. 4 to Agreement C-3-0577, \$500,000, approved by Board of Directors.
 - Exercise the second and final option year.
6. November 11, 2005, Amendment No. 5 to Agreement C-3-0577, no cost increase, approved by section manager of maintenance procurement.
 - To add supplemental cleaning tasks for 40 foot and 60 foot buses.
7. July 24, 2006, Amendment No. 6 to Agreement C-3-0577, no cost increase, approved by the section manager of maintenance procurement.
 - To extend the agreement by six months, through December 31, 2006.
8. October 23, 2006, Amendment No. 7 to Agreement C-3-0577, no cost increase, approved by the section manager of maintenance procurement.
 - Add new task for CEA cleaning to the scope of work.

9. December 11, 2006, Amendment No. 8 to agreement C-3-0577, \$130,000, pending approval by Board of Directors.

- To extend the agreement by four months, through April 30, 2007.

Total committed to Corporate Image Maintenance, Agreement C-3-0577: \$1,480,000.



BOARD COMMITTEE TRANSMITTAL

November 21, 2006

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Amendment to Agreement for Orange County ARC Lost and Found

This item will be considered by the Transit Planning and Operations Committee on November 22, 2006. Following Committee consideration of this matter, staff will provide you with a summary of the discussion and action taken by the Committee.

Please call me if you have any comments or questions concerning this correspondence. I can be reached at (714) 560-5676.



November 22, 2006

To: Transit Planning and Operations Committee
From: ^{ATL/ESZ} Arthur T. Leahy, Chief Executive Officer
Subject: Amendment to Agreement for Orange County ARC Lost and Found

Overview

On December 29, 2004, the Board of Directors approved an agreement with Orange County ARC, in the amount of \$62,976, to provide lost and found services. Orange County ARC was retained in accordance with the Orange County Transportation Authority's procurement procedures for tracking and maintaining items found on fixed route and ACCESS bus systems.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-4-0857, between the Orange County Transportation Authority and Orange County ARC, in an amount not to exceed \$66,432, to exercise the second option year for lost and found services.

Background

On December 29, 2004, the Orange County Transportation Authority (Authority) entered into an agreement with Orange County ARC (OCARC), a non-profit agency, to provide a storage facility and a tracking system for items found on the Authority's fixed route and paratransit bus systems and on Authority property. OCARC provides these services from their existing facility located at 225 West Carl Karcher Way, Anaheim. This facility is located within one block of a fixed route bus stop to accommodate customers who are dependent on the bus system.

Discussion

This procurement was originally handled in accordance with the Authority's procedures for professional and technical services. It has become necessary to amend the agreement to exercise the second option year. Extending this

contract will continue to allow for a storage facility which maintains a sufficient record of lost and found items on the Authority's fixed route and paratransit bus systems and Authority property.

The original agreement, awarded on December 29, 2004, was in the amount of \$62,976. The agreement has been amended previously (Attachment A). Amendment No. 3 exercises the second option year of the contract and increases the cumulative maximum obligation to \$194,076.

Fiscal Impact

The work described in Amendment No. 3 to Agreement C-4-0857, was approved in the Authority's Fiscal Year 2006-07 Budget, Community Transportation Services, Account 2131-7519 D4102-9SU, and is funded through the Local Transportation Fund.

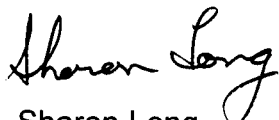
Summary

Staff recommends approval of Amendment No. 3, in the amount of \$66,432, to Agreement C-4-0857 with Orange County ARC.

Attachment

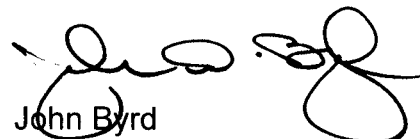
- A. Orange County ARC, Agreement C-4-0857 Fact Sheet

Prepared by:



Sharon Long
Community Transportation Coordinator
Community Transportation Services
(714) 560-5593

Approved by:



John Byrd
General Manager, Transit
(714) 560-5341

**ORANGE COUNTY ARC
Agreement C-4-0857 Fact Sheet**

1. December 29, 2004, Agreement C4-0857, \$62,976, approved by Board of Directors.
 - Track and maintain items found on Authority's fixed route and paratransit bus systems and Authority property
 - Hours of operation Monday – Friday, 10:00 a.m. to 6:00 p.m., four days per week, and 11:00 a.m. to 7:00 p.m. one day per week
 - Facility must remain Americans with Disabilities Act compliant
 - Initial term January 1, 2005 to December 31, 2006
2. February 1, 2005, Amendment No. 1 to Agreement C-4-0857, no change in contract value, approved by section manager of procurement.
 - Changed agreement effective term to February 1, 2005, through January 31, 2006
3. February 1, 2006, Amendment No. 2 to Agreement C-4-0857, \$64,668, approved by Board of Directors.
 - Exercise first option term and extend agreement to January 31, 2007
4. November 27, 2006, Amendment No. 3 to Agreement C-4-0857, \$66,432, pending approval by Board of Directors.
 - Exercise second option term and extend agreement to January 31, 2008

Total committed to Orange County ARC, Agreement C-4-0857: \$194,076.



