

**Date:** Monday, December 11, 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, December 11, 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

Vice Chair Cavecche

### Pledge of Allegiance

Director Norby

### 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 Resolution of Appreciation to Director Tom Wilson**
2. **Administration of Oaths of Office to New Board Members**
3. **Presentation of Resolutions of Appreciation for Employees of the Month for December 2006**

Present Orange County Transportation Authority Resolutions of Appreciation Nos. 2006-135, 2006-136, 2006-137 to David Sandberg, Coach Operator; Patrick Courchaine, Maintenance; and Christina Byrne, Administration, as Employees of the Month for December 2006.

4. **Presentation of Resolution of Appreciation to Orange County Sheriff's Department Employee of the Quarter**

Present Orange County Transportation Authority Resolution of Appreciation No. 2006-138 to Orange County Sheriff's Deputy Chet Parker.

### Consent Calendar (Items 5 through 20)

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

5. **Approval of Resolution of Appreciation to Director Tom Wilson**
6. **Approval of Minutes**  
  
Of the Orange County Transportation Authority and affiliated agencies' regular meeting of November 27, 2006.
7. **Approval of Resolutions of Appreciation for Employees of the Month for December 2006**

Adopt Orange County Transportation Authority Resolutions of Appreciation Nos. 2006-135, 2006-136, and 2006-137 to David Sandberg, Coach Operator; Patrick Courchaine, Maintenance; and Christina Byrne, Administration, as Employees of the Month for December 2006.



## AGENDA

### ACTIONS

8. **Approval of Resolution of Appreciation to Orange County Sheriff's Department Employee of the Quarter**

Adopt Orange County Transportation Authority Resolution of Appreciation No. 2006-138 for Orange County Sheriff's Deputy Chet Parker.

9. **Proposed Board of Directors' Meeting Calendar for the Year 2007 and Request to Cancel the December 24, 2007, Board Meeting**  
Wendy Knowles

**Overview**

Presented is the proposed official Board of Directors' meeting calendar for 2007, depicting the dates of the Board meetings and holidays for the year.

**Recommendations**

- A. Adopt the Orange County Transportation Authority and affiliated agencies Board of Directors' meeting calendar for the year 2007.
- B. Authorize staff to cancel the meeting of December 24, 2007. Board meetings shall resume on Monday, January 15, 2008.

10. **Contract Extension for Federal Legislative Advocacy and Consulting Services**

Kristine L. Murray/Richard J. Bacigalupo

**Overview**

The agreements with the four federal legislative advocacy firms representing the Orange County Transportation Authority expire on December 31, 2006. This report addresses the recommendation made by the Legislative and Government Affairs/Public Communications Committee at its meeting on November 16, 2006, following the federal legislative advocacy session.

**Recommendation**

Approve recommendation per the direction of the Legislative and Government Affairs/Public Communications Committee to extend the federal legislative advocacy and consulting contracts for one year according to the allocated amounts specified in this report.





## AGENDA

### ACTIONS

#### 11. **Management Staff for Delivery of Highway and Transit Projects** Paul C. Taylor

##### **Overview**

Renewal of Measure M places long-term responsibilities on the Orange County Transportation Authority for delivery of highway projects and transit projects. Focused leadership is required to develop and sustain programs to deliver those projects.

##### **Recommendations**

- A. Amend the Orange County Transportation Authority Fiscal Year 2006-07 Budget Staffing Plan to add the positions of Director, Transit Project Delivery, and Director, Highway Project Delivery.
- B. Amend the Orange County Transportation Authority Fiscal Year 2006-07 Salaries and Benefits Budget by \$200,000 to accommodate the new positions for the balance of the fiscal year.

#### 12. **Final Agreement with Parsons Transportation Group for the San Diego Freeway (Interstate 405) Project Study Report** Kurt Brotcke/Paul C. Taylor

##### **Overview**

In June 2006 the Board of Directors authorized the Chief Executive Officer to negotiate an agreement with Parsons Transportation Group, for an amount up to \$900,000, for the San Diego Freeway (Interstate 405) Project Study Report. The June 2006 action included a recommendation to return the Board of Directors with the final negotiated agreement. Negotiations have concluded, and staff is returning as directed.

##### **Recommendation**

Authorize the Chief Executive Officer to execute an agreement with Parsons Transportation Group for the San Diego Freeway (Interstate 405) Project Study Report for an amount not to exceed \$899,950.



## AGENDA

### ACTIONS

- 13. Rail Program Status Update**  
Abbe McClenahan/Paul C. Taylor

#### **Overview**

Staff is providing an update on the Orange County Transportation Authority rail program, including the Metrolink commuter rail program, grade crossing improvements, and capital improvements underway in Orange County.

#### **Recommendation**

Receive and file as an information item.

- 14. Fiscal Year 2005-06 Comprehensive Annual Financial Report**  
Tom Wulf/James S. Kenan

#### **Overview**

The Comprehensive Annual Financial Report for the Orange County Transportation Authority contains the fiscal year 2005-06 financial statements and an independent accounting firm's audit opinion on the basic financial statements.

#### **Recommendation**

Receive and file as an information item.

- 15. Agreement for Security Program Development Services**  
Christopher Chock/James S. Kenan

#### **Overview**

On August 25, 2006, Orange County Transportation Authority, Chief Executive Officer approved a plan to build an enterprise wide security program to reduce physical and information security risk to the organization in a structured and methodical manner.

The first phase, Development of a Security Framework, has been completed, and staff is seeking approval of the second phase which is to develop detailed security policies, standards and guidelines; conduct a gap analysis; and develop a proactive framework to measure and prioritize risks specific to the Orange County Transportation Authority.



## AGENDA

### ACTIONS

#### 15. (Continued)

##### ***Recommendation***

Authorize the Chief Executive Officer to execute Agreement C-6-0684 between the Orange County Transportation Authority and Strativa, Inc., in an amount not to exceed \$241,050, for professional services to develop detailed security policies, standards and guidelines, and risk framework.

#### 16. **Amendment to Agreement C-1-1853 with Alta Resources**

Patricia Warrick/Ellen S. Burton

##### ***Overview***

On November 12, 2001, the Board of Directors approved an agreement with Alta Resources to operate the Customer Information Center for a two-year period with three one-year options. This five-year agreement expires December 31, 2006, and has a current total not-to-exceed amount of \$5,905,000. This contract amendment in the amount of \$73,000 is to address higher call volume.

##### ***Recommendations***

- A. Authorize the Chief Executive Officer to execute Amendment No. 8 to Agreement C-1-1853 between the Orange County Transportation Authority and Alta Resources in an amount not to exceed \$73,000. Funds are available in the fiscal year 2006-2007 budget.
- B. Return to the Board of Directors in the first quarter of 2007 with updated call volume projections.



## AGENDA

### ACTIONS

### Orange County Service Authority for Freeway Emergencies Consent Calendar Matters

#### 17. Amendment to Agreement with California Coach Orange for Freeway Service Patrol Tow Services

Iain C. Fairweather/Paul C. Taylor

##### *Overview*

On April 11, 2005, the Board of Directors approved an agreement with California Coach Orange, in the amount of \$4,579,708, to provide Freeway Service Patrol tow services. California Coach Orange was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional services.

##### *Recommendations*

- A. Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-5-0081 between the Orange County Transportation Authority and California Coach Orange for additional funding to conduct a pilot program of weekend Freeway Service Patrol services for the period of December 2006 to June 2008, in an amount not to exceed \$354,832.
- B. Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-5-0081 between the Orange County Transportation Authority and California Coach Orange for additional funding for Freeway Service Patrol services from December 2006 to June 2008, for the Santa Ana Freeway (Interstate 5) Gateway project, in an amount not to exceed \$204,867.

#### 18. Fiscal Year 2006-07 Freeway Service Patrol Fund Transfer Agreement

Iain C. Fairweather/Paul C. Taylor

##### *Overview*

The Orange County Freeway Service Patrol receives funding from the California Department of Transportation under the terms of annual funding agreements. The fiscal year 2006-07 funding agreement will provide a total of \$3,839,315 for the Freeway Service Patrol program through June 30, 2007.



## AGENDA

### ACTIONS

#### 18. (Continued)

##### *Recommendation*

Authorize the Chief Executive Officer to execute Agreement C-6-0797 between the Orange County Transportation Authority and California Department of Transportation for fiscal year 2006-07 Freeway Service Patrol funding.

#### **Orange County Local Transportation Authority Consent Calendar Matters**

19. **Amendment No. 3 to Agreement C-3-0473 for Disadvantaged Business Enterprise Services in Support of the Garden Grove Freeway (State Route 22) High Occupancy Vehicle Lane Design-Build Project**  
P. Sue Zuhlke

##### *Overview*

On June 4, 2003, staff awarded an agreement to Padilla & Associates, Inc. in the amount of \$100,000, to provide Disadvantaged Business Enterprise consultant services for the Garden Grove Freeway (State Route 22) High Occupancy Vehicle Lane Design-Build Project. The Board of Directors approved Amendment No. 1, in the amount of \$150,000, for continued consulting services and Equal Employment Opportunity contract compliance review on June 27, 2005. An amendment is required to provide continued consultant support through project closeout.

##### *Recommendation*

Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-3-0473 between the Orange County Transportation Authority and Padilla & Associates, Inc., in an amount not to exceed \$210,000, for Disadvantaged Business Enterprise consultant services for the Garden Grove Freeway (State Route 22) High Occupancy Vehicle Lane Design-Build Project.



## AGENDA

### ACTIONS

### Orange County Transit District Consent Calendar Matters

**20. Request to Release Request for Proposals for a Compressed Natural Gas Fueling Station at the Anaheim and Garden Grove Bases**

James J. Kramer/Paul C. Taylor

#### *Overview*

Staff has developed the proposed evaluation criteria weighting to initiate the competitive procurement process to select a firm to provide a lease-to-own compressed natural gas fueling facility at the Anaheim and Garden Grove bases.

#### *Recommendation*

Approve the proposed evaluation criteria and weighting of criteria in accordance with procedures for fixed assets, competitive negotiated procurements.

### Regular Calendar

### Orange County Transportation Authority Regular Calendar Matters

**21. Proposition 1B Corridor Mobility Improvement Account Project Submissions**

Darrell E. Johnson/Paul C. Taylor

#### *Overview*

On November 7, 2006, California voters passed Proposition 1B, which provides \$19.9 billion for investment in transportation infrastructure. Proposition 1B establishes the Corridor Mobility Improvement Account which specifies \$4.5 billion for investment in the state highway system. Project nominations are due to the California Transportation Commission by January 16, 2007.



## AGENDA

### ACTIONS

#### 21. (Continued)

##### ***Recommendations***

- A. Authorize the Chief Executive Officer to submit project nominations to the California Transportation Commission for the Corridor Mobility Improvement Account established by the passage of Proposition 1B.
- B. Authorize the Chief Executive Officer to commit local matching funds as proposed.
- C. Authorize the Chief Executive Officer to prioritize the project submissions as proposed.
- D. Authorize staff to process all necessary amendments to the Regional Federal Transportation Improvement Program to facilitate the above actions.

#### **Orange County Transit District Regular Calendar Matters**

#### **22. Proposed Fare Increase for Express Bus Routes 757 and 758**

Scott Holmes/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 routes 757, 758, and 794/A for a period of six months following service implementation to attract and maintain customers.

##### ***Recommendations***

- A. Extend the promotional fare for Route 757 and Route 758 from January 3, 2007, through January 21, 2007.
- B. Conduct a public hearing on January 8, 2007, and receive public comment regarding the proposal to increase fares on routes 757 and 758 from \$1.25 to \$2.50.
- C. Following review of the public comment, establish January 22, 2007, as the effective date for the change in fare for routes 757 and 758.



## AGENDA

### ACTIONS

### Other Matters

23. **ACCESS Service Update**  
Erin Rogers/John D. Byrd
24. **Chairman's Goals Status Report**
25. **Chief Executive Officer's Goals Status Report**  
Arthur T. Leahy
26. **Chief Executive Officer's Report**
27. **Directors' Reports**
28. **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.

### 29. **Closed Session**

Pursuant to Government Code Section 54957.6 to meet with Orange County Transportation Authority designated representative Sherry Bolander regarding collective bargaining agreement negotiations with the Teamsters Local 952 representing the coach operators.

### 30. **Adjournment**

The next regularly scheduled meeting of the OCTA/OCTD/OCLTA/OCSAFE/OCSAAV Board will be held at **9:00 a.m. on January 8, 2007**, at OCTA Headquarters at 600 South Main Street First Floor - Room 154, Orange, California.





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 27, 2006

## **Call to Order**

The November 27, 2006, regular meeting of the Orange County Transportation Authority and affiliated agencies was called to order by Chairman Brown at 9:05 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  
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  
Thomas W. Wilson

## **Invocation**

Director Green gave the invocation.

## **Pledge of Allegiance**

Director Dixon 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. **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**

Chairman Brown presented 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)**

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 Campbell pulled Items 9 and 21; Director Dixon pulled Item 11.

## **Orange County Transportation Authority Consent Calendar Matters**

3. **Approval of Resolutions of Appreciation to Departing Members of the Board**

A motion was made by Director Campbell, seconded by Director Buffa, and declared passed by those present, to approve Resolutions of Appreciation for Directors Correa, Duvall, Monahan, Ritschel, and Silva, for their service on the OCTA Board of Directors.

**4. Approval of Resolutions of Appreciation for Employees of the Month for November 2006**

A motion was made by Director Campbell, seconded by Director Buffa, and declared passed by those present, to 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**

A motion was made by Director Campbell, 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 November 13, 2006.

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

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

- 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**

A motion was made by Director Campbell, seconded by Director Buffa, and declared passed by those present, to 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**

A motion was made by Director Campbell, seconded by Director Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute Agreement C-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.

**9. Master Plan of Arterial Highways Status Report**

This item was pulled by Director Campbell, who requested that staff confirm that the Board was not taking action on this item today, only receiving it as an informational item. Staff confirmed this statement.

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

Directors Green and Silva voted in opposition of the Hoover/Gothard Connector portion of this item.

**10. Transportation Centers Assessment Study**

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

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

Director Dixon pulled this item for discussion and stated that he wanted to insure that item 6, regarding support for the high-speed rail from Anaheim to Los Angeles was clarified to indicate that it was the California High-Speed Rail Authority. He stated that the California program differs from the regional program, which is comprised of Maglev. He also wanted to be sure the support of the regional Maglev program for the Anaheim to Ontario connection is included in the plan.

A motion was made by Director Dixon, seconded by Director Campbell, and declared passed by those present, to:

- 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.

**12. Amendment to Agreement for Project Management Assistance**

A motion was made by Director Campbell, seconded by Director Buffa, and declared passed by those present, to 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**

A motion was made by Director Campbell, seconded by Director Buffa, and declared passed by those present, to receive information for discussion and possible action as deemed appropriate by the Board.

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

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

- 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**

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

- 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.

Vice Chair Cavecche and Director Duvall voted to oppose this recommendation.

## **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**

A motion was made by Director Campbell, seconded by Director Buffa, and declared passed by those present, to 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.

## **Orange County Local Transportation Authority Consent Calendar Matters**

### **17. Gateway Sign for Santa Ana Freeway (Interstate 5) Gateway Project**

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

- 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.

### **18. Oso Parkway/Pacific Park Drive Signal Synchronization Demonstration Project Status Report and Consultant Selection Evaluation Criteria**

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

- 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**

A motion was made by Director Campbell, seconded by Director Buffa, and declared passed by those present, to 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.

**Orange County Transit District Consent Calendar Matters**

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

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

- 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**

Director Campbell pulled this item for discussion and asked if why a decision was made by staff on the express bus rates, rather than bringing the issue to the Board.

Scott Holmes, Manager of Service Planning, responded that it was suggested that existing fares be extended until March until a public hearing can be held to eliminate confusion while waiting to hold that public hearing.

Director Campbell stated that when the Board authorized these fares for six months, that period of time ends in December.

Chief Executive Officer (CEO), Arthur T. Leahy, stated that the fare increase is scheduled for January 2007; therefore, if the Board does not approve extending the current fare, the fare will be increased in January.

General Counsel, Kennard R. Smart, Jr., stated that a public hearing is necessary to increase the fare, although promotional fares do not require a public hearing. The public hearing has not yet been scheduled.



**21. (Continued)**

CEO, Arthur T. Leahy, emphasized that this recommendation does not come forward to cover any proposed increase, but to continue the promotional fare for a longer period of time to make it more convenient for the riders as the public hearing is being set, which is can be held in January 2007.

A motion was made by Director Pringle, seconded by Director Duvall, and declared passed by those present, to continue this item to a later time and set a public hearing as soon as it can be held.

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

A motion was made by Director Campbell, seconded by Director Buffa, and declared passed by those present, to 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**

A motion was made by Director Campbell, seconded by Director Buffa, and declared passed by those present, to 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.

Vice Chair Cavecche and Director Duvall voted to oppose this recommendation.

**24. Amendment to Agreement for Bus Cleaning Services**

A motion was made by Director Campbell, seconded by Director Buffa, and declared passed by those present, to 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.

Vice Chair Cavecche voted to oppose this recommendation.

## **25. Amendment to Agreement for Orange County ARC Lost and Found**

A motion was made by Director Campbell, seconded by Director Buffa, and declared passed by those present, to 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**

#### **25.1 Orange County Transportation Authority's Board Members' Health Care Benefits**

Director Green stated that she did not understand the ramifications of the changes that were adopted by the Board action in November regarding health care benefits and she, along with Director Miguel Pulido, would like reconsideration of this matter. She would like to see the present Board Members grandfathered for a maximum of six years.

A motion was made by Director Green, seconded by Director Campbell, and passed by those present, to open the reconsideration discussion on this matter.

Director Pringle requested General Counsel to summarize the effects of the actions taken November 13, 2006, by the Board, and General Counsel responded with a full explanation of the ramifications of the action taken by the Board on November 13 and how health care benefits would be impacted.

Directors Duvall and Pringle expressed concern for taxpayers' money providing health care benefits for Board Members who serve on a part-time basis and have health care provided to them at the cities on which they serve as Council Members or by the County in the case of the County Supervisors.

Directors Buffa and Correa emphasized that there was never an intent to eliminate coverage being available to those who needed it.

Discussion followed and included options of delaying this decision, amending the Board's previous action, making arrangements to accommodate only a few Members, etc.

## **25.1 (Continued)**

A motion was made by Director Monahan and seconded by Director Buffa to include the word “original” in relation to the term of office, rather than indicating a new term of office. (This would mean as long as the individual is on the Board at this time, benefits would be grandfathered.)

A roll call vote was conducted with the following results:

Directors Monahan, Buffa, Green, and Silva voted in favor of this motion; Chairman Brown, Vice Chair Cavecche and Directors Rosen, Ritschel, Correa, Duvall, Campbell, Winterbottom, Dixon, Pringle voted in opposition of this motion.

Director Norby was not present for this vote.

Motion failed by a vote of 10-4.

A subsequent motion was made by Director Rosen and seconded by Director Green, for Board Members whose terms of office commence on or after the date of Board approval, but who resign to take a different term, then for the tenure of the original term, recommendations “C” and “D” of the recommendations passed by the Board would not apply.

A roll call vote was conducted with the following results:

Directors Rosen, Green, Silva, and Monahan voted in favor of this motion; Chairman Brown, Vice Chair Cavecche, and Directors Ritschel, Buffa, Correa, Duvall, Campbell, Winterbottom, Dixon, and Pringle voted in opposition of this motion.

Director Norby was not present for this vote.

Motion failed by a vote of 10-4.

The result of the Board’s reconsideration of this item was that the policy adopted by the Board on November 13, 2006, stands.

## **Orange County Transit District Regular Calendar Matters**

### **26. ACCESS Service Update**

Erin Rogers, Manager of Contract Transportation Services, provided a verbal update to the Board on the ACCESS service provided by Veolia. Ms. Rogers indicated that while incremental improvements have been realized, performance standards agreed upon in the contract still have not been reached.

Ms. Rogers stated that customer tolerance at this point in time is quite low, and therefore, more issues that may be tolerated are being reported to the Authority as complaints. The most common complaints continue to be related to poor on-time performance and poor system reliability.

Discussion followed and further consideration of the performance standard was given. Ms. Rogers and Directors agreed that with the Call Oscar and the taxi programs assisting Veolia, the current contracted level of performance is attainable.

Director Pringle requested that a comments sheet be developed that shows comments made by regular commenters as opposed to new commenters.

Vice Chair Cavecche reminded staff that she will not expect that the increased taxi services that were needed to raise the performance standards will not be billed to the OCTA.

A motion was made by Director Campbell, seconded by Director Winterbottom, and declared passed by those present, to:

- 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 at each Board meeting.

## **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**

Director Buffa announced that RBF is a source of income to his business and that he would not participate in the consideration of this matter, pursuant to Government Code Section 87103. Director Buffa left the room during the discussion of this matter.

Director Silva announced that Parsons Transportation Group is the source of campaign contributions to him exceeding \$250 during the past twelve months and that pursuant to Government Code Section 84308, he would not participate in the consideration of this matter. Director Silva left the room during the discussion of this matter.

Rick Grebner, Project Manager for the Garden Grove (SR-22) project, provided a verbal report regarding the selection of a consultant for Phase II of this improvement project and informed Directors that OCTA does not have statutory authority to do design-build effort on Phase II.

A motion was made by Director Winterbottom, seconded by Director Green, and declared passed by those present, to:

- 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. Prior to the execution of the final agreements, the Board of Directors will have final review and approval authority.

**27. (Continued)**

- 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.

Directors Duvall and Monahan were not present to vote on this matter.

**Other Matters**

**28. Garden Grove Freeway (State Route 22) Phase I Completion**

CEO, Arthur T. Leahy, provided opening comments on the completion of Phase I of this project and introduced Rick Grebner, Project Manager, for the Garden Grove (SR-22) project, who provided an update on the completion of this extensive project.

Mr. Grebner stated that striping will take place this week, as will putting up signs, removing 40,000 feet of K-rail which currently is still in place on the freeway. It is anticipated that all lanes will be open on December 1, which culminates the 800-day duration of the project.

Mr. Grebner expressed his appreciation to the Board for its support during the difficult work on this project and commended the Directors for their leadership in undertaking this first-ever design-build project in the state on an active freeway.

**29. Review of Performance of the Chief Executive Officer and Recommendations Regarding Compensation Adjustments**

Chairman Brown recalled that this matter has been discussed at Closed Sessions both of the Executive Committee and the full Board, with evaluations of the Chief Executive Officer's performance being solicited from Members. Chairman Brown announced that CEO, Arthur T. Leahy, either exceeded or met expectations in all fields of those evaluations, with no issues in the "does not meet expectations" category.

**29. (Continued)**

Chairman Brown and Directors Buffa, Green, Pringle, Correa, Silva, Ritschel, Campbell, and Rosen offered comments of recognition and appreciation for Mr. Leahy's leadership and his management of the OCTA and its staff.

Motion was made by Director Winterbottom, seconded by Director Buffa, and declared passed by those present, to amend the Contract of Employment with Chief Executive Officer, Arthur T. Leahy, to include a 6 percent salary increase, a 3 percent special performance award, extension of the term by one year to December 31, 2010, and a review of the Chief Executive Officer's performance and compensation in June 2007.

Director Norby voted in opposition of this motion, and stated he does not support special performance bonuses.

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

CEO, Arthur T. Leahy, expressed his appreciation for comments offered by Members under the previous item and for the adjustment to his compensation.

Mr. Leahy stated that there will be a celebratory event held on November 29 in anticipation of the State Route 22 Project being completed, and noted that the Governor will be in attendance.

Mr. Leahy informed the Board that ridership in October was the highest ever, and performance on the transit system is at its peak, despite gasoline price issues of recent months.

He further reported that the Labor Relations and Equal Opportunity Disadvantaged Business Enterprise function will report to Sue Zuhlke on an interim basis, pending a recruitment in January for that position vacated by Marlene Heyser.

**31. Directors' Reports**

Director Norby related a personal story regarding his nephew's experience of becoming a first-time bus rider.

Director Campbell stated that in regard to Item 21 being deferred, he requested that data be provided on boardings between in-County and out-of-County.

Chairman Brown reminded the Board of the Holiday Toy Express with Metrolink has made two visits to Orange County and will be making a trip to Camp Pendleton.

### **32. 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.

### **33. Closed Session**

A Closed Session was held on the following issues:

- A. Pursuant to Government Code Section 54956.9(a) to discuss Cinergy Innovations, Inc. v. OCTA; OCSC No. 06CC04130.

A motion was made by Director Correa, seconded by Director Buffa, and declared passed by those present, to approve settlement of the above-named lawsuit, including OCTA's waiver of possible attorney fees and costs, and Plaintiff's dismissal with prejudice of the lawsuit, and authorize the Chief Executive Officer to execute the Settlement and Release Agreement.

Director Green voted in opposition to this motion.

Directors Duvall, Norby, Pulido, and Wilson were not present for this vote.

- B. Pursuant to Government Code Section 54956.9(a) to discuss Tower Engineering v. Orange County Transportation Authority; OCSC No. 06CC06769.

A motion was made by Director Campbell, seconded by Director Silva, and declared passed by those present, to approve the payment of \$150,000 in settlement of the above-named lawsuit and authorize the Chief Executive Officer to execute the Settlement and Release Agreement.

Directors Duvall, Norby, Pulido, and Wilson were not present for this vote.

- C. Pursuant to Government Code Section 54956.9(b).

A motion was made by Director Winterbottom, seconded by Director Rosen, and declared passed by those present, to approve the payment of \$2,400,000 in settlement of claims presented by Swinerton Builders, Inc. related to the construction of the Santa Ana Bus Base; to authorize the Chief Executive Officer to execute the Settlement and Release agreement; and to authorize staff to amend the fiscal year 2006-07 budget accordingly.

Directors Duvall, Norby, Pulido, and Wilson were not present for this vote.



**33. (Continued)**

- D. Pursuant to Government Code Section 54956.9(a) to discuss Juana Dominguez vs. Orange County Transportation Authority; OCSC No. 05CC12572.

A motion was made by Director Correa, seconded by Director Green, and declared passed by those present, to approve the payment of \$75,000 in settlement of the above-named lawsuit and to authorize the Chief Executive Officer to execute the Settlement and Release Agreement.

Directors Duvall, Norby, Pulido, and Wilson were not present for this vote.

**34. Adjournment**

The meeting was adjourned at 11:58 a.m. Chairman Brown announced that the next regularly scheduled meeting of the OCTA/OCTD/OCLTA/OCSAFE/OCSAAV Board would 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.

ATTEST

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Wendy Knowles  
Clerk of the Board

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Arthur C. Brown  
OCTA Chairman





ORANGE COUNTY  
TRANSPORTATION AUTHORITY

RESOLUTION

**DAVID SANDBERG**

**WHEREAS,** *the Orange County Transportation Authority recognizes and commends David Sandberg; and*

**WHEREAS,** *be it known that David Sandberg has been a principal player at the OCTA and has performed his responsibilities as a Coach Operator in a professional, safe, courteous, and reliable manner; and*

**WHEREAS,** *David Sandberg has demonstrated his integrity by maintaining an excellent work record for the last six years. His dedication exemplifies the high standards set forth for Orange County Transportation Authority employees; and*

**WHEREAS,** *David Sandberg has demonstrated that safety is vital by achieving six years of safe driving and that courtesy to our customers ensures continued patronage for OCTA; and*

**WHEREAS,** *David Sandberg's teamwork and partnership is evident as a member of the Santa Ana Base and his can-do spirit has earned the respect of his fellow Coach Operators.*

**NOW, THEREFORE, BE IT RESOLVED** *that the Authority does hereby declare David Sandberg as the Orange County Transportation Authority Coach Operator Employee of the Month for December 2006; and*

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

**Dated:** December 11, 2006

\_\_\_\_\_  
Arthur C. Brown, Chairman  
Orange County Transportation Authority

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

OCTA Resolution No. 2006-135





ORANGE COUNTY  
TRANSPORTATION AUTHORITY

RESOLUTION

**PATRICK COURCHAINED**

**WHEREAS,** *the Orange County Transportation Authority recognizes and commends Patrick Courchaines; and*

**WHEREAS,** *be it known that Patrick Courchaines has been a principal player in our Maintenance Department with his innovative contributions, service and commitment; and*

**WHEREAS,** *be it known that Patrick Courchaines is an outstanding Advanced Technology Technician and works on the department's special projects; and*

**WHEREAS,** *be it known that Patrick Courchaines demonstrates superb skills as lead inspector on new bus procurements. Patrick inspected the Authority's first compressed natural gas bus at Winnipeg and Crookston; 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 Patrick Courchaines as the Orange County Transportation Authority Maintenance Employee of the Month for December 2006; and*

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

**Dated:** December 11, 2006

\_\_\_\_\_  
Arthur C. Brown, Chairman  
Orange County Transportation Authority

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

OCTA Resolution No. 2006-136





ORANGE COUNTY  
TRANSPORTATION AUTHORITY

RESOLUTION

CHRISTINA BYRNE

**WHEREAS,** the Orange County Transportation Authority recognizes and commends Christina Byrne; and

**WHEREAS,** be it known that Christina has performed her duties as Community Relations Officer demonstrating the highest professional standards and dedication to excellence by developing superb communications programs to enhance the Garden Grove Freeway (SR-22) Improvement Project; and

**WHEREAS,** Christina has been an outstanding leader on the Garden Grove Freeway team and her customer-service focus has helped inform more than 2,500 residents and businesspeople through hosting more than 70 neighborhood meetings and responding to more than 700 inquiries about construction on the freeway project; and

**WHEREAS,** Christina played a critical role in the success of the "Countdown To Completion" event, attended by Governor Schwarzenegger, elected officials and 350 other dignitaries that resulted in a record number of media coverage from 20 different media organizations; and

**WHEREAS,** Christina has served as the primary community outreach liaison with internal and external team members providing critical communication support and presenting accurate and timely responses to people impacted by the construction that enabled the project to move forward smoothly.

**NOW, THEREFORE, BE IT RESOLVED** that the Authority does hereby declare Christina Byrne as the Orange County Transportation Authority Administrative Employee of the Month for December 2006; and

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

**Dated: December 11, 2006**

\_\_\_\_\_  
Arthur C. Brown, Chairman  
Orange County Transportation Authority

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







ORANGE COUNTY  
TRANSPORTATION AUTHORITY

RESOLUTION

**DEPUTY CHET PARKER**

**WHEREAS,** the Orange County Transportation Authority recognizes and commends Deputy Chet Parker; and

**WHEREAS,** Deputy Parker has been assigned to Transit Police Services since November 2005, handling the responsibilities involved with working at Transit Police Services with enthusiasm and a strong desire to provide the best service possible to OCTA, it's employees and the patrons who utilize the transportation system; and

**WHEREAS,** Deputy Parker has dedicated numerous hours to researching and streamlining the manner in which Transit Police Services statistics are inputted and tracked. His dedication and effort will help insure that Transit Police Services statistics will be accurately reflected; and

**WHEREAS,** Deputy Parker was instrumental in organizing a full-scale terrorism exercise (Orange Shield 2006) at the Orange County Fairgrounds. This exercise required Deputy Parker to work closely with the Los Angeles County Sheriff's Department, the Orange County Fire Authority, the Orange County Health Care Agency, and numerous inter-county law enforcement agencies. Deputy Parker was also responsible for coordinating this event with Orange County Fairground personnel and planning a tabletop exercise, which was held at the Hyatt Regency Hotel in the city of Garden Grove.

**NOW, THEREFORE, BE IT RESOLVED** that the Authority does hereby declare Deputy Chet Parker as the Orange County Transportation Authority Transit Police Services Employee of the Quarter for December 2006; and

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

**Dated:** December 11, 2006

\_\_\_\_\_  
Arthur C. Brown, Chairman  
Orange County Transportation Authority

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

OCTA Resolution No. 2006-138









*BOARD COMMITTEE TRANSMITTAL*

***December 11, 2006***

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup> Wendy Knowles, Clerk of the Board  
**Subject:** Proposed Board of Directors' Meeting Calendar for the Year 2007 and Request to Cancel the December 24, 2007, Board Meeting

Executive Committee

December 4, 2006

**Present:** Vice Chair Cavecche, Directors Pringle, Wilson, and Winterbottom  
**Absent:** Chairman Brown and Director Campbell

***Committee Vote***

The item was passed unanimously by those present.

***Committee Recommendations***

- A. Adopt the Orange County Transportation Authority and affiliated agencies Board of Directors' meeting calendar for the year 2007.
- B. Authorize staff to cancel the meeting of December 24, 2007. Board meetings shall resume on Monday, January 15, 2008.





**December 4, 2006**

**To:** Executive Committee  
**From:** Arthur T. Leahy, Chief Executive Officer  
**Subject:** Proposed Board of Directors' Meeting Calendar for the Year 2007 and Request to Cancel the December 24, 2007, Board Meeting

**Overview**

Presented is the proposed official Board of Directors' meeting calendar for 2007, depicting the dates of the Board meetings and holidays for the year.

**Recommendations**

- A. Adopt the Orange County Transportation Authority and affiliated agencies Board of Directors' meeting calendar for the year 2007.
- B. Authorize staff to cancel the meeting of December 24, 2007. Board meetings shall resume on Monday, January 15, 2008.

**Discussion**

The year 2007 Board of Directors' meeting calendar for the Orange County Transportation Authority (OCTA) and affiliated agencies has been prepared by the Clerk of the Board and is presented for approval and adoption.

In order to mitigate scheduling conflicts for Board Members, the proposed calendar takes into consideration the scheduled meetings of the:

County Board of Supervisors, Orange County Council of Governments, the Southern California Regional Rail Authority, Southern California Association of Governments (SCAG) Regional Council Meetings, SCAG – Transportation and Communications Committee, SCAG – Regional Transportation Agencies Coalition, the Local Agency Formation Commission, the Los Angeles-San Diego Rail Corridor Agency (LOSSAN), the Air Quality Management District – Mobile Source Air Pollution Reduction Review Committee, the Transportation Corridor Agencies, and regularly-attended Board conferences and events.

A 2007 event and conference schedule is provided as Attachment A.

**Proposed Board of Directors' Meeting Calendar for the  
Year 2007 and Request to Cancel the December 24, 2007,  
Board Meeting**

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**Page 2**

The proposed calendar reflects the regular Monday Board meetings, which are scheduled for the second and fourth Mondays of each month, with proposed changes due to holidays and meeting conflicts. (Attachment B)

Proposed deviations from the regular meeting schedule are:

*Second Monday in May 2007*

Monday, May 28, 2007, is Memorial Day – a federal, county, and city holiday.

CHANGE FROM: Monday, May 28 to Friday, May 25

*First Monday in October 2007*

Monday, October 8, 2007, conflicts with the American Public Transportation Association's Annual meeting.

CHANGE FROM: Monday, October 8 to Friday, October 5

*First Monday in November 2007*

Monday, November 12, 2007, is Veterans' Day, which is a city and County holiday.