November 27, 2006

To: Members of the Board of Directors
From: Arthur T. Leahy, Chief Executive Officer
Subject: ACCESS Service Update

Overview

On February 27, 2006, the Orange County Transportation Authority awarded a contract for the management and operation of ACCESS, contracted fixed route, Stationlink, and express bus services to Veolia Transportation Services, Inc. Veolia Transportation Services, Inc., assumed operation of these services on July 1, 2006. Since that time, ACCESS service quality has declined. This report provides an update on Veolia Transportation Services, Inc., progress in meeting contractual performance standards in operating ACCESS services.

Recommendations

- A. Defer action on the contract with Veolia Transportation Services, Inc., at this time; return to the Board of Directors with an update on contract compliance in 90 days.
- B. Continue to monitor the performance of Veolia Transportation Services, Inc., against contractual performance standards.
- C. Continue to provide weekly and monthly written reports to the Board of Directors.
- D. Provide oral reports to the Board of Directors quarterly.

Background

In 2005, a procurement was conducted for ACCESS, contracted fixed route, Stationlink, and express bus services. At that time, two separate Requests for Proposals (RFP) were issued, one for ACCESS service and one for contracted fixed route service. Best and final offers were solicited for combining all of the services. After staff analyzed the proposals, significant cost savings was identified by continuing to operate the services under a single contracting

arrangement. The Veolia Transportation Services, Inc., (Veolia) cost proposal represented a savings of nearly \$6 million during the initial term of the contract, and approximately \$13 million if the option terms were exercised.

The Veolia work plan exhibited a level of enthusiasm for the project and provided a detailed, thoughtful approach consistent with the Orange County Transportation Authority's (Authority) desire to explore creative and innovative service methods. The work plan also detailed a taxi element to the ACCESS operations plan including subcontracting arrangements with local taxi companies and the use of a computerized trip brokering service.

Work on the transition began immediately after the contract award on February 27, 2006, and continued through July 1, 2006. Veolia's plan included operating from the Authority's Irvine Base (Sand Canyon) and retaining as many existing Laidlaw Transit Services (Laidlaw) employees as possible.

Since the July 1, 2006, the quality of ACCESS service has declined. Issues related to the service were elevated to the Board of Directors when members of the public came to the Board meeting to complain of poor service quality. Staff has provided weekly written reports to the Board of Directors and oral updates at all Transit Planning and Operations Committee and Board of Directors meetings.

Discussion

Veolia began experiencing challenges meeting the demands of the ACCESS service immediately following the contract transition. The three factors that had the most significant negative impact on Veolia's ability to provide quality service were driver shortage, lack of scheduling and dispatching procedures, and the logistics of the facility such as driver check in procedures and bus parking. As a result of this, the reliability of the service (on-time performance) has declined, and in turn, caused an increase in customer complaints.

In the months leading up to the transition, Laidlaw service quality had started to decline. On-time performance for the last four months of the Laidlaw contract dipped from 91 percent to 86 percent. The service standard in the Veolia contract is 94 percent on-time performance. At the start of the contract, Veolia was performing far below the standard at approximately 87 percent on-time. Veolia has made incremental improvements in this area and is currently operating at 92 percent on-time. While this is still below the contractual performance standard, it is consistent with the performance of Laidlaw prior to the transition (Attachment A).

Customer satisfaction has been significantly impacted by the decline in the service reliability leading up to the transition and in the months that followed. The most common customer complaints are: buses behind schedule, driver no-show, reservation operator error, driver judgment, and schedule error (Attachment B). The contractual standard for customer complaints is one per 1,000 passengers. While the overall number of complaints being received is beginning to decline, performance is still far below the standard (Attachment C).

Veolia was formally notified of lack of performance in meeting contractual performance standards on September 26, 2006, and was required to submit a 30- and 60-day action plan to address deficiencies. Staff has been monitoring progress against this plan and against the contractual performance standards. At this time, Veolia is proactively addressing operational issues and showing incremental improvement in overall service quality.