CHANGE FROM: Monday, November 12 to Friday, November 9

*Request for Cancellation of the December 24, 2007, Board Meeting*

Due to the Christmas holiday, staff recommends that the December 24, 2007, Board of Directors' meeting be cancelled. The Chairman retains the right to call a special meeting at any time during the month when unforeseen emergencies may need to be addressed.

**Proposed Board of Directors' Meeting Calendar for the  
Year 2007 and Request to Cancel the December 24, 2007,  
Board Meeting**

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**Page 3**

***Summary***

Approval is requested for the OCTA Board of Directors' meeting calendar, which sets dates for the regular Board meetings for the upcoming year of 2007.

Staff is also recommending the cancellation of the December 24, 2007, Board meeting due to the lack of urgent matters during the last two weeks of December.

***Attachments***

- A. Related 2007 Event and Conference Schedule
- B. Orange County Transportation 2007 Board Meetings and Holidays

***Prepared by:***



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



**ATTACHMENT A**

**RELATED EVENT AND CONFERENCE SCHEDULE**

**THE FOLLOWING DATES WERE CONSIDERED IN PREPARATION OF THE  
PROPOSED 2007 OCTA BOARD OF DIRECTORS' MEETING CALENDAR:**

Orange County Board of Supervisors' Board Meeting Schedule

Orange County Leadership Symposium  
(Not being held in 2007)

APTA Legislative Conference  
(March 11-13, 2007)

National League of Cities Congressional City Conference  
(March 10-14, 2007)

League of California Cities Legislative Action Days  
(May 16-17, 2007)

APTA Rail Transit Conference  
(June 3-6, 2007)

League of California Cities Mayors' and Council Members' Executive Forum  
(July 25-27, 2007)

League of California Cities Mayors' and Council Members' Advanced  
Leadership Academy (July 27-28, 2007)

League of California Cities Annual Conference  
(September 5-8, 2007)

APTA Annual Meeting  
(October 7-10, 2007)

League of California Cities Legislative Briefings  
(November 2007 - dates TBD)







# ORANGE COUNTY TRANSPORTATION AUTHORITY 2007 BOARD MEETINGS AND HOLIDAYS

JANUARY						
SUN	MON	TUE	WED	THU	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEBRUARY						
SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

MARCH						
SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

APRIL						
SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

MAY						
SUN	MON	TUE	WED	THU	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

JUNE						
SUN	MON	TUE	WED	THU	FRI	SAT
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

JULY						
SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

AUGUST						
SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

SEPTEMBER						
SUN	MON	TUE	WED	THU	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

OCTOBER						
SUN	MON	TUE	WED	THU	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

NOVEMBER						
SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

DECEMBER						
SUN	MON	TUE	WED	THU	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

OCTA, SAFE, LTA and OCTD Regular Meeting: 9 a.m., OCTA Headquarters, 600 South Main Street, Orange, CA

Holidays





BOARD COMMITTEE TRANSMITTAL

**December 5, 2006**

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup> Wendy Knowles, Clerk of the Board  
**Subject:** Contract Extension for Federal Legislative Advocacy and Consulting Services

This item will be considered by the Legislative and Government Affairs/Public Communications Committee on December 7, 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.





**December 7, 2006**

**To:** Legislative and Government Affairs/Public Communications Committee  
**From:** <sup>ATU/2</sup> Arthur T. Leahy, Chief Executive Officer  
**Subject:** Contract Extension for Federal Legislative Advocacy and Consulting Services

### **Overview**

The agreements with the four federal legislative advocacy firms representing the Orange County Transportation Authority expire on December 31, 2006. This report addresses the recommendation made by the Legislative and Government Affairs/Public Communications Committee at its meeting on November 16, 2006, following the federal legislative advocacy session.

### **Recommendation**

Approve recommendation per the direction of the Legislative and Government Affairs/Public Communications Committee to extend the federal legislative advocacy and consulting contracts for one year according to the allocated amounts specified in this report.

### **Background**

The federal legislative advocates represent the Orange County Transportation Authority (OCTA) positions on legislation, policy issues, and funding priorities before the Congress and the Administration. The advocates also assist in the preparation of the annual OCTA federal legislative platform, notifying staff of legislation and proposed regulations. They coordinate meetings with members of Congress, the Administration, and staff, and provide updates on events in Washington, D.C. Each of these firms is provided a Scope of Work that outlines their specific tasks, including liaison with Congressional offices, key House and Senate committees, outreach with the Administration, as well as responsibilities for policy areas, i.e. authorization or appropriations legislation.

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The current status of each of the federal advocacy contracts is as follows:

- A. Amendment No. 2 to Agreement C-2-1253 between OCTA and James F. McConnell Attorney-at-Law, for a two-year period in an amount not to exceed \$240,000, to exercise the first option term of January 1, 2005 to December 31, 2006, for federal legislative advocacy and consulting services. The OCTA at its sole discretion may elect to extend the second option term of this agreement for an additional 24 months commencing January 1, 2007, and continuing through December 31, 2008, for an additional two-year period in an amount not to exceed \$240,000 (\$10,000 per month).
- B. Amendment No. 4 to Agreement C-2-1260 between OCTA and Blank Rome Government Relations, LLC. (Blank Rome) for services rendered April 1, 2005 through December 31, 2006, in an amount not to exceed \$45,000, for federal legislative advocacy and consulting services. The OCTA at its sole discretion may elect to extend the second option term of this agreement for an additional 24 months commencing January 1, 2007, and continuing through December 31, 2008, for an additional two-year period in an amount not to exceed \$120,000 (\$5,000 per month).
- C. Amendment No. 1 to Agreement C-3-0986 between OCTA and Mayer Brown, Rowe & Maw, for a two-year amount not to exceed \$120,000, to exercise the option term January 1, 2005 to December 31, 2006, for federal legislative advocacy and consulting services. The OCTA at its sole discretion may elect to extend the second option term of this agreement for an additional 24 months commencing January 1, 2007, and continuing through December 31, 2008, for an additional two-year period in an amount not to exceed \$120,000 (\$5,000 per month). (Agreement C-3-0986 was transferred from Mayer Brown, Rowe & Maw to Scott Baugh & Associates on May 5, 2006).
- D. Agreement C-5-2315 between OCTA and Potomac Partners DC, LLC in an initial term of July 1, 2005 to December 31, 2006. The OCTA at its sole discretion may elect to extend the first option term of this agreement for an additional 24 months commencing January 1, 2007, and continuing through December 31, 2008, for an additional two-year period in an amount not to exceed \$240,000 (\$10,000 per month).

Each of the contracts expires on December 31, 2006, without further action from the OCTA's Board of Directors. The intent for holding off on a decision

earlier in the year with regard to retention of the federal advocacy contracts was to determine the best course of action following the mid-term elections and the outcome of Congressional Leadership, and thus may have required a different focus for the OCTA's federal legislative advocacy efforts.

In accordance with the direction given to staff by the Legislative and Government Affairs/Public Communications Committee at the meeting on November 16, this report makes the following staff recommendations to proceed next year with the OCTA's federal advocacy services:

- A. Amend the existing agreements to extend the term for an additional 12 months, commencing January 1, 2007 through December 31, 2007, while the OCTA initiates new procurement for the federal advocacy and consulting services to be conducted prior to the conclusion of the extension period.
- B. The schedule for this procurement will be determined at a later date based on direction from the Legislative and Government Affairs/Public Communications Committee and the Board of Directors.
- C. Based on the leadership changes in Congress and the areas of expertise per each of the advocate firms, the allocation for funding of the contracts is recommended as:
  - 1. James F. McConnell – \$7,500 per month (reduced from \$10,000)
  - 2. Blank Rome Government Relations, LLC – \$10,000 per month (increase from \$5,000 per month)
  - 3. Scott Baugh & Associates – \$5,000 per month (no change)
  - 4. Potomac Partners - \$7,500 per month (reduced from \$10,000)

### ***Discussion***

The Legislative and Government Affairs Committee made the recommendation to retain the same federal advocacy team in Washington D.C. through 2007 following its legislative strategy session held with the advocacy team on November 16. The intent was to give the advocacy team time during the new Congress to set and meet performance goals set by the OCTA Board in its 2007 Federal Legislative Platform. The preference expressed by the committee members was to seek a one-year extension, rather than a six-month extension, to prevent any break in momentum of the federal program mid-year. In addition, it was recommended that a federal legislative workshop be organized in January 2007, with the participation of OCTA Board members and staff, all of the federal advocates, and representatives from the Orange County

Congressional Delegation to set targeted goals and performance measurements for 2007 that will be used to determine the team's effectiveness when the new procurement is initiated later in the year.

The reallocation of monthly retainers reflects the expertise of each of the firms given the leadership changes in Congress following the mid-term elections in November.

Peter Peyser of Blank Rome Government Relations provides the OCTA with strong relationships with Democratic leadership and members in the House and Senate, the primary Senate committees of jurisdiction for transportation: Environment and Public Works (EPW), Banking, and Appropriations (Appropriations). Mr. Peyser also provides strong ties to the offices of Senator Dianne Feinstein (D-CA) and Senator Barbara Boxer (D-CA) who will both serve in leadership posts on the Appropriations and EPW committees respectively. Mr. Peyser and his firm of Blank Rome also serve as the OCTA's direct liaison to the Federal Transit Administration (FTA), Department of Homeland Security (DHS), and Department of Defense (DOD).

Rick Alcalde of Potomac Partners has solid relationships with the House Transportation and Infrastructure Committee staff in both parties, close ties to incoming majority leader Harry Reid (D-NV), and works strategically on appropriations and authorizing legislation with the offices of Representatives Gary Miller (R-CA), who is one of a handful of California members on the House Transportation and Infrastructure Committee, and Ken Calvert (R-CA), who is in line for an appointment to the House Appropriations Committee. Mr. Alcalde also has strong ties to the current House Appropriations Chairman Jerry Lewis (R-CA) and House Transportation Appropriations Subcommittee Joe Knollenberg (R-MI) – who will continue to serve as the ranking members of both committees next year and will still oversee the distribution of significant allocations for the annual appropriations bills.

Jim McConnell has long-standing relationships with the Orange County House and Senate delegation. He provides assistance with setting up meetings on Capitol Hill during Board Member and staff trips to Washington D.C., and coordinates the annual Orange County Congressional Delegation letter to the House Appropriations Committee, which supports the annual OCTA Board-adopted transportation appropriations project request list.

Scott Baugh brings ties to national Republican Party leaders lining up for the 2008 party nomination for President, solid relationships with the Republican Congressional leadership in the House, the National Governors Association, as well as the Orange County Congressional delegation. At the request of the



OCTA Board and staff, Mr. Baugh organizes district meetings with Orange County Congressional Delegation, as well as other members of the Congressional Leadership.

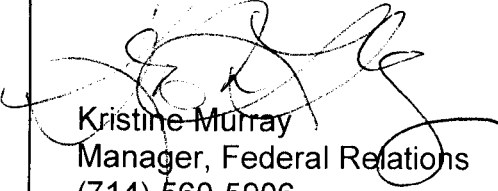
***Summary***

Staff seeks direction to proceed with the federal advocacy and consulting services for Agreement C-2-1253, James McConnell, Agreement C-2-1260, Blank Rome Government Relations, Agreement C-3-0986, Scott Baugh & Associates, and Agreement C-5-2315, Potomac Partners for a one-year term in accordance with the recommended compensation allocation contained in this report.

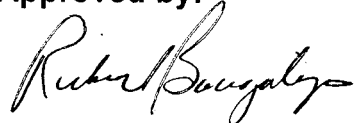
***Attachments***

- A. James F. McConnell – Contract Fact Sheet
- B. Blank Rome Government Relations, LLC – Contract Fact Sheet
- C. Scott Baugh & Associates – Contract Fact Sheet
- D. Potomac Partners DC, LLC – Contract Fact Sheet

**Prepared by:**

  
Kristine Murray  
Manager, Federal Relations  
(714) 560-5906

**Approved by:**

  
Richard J. Bacigalupo  
Deputy Chief Executive Officer  
(714) 560-5901



James F. McConnell – Contract Fact Sheet

**FEDERAL LEGISLATIVE ADVOCACY AND CONSULTANT SERVICES**

**AGREEMENT NO. C-2-1253**

**JAMES F. McCONNELL**

Scope of Work Objectives:

- Secure funding for OCTA's priorities in the annual appropriations process, and support authorization and regulatory changes that meet the goals of the annual federal legislative platform.
- Maintain frequent formal and informal contact with the Orange County delegation members and staff to represent and advocate OCTA policies and positions, as well as with key House and Senate Committee Members and staff.
- Assist in acquiring grant funds to support OCTA transportation programs.
- Participate in bi-weekly teleconference with the Manager of Federal Relations and other consultants.
- Undertake additional assignments that have been mutually agreed upon by both parties.

Key Personnel: James F. McConnell

Term of Agreement: January 1, 2005 through December 31, 2006  
(First Option Term)

January 1, 2007 through December 31, 2008  
(Second Option Term)

Pricing: \$10,000 per month  
(total \$240,000 for Option Term)



Blank Rome Government Relations, LLC – Contract Fact Sheet

**FEDERAL LEGISLATIVE ADVOCACY AND CONSULTANT SERVICES**

**AGREEMENT NO. C-2-1260**

**BLANK ROME GOVERNMENT RELATIONS, LLC**

Scope of Work Objectives:

- Maintain frequent contact with U.S. Senators Dianne Feinstein (D-CA) and Barbara Boxer (D-CA) and staff to represent and advocate OCTA policies and positions.
- Assist with outreach to leadership of House and Senate appropriations and authorizing committees.
- Assist with the federal grants efforts, rulemaking process for federal authorization bills, and outreach to leadership at the Federal Transit Administration and Department of Homeland Security.
- Assist with OCTA representation at the New Starts Working Group.
- Participate in bi-weekly teleconference with the Manager of Federal Relations and other consultants.
- Undertake additional assignments that have been mutually agreed upon by both parties.

Key Personnel: Peter Peyser

Term of Agreement: April 1, 2005 through December 31, 2006  
(First Option Term)

January 1, 2007 through December 31, 2008  
(Second Option Term)

Pricing: \$5,000 per month  
(total \$120,000 for Option Term)



Scott Baugh & Associates – Contract Fact Sheet

**FEDERAL LEGISLATIVE ADVOCACY AND CONSULTANT SERVICES**

**AGREEMENT NO. C-3-0986**

**SCOTT BAUGH & ASSOCIATES**

Scope of Work Objectives:

- Maintain frequent contact with the Orange County Congressional delegation members and staff to represent and advocate OCTA policies and positions.
- Assist with outreach to leadership of House and Senate appropriations and authorizing committees, as well as other national leaders that could assist in advocating OCTA federal legislative priorities.
- Participate in bi-weekly teleconference with the Manager of Federal Relations and other consultants.
- Undertake additional assignments that have been mutually agreed upon by both parties.

Key Personnel:

Scott Baugh

Term of Agreement:

January 1, 2005 through December 31, 2006  
(First Option Term)

January 1, 2007 through December 31, 2008  
(Second Option Term)

Pricing:

\$5,000 per month  
(total \$120,000for Option Term)





Potomac Partners DC, LLC – Contract Fact Sheet

**FEDERAL LEGISLATIVE ADVOCACY AND CONSULTANT SERVICES**

**AGREEMENT NO. C-5-2315**

**POTOMAC PARTNERS DC, LLC**

Scope of Work Objectives:

- Secure funding for OCTA's priorities in the annual appropriations process, and support authorization and regulatory changes that meet the goals of the annual federal legislative platform.
- Maintain frequent formal and informal contact with the Orange County delegation members and staff to represent and advocate OCTA policies and positions, as well as with key House and Senate Committee Members and staff.
- Assist in acquiring grant funds to support OCTA transportation programs.
- Participate in bi-weekly teleconference with the Manager of Federal Relations and other consultants.
- Undertake additional assignments that have been mutually agreed upon by both parties.

Key Personnel:

Rick Alcalde

Term of Agreement:

July 1, 2005 through December 31, 2006  
(Initial Term)

January 1, 2007 through December 31, 2008  
(First Option Term)

Pricing:

\$10,000 per month  
(total \$180,000 for Initial Term)





*BOARD COMMITTEE TRANSMITTAL*

***December 11, 2006***

**To:** Members of the Board of Directors  
**From:** Wendy Knowles, Clerk of the Board <sup>WK</sup>  
**Subject:** Management Staff for Delivery of Highway and Transit Projects

Executive Committee

December 4, 2006

**Present:** Vice Chair Cavecche, Directors Pringle, Wilson, and Winterbottom  
**Absent:** Chairman Brown and Director Campbell

***Committee Vote***

The item was passed unanimously by those present.

***Committee Recommendations***

- A. Amend the Orange County Transportation Authority Fiscal Year 2006-07 Budget Staffing Plan to add the positions of Director, Transit Project Delivery, and Director, Highway Project Delivery.
- B. Amend the Orange County Transportation Authority Fiscal Year 2006-07 Salaries and Benefits Budget by \$200,000 to accommodate the new positions for the balance of the fiscal year.





**December 4, 2006**

**To:** Executive Committee  
**From:** Arthur T. Leahy, <sup>ATL</sup>Chief Executive Officer  
**Subject:** Management Staff for Delivery of Highway and Transit Projects

**Overview**

Renewal of Measure M places long-term responsibilities on the Orange County Transportation Authority for delivery of highway projects and transit projects. Focused leadership is required now to accelerate the programs to deliver those projects.

**Recommendations**

- A. Amend the Orange County Transportation Authority Fiscal Year 2006-07 Budget Staffing Plan to add the positions of Director, Transit Project Delivery, and Director, Highway Project Delivery.
- B. Amend the Orange County Transportation Authority Fiscal Year 2006-07 Salaries and Benefits Budget by \$200,000 to accommodate the new positions for the balance of the fiscal year.