The contract has provisions for penalties and incentives associated with the performance standards to be applied after the first 60 days of the contract. The penalties for lack of performance applied during the month of September totaled \$371,774 (Attachment D). Of this total, \$315,000 was assessed as a result of trips in excess of 120 minutes late, or service delivery failure, as defined in the contract. Other penalties assessed are associated with failure to meet the on-time performance standard, the customer service standard, standards associated with the call center such as telephone hold times and late submittal of required reports.

Summary

Veolia assumed operation of ACCESS, contracted fixed route, Stationlink and express bus service on July 1, 2006. The quality of ACCESS service has not met contractual performance standards since that time. Veolia is proactively addressing service deficiencies and showing incremental improvements in service quality. Staff recommends deferring action at this time and continuing to monitor performance against contract performance standards.

Attachments

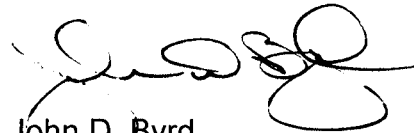
- A. ACCESS Monthly On-Time Performance
- B. ACCESS Monthly Customer Comments
- C. ACCESS Weekly Customer Comments vs. Contract Standard
- D. Veolia Penalties and Incentives, September 2006

Prepared by:



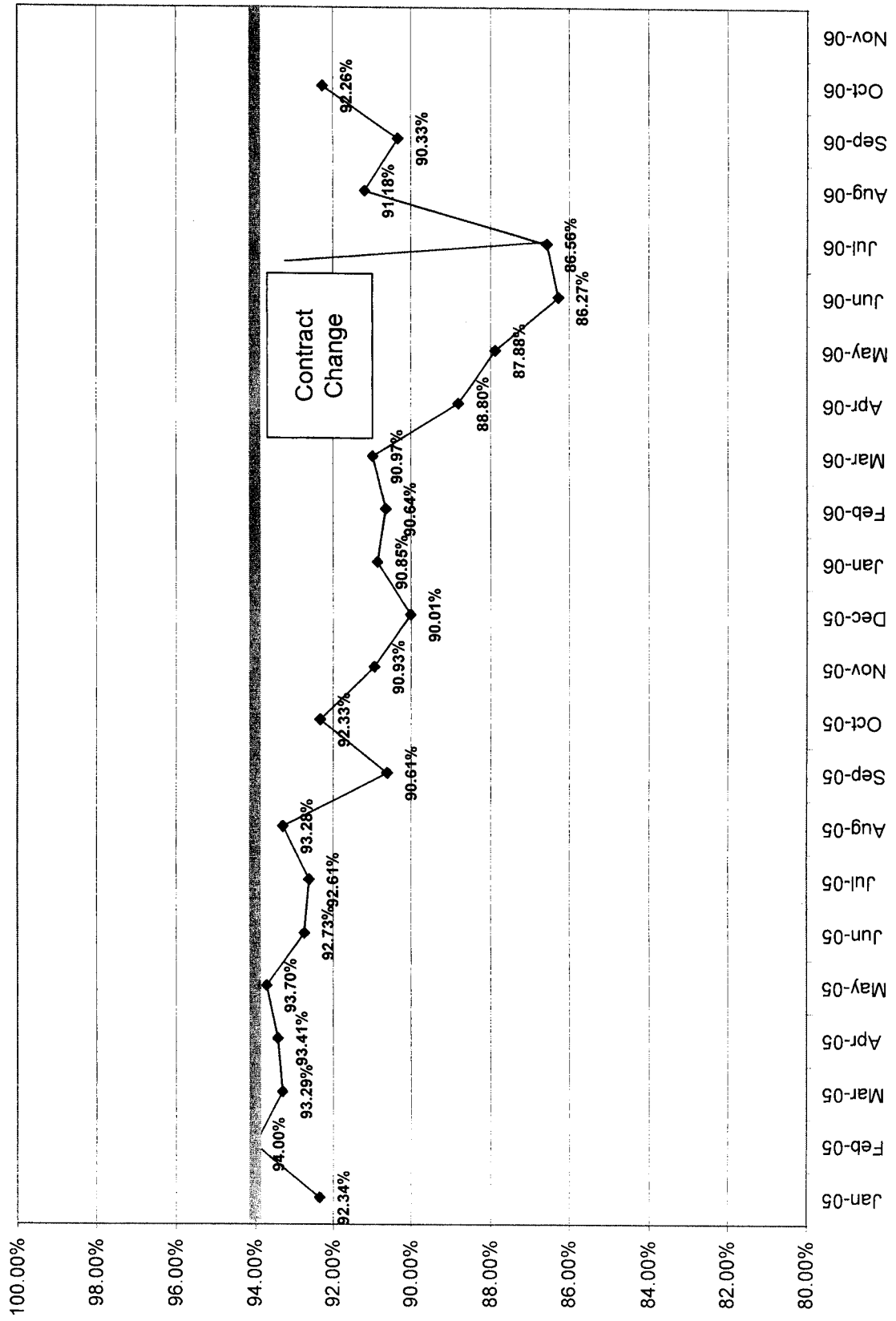
Erin Rogers
Department Manager
Community Transportation Services
(714)560-5367