**Background**

The Orange County Transportation Authority (Authority) currently has responsibility for a variety of freeway and transit projects under existing Measure M, the State Transportation Improvement Program (STIP) and other programs including the 91 Express Lanes rehabilitation.

Currently the Authority is responsible for oversight and/or delivery of the following active major projects:

- Garden Grove Freeway (State Route 22) improvements
- Santa Ana Freeway (Interstate 5) gateway improvements
- Imperial Highway (State Route 90) smart street
- Metrolink expansion
- Soundwalls at Aliso Creek Road, El Camino Real, and Avenida Vaquero

- Buena Park multimodal facility
- Orange Freeway (State Route 57) widening
- Freeway chokepoints at Oso Parkway and Culver Drive
- State Route 90 grade separation
- Irvine and Tustin rail station parking expansions
- Facilities improvements at each bus base to include compressed natural gas fueling

Renewal of Measure M and passage of state bonds create the opportunity to accelerate the Authority's delivery of freeway and transit projects. Renewed Measure M allocates \$4.8 billion for improvements to these freeways (and freeway service patrol to fight non-recurring congestion):

- Interstate 5 (I-5) interchanges
- I-5/San Diego Freeway (Interstate 405) improvements
- State Route 22 (SR-22) Phase II
- Costa Mesa Freeway (State Route 55)
- State Route 57
- Riverside Freeway (State Route 91)
- Interstate 405
- San Gabriel River Freeway (Interstate 605) access

In February 2007, the California Transportation Commission will award funding to Authority projects on State Route 91 and Interstate 405/SR-22.

Further, the renewed Measure M program adds transit projects totaling \$2.25 billion in just these areas:

- High-frequency Metrolink service expansion beyond 2010
- Transit extensions to Metrolink initiated by cities for delivery in partnership with the Authority (Go Local)
- Metrolink gateways to regional rail connections (i.e. development of the Anaheim Regional Transportation Intermodal Center (ARTIC) and high-speed links to Los Angeles and Ontario)

Last spring, the Planning, Development and Commuter Services Division was merged with the Construction and Engineering Division to create a new division now called Development. At that time, an Executive Director position was eliminated during the budget process.

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***Discussion***

Responsibility for delivering current freeway and transit projects rests with the Authority's Development Division led by the Executive Director of Development. Within that division, staff managing project delivery reside in seven departments: SR-22 Construction, I-5 Construction, Project Management, Transit Facilities, Metrolink Expansion, Local Initiatives, and Capital Programs/Metrolink Operations. Each department is led by a department manager and reports directly to the executive director of the division (Attachment A).

The challenge facing the Authority is to successfully complete the current projects while accelerating the greatly expanded program mandated by renewal of Measure M. Early in 2007, the Board of Directors will be establishing policies and priorities for delivery of highway and transit projects. It is important to establish at the earliest opportunity focused leadership to develop and sustain the programs required to fulfill those policies and priorities.

This is the first step in preparing future proposals regarding program and resource development. Having these individuals in place early in 2007 will provide cogent and seamless progression from the current Measure M to the renewed program.

The proposed reorganization in the Development Division would create two positions, each responsible for all aspects of project delivery in one of the modal areas and reporting to the executive director of the division, reducing the number of direct reports to the executive director from 11 to 7.

Specifically proposed is a new Director of Highway Project Delivery responsible for SR-22 construction, I-5 construction, and project management of the current and future highway program. This position will replace the former vacancy left by the previous Executive Director of Construction and Engineering with a director-level position reporting to the Executive Director of Development.

In addition, a new Director of Transit Project Delivery responsible for Metrolink expansion (including high-speed rail), Metrolink operations, local initiatives (including Go Local and ARTIC), and transit facilities (Attachment B) is proposed.

These two positions are proposed for salary grade X with an annual budget for salary and benefits of \$400,000

**Fiscal Impact**

Amend the Authority Fiscal Year 2006-07 Salaries and Benefits Budget, in the amount \$200,000, to accommodate the addition of two new positions at salary grade X, Director of Transit Project Delivery, and Director of Highway Project Delivery.

***Summary***

Staff proposes the addition of two new leadership positions to allow for accelerated highway project delivery and transit project delivery.

***Attachments***

- A. Current Development Leadership Staffing
- B. Proposed Development Leadership Staffing

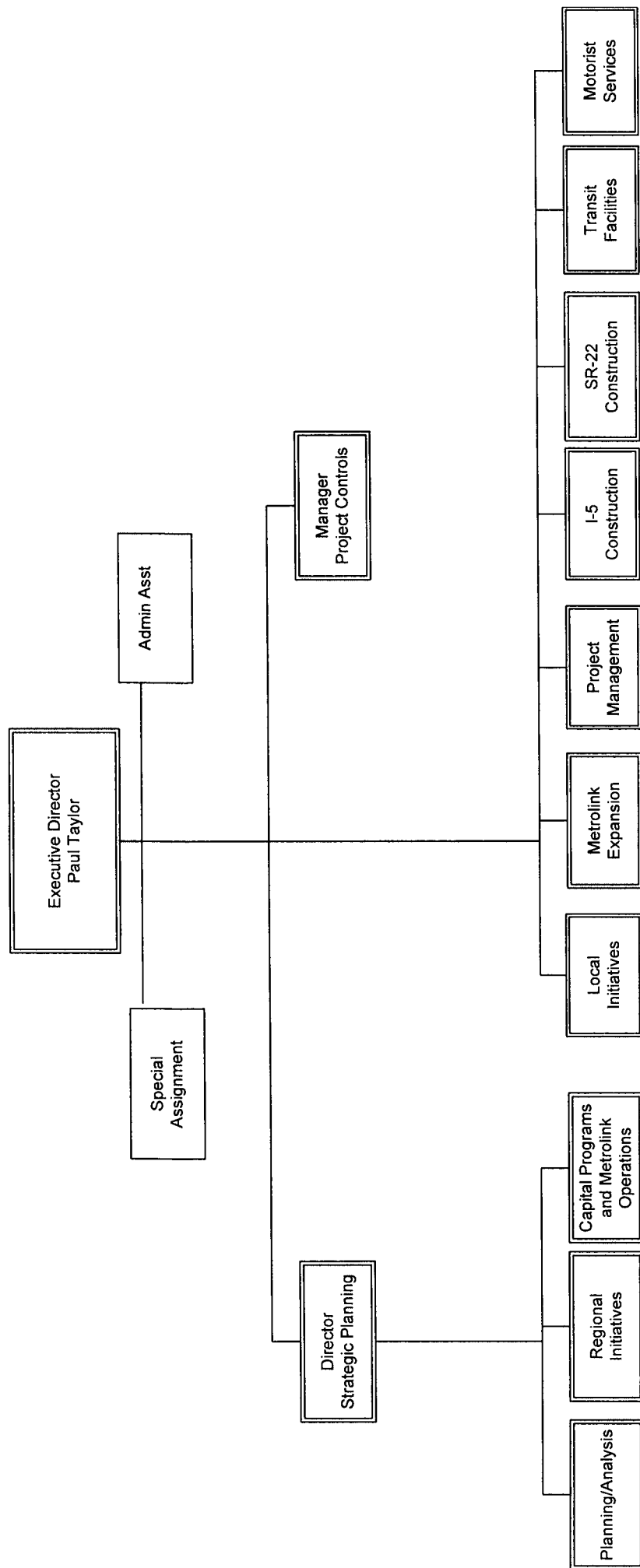
**Prepared and Approved by:**



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



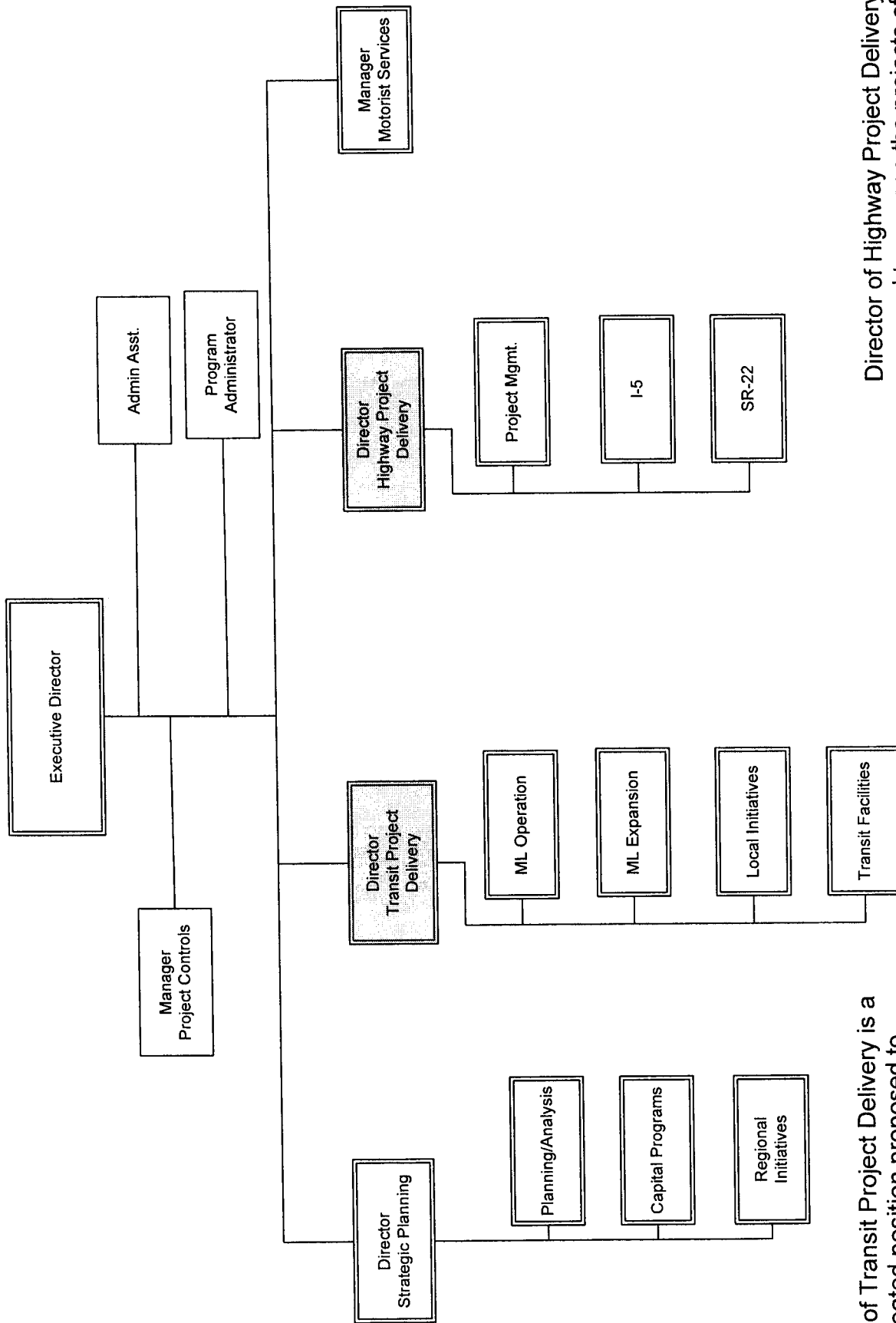
# Current Development Leadership Staffing



Staffing assignments reflect elimination of Executive Director of Construction & Engineering position.



# Proposed Development Leadership Staffing



Director of Transit Project Delivery is a newly created position proposed to manage all non-bus, transit-related projects for the Authority

Director of Highway Project Delivery is proposed to manage the projects of the former Executive Director of Construction and Engineering





BOARD COMMITTEE TRANSMITTAL

**December 11, 2006**

**To:** Members of the Board of Directors  
**From:** Wendy Knowles, Clerk of the Board *WK*  
**Subject:** Final Agreement with Parsons Transportation Group for the San Diego Freeway (Interstate 405) Project Study Report

Regional Planning and Highways Committee

December 4, 2006

**Present:** Directors Cavecche, Dixon, Green, Norby, Pringle, and Rosen  
**Absent:** None

**Committee Vote**

This item was passed by all Committee Members present.

**Committee Recommendation**

Authorize the Chief Executive Officer to execute an agreement with Parsons Transportation Group for the San Diego Freeway (Interstate 405) Project Study Report for an amount not to exceed \$899,950.





**December 4, 2006**

**To:** Regional Planning and Highways Committee

**From:** Arthur T. Leahy, <sup>AK</sup> Chief Executive Officer

**Subject:** Final Agreement with Parsons Transportation Group for the San Diego Freeway (Interstate 405) Project Study Report

### **Overview**

In June 2006 the Board of Directors authorized the Chief Executive Officer to negotiate an agreement with Parsons Transportation Group, for an amount up to \$900,000, for the San Diego Freeway (Interstate 405) Project Study Report. The June 2006 action included a recommendation to return the Board of Directors with the final negotiated agreement. Negotiations have concluded, and staff is returning as directed.

### **Recommendation**

Authorize the Chief Executive Officer to execute an agreement with Parsons Transportation Group for the San Diego Freeway (Interstate 405) Project Study Report for an amount not to exceed \$899,950.

### **Background**

In October 2005 the Board of Directors (Board) approved the San Diego Freeway (Interstate 405) Major Investment Study. The Board-approved alternative recommended that a minimal widening of Interstate 405 (I-405) move forward into the next study phase. The minimal widening alternative would add a general purpose lane in each direction between Brookhurst Street and the San Gabriel Freeway (Interstate 605). Auxiliary lanes, linking an on-ramp to the next off-ramp, would also be added in many locations. This alternative generally stays within the existing right-of-way, but there may be some property acquisitions in the vicinity of interchanges.

Preparation of a Project Study Report (PSR) prepares the I-405 project for a future environmental document and constitutes the formal initiation of a project with the California Department of Transportation.

In June 2006 the Board took the next study step by selecting Parsons Transportation Group for the PSR (Attachment A). Because only one firm proposed on the project, as discussed in Attachment A, the Board recommended the negotiated agreement amount be brought back to the Board for final approval.

***Discussion***

Staff has concluded cost negotiations with Parsons Transportation Group for the I-405 PSR. The final agreement amount is \$899,950 and is within the budgeted amount of \$900,000.

**Fiscal Impact**

Funding for this project is included in the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, Development, Account 1537-7519-A4500-BBT, and is funded through the State Transportation Improvement Program.

***Summary***

Cost negotiations with Parsons Transportation Group for the I-405 PSR have concluded, and staff recommends the Board authorize the Chief Executive Officer to execute an agreement with the firm for an amount not to exceed \$899,950.

***Attachment***

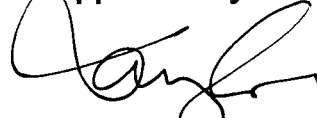
A. June 26, 2006, Board Committee Transmittal

**Prepared by:**



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

**Approved by:**



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





**BOARD COMMITTEE TRANSMITTAL**

**June 26, 2006**

**To:** Members of the Board of Directors  
**From:** <sup>WV</sup> Wendy Knowles, Clerk of the Board  
**Subject** Consultant Selection for Project Study Report Services for Corridor Improvements on the San Diego Freeway (Interstate 405)

**Regional Planning and Highways Committee**

June 19, 2006

**Present:** Directors Correa, Dixon, Green, Monahan, Norby, Pringle, Ritschel, and Rosen  
**Absent:** Director Cavecche

***Committee Vote***

This item was passed by the Committee Members present.

Director Pringle did not participate in the discussion and abstained on this matter per Government Code Section 84308.

***Committee Recommendations (reflects change from staff recommendation)***

- A. Select Parsons Transportation Group for the preparation of a Project Study Report/Project Development Support for the corridor improvement project on the San Diego Freeway (Interstate 405) between the San Gabriel Freeway (Interstate 605) and the San Joaquin Transportation Corridor (State Route 73).
- B. Authorize the Chief Executive Officer to negotiate and bring back the final agreement within the authorized budget of \$900,000.
- C. Form an ad hoc committee which would include Directors Correa and Norby and OCTA staff to review this procurement process and lessons for the future; as a courtesy advise the Regional Planning and Highways Committee of the meeting.





**June 19, 2006**

**To:** Regional Highways and Planning Committee

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

**Subject:** Consultant Selection for Project Study Report Services for Corridor Improvements on the San Diego Freeway (Interstate 405)

### **Overview**

The next step towards implementation of the San Diego Freeway (Interstate 405) Major Investment Study – Locally Preferred Strategy is to perform further engineering assessment and refine the project scope. Proposals and statements of qualifications were solicited in accordance with the Orange County Transportation Authority's procurement procedures for the retention of consultants to perform architectural and engineering work. These procedures are in accordance with both federal and state legal requirements.

### **Recommendations**

- A. Select Parsons Transportation Group for the preparation of a Project Study Report/Project Development Support for the corridor improvement project on the San Diego Freeway (Interstate 405) between the San Gabriel Freeway (Interstate 605) and the San Joaquin Transportation Corridor (State Route 73).
- B. Authorize the Chief Executive Officer to execute the final agreement within the authorized budget of \$900,000.

### **Background**

The Orange County Transportation Authority (OCTA), in its efforts to relieve existing and forecasted mobility problems along the San Diego Freeway (Interstate 405) corridor, completed a major investment study (MIS) to identify potential improvements to the 13-mile corridor. The Interstate 405 (I-405) MIS study area includes the 13.5-mile section of I-405 in Orange County between San Joaquin Transportation Corridor (State Route 73) on the south and the San Gabriel Freeway (Interstate 605) on the north. The corridor passes

through portions of Costa Mesa, Fountain Valley, Huntington Beach, Westminster, Garden Grove, and Seal Beach. The MIS concluded with the OCTA Board of Directors' (Board) adoption of the Locally Preferred Strategy (LPS) to address the mobility problems in the corridor. The LPS provides for an additional general purpose lane in each direction on the freeway between Interstate 605 (I-605) and Brookhurst Street. It also includes auxiliary lanes linking on-ramps to downstream off-ramps at numerous locations from I-605 to Harbor Boulevard. The Project Study Report/Project Development Support (PSR/PDS) phase of the project development will further refine the LPS alternative and the impacts to interchanges, undercrossings, and overcrossings. The goal is to further refine the project scope through an engineering assessment in advance of environmental impact analysis.

### ***Discussion***

This procurement was handled in accordance with OCTA's procedures for architectural and engineering services, which conform to both federal and state law. 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.

The project was initially advertised on March 30 and April 4, 2006, in a newspaper of general circulation and sent electronically to 597 firms registered on CAMMNET. A pre-proposal meeting was held on April 5, 2006, and was attended by 30 firms. Based on the fact that only one proposal was received, the solicitation was canceled and reissued. The project was re-advertised on April 24 and May 1, 2006, in a newspaper of general circulation, and sent electronically to 608 firms registered on CAMMNET. No pre-proposal meeting was held.

On May 22, 2006, one proposal was received from Parsons Transportation Group. Since only one proposal was received, there was no need to have an evaluation committee for ranking purposes.

Staff reviewed the proposal and has found Parsons Transportation Group qualified to perform the work. Based upon the proposal package submitted and review by staff, staff is confident that the firm will perform in accordance with OCTA's expectations and contract requirements.

**Fiscal Impact**

Funding for this project is included in the OCTA Fiscal Year 2006-07 Budget, Planning, Development and Commuter Services, Account 1537-7519-A4500-BBT, and is funded through the State Transportation Improvement Program.

**Summary**

Based on the material provided, staff recommends the selection of Parsons Transportation Group as the qualified firm to complete the PSR/PDS on the San Diego Freeway (Interstate 405) between Interstate 605 and State Route 73.

Staff is requesting authorization to negotiate an agreement within the approved budget of \$900,000.

**Attachment**

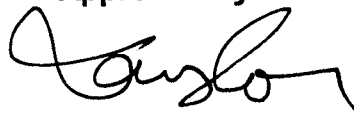
None.

**Prepared by:**



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

**Approved by:**



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





*BOARD COMMITTEE TRANSMITTAL*

**December 11, 2006**

**To:** Members of the Board of Directors  
*WK*  
**From:** Wendy Knowles, Clerk of the Board  
**Subject:** Rail Program Status Update

Transit Planning and Operations Committee

November 22, 2006

Present: Directors Brown, Duvall, Green, Norby, Pulido, and Winterbottom  
Absent: Director Silva

***Committee Vote***

No action taken on this receive and file informational item.

***Committee Recommendation***

Receive and file as an information item.







**November 22, 2006**

**To:** Transit Planning and Operations Committee  
**From:** Arthur T. Leahy, Chief Executive Officer  
**Subject:** Rail Program Status Update

### **Overview**

Staff is providing an update on the Orange County Transportation Authority rail program, including the Metrolink commuter rail program, grade crossing improvements, and capital improvements underway in Orange County.

### **Recommendation**

Receive and file as an information item.

### **Background**

The Orange County Transportation Authority (OCTA) rail program is comprised mainly of the Metrolink commuter rail program and associated capital improvements to support service expansion and railroad grade crossing improvements.

### **Discussion**

This report provides the Board of Directors a brief update of recent activity on the various elements of the rail program. Detailed information regarding new and ongoing program elements is delineated in Attachment A.

### **Metrolink Commuter Rail Program**

- Weekday ridership continues to show positive quarterly and annual growth. Overall first quarter ridership is up 8.8 percent compared to the previous year's first quarter ridership.
- Weekend ridership experienced an expected drop once school was back in session.
- Metrolink's Board of Directors will consider extension of the weekend promotional fare at the December 8, 2006, Board meeting.

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**Passenger Information/Station Signage/Banner Program**

- Electronic Passenger Information System - The project is currently underway and the test station is scheduled to be operational by June 2007.
- Boarding Information Signage - Metrolink is in the process of evaluating current station sign criteria and will issue revised criteria for system-wide implementation in 2007.
- Banner Project – OCTA's Marketing Department developed a temporary information banner to inform passengers of the correct boarding platform for southbound and northbound Metrolink trains. This program is under review with the affected cities.

**Metrolink Service Expansion**

Renewal of Measure M has ensured continuation of service expansion beyond 2010. The project management consultant, Parsons Brinckerhoff Quade & Douglas, Inc., developed a master schedule, is currently developing conceptual design for plans, and is performing utility and right-of-way research for critical path items.

**Capital Projects**

- Buena Park station – Construction of the 11th Metrolink station in Orange County is proceeding to a March 2007 completion.
- Irvine station parking structure - Construction is anticipated to begin winter 2007, with completion by winter 2008.
- Orange pedestrian crossing - Design is currently underway and expected to be completed by December 2006; schedule calls for construction to begin by June 2007.
- Santa Ana second main track – Utility work is underway; track construction will begin early next year and will be completed by June 2007.
- Santa Ana pedestrian bridge improvement project - Construction of a pedestrian bridge was completed and was placed in operation on September 28, 2006.

- Placentia Metrolink station - The City of Placentia is leading the effort to develop a Metrolink station located on the south side of the Burlington Northern Santa Fe (BNSF) railroad, between Melrose and Main streets.

#### Rolling Stock

- Locomotives are expected to be delivered the fourth quarter of 2007.
- Cab Cars/Trailer Cars - The first pilot trailer and cab car is expected to be delivered December 2008.

#### Grade Crossing Improvements

- Safety Enhancement Program - Diagnostic meetings have occurred at 45 of the 55 crossings with the remaining diagnostics scheduled for November 27 and November 28, 2006. Cost estimating is in process.
- Quiet Zones - OCTA staff is in the process of developing a proposed OCTA quiet zone policy that addresses both OCTA owned right-of-way and non-OCTA owned right-of-way.
- The City of Placentia has completed quiet zone improvements at eight crossings and is currently working with the BNSF railroad to resolve outstanding technical issues prior to filing the Notice of Establishment with the Federal Railroad Administration.

#### Grade Separations

- Imperial Highway (State Route 90) - Ten bids were received by the California Department of Transportation ranging in cost from \$30.8 million to \$37.4 million, all within the project budget. Construction is scheduled to start in late January or early February 2007.
- The Jeffrey Road grade separation project received funding from the California Transportation Commission on November 9, 2006. The City of Irvine anticipates awarding a construction contract in February 2007.
- State College Boulevard - The City of Fullerton is pursuing the grade separation at State College Boulevard and the BSNF railroad; the City of Fullerton has a funding shortfall of \$40 million. Design is currently underway.

- Alameda Corridor East - The Alameda Corridor East received a \$125 million federal funding earmark that provides \$31.25 million for Orange County. OCTA and the City of Placentia will need to work together to identify the 20 percent local match.

**Rail Program Challenges**

While there have been many recent accomplishments, there are a number of potential challenges to be addressed over the next three months:

- Obtaining funding allocation from the California Transportation Commission for constructing of the Orange pedestrian crossing.
- Initiation of environmental and design work for the turnback and layover facilities to support the Metrolink service expansion schedule.
- Maintaining Orange County and Inland Empire-Orange County line weekend ridership during the winter months.
- Development of a grade crossing quiet zone policy.

***Summary***

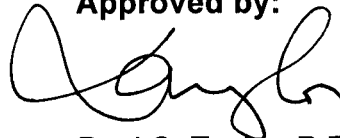
This report provides an update on the OCTA rail program, including the Metrolink commuter rail program and grade crossing improvements.

***Attachment***

- A. Rail Program Status – As of November 9, 2006

**Prepared by:**

Abbe McClenahan  
Principal Transportation Analyst  
Commuter Rail Services  
(714) 560-5673

**Approved by:**

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

**Rail Program Status – As of November 9, 2006**

**Metrolink Commuter Rail Program**

page 2

- Weekday Ridership
- StationLink Rail Feeder
- Weekend Service
- Special Trains

**Passenger Information/Station Signage**

page 3

- Electronic Passenger Information System
- Boarding Information Signage
- Banner Project

**Trabuco Bridge Replacement Project**

page 4

**Metrolink Service Expansion**

page 5

**Capital Projects**

page 5

- Buena Park Station
- Irvine Station Parking Structure
- Orange Pedestrian Crossing
- Santa Ana Second Main Track
- Santa Ana Pedestrian Bridge Improvement Project
- Placentia Metrolink Station

**Rolling Stock**

page 7

- Locomotives
- Cabs Cars/Trailer Cars

**Grade Crossing Improvements**

page 7

- Safety Enhancement Program
- Quiet Zones
- Placentia Quiet Zone

**Grade Separations**

page 10

- Imperial Highway
- Jeffrey Road
- State College Boulevard
- Alameda Corridor East

## **Metrolink Commuter Rail Program**

### **Weekday Ridership**

Weekday ridership continues to show positive quarterly and annual growth. The Orange County (OC) line first quarter fiscal year (FY) to date 2006-07 ridership compared to first quarter FY 2005-06 is up by 3 percent, averaging 6,497 riders per weekday. This increase does not include Rail 2 Rail Program ridership, which allows Metrolink monthly pass holders to ride Amtrak trains. The average ridership on the Inland Empire – Orange County (IEOC) line compared to the previous year's quarter is up 22 percent, averaging 4,589 riders per weekday. Lastly, the ridership on the 91 line is up 29 percent compared to last year, with 2,461 average weekday riders. Rail 2 Rail average weekday ridership of 1,234 dropped by 2 percent compared to the previous year's first quarter.

Total first quarter weekday (July 1, 2006 through September 30, 2006) ridership on all three lines has increased by 8.8 percent from the previous year, for a total of 934,543 riders including Rail 2 Rail ridership on the OC line (Exhibit A).

### **StationLink Rail Feeder**

There are currently 13 StationLink routes serving seven Orange County Metrolink stations. StationLink operates during peak rush hours and provides Metrolink passengers connecting bus service to major employment centers Monday through Friday. StationLink ridership increased by 17.9 percent in the first quarter of FY 2006-07 compared to FY 2005-06. In addition, Metrolink transfers to all Orange County Transportation Authority (OCTA) bus routes (including StationLink and local routes) showed an increase of 13.2 percent compared to the previous year's first quarter.

### **Weekend Service**

Start-up of weekend service began on the OC line on Saturday, June 3, 2006, followed by Sunday service on July 2, 2006. The OC line includes six trains (three round trips) on both Saturday and Sunday.

Year-round weekend service began on the IEOC line on July 15, 2006. This service previously operated as a *summer-only* service known as the "Beach Train" and last year as the "Summerlink" service. The IEOC weekend service consists of six trains (three round trips) on Saturday and four trains (two round trips) on Sunday. OCTA, Riverside County Transportation Commission (RCTC) and San Bernardino Associated Governments (SANBAG) are partners in funding the IEOC weekend service.

Metrolink's fare policy allows for a reduced weekend fare up to 25 percent off the regular fare. OCTA in cooperation with RCTC and SANBAG proposed a special,

new service, introductory, promotional fare at a reduced rate of 50 percent off regular fares through December 31, 2006. The Metrolink Board of Directors approved the special promotional weekend fare on April 21, 2006. On December 8, 2006 the Metrolink Board of Directors will consider extending the weekend promotional fare through June 2007. In addition, to the reduced fare OCTA's station free ride day marketing campaign has attracted numerous riders and will continue throughout the year. The next free ride day events are scheduled for November 19, 2006, at the Santa Ana station and December 17, 2006 at the Irvine station.

The first year daily weekend ridership goal is approximately 100 passengers per train on the OC line and 125 passengers per train on the IEOC line. As illustrated in Exhibit B, weekend ridership peaked on June 24, 2006, July 29, 2006, August 27, 2006, September 17, 2006, and October 29, 2006, due to the station free ride promotion. Generally, weekend ridership drops in the fall season once school begins. The OC line weekend ridership has remained relatively stable with a higher drop in the IEOC line. Overall, ridership expectations are exceeding the first-year ridership goal on the IEOC line, and are nearing forecasts on the Saturday OC line service. Sunday OC line service has not yet reached the forecast, but continues to increase each week (Exhibit B.) Staff will continue to monitor and report on weekend ridership.

### **Special Trains**

Six round trip trains will be offered on Thanksgiving day on the IEOC between Irvine and Riverside. The weekend fare discount will be extended to Thanksgiving day riders; in addition, 3 kids up to 17 years of age will ride free with one paying adult. With the new weekend service on the IEOC line, riders will have the option of extending their Thanksgiving holiday travel the entire weekend. In addition to Thanksgiving day service, the Toy Train will operate this year in support of the Southern California Firefighter's Spark of Love Toy Drive. This year the Toy Train will make stops at all Orange County stations including a special stop this year at Camp Pendleton in San Diego County. This is the Toy Train's 10<sup>th</sup> anniversary of operation.

### **Passenger Information/Station Signage**

#### **Electronic Passenger Information System (EPIS)**

Metrolink stations are currently equipped with public address/changeable message signs which provide limited train status information to riders standing on the platform. This system is being upgraded with new equipment and technology referred to as EPIS. The new EPIS system is web-based and can accept multiple source inputs through a central processing server and will provide real-time information including train number, destination, time, delay, track information, and specific service disruption information. Stations will be equipped

with flat panel liquid crystal displays at the ticket vending machine and platform area in addition to the existing light-emitting diode displays currently at the platforms. Passengers can also subscribe to real-time train information via email and/or cell phone paging. The project is currently underway and the test station is scheduled to be operational by June 2007. Phase 1 of the project includes availability of email and cell phone subscriber options and roll-out of the initial test station. This project is federally funded with a 50 percent local match provided by member agencies. The total project cost is \$2,964,000 and OCTA's local share is \$323,900. Funding for this project was approved as part of OCTA's FY 2005-06 Metrolink budget.

#### **Boarding Information Signage**

In addition to the EPIS system, Metrolink is installing interim boarding information signage at the stations. This project includes track identification, path finding signage, and boarding information signage. Phase 1 of this project is currently underway and is anticipated to be complete by the end of the second quarter this FY. Phase 2, which includes path finding and track boarding directory signage, is currently in planning and expected to be complete the third quarter of this FY. Metrolink is in the process of evaluating current station sign criteria and will issue revised criteria for systemwide implementation in 2007. This effort will be consistent with the interim boarding information signage at the Orange County stations.

#### **Banner Project**

OCTA's marketing department developed a temporary information banner to inform passengers of the correct boarding platform for southbound and northbound Metrolink trains. The banner project was presented to the Transit Planning and Operations Committee and the Legislative and Government Affairs Committee on September 18 and September 20, 2006, respectively. The banner project is being introduced to the cities and expected to be in place by the end of January 2007.

#### **Trabuco Bridge Replacement Project**

Metrolink successfully completed the Trabuco bridge replacement project in San Juan Capistrano the weekend of September 22, 2006. The Orange County rail right-of-way was closed for the weekend and passengers were bused between Laguna Niguel/Mission Viejo and Oceanside. The project consisted of replacing girders that dated back to 1899 using a 300 ton crane, in addition to replacing the bridge span.



## **Metrolink Service Expansion (Expansion)**

On August 31, 2006, OCTA authorized the project management consultant, Parsons Brinckerhoff Quade & Douglas, Inc., to begin work as extension of staff for the Expansion. The contract for the interim consultant, Berg & Associates was maintained to assist the program manager in performing site utility investigation work to prepare for the upcoming track and signal projects. Since authorization, the program management team has worked closely with OCTA staff to develop a master schedule and identify critical path items to support the Expansion. The team is currently defining each of the critical path improvement projects in terms of conceptual level design, right-of-way requirements, environmental requirements, and critical schedule milestones. The definition of each project is being coordinated with Metrolink and the cities involved. Much of the initial effort has been focused on the Fullerton and the Laguna Niguel/Mission Viejo Turnback Facilities, which are necessary to support the 30 minute Metrolink service, since both are critical elements to the Expansion.

### **Capital Projects**

#### **Buena Park Station**

Construction for the 11th Orange County Metrolink station began on January 23, 2006, with construction proceeding to a March 2007 completion. Sitework, utilities, and foundations are completed. Platform, pedestrian bridge structures and near track construction were completed by September 30, 2006, as required by agreement with the Burlington Northern Santa Fe (BNSF) railroad. Design tasks for bus layover positions and installation design for security cameras are essentially complete for incorporation into station construction. The City of Buena Park is the lead agency on the project, and OCTA is providing project management oversight, and funding through a cooperative agreement with the city.

#### **Irvine Station Parking Structure**

OCTA and the City of Irvine entered into a cooperative agreement to contract for design services and construction funding for a parking structure including 1,500 spaces at the Irvine station. OCTA is providing project management oversight, technical assistance, and funding, in the amount of \$24.9 million. Design plans have undergone permit review. The Irvine Company has agreed to changes in its deed restriction for donated land to allow transit-supportive retail, possible future parking toll operations, and certain other design exemptions. Issuance for bidding is anticipated after the City Council authorization in late November 2006. Construction is anticipated to begin January 2007, with completion by January 2008.

## Orange Pedestrian Crossing

Included in the Expansion is a grade-separated pedestrian crossing at the Orange station. The project is funded with \$8 million of State Transportation Improvement Program (STIP) funds. On May 9, 2006, the Orange City Council approved their preference for an undercrossing with a northern platform extension. OCTA, the City of Orange, and Metrolink are working together to deliver this project by mid 2008. A community meeting was held in July 2006 and information regarding the project was also distributed on the Metrolink platforms to solicit input from riders and residents alike. Design is currently at 90 percent with completion expected by December 2006. The schedule calls for this project to be under construction by June 2007 and completion by summer 2008.