Approved by:

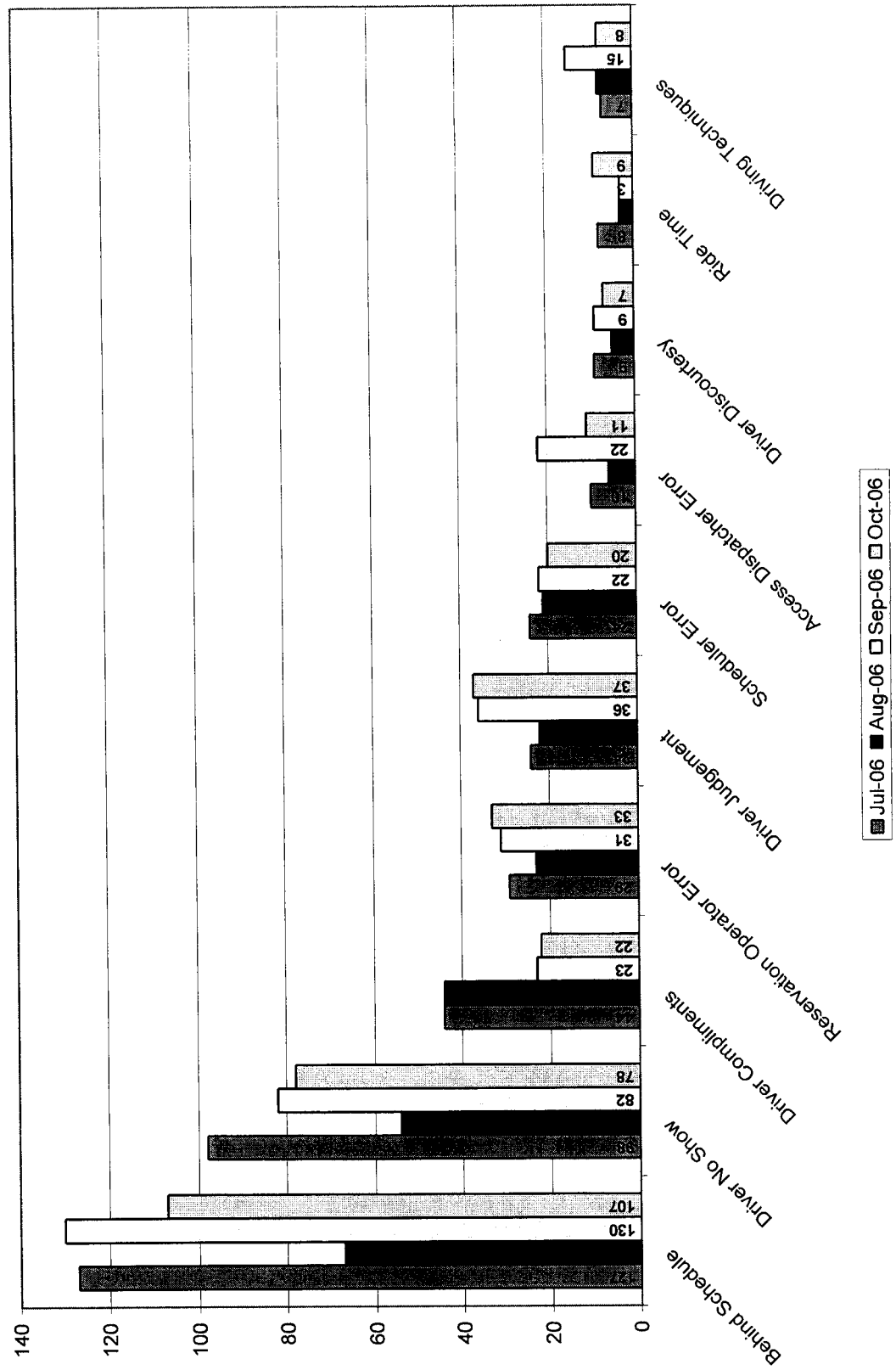


John D. Byrd
General Manager
Transit
(714)560-5341

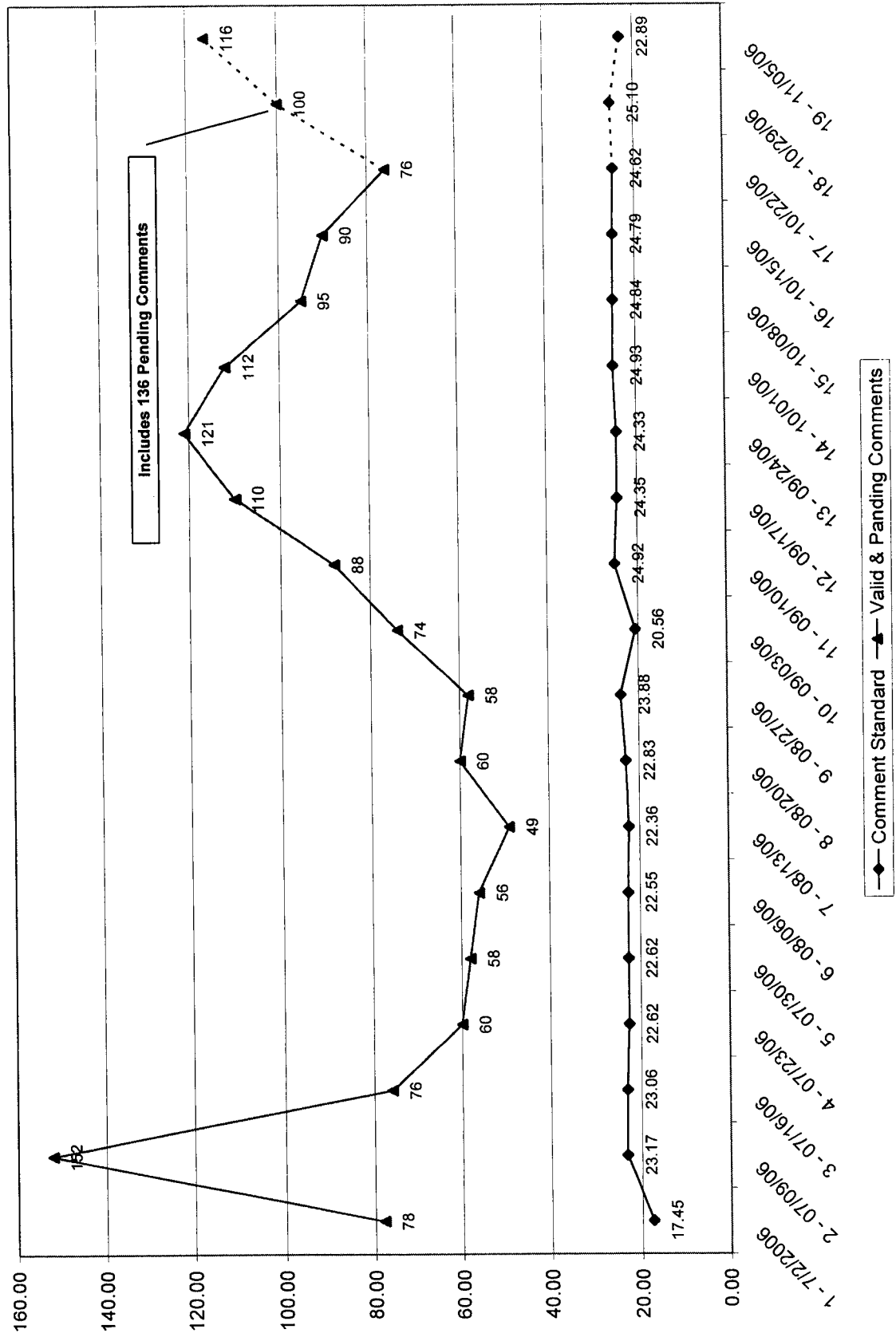
ACCESS Monthly On-Time Performance



ACCESS MONTHLY CUSTOMER COMMENTS



ACCESS Weekly Comments vs. Contract Standard



**VEOLIA Penalties and Incentives
September 2006****ACCESS On Time Performance****TOTAL**

Standard: ADA service shall operate at 95% or greater on time performance for all ADA trips.

Penalty \$5,000 for each percentage point below 94% on time.

Actual Veolia Reported: 90.36 % = \$4,000.00 Penalty**\$4,000.00****ACCESS Service Delivery Failure**

Standard All qualified requests for ADA service must be serviced no later than 60 minutes past the end of the window.

Penalty \$1,000.00 per occurrence over 60 minutes late.

Actual Veolia Reported: 315 X \$1,000.00 = \$315,000**\$315,000****ACCESS and Call Center Valid Complaints**

Standard No more than one (1) valid complaint per (1) thousand passengers each month.

Penalty \$100.00 for each valid complaint over One per (1) thousand passengers.