## Santa Ana Second Main Track

Currently, there is a 1.8-mile single track between the Orange and Santa Ana stations. Completion of this project will facilitate the expansion of service between Fullerton and Laguna Niguel/Mission Viejo. A limited Notice to Proceed was issued in May 2006, and full Notice to Proceed was issued in June 2006. The contractor has mobilized the field office and is working with the cities of Orange and Santa Ana coordinating street closures, tree removal, and utility work. Track construction will begin early next year and will be completed by June 2007. The project is administered by Metrolink.

## Santa Ana Pedestrian Bridge Improvement Project

In order to provide safer access and boarding for northbound passengers, construction of a pedestrian bridge and new platform was completed at the Santa Ana station on September 28, 2006. Passengers are no longer required to board from a center track creating unsafe conditions. The new pedestrian bridge also provides connecting access to the parking structure and the main terminal. A dedication event took place on October 23, 2006, at the Santa Ana station. The punch list items and standard signage will be complete by the end of November 2006.

## Placentia Metrolink Station

The City of Placentia is leading the effort to develop a Metrolink station located on the south side of the BNSF railroad, between Melrose and Main streets. The development of the station is one component of a larger downtown development plan. OCTA staff and Metrolink staff participated in a planning open house hosted by city staff and attended by members of the public. The City of Placentia has estimated the total project cost at \$31.7 million. The City of Placentia is currently proceeding with the Project Report and Environmental Document

phase using \$650,000 in developer fees. On June 26, 2006, the Board approved \$2.5 million in STIP funds for the plans, specifications & estimates (PS&E) phase of the project. The California Transportation Commission (CTC) approved funding in September 2006.

## **Rolling Stock**

### **Locomotives**

On March 24, 2006, Metrolink's Board approved acceptance of assignment of Utah Transit Authority's contract for the purchase of 11 remanufactured locomotives from the single proposer, MotivePower, Inc. On March 29, 2006, Metrolink and MotivePower, Inc., signed a purchase agreement for the locomotives, of which seven will support the Expansion in Orange County. On June 23, 2006, Metrolink's Board approved the option for four additional locomotives followed by CTC approval of funds. Locomotives are expected to be delivered in 2008.

### **Cab Cars/Trailer Cars**

On April 13, 2006, Metrolink issued a Notice to Proceed to Rotem Company for the purchase of 87 trailer and cab cars, of which 52 trailer cars and seven cab cars will support the Expansion in Orange County. The kick-off meeting between Metrolink and Rotem Company was held the first week in May 2006. The first trailer car is expected to be delivered December 2008. Metrolink and Rotem Company met in July 2006 to finalize and discuss the crash energy management/carbody structural design and schedule. Engineering and design for crushable tables is in progress with completion of an expected prototype by the end of FY 2006-07. These tables will be installed in all of the new trailer cars.

## **Grade Crossing Improvements**

There are three main railroad lines providing passenger and freight railroad service in Orange County. There are a total of 64 at-grade highway-rail crossings on these three rail lines.

OCTA is the owner of the Orange and Olive subdivisions. The Orange subdivision stretches from the San Diego County line to the junction with the BNSF in the City of Fullerton. Rail traffic on the Orange subdivision consists of Metrolink OC line and IEOC service, Amtrak Pacific Surfliner trains, and a minimal number of freight trains. There are 41 at-grade highway-rail crossings on the Orange subdivision. The Olive subdivision stretches from just north of the City of Orange Metrolink station to the junction with the BNSF in the City of Placentia. Rail traffic on the Olive subdivision consists of Metrolink IEOC line trains and a minimal number of freight trains. There are 11 at-grade highway rail crossings on the Olive subdivision.

The BNSF is the owner of the San Bernardino subdivision in Orange County. The San Bernardino subdivision stretches from the Orange County/Riverside County line near the City of Yorba Linda to the Orange County/Los Angeles County line in the City of Buena Park. The BNSF San Bernardino subdivision runs through the cities of Yorba Linda, Anaheim, Placentia, Fullerton, and Buena Park and is frequently referred to as the Orangethorpe Corridor or the Alameda Corridor East. Rail traffic on the BNSF San Bernardino subdivision consists largely of BNSF freight trains and a minimal number of Metrolink 91 line, IEOC line (over a portion of the line), and Amtrak trains. There are nine at-grade highway-rail crossings on the San Bernardino subdivision in Orange County.

As a result of planned increases in passenger and freight rail traffic on the three rail lines described above, a renewed focus should be placed on grade crossing improvements. Improvements to at-grade highway-rail crossings can cover a wide spectrum, beginning with basic safety improvements (improving crossing surfaces, re-applying of pavement markings, and enhancing signing), to the installation of supplemental safety measures that allow for the discontinuance of locomotive horn blowing (quiet zones), to grade crossing closures and at-grade highway-railroad separations that completely separate rail traffic from vehicular and pedestrian traffic.

OCTA, the City of Placentia, and the members of Alameda Corridor East (OCTA, City of Placentia, SANBAG, RCTC, Alameda Corridor East Construction Authority) have each conducted a number of studies over recent years addressing safety enhancements, quiet zones, and grade separations covering all three rail lines described above. These studies have provided significant amounts of data that has allowed each individual crossing to be examined for safety enhancements as well as the potential for separation. This existing data provides the ability to examine and prioritize grade crossing improvements on a countywide level.

### Safety Enhancement Program

The OCTA Grade Crossing Safety Enhancement Program is underway with Metrolink, OCTA, and affected cities. Both kick-off and diagnostic meetings have occurred with the cities of Anaheim, Dana Point, Fullerton, Orange, Santa Ana, and Tustin. During the diagnostic review the team meets in the field at the individual railroad grade crossing and finalizes the safety enhancement scope of work. A revised cost estimate is prepared and will be scheduled for individual city council approval following OCTA review. The diagnostic reviews also include defining additional scope of work that may be initiated by the city and is beyond the required safety enhancement. Lastly, a separate scope of work for quiet zone improvements is identified and tracked for cities to use in their consideration of quiet zones. The initial kick-off meetings with the cities of Irvine, San Clemente, and San Juan Capistrano took place in August 2006 followed

by diagnostic reviews scheduled for November 27 and November 28, 2006 (Exhibit C). To date, 45 of 55 field diagnostic review meetings have been completed with full participation from OCTA, Metrolink, the California Public Utilities Commission, and the local city in which the grade crossing is located. This program does not include eight crossings located in the City of Placentia, as they have been improved through a separate city led program.

### Quiet Zones

After years of development and 18 months of final review, the Federal Railroad Administration (FRA) released its Final Train Horn Rule (Final Rule) on June 24, 2005. The Final Rule establishes a basic requirement for trains to sound horns at all public at-grade highway-rail crossings except in quiet zones established under the procedures set forth in the Final Rule. During the development of the Final Rule, several jurisdictions within the Metrolink service area in Orange County began consideration of the establishment of quiet zones under the federal rule. During this time, Metrolink staff began the development of a set of policies and procedures which are intended to guide staff in discussions with public authorities to establish the roles and responsibilities of Metrolink and the public authorities in these matters.

On April 21, 2006, the Metrolink Board adopted the Southern California Regional Rail Authority Quiet Zone Implementation Guidelines and Procedures. These policies and procedures focus on diagnostic reviews, cost recovery, and liability as the critical areas to be considered. The policies and procedures call for every crossing within the proposed quiet zone to be subject to diagnostic review. Secondly, the policy calls for the public authority designating the quiet zone (typically a city) to reimburse Metrolink for the full cost of designing and constructing improvements the public authority determines are required for the crossings within the quiet zone, and share in the ongoing maintenance costs. Finally, due to the unavailability of commercial Railroad Protective Liability Insurance (to the public authority), the policies and procedures call for adherence to a higher standard of safety in the design of grade crossings.

OCTA currently does not have a policy on the implementation, funding, or ongoing operating costs related to quiet zones. Staff is developing quiet zone policy options for the Board's consideration. The policy will need to address capital costs, ongoing operating and maintenance costs, liability, and funding sources. In addition, staff expects that two separate policies will be needed. One will likely address quiet zones on OCTA owned rail right-of-way. The other will address quiet zones on non-OCTA owned rail right-of-way. Recently, the chairman of the OCTA Board established a task force to address new Metrolink technology for quiet zones, the possibility of sealed corridors and examination of changing the competitive bidding methodology for quiet zone funds. This ad hoc committee will serve for a limited period of time.

## Placentia Quiet Zone

The City of Placentia has completed quiet zone improvements at eight crossings along BNSF territory. The Kramer Boulevard crossing is currently working as designed. The remaining seven crossings are experiencing communications interference, which is in the process of being worked out with BNSF. Upon resolution of the problems the City will file a Notice of Establishment with the FRA. The city would like to have the quiet zone in place by January 2007.

## **Grade Separations**

### Imperial Highway

The Imperial Highway Grade Separation design is complete. The CTC approved the construction allocation of \$39.1 million on June 8, 2006. The project was advertised for construction on July 24, 2006, followed by bid opening on November 3, 2006. Ten bids were received ranging in cost from \$30.8 million to \$37.4 million. The engineers estimate was \$37.3 million. The bids are being evaluated by the California Department of Transportation (Caltrans) to determine the lowest responsive and responsible bidder. Construction is planned to begin on February 1, 2007, with project completion expected by 2010.

### Jeffrey Road

The Jeffrey Road Grade Separation Project in the City of Irvine was advertised for construction late last year. Only one bid was received by the city and was ultimately rejected for not being responsive to all federal requirements. In addition, the one bid received exceeded the programmed amount by \$24 million. City of Irvine staff has reviewed the engineers' estimate, compared it to the bid received, and believes that additional funding is needed to complete the project. On June 26, 2006, the Board approved \$24 million in STIP funds for the project. The Jeffrey Road grade separation is anticipated to receive a construction allocation from the CTC on November 9, 2006. If the funding is approved, the city anticipates awarding a construction contract in February 2007.

### State College Boulevard

The City of Fullerton is pursuing the grade separation of State College Boulevard and the BSNF railroad. The PS&E phase is expected to be completed in November 2006. The total estimated project cost is currently \$57.8 million. The city received a federal earmark of \$12.8 million and has programmed \$5 million in developer fees. This leaves a funding shortfall of \$40 million. OCTA staff is conferring with city staff on next steps.

## Alameda Corridor East

The Alameda Corridor East received a \$125 million earmark in the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users. Agreement has previously been reached by the Alameda Corridor East Construction Authority, SANBAG, RCTC, the City of Placentia, and OCTA to evenly allocate the \$125 million earmark. This provides \$31.25 million for Orange County.

OCTA staff is currently participating with the other four parties and Caltrans to develop the required application to access the federal earmark. Upon approval of the application, a 20 percent local match will be required. OCTA and the City of Placentia will need to work together to identify the 20 percent local match. Current plans by the City of Placentia call for the earmark to be used on the Kraemer Boulevard undercrossing project in the City of Placentia.

### **Rail Program Challenges**

Staff is resolving potential issues of the Rail Program and has highlighted challenges to be resolved over the next three months.

Obtaining timely design approval from the State architect for the Orange pedestrian crossing and CTC funding allocation for constructing of the project.

Identification of right-of-way ownership at proposed turnback sites. Initiation of environmental and design work for the turnback and layover facilities to support the Expansion schedule.

As this is the first year of weekend Metrolink service on the OC line and first year-round weekend service on the IEOC line, only minimal data exists on the weekend service customer base. In order to maintain OC and IEOC line weekend ridership during the winter months, staff, in partnership with RCTC, is conducting on board surveys and a market research study. It is anticipated that the results of these efforts shall identify the weekend service customer base and provide a foundation for future weekend service planning.

Lastly, development of a grade crossing quiet zone policy is underway and will be presented to the Board for evaluation and approval.





**Metrolink Commuter Rail Program  
Average Daily and Total First Quarter Ridership**

<b>First Quarter Weekday Ridership</b>	<b>Orange County Line Daily Average</b>	<b>Inland Empire - Orange County Line Daily Average</b>	<b>91 Line Daily Average</b>	<b>Rail 2 Rail Daily Average</b>	<b>Total Weekday Average</b>
2005	6,311	3,737	1,911	1,260	13,219
2006	6,497	4,589	2,461	1,234	14,781
Change	2.9%	22.8%	28.8%	-2.1%	11.8%

<b>First Quarter Total Weekday Ridership</b>	<b>Orange County Line</b>	<b>Inland Empire - Orange County Line</b>	<b>91 Line</b>	<b>Rail 2 Rail</b>	<b>Total First Quarter</b>
2005-06	403,904	243,304	122,232	89,202	858,642
2006-07	404,923	286,922	154,203	88,495	934,543
Change	0.3%	17.9%	26.2%	-0.8%	8.8%



**Metrolink Commuter Rail Program Weekend Ridership**

<b>Date</b>	<b>Orange County Line (Sat)</b>	<b>Orange County Line (Sun)</b>	<b>Inland Empire - Orange County Line (Sat)</b>	<b>Inland Empire - Orange County Line (Sun)</b>
6/3/2006	577			
6/10/2006	395			
6/17/2006	415			
6/24/2006*	1,262			
7/1/2006	429			
7/2/2006		486		
7/8/2006	407			
7/9/2006		210		
7/15/2006	403		1,415	
7/16/2006		253		1,243
7/22/2006	425		1,096	
7/23/2006		267		762
7/29/2006*	1,216		2,146	
7/30/2006		347		615
8/5/2006	531		1,466	
8/6/2006		260		641
8/12/2006	462		1,511	
8/13/2006		379		777
8/19/2006	560		1,569	
8/20/2006		359		567
8/26/2006*	531		1,411	
8/27/2006		934		1,427
9/2/2006	618		1,570	
9/3/2006		427		626
9/9/2006	428		718	
9/10/2006		300		281
9/16/2006	503		743	
9/17/2006*		1,042		371
9/23/2006	452		454	
9/24/2006		164		207
9/30/2006	471		375	
10/1/2006		373		181
10/7/2006	377		451	
10/8/2006		293		1,099
10/14/2006	455		349	
10/15/2006		339		153
10/21/2006	504		393	
10/22/2006		331		208
10/28/2006	385		368	
10/29/2006*		1,167		167
11/4/2006	421		365	
11/5/2006		343		198
Average per day	532	435	965	560
Average per train	89	73	161	140

\* Station Free Ride Day



# PROGRAM STATUS SUMMARY SHEET

## OCTA Grade Crossing Safety Enhancement Program

Contract Package	City	No. of Crossings	Kick-Off Meeting	Site Diagnostic Meeting(s)	MOU	Current Level of Completion
1	Santa Ana	10	4/3/2006	Completed 5/22/06-5/23/06	In progress	Scoping 85% Complete
	Tustin	1	4/13/2006	Completed 5/25/06	In progress	Scoping 95% Complete
	Irvine	3	8/7/2006	11/28/2006	In progress	Scoping 0% Complete
2	Orange	16	3/13/2006	Completed 4/24/06-4/26/06	In progress	Scoping 95% Complete
3	Anaheim	14	6/12/2006	Completed 7/26/06-7/28/06	In progress	Scoping 85% Complete
	Fullerton	3	6/19/2006	Completed 7/26/06	In progress	Scoping 85% Complete
	Dana Point	1	5/3/2006	Completed 5/24/06	In progress	Scoping 85% Complete
4	San Juan Capistrano	4	8/31/2006	11/28/2006	In progress	Scoping 0% Complete
	San Juan Capistrano (Private Crossing)	1		11/27/2006	In progress	Scoping 0% Complete
	San Clemente	2	8/21/2006	11/27/2006	In progress	Scoping 0% Complete
<b>TOTALS</b>		55				





**BOARD COMMITTEE TRANSMITTAL**

**December 11, 2006**

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup> Wendy Knowles, Clerk of the Board  
**Subject:** Fiscal Year 2005-06 Comprehensive Annual Financial Report

**Executive Committee**

December 4, 2006

**Present:** Vice Chair Cavecche, Directors Pringle, Wilson, and Winterbottom  
**Absent:** Chairman Brown and Director Campbell

***Committee Vote***

No action was taken by the Committee.

***Staff Recommendation***

Receive and file as an information item.







**December 4, 2006**

**To:** Executive Committee  
**From:** Arthur T. Leahy, Chief Executive Officer  
**Subject:** Fiscal Year 2005-06 Comprehensive Annual Financial Report

**Overview**

The Comprehensive Annual Financial Report for the Orange County Transportation Authority contains the fiscal year 2005-06 financial statements and an independent accounting firm's audit opinion on the basic financial statements.

**Recommendation**

Receive and file as an information item.

**Background**

Pursuant to Section 40078 of the Public Utilities Code, the Orange County Transportation Authority (OCTA) prepares an annual set of financial statements presenting results of operations during the preceding fiscal year and OCTA's financial position at year end. These financial statements are included in OCTA's Comprehensive Annual Financial Report (CAFR).

Additionally, in June 1999 the Governmental Accounting Standards Board (GASB) issued GASB Statement No. 34, which established a new financial reporting framework for all state and local governments. This resulted in significant changes in governmental accounting and financial reporting for state and local governments. Under the new financial reporting model, government financial statements include management's discussion and analysis, basic financial statements including both government-wide and fund financial statements, and required supplementary information. The new financial reporting model satisfies the objectives of financial reporting for governments' fiscal and operational accountability.