Actual Veolia Reported: 297 comments over allowance X \$100.00 = \$29,674**\$29,674****ACCESS Call Center Telephone Hold Time**

Standard Contractor shall maintain an average telephone hold time of 60 seconds or less for all lines.

Penalty \$1,000.00 deduction from invoice for each month that the average hold time exceeds 90 seconds.

Actual Veolia Reported: 2.31 average hold time x \$1,000.00 = \$1,000.00**\$1,000****Accident Reporting**

Standard Report all within 24 hours by verbal and written reporting.

Penalty \$5,000 per accident not reported.

Actual Veolia Reported: 4 accidents not reported x \$5,000 = \$20,000**\$20,000****Reports**

Standard Contractor shall submit reports on time, as outlined within the agreement.

Penalty \$100.00 per day for each late report.

**Actual Veolia Reported: September billing due on 10th day of month. Submitted on
Nov 1, 2006 = 21days late x \$100.00 = \$2,100.00****\$2,100.00****Monthly Total \$371,774.00**



BOARD COMMITTEE TRANSMITTAL

November 27, 2006

To: Members of the Board of Directors

From: ^{WK} Wendy Knowles, Clerk of the Board

Subject: Selection of a Consultant for Design Services for the Garden Grove Freeway (State Route 22) Phase II Improvement Project

Regional Planning and Highways Committee

November 20, 2006

Present: Directors Cavecche, Correa, Dixon, Green, Monahan, Norby, Pringle, Ritschel, and Rosen

Absent: None

Committee Vote

This item was passed by all Committee Members present.

Director Pringle opposed this matter.

Committee Recommendations (reflects change from staff recommendations)

- A. Select Parsons Transportation Group as the top-ranked firm to provide consultant design services for the easterly segment of the Garden Grove Freeway (State Route 22) Phase II improvement project. The easterly segment is defined as east of the Valley View Street bridge to just east of the Seal Beach Boulevard bridge.
- B. Select TRC Solutions, Inc., as the top-ranked firm to provide consultant design services for the westerly segment of the Garden Grove Freeway (State Route 22) Phase II improvement project. The westerly segment is defined from just east of the Seal Beach Boulevard bridge to the San Diego Freeway (Interstate 405)/San Gabriel River Freeway (Interstate 605) interchange.
- C. Authorize staff to request cost proposals from Parsons Transportation Group and TRC Solutions, Inc., and negotiate agreements for their services, in a total amount not to exceed \$26,000,000.



BOARD COMMITTEE TRANSMITTAL

Page Two

- D. Authorize the Chief Executive Officer to execute the final agreements with Parsons Transportation Group and TRC Solutions, Inc. Prior to the execution of the final agreements, the Board of Directors will have final review and approval authority.
- E. Authorize the Chief Executive Officer to execute Contract Task Order Nos. 1 and 2 for preliminary engineering for both segments, in a total amount not to exceed \$10,000,000.
- F. Amend the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, expense Account 0010-7519-F7200-N1C, by \$10,000,000.
- G. Amend the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, revenue Account 0010-6045-F7200-N1C, by \$10,000,000.
- H. A quarterly report that quantifies the cost effectiveness and benefits of the process.



November 20, 2006

To: Regional Planning and Highways Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Selection of a Consultant for Design Services for the Garden Grove Freeway (State Route 22) Phase II Improvement Project

Overview

On August 28, 2006, the Orange County Transportation Authority Board of Directors approved an implementation plan to move forward with the development of the Garden Grove Freeway (State Route 22) Phase II improvement project. The first step in implementing the plan is Board selection of the design consultant to begin preliminary engineering.

Recommendations

- A. Select Parsons Transportation Group as the top-ranked firm to provide consultant design services for the easterly segment of the Garden Grove Freeway (State Route 22) Phase II improvement project. The easterly segment is defined as east of the Valley View Street bridge to just east of the Seal Beach Boulevard bridge.
- B. Select TRC Solutions, Inc., as the top-ranked firm to provide consultant design services for the westerly segment of the Garden Grove Freeway (State Route 22) Phase II improvement project. The westerly segment is defined from just east of the Seal Beach Boulevard bridge to the San Diego Freeway (Interstate 405)/San Gabriel River Freeway (Interstate 605) interchange.
- C. Authorize staff to request cost proposals from Parsons Transportation Group and TRC Solutions, Inc., and negotiate agreements for their services, in a total amount not to exceed \$26,000,000.
- D. Authorize the Chief Executive Officer to execute the final agreements with Parsons Transportation Group and TRC Solutions, Inc.