***Discussion***

Macias, Gini and O'Connell LLP, an independent accounting firm, has completed its fourth annual audit of OCTA's financial records and systems and has issued its opinion on OCTA's financial statements for the fiscal year ended June 30, 2006. The auditors have issued an unqualified opinion on the financial statements, indicating that the statements present fairly, in all material respects, the financial position of OCTA at June 30, 2006, and the results of its operations and cash flows of the proprietary funds for the fiscal year then ended.

The CAFR will be submitted to the Government Finance Officers Association (GFOA) for consideration to be awarded a Certificate for Excellence in Financial Reporting for fiscal year 2005-06. GFOA awards certificates only to those governments whose annual financial reports are judged to conform with the highest standards of public financial reporting. OCTA has been awarded the GFOA certificate for each year of its existence, commencing with the fiscal year ended June 30, 1992. Such recognition has a continuing favorable effect in the financial markets and has assisted OCTA in borrowing at favorable interest rates.

The CAFR will continue to be a useful tool in business dealings with outside organizations during the coming year.

***Summary***

Staff has completed preparation of the Orange County Transportation Authority's Comprehensive Annual Financial Report for the fiscal year 2005-06. Macias, Gini and O'Connell LLP, an independent accounting firm, has audited the financial statements contained in the CAFR and has issued its unqualified opinion as to the fairness of the financial statement presentation. Staff recommends the Executive Committee receive and file this Comprehensive Annual Financial Report as an information item.

**Attachment**

- A. Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2006.

**Prepared by:**



Tom Wulf  
Manager, Accounting and Financial  
Reporting  
(714) 560-5659

**Approved by:**



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





**BOARD COMMITTEE TRANSMITTAL**

**December 11, 2006**

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup> Wendy Knowles, Clerk of the Board  
**Subject:** Agreement for Security Program Development Services

**Executive Committee**

December 4, 2006

**Present:** Vice Chair Cavecche, Directors Pringle, Wilson, and Winterbottom  
**Absent:** Chairman Brown and Director Campbell

***Committee Vote***

The item was passed unanimously by those present.

***Committee Recommendation***

Authorize the Chief Executive Officer to execute Agreement C-6-0684 between the Orange County Transportation Authority and Strativa, Inc., in an amount not to exceed \$241,050, for professional services to develop detailed security policies, standards and guidelines, and risk framework..





**December 4, 2006**

**To:** Executive Committee  
**From:** Arthur T. Leahy, Chief Executive Officer  
**Subject:** Agreement for Security Program Development

### **Overview**

On August 25, 2006, Orange County Transportation Authority , Chief Executive Officer approved a plan to build an enterprise wide security program to reduce physical and information security risk to the organization in a structured and methodical manner.

The first phase, Development of a Security Framework, has been completed, and staff is seeking approval of the second phase which is to develop detailed security policies, standards and guidelines; conduct a gap analysis; and develop a proactive framework to measure and prioritize risks specific to the Orange County Transportation Authority.

### **Recommendation**

Authorize the Chief Executive Officer to execute Agreement C-6-0684 between the Orange County Transportation Authority and Strativa, Inc., in an amount not to exceed \$241,050, for professional services to develop detailed security policies, standards and guidelines, and risk framework.

### **Background**

Over the past few years, the landscape of security has experienced radical changes. The introduction of new legislation, security risks, and the ever-growing organizational dependency on technology have escalated the importance of implementing a comprehensive security strategy within most organizations.

The Orange County Transportation Authority (Authority) is subject to multiple state and federal privacy and security regulations including California Privacy Law (SB1386), Health Insurance Portability Accountability Act (HIPAA), Payment Card Industry (PCI) Data Security Standard, Department of

Homeland Security (DHS), and many others that require an organized and systematic approach to security.

Other factors to consider are the physical security needs that are common to public transportation organizations. These needs have been amplified by recent terrorist events that have occurred in other public transportation systems such as the terrorist bombings on the Madrid underground train and London bus systems.

An additional item of concern is that the Authority houses confidential data for both its customers and employees within its facilities, systems, and networks. Confidential or sensitive data, when coupled with a growing and diverse organizational environment, can increase the variables in managing security risk.

The Authority has worked diligently developing a strong public image over the years. This is critical when considering that a single security event can create significant damage to the public's perception for the organization. The Authority recognizes that the result of such an event could have dramatic negative ramifications.

As part of its commitment to security, the Authority has recently completed an approved enterprise wide security framework. This framework was collaboratively built with guidance from a security consulting group, executive management, and key stakeholders of the Authority, and defined the core components needed for a successful enterprise security program. This framework has been approved by the Chief Executive Officer and has been presented to both the Finance and Administration Committee and Security Working Group.

Core components of a successful security program consist of:

1. Executive supported mission and mandate
2. Defined roles and responsibilities
3. Strategy
4. Clear communication channels
5. Enterprise wide security policies

This framework will provide the Authority with a consistent and structured approach to more effectively manage all aspects of security risk to the organization.

A task force, the Security Advisory Group, was developed as part of this initiative, consisting of representation from all divisions, to help better manage,



communicate, and coordinate security efforts at the Authority. This group completed a kick-off meeting on October 18, 2006. Topics discussed included the mission of the group and their roles and responsibilities for reducing security risk to the entire enterprise.

The Authority has also taken the opportunity to discuss this approach in developing an enterprise security program with American Public Transportation Association (APTA), and has shown a vested interest in using this as a model for the transit industry.

In order for the Authority to continue with its current progress, staff has initiated a procurement request to hire a security professional services organization to assist in detailed security policies, standards and guidelines; conduct a gap analysis; and develop a proactive framework to measure and prioritize risks specific to the Authority.

Completion of this project will provide the Authority with benchmarks and standards against which to measure against, a clearer picture of the security risks the organization faces, and a mechanism to help reduce those risks to a level acceptable to our Board of Directors.

### ***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 21, 2006, and September 26, 2006, in a newspaper of general circulation, and on CAMMNET. A pre-proposal meeting was held on October 3, 2006, and was attended by 30 consultants.

On October 19, 2006, 14 offers were received. An evaluation committee composed of staff from the Information Systems, Internal Audit, Security Threat and Assessment, and Contracts Administration and Materials Management departments was established to review all offers submitted. The offers were evaluated on the basis of Qualifications of Firm, Staffing and Project Organization, Work Plan and Cost and Price. Out of 14 companies who submitted proposals, four firms meet the Authority's desired minimum requirements for the project. These firms were then brought in to further evaluate

their qualifications and understanding of the scope of work. Based on their findings, the evaluation committee recommended the following firm to the Executive Committee for consideration of an award:

Firm and Location

Strativa, Inc.  
Irvine, California

The Authority has selected Strativa, Inc. for assisting staff in developing detailed security policies, standards and guidelines; conducting a gap analysis; and developing a proactive risk framework. Strativa has significant experience working with the Authority, and has successfully completed four project initiatives (Request For Proposals 3-0377, 4-0499, 6-0075, and 6-0291) over the last three years.

Strativa consultants Mike Gentile and Ron Collette have been highly acknowledged in the security industry for developing sound customized security programs. They have demonstrated an impressive track record for developing successful programs in many different organizations both in the United States and abroad.

Their technique employs a proven system that falls inline with the Authority's security program goals. This system has been documented in their book, CISO Handbook – A Practical Guide to Securing Your Company, published by Auerbach Publishing. The material has been positively received by the security community as one of the first practical security development methodologies ever published.

Strativa understands the unique goals of the organization and has shown a vested interest in partnering with the Authority to ensure that its program is a success.

It should also be noted that Strativa, Inc. submitted the lowest bid among the shortlisted firms.

**Fiscal Impact**

The project was approved in the Authority's Fiscal Year 2006-07 Budget, Finance and Administration/Information Systems, Account 1281-7519, and is funded through Local Transportation Fund.

***Summary***

Based on the information provided, staff recommends award of Agreement C-0684 to Strativa, Inc. in an amount not to exceed \$241,050, for security program development services.

***Attachment***

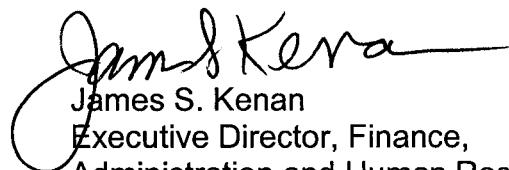
None.

**Prepared by:**



Christopher Chock  
Senior Security Analyst,  
Information Systems  
(714) 560-5528

**Approved by:**



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





BOARD COMMITTEE TRANSMITTAL

**December 5, 2006**

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup>Wendy Knowles, Clerk of the Board  
**Subject:** Amendment to Agreement C-1-1853 with Alta Resources

This item will be considered by the Legislative and Government Affairs/Public Communications Committee on December 7, 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.





**December 7, 2006**

**To:** Legislative and Government Affairs/Public Communication Committee  
**From:** Arthur T. Leahy, Chief Executive Officer *AL*  
**Subject:** Amendment to Agreement C-1-1853 with Alta Resources

**Overview**

On November 12, 2001, the Board of Directors approved an agreement with Alta Resources to operate the Customer Information Center for a two-year period with three one-year options. This five-year agreement expires December 31, 2006, and has a current total not-to-exceed amount of \$5,905,000. This contract amendment in the amount of \$73,000 is to address higher call volume.

**Recommendations**

- A. Authorize the Chief Executive Officer to execute Amendment No. 8 to Agreement C-1-1853 between the Orange County Transportation Authority and Alta Resources in an amount not to exceed \$73,000. Funds are available in the fiscal year 2006-2007 budget.
- B. Return to the Board of Directors in the first quarter of 2007 with updated call volume projections.

**Background**

The Orange County Transportation Authority's (OCTA) Customer Information Center (CIC) provides transit information to more than 700,000 callers per year with approximately 640,000 bus trip itineraries generated yearly for customers. Callers receive bus schedules, bus route itineraries, and general bus information by calling the 714-636-RIDE or 1-800-636-RIDE telephone numbers. OCTA contracted with Alta Resources to operate the CIC beginning January 1, 2002. The agreement provided a two-year initial term with three one-year option terms.

**Discussion**

The original procurement was conducted in accordance with OCTA's procedures for professional and technical services and was awarded on a competitive basis.

In November 2005, OCTA exercised the third option year in which it was anticipated that approximately 600,000 calls would be handled by the CIC in calendar year 2006. However, analysis of the current calendar year call volume indicates that by year-end, the CIC is projected to handle approximately 640,000 calls. The budgeted monthly volume of 50,000 calls has been exceeded in seven of the 10 months from January through October 2006. Attachment A shows this increase in call volumes which can be partially attributed to the 4 percent increase in ridership during the same time period. As a result, the existing contract amount requires an increase of \$73,000 to meet the anticipated demand. It has become necessary to amend the agreement due to an increase in call volume.

**Fiscal Impact**

The additional call volume described in Amendment No. 8 to Agreement C-1-1853 can be accommodated in the OCTA's Approved Fiscal Year 2006-07 Budget, Account 1835-7519-D4601-1E4, and is funded through the Orange County Transit District Fund.

**Summary**

Staff recommends approval of Amendment No. 8, to Agreement C-1-1853 with Alta Resources.

**Attachments**

- A. Customer Information Center (CIC) Call Volumes  
January 2003 through October 2006
- B. Alta Resources Agreement C-1-1853 Fact Sheet

**Prepared by:**

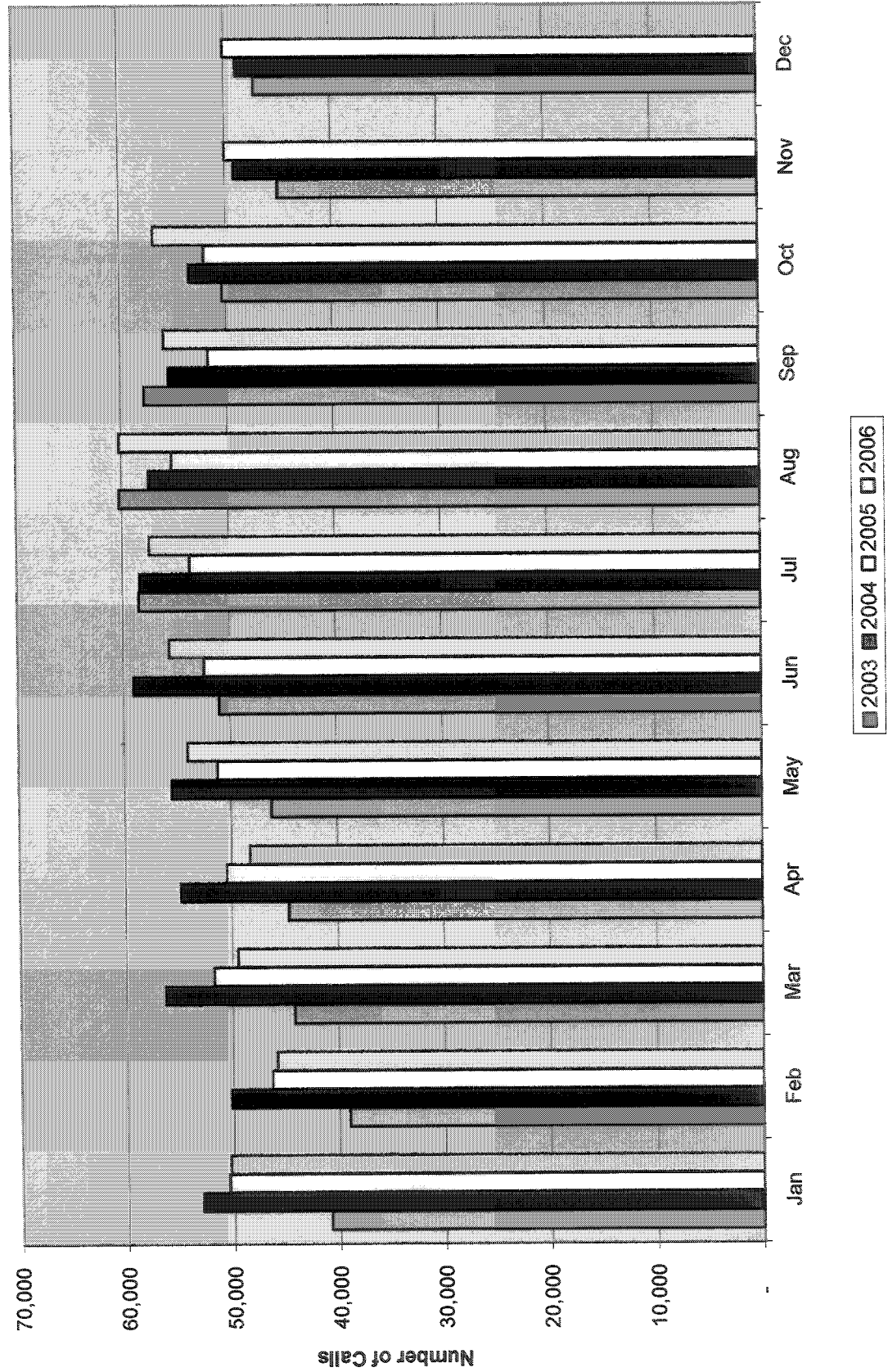
Patricia L. Warrick  
Customer Relations Specialist Associate  
714-560-5933

**Approved by:**

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



**Customer Information Center (CIC) Call Volumes  
January 2003 through October 2006**





**ALTA RESOURCES  
Agreement C-1-1853 Fact Sheet**

1. November 2001, Agreement C-1-1853, approved by OCTA Board of Directors, for an initial term of two years with three one-year option terms. Maximum cumulative obligation \$1,830,000.
2. November 2001, Amendment No. 1 to Agreement C-1-1853, to amend system performance measurement requirements. Approved by purchasing agent. No fiscal impact.
3. March 2003, Amendment No. 2 to Agreement C-1-1853, extending hours of operation. Approved by purchasing agent.

Cost = \$95,000, maximum cumulative obligation increases to \$1,925,000.

4. July 2003, Amendment No. 3 to Agreement C-1-1853, to for Alta Resources to handle Rideshare calls. Approved by OCTA Board of Directors.

Cost = \$30,000, maximum cumulative obligation increases to \$1,955,000.

5. December 2003, Amendment No. 4 to Agreement C-1-1853, to exercise the first option term in the original contract, extending operation of the CIC through December 2004. Approved by OCTA Board of Directors.

Cost = \$1,150,000, maximum cumulative obligation increases to \$3,105,000.

5. November 2004, Amendment No. 5 to Agreement C-1-1853, to exercise the second option term in the original contract, extending operation of the CIC through December 2005. Approved by OCTA Board of Directors.

Cost = \$1,300,000, maximum cumulative obligation increases to \$4,405,000.

6. May 2005, Amendment No. 6, to Agreement C-1-1853, for Alta Resources to handle OCTA Pass Sales and Reduced Fare Identification programs. Approved by purchasing agent. No fiscal impact.

7. November 2005, Amendment No. 7, to Agreement C-1-1853, to exercise the third option term in the original contract, extending operation of the CIC through December 2006. Approved by OCTA Board of Directors.

Cost = \$1,500,000, maximum cumulative obligation increases to \$5,905,000.

8. December 2006, Amendment No. 8, to Agreement C-1-1853, request approval by OCTA Board of Directors to increase current not-to-exceed amount due to an increase in call volume.

Cost = \$73,000, maximum cumulative obligation increases to \$5,978,000.





BOARD COMMITTEE TRANSMITTAL

**December 11, 2006**

**To:** Members of the Board of Directors  
**From:** Wendy Knowles, Clerk of the Board <sup>WK</sup>  
**Subject:** Amendment to Agreement with California Coach Orange for Freeway Service Patrol Tow Services

Regional Planning and Highways Committee

December 4, 2006

**Present:** Directors Cavecche, Dixon, Green, Norby, Pringle, and Rosen  
**Absent:** None

**Committee Vote**

This item was passed by all Committee Members present.