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- E. Authorize the Chief Executive Officer to execute Contract Task Order Nos. 1 and 2 for preliminary engineering for both segments, in a total amount not to exceed \$10,000,000.
- F. Amend the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, expense Account 0010-7519-F7200-N1C, by \$10,000,000.
- G. Amend the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, revenue Account 0010-6045-F7200-N1C, by \$10,000,000.

Background

On September 22, 2004, the Orange County Transportation Authority (Authority) began construction on the first phase of the Garden Grove (State Route 22) improvement project (Phase I) constructing a high-occupancy vehicle (HOV) lane between the Costa Mesa Freeway (State Route 55) and Valley View Street. Due to funding constraints at that time, the HOV connectors to the San Diego Freeway (Interstate 405) and the San Gabriel River Freeway (Interstate 605) were not included.

Recognizing the importance of continuing the State Route 22 (SR-22) improvements, on November 28, 2005, the Board of Directors (Board) approved a Comprehensive Funding Strategy and Policy Direction, allocating \$300 million of State Transportation Improvement Program (STIP) and Measure M funds to the Interstate 405 (I-405) and Interstate 605 (I-605) HOV connector project (Phase II). This policy direction was further revised on June 26, 2006, to allow replacing the STIP funds with federal dollars.

On August 28, 2006, the Board approved the Phase II implementation plan. The plan proposed to manage Phase II as one project but segregated into two design segments. One of the major lessons learned on Phase I is that project collaboration with other design professionals is a valuable tool for problem solving to develop a cost effective design. The Authority will receive a direct benefit of this collaboration in the form of a more refined and economic set of plans. Innovative ideas and a thorough set of plans will reduce the initial construction bid and future construction change orders.

Two design segments will also provide the Authority the necessary flexibility to meet either design build or traditional delivery methodology, as well as provide future construction funding options. Multiple design segments have been successfully implemented on nearly every major freeway project in

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Orange County, including the Santa Ana Freeway (Interstate 5), the State Route 55 (SR-55), the Riverside Freeway (State Route 91), the El Toro "Y," interchanges at the I-405/SR-55 and I-405/San Joaquin Toll Road (State Route 73), as well as the present SR-22 Phase I project.

Discussion

On June 26, 2006, the Board approved the release of a Request for Proposals (RFP) for design services for Phase II. The RFP covers both design segments and contains provisions allowing the Board to award the segment contracts to one or more consultants. The Board also approved the evaluation criteria used to evaluate the proposals received in the response to the RFP. Price is not an evaluation criteria as defined by state and federal law. The criteria are:

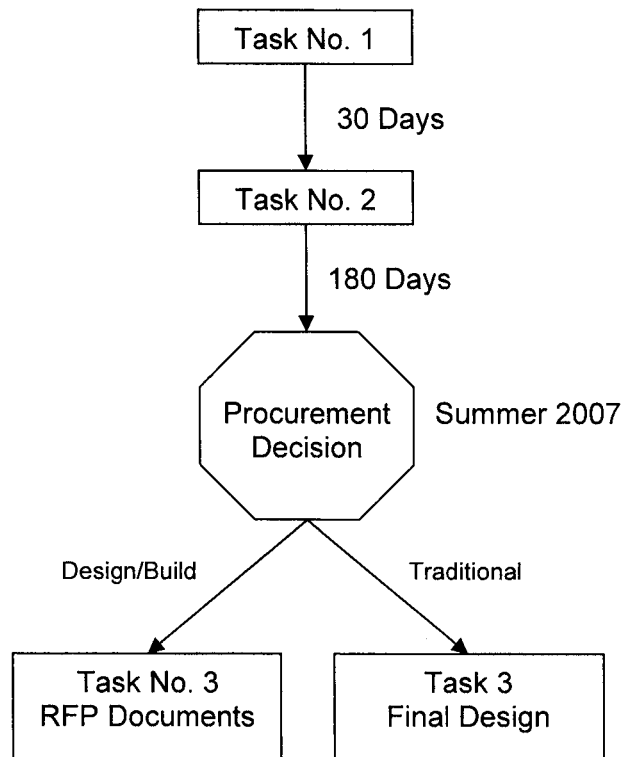
- | | |
|-------------------------------------|------------|
| • Qualification of the Firm | 35 percent |
| • Staffing and Project Organization | 40 percent |
| • Work Plan | 25 percent |

The contract will be task order-based to allow management of the various project phases as the work progresses and the scope becomes better defined. The first contract task order (CTO) will define the preliminary project elements that can be further developed for use in either a design-build or traditional (design-bid-build) project. The duration of CTO No. 1 is expected to be approximately 30 days. The second CTO will develop the preliminary engineering documents. The duration of CTO No. 2 is expected to be approximately six to nine months.

It is anticipated that within six months the preliminary design will have progressed to a point where the Board will be asked to make a policy decision regarding the project delivery method. Within those six months critical items such as legal authority for delivery method, Department of Navy right-of-way (ROW), utility issues, further refinement of the cost estimates, and funding sources will be complete or further defined. Upon Board action on the delivery method, CTO No. 3 would be issued to continue project delivery.

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The flow chart below depicts development of the preliminary engineering portion for Phase II:



This procurement was handled in accordance with the Authority's procurement procedures for architectural and engineering requirements, which conform to both federal and state law. Proposals are evaluated without consideration of cost and are ranked in accordance with the qualifications of the firm and the technical proposal. The highest ranked firm is requested to submit a cost proposal and the final agreement is negotiated. Should negotiations fail with the highest ranked firm, a cost proposal will be solicited from the second ranked firm in accordance with the procurement policies previously adopted by the Board.

On August 29, 2006, the RFP was posted on CAMMNET with 660 electronic notices sent to registered firms. The project was advertised on August 30, 2006 and September 6, 2006, in a newspaper of general circulation. Pre-proposal meetings were held on September 6 and September 11, 2006, and were attended by a total of 57 people representing 41 firms.

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A proposal evaluation committee consisting of staff from Contracts Administration and Materials Management, Development, and the California Department of Transportation was established. On September 27, 2006, the evaluation committee convened to review the evaluation process and procedures. On September 29, 2006, two proposals were received. The evaluation committee evaluated the proposals based on the qualifications of the firm, the qualifications and experience of the proposed staff, and work plans. The evaluation committee found both firms technically qualified to perform the services.

On October 10, 2006, both firms attended interviews to respond to questions related to their proposals. Upon completion of the interviews, the evaluation committee finalized their scores. Based on the different needs of each segment and the strength of each proposal, the evaluation committee recommends the following:

1. The selection of Parson Transportation Group (PTG) to provide consultant design services for the easterly segment of Phase II based on PTG's strengths in highway/roadway design and environmental analysis, and;
2. The selection of TRC Solutions, Inc. (TRC), to provide consultant design services for the westerly segment of Phase II based on TRC's strength in structures design (the westerly section contains more structures).

A major benefit of multiple design segments and designers is the ability to select the most qualified firm to perform a specific task. In this particular procurement, the evaluation committee clearly realized the benefit reflected in the recommendation of the TRC team performing all Department of Navy coordination throughout the corridor and also recommending PTG perform the environmental work for both design segments.

Being a linear project, the two design segments are similar in scope and complexity and do not contain any overlap on major components such as bridge and roadway design. The are smaller elements of the project which will overlap to various degrees, including development of the Traffic Management Plan, roadway drainage, aerial photography/mapping, and potentially other minor items that will be identified during the scoping period of CTO No.1. In the event of overlapping work, the CTO will be negotiated with the firm or firms most qualified to perform that particular task. In no case will there be a duplicate work effort.

The total contract value of \$26,000,000 in Recommendation C was derived by averaging all past freeway design contracts on the Measure M program.

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Preliminary engineering is generally considered 35 percent complete. Taking into consideration advance work like surveys, geotechnical exploration as well as potential ROW and environmental support, a value of approximately 40 percent of the total design contract value is used. The staff recommendation is to award the entire design contract with authorization to proceed with CTO Nos. 1 and 2 for each segment at this time. The Board will be asked to make a future policy decision regarding the delivery method for Phase II before proceeding into final design.

Fiscal Impact

This project will be funded with \$10,000,000 in federal Congestion Mitigation and Air Quality (CMAQ) funds. These funds normally require an 11.5 percent local match. As a result of the purchase of the 91 Express Lanes, the Authority has a federal soft match credit equal to the original construction cost of the 91 Express Lanes. This soft match credit will be used as the local match to the CMAQ funds, saving the Authority \$1,150,000 in local matching funds and maximizing the use of federal funds.

This project was not included in the Authority's Fiscal Year 2006-07 Budget and will require a budget amendment to Account 0010-7519-F7200-N1C, Local Transportation Authority, Other Professional Services.

Revenue associated with this project was not included in the Authority's Fiscal Year 2006-07 Budget and will require a budget amendment to Account 0010-6045-F7200-N1C, Local Transportation Authority, CMAQ.

Summary

The evaluation committee recommends the selection of Parsons Transportation Group and TRC Solutions, Inc., as the most qualified firms to provide engineering services for the Garden Grove Freeway (State Route 22) Phase II improvement project.

Attachment

None.

Prepared by:



T. Rick Grebner, P.E.
Program Manager
(714) 560-5729

Approved by:



Paul C. Taylor, P.E.
Executive Director, Development
(714) 560-5431