**Committee Recommendations**

- A. Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-5-0081 between the Orange County Transportation Authority and California Coach Orange for additional funding to conduct a pilot program of weekend Freeway Service Patrol services for the period of December 2006 to June 2008, in an amount not to exceed \$354,832.
- B. Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-5-0081 between the Orange County Transportation Authority and California Coach Orange for additional funding for Freeway Service Patrol services from December 2006 to June 2008, for the Santa Ana Freeway (Interstate 5) Gateway project, in an amount not to exceed \$204,867.

Note: It was noted that the amendment numbers for the agreements were incorrect in the original staff report; therefore, a revised and corrected staff report is provided herein. Only the amendment numbers have been changed; no other changes have been made. These amendment numbers are noted in the recommendations above.





**December 11, 2006**

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

**From:** <sup>ATL</sup> Arthur T. Leahy, Chief Executive Officer

**Subject:** Amendment to Agreement with California Coach Orange for Freeway Service Patrol Tow Services

### **Overview**

On April 11, 2005, the Board of Directors approved an agreement with California Coach Orange, in the amount of \$4,579,708, to provide Freeway Service Patrol tow services. California Coach Orange was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional services.

### **Recommendations**

- A. Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-5-0081 between the Orange County Transportation Authority and California Coach Orange for additional funding to conduct a pilot program of weekend Freeway Service Patrol services for the period of December 2006 to June 2008, in an amount not to exceed \$354,832.
- B. Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-5-0081 between the Orange County Transportation Authority and California Coach Orange for additional funding for Freeway Service Patrol services from December 2006 to June 2008, for the Santa Ana Freeway (Interstate 5) Gateway project, in an amount not to exceed \$204,867.

### **Background**

In November 1992, the Orange County Freeway Service Patrol (FSP) began providing peak-hour removal of vehicles impeding traffic along Orange County freeways. In addition to peak-hour service the FSP program began providing mid-day service in December 2003. The FSP program is a public/private partnership between the California Department of Transportation (Caltrans),

the California Highway Patrol (CHP), the Orange County Transportation Authority (Authority), and the FSP tow truck operators. The FSP program is a traffic management and motorist aid program designed to mitigate traffic congestion by providing a timely response to accidents and other incidents leaving debris on the freeways, as well as providing rapid removal of disabled vehicles and other necessary services to stranded motorists as required by the State of California. The FSP program now includes service to all major freeways in the County during peak-commute and to selected interchanges during mid-day hours.

### ***Discussion***

Additional funding is needed for Agreement C-5-0081 to cover two projects involving FSP. In September 2006, the CHP requested FSP service on the weekends in a very heavily congested area of the San Diego Freeway (Interstate 5), from Alicia Parkway to the San Diego County line. Staff reviewed this request and documented an approximate 30 percent increase in traffic volumes in comparison to weekday traffic, justifying the need for this service. The additional funding for this project is available from added funding in FSP statewide budget.

In addition to this weekend service, a request was made by the Authority's Interstate 5 (I-5) Gateway project staff to conduct supplemental FSP service during construction on the I-5 Gateway project during non-peak commute hours. The Authority routinely provides supplemental FSP service in construction zones. A major reason is that, with loss of freeway shoulders, drivers with mechanical problems necessarily end up blocking traffic lanes thereby increasing congestion. This supplemental FSP service in the construction zone will be funded by the I-5 Gateway project.

All contractors were offered a chance to propose on these two projects and after review of the recent costs for FSP service delivery, availability of drivers, and equipment, the CHP and staff concluded that California Coach Orange was best suited to provide both the weekend and supplemental FSP services at the lowest cost overall.

The original agreement awarded to California Coach Orange on April 11, 2006, was in the amount of \$4,579,708. This procurement was originally handled in accordance with the Authority's procedures for professional services and was awarded on a competitive basis. The initial contract was issued for a three-year term, with one, one-year option. Amendment No. 2 to Agreement C-5-0081, in the amount of, \$354,832, for I-5 Gateway project supplemental FSP service and Amendment No. 3 to Agreement C-5-0081, in the amount of \$204,867, for



weekend service will increase the total agreement amount to \$5,139,407 (Attachment A).

The agreement with California Coach Orange covers a specific geographic location known as beats (Attachment B). A cost analysis for the agreement is attached (Attachment C). For beat 1A, the \$60.00 hourly rate is \$3.50 less than the contractor's current rate. The contractor agreed to lower the FSP rate for service during I-5 Gateway project construction because of operational efficiencies associated with being able to keep the same driver and truck on the beat at the end of normal peak-hour FSP service.

For beats 1B and 1C, the \$64.95 hourly rate is \$1.45 higher than the current rate and is the same as the option-year rate starting July 1, 2008. The contractor requested to advance to the option-year rate immediately, only for this new weekend service, because of the need to supplement tow truck driver staff and to add equipment for the service.

#### **Fiscal Impact**

The additional work described in Amendment No. 2 to Agreement C-5-0081 was approved in the Authority's Fiscal Year 2006-07 Budget, Development Division, expense Account 0013-7629-AC320-AVX, and is funded by Caltrans, and a 25 percent match from local Department of Motor Vehicles registration funds.

The additional work described in Amendment No. 3 to Agreement C-5-0081 was approved in the Authority's Fiscal Year 2006-07 Budget, Development Division, expense Account 0010-9084-F1610-DQU, and is funded by Measure M.

#### **Summary**

Based on the material provided, staff recommends approval of Amendment Nos. 2 and 3 to Agreement C-5-0081, in the total amounts of \$354,832 and \$204,867, respectively, with California Coach Orange.

***Attachments***

- A. California Coach Orange, Agreement C-5-0081 Fact Sheet
- B. Freeway Service Patrol Geographic Coverage
- C. Cost Analysis for Agreement C-5-0081

**Prepared by:**



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

**Approved by:**



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

**ATTACHMENT A**

**California Coach Orange  
Agreement C-5-0081 Fact Sheet**

1. April 11, 2006, Agreement C-5-0081, \$4,579,708, approved by the Board of Directors.
  - To provide Freeway Service Patrol on selected freeways in Orange County
2. December 13, 2005, Amendment No. 1 to Agreement C-5-0081, changing name from California Coach Auto Body, INC to California Coach, Orange
3. December 11, 2006, Amendment No. 2 to Agreement C-5-0081, \$354,832, pending approval by the Board of Directors
  - To provide weekend Freeway Service Patrol as a pilot program on a selected freeway in Orange County
4. December 11, 2006, Amendment No. 3 to Agreement C-5-0081, \$204,867, pending approval by the Board of Directors.
  - To provide construction Freeway Service Patrol on the Santa Ana Freeway (Interstate 5) Gateway project in Orange County

Total commitment to California Coach Orange, Agreement C-5-0081: \$5,139,407.



**ATTACHMENT B**

**Freeway Service Patrol  
Geographic Coverage**

Agreement	Beat Geographical Location	Service Provided
C-5-0081	<b>Beat 1A:</b> Santa Ana Freeway (Interstate 5) from Magnolia Avenue to the Los Angeles County line	One tow truck
C-5-0081	<b>Beat 1B:</b> Interstate 5 (I-5) from Alicia Parkway to Camino Las Ramblas/Pacific Coast Highway (Weekend Service Only)	Two tow trucks
C-5-0081	<b>Beat 1C:</b> I-5 from Camino Las Ramblas/Pacific Coast Highway to Christianitos Road/San Diego County line (Weekend Service Only)	Two tow trucks



**ATTACHMENT C****Cost Analysis for Agreement C-5-0081**

<b>I-5 Gateway Project Funding Beat 1A</b>	
Number of Trucks	1
Hourly Rate	\$ 60.00
Number of Hours a Day	8.5
Number of Days a Week	5
Number of Weeks	78
Total for 18 months	\$198,900
3% Contingency	\$ 5,967
Total for Beat 1A (Including Contingency)	\$204,867

<b>Pilot Program Funding Beat 1B</b>	
Number of Trucks	2
Hourly Rate	\$ 64.95
Number of Hours a Day	8.5
Number of Days a Week	2
Number of Weeks a Year	78
Total for 18 months	\$172,248 *
3% Contingency	\$ 5,168 *
Total for Beat 1B (Including Contingency)	\$177,416 *

<b>Pilot Program Funding Beat 1C</b>	
Number of Trucks	2
Hourly Rate	\$ 64.95
Number of Hours a Day	8.5
Number of Days a Week	2
Number of Weeks a Year	78
Total for 18 months	\$172,248 *
3% Contingency	\$ 5,168 *
Total for Beat 1B (Including Contingency)	\$177,416 *

\* Amounts rounded to the highest dollar







**December 4, 2006**

**To:** Regional Planning and Highways Committee  
**From:** Arthur T. Leahy, <sup>KL</sup>Chief Executive Officer  
**Subject:** Amendment to Agreement with California Coach Orange for Freeway Service Patrol Tow Services

**Overview**

On April 11, 2005, the Board of Directors approved an agreement with California Coach Orange, in the amount of \$4,579,708, to provide Freeway Service Patrol tow services. California Coach Orange was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional services.

**Recommendations**

- A. Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-5-0081 between the Orange County Transportation Authority and California Coach Orange for additional funding to conduct a pilot program of weekend Freeway Service Patrol services for the period of December 2006 to June 2008, in an amount not to exceed \$354,832.
- B. Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-5-0081 between the Orange County Transportation Authority and California Coach Orange for additional funding for Freeway Service Patrol services from December 2006 to June 2008, for the Santa Ana Freeway (Interstate 5) Gateway project, in an amount not to exceed \$204,867.

**Background**

In November 1992, the Orange County Freeway Service Patrol (FSP) began providing peak-hour removal of vehicles impeding traffic along Orange County freeways. In addition to peak-hour service the FSP program began providing mid-day service in December 2003. The FSP program is a public/private partnership between the California Department of Transportation (Caltrans),

the California Highway Patrol (CHP), the Orange County Transportation Authority (Authority), and the FSP tow truck operators. The FSP program is a traffic management and motorist aid program designed to mitigate traffic congestion by providing a timely response to accidents and other incidents leaving debris on the freeways, as well as providing rapid removal of disabled vehicles and other necessary services to stranded motorists as required by the State of California. The FSP program now includes service to all major freeways in the County during peak-commute and to selected interchanges during mid-day hours.

### ***Discussion***

Additional funding is needed for Agreement C-5-0081 to cover two projects involving FSP. In September 2006, the CHP requested FSP service on the weekends in a very heavily congested area of the San Diego Freeway (Interstate 5), from Alicia Parkway to the San Diego County line. Staff reviewed this request and documented an approximate 30 percent increase in traffic volumes in comparison to weekday traffic, justifying the need for this service. The additional funding for this project is available from added funding in FSP statewide budget.

In addition to this weekend service, a request was made by the Authority's Interstate 5 (I-5) Gateway project staff to conduct supplemental FSP service during construction on the I-5 Gateway project during non-peak commute hours. The Authority routinely provides supplemental FSP service in construction zones. A major reason is that, with loss of freeway shoulders, drivers with mechanical problems necessarily end up blocking traffic lanes thereby increasing congestion. This supplemental FSP service in the construction zone will be funded by the I-5 Gateway project.

All contractors were offered a chance to propose on these two projects and after review of the recent costs for FSP service delivery, availability of drivers, and equipment, the CHP and staff concluded that California Coach Orange was best suited to provide both the weekend and supplemental FSP services at the lowest cost overall.

The original agreement awarded to California Coach Orange on April 11, 2006, was in the amount of \$4,579,708. This procurement was originally handled in accordance with the Authority's procedures for professional services and was awarded on a competitive basis. The initial contract was issued for a three-year term, with one, one-year option. Amendment No. 1 to Agreement C-5-0081, in the amount of, \$354,832, for I-5 Gateway project supplemental FSP service and Amendment No. 2 to Agreement C-5-0081, in the amount of \$204,867, for

weekend service will increase the total agreement amount to \$5,139,407 (Attachment A).

The agreement with California Coach Orange covers a specific geographic location known as beats (Attachment B). A cost analysis for the agreement is attached (Attachment C). For beat 1A, the \$60.00 hourly rate is \$3.50 less than the contractor's current rate. The contractor agreed to lower the FSP rate for service during I-5 Gateway project construction because of operational efficiencies associated with being able to keep the same driver and truck on the beat at the end of normal peak-hour FSP service.

For beats 1B and 1C, the \$64.95 hourly rate is \$1.45 higher than the current rate and is the same as the option-year rate starting July 1, 2008. The contractor requested to advance to the option-year rate immediately, only for this new weekend service, because of the need to supplement tow truck driver staff and to add equipment for the service.

#### **Fiscal Impact**

The additional work described in Amendment No. 1 to Agreement C-5-0081 was approved in the Authority's Fiscal Year 2006-07 Budget, Development Division, expense Account 0013-7629-AC320-AVX, and is funded by Caltrans, and a 25 percent match from local Department of Motor Vehicles registration funds.

The additional work described in Amendment No. 2 to Agreement C-5-0081 was approved in the Authority's Fiscal Year 2006-07 Budget, Development Division, expense Account 0010-9084-F1610-DQU, and is funded by Measure M.

#### **Summary**

Based on the material provided, staff recommends approval of Amendment Nos. 1 and 2 to Agreement C-5-0081, in the total amounts of \$354,832 and \$204,867, respectively, with California Coach Orange.

***Attachments***

- A. California Coach Orange, Agreement C-5-0081 Fact Sheet
- B. Freeway Service Patrol Geographic Coverage
- C. Cost Analysis for Agreement C-5-0081

**Prepared by:**



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

**Approved by:**



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

**ATTACHMENT A**

**California Coach Orange  
Agreement C-5-0081 Fact Sheet**

1. April 11, 2006, Agreement C-5-0081, \$4,579,708, approved by the Board of Directors.
  - To provide Freeway Service Patrol on selected freeways in Orange County
2. December 11, 2006, Amendment No. 1 to Agreement C-5-0081, \$354,832, pending approval by the Board of Directors
  - To provide weekend Freeway Service Patrol as a pilot program on a selected freeway in Orange County
3. December 11, 2006, Amendment No. 2 to Agreement C-5-0081, \$204,867, pending approval by the Board of Directors.
  - To provide construction Freeway Service Patrol on the Santa Ana Freeway (Interstate 5) Gateway project in Orange County

Total commitment to California Coach Orange, Agreement C-5-0081:  
\$5,139,407.



**ATTACHMENT B**

**Freeway Service Patrol  
Geographic Coverage**

Agreement	Beat Geographical Location	Service Provided
C-5-0081	<b>Beat 1A:</b> Santa Ana Freeway (Interstate 5) from Magnolia Avenue to the Los Angeles County line	One tow truck
C-5-0081	<b>Beat 1B:</b> Interstate 5 (I-5) from Alicia Parkway to Camino Las Ramblas/Pacific Coast Highway (Weekend Service Only)	Two tow trucks
C-5-0081	<b>Beat 1C:</b> I-5 from Camino Las Ramblas/Pacific Coast Highway to Christianitos Road/San Diego County line (Weekend Service Only)	Two tow trucks





**ATTACHMENT C****Cost Analysis for Agreement C-5-0081**

<b>I-5 Gateway Project Funding Beat 1A</b>	
Number of Trucks	1
Hourly Rate	\$ 60.00
Number of Hours a Day	8.5
Number of Days a Week	5
Number of Weeks	78
Total for 18 months	\$198,900
3% Contingency	\$ 5,967
Total for Beat 1A (Including Contingency)	\$204,867

<b>Pilot Program Funding Beat 1B</b>	
Number of Trucks	2
Hourly Rate	\$ 64.95
Number of Hours a Day	8.5
Number of Days a Week	2
Number of Weeks a Year	78
Total for 18 months	\$172,248 *
3% Contingency	\$ 5,168 *
Total for Beat 1B (Including Contingency)	\$177,416 *

<b>Pilot Program Funding Beat 1C</b>	
Number of Trucks	2
Hourly Rate	\$ 64.95
Number of Hours a Day	8.5
Number of Days a Week	2
Number of Weeks a Year	78
Total for 18 months	\$172,248 *
3% Contingency	\$ 5,168 *
Total for Beat 1B (Including Contingency)	\$177,416 *

\* Amounts rounded to the highest dollar





*BOARD COMMITTEE TRANSMITTAL*

**December 11, 2006**

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup>Wendy Knowles, Clerk of the Board  
**Subject:** Fiscal Year 2006-07 Freeway Service Patrol Fund Transfer Agreement

Regional Planning and Highways Committee

December 4, 2006

**Present:** Directors Cavecche, Dixon, Green, Norby, Pringle, 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-6-0797 between the Orange County Transportation Authority and California Department of Transportation for fiscal year 2006-07 Freeway Service Patrol funding.





**December 4, 2006**

**To:** Regional Planning and Highways Committee

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

**Subject:** Fiscal Year 2006-07 Freeway Service Patrol Program Fund Transfer Agreement

### **Overview**

The Orange County Freeway Service Patrol receives funding from the California Department of Transportation under the terms of annual funding agreements. The fiscal year 2006-07 funding agreement will provide a total of \$3,839,315 for the Freeway Service Patrol program through June 30, 2007.

### **Recommendation**

Authorize the Chief Executive Officer to execute Agreement C-6-0797 between the Orange County Transportation Authority and California Department of Transportation for fiscal year 2006-07 Freeway Service Patrol funding.

### **Background**

The Orange County Freeway Service Patrol (FSP) program is a partnership between California Department of Transportation (Caltrans), California Highway Patrol (CHP), Orange County Transportation Authority (Authority), and the towing companies under contract to provide FSP tow truck services. The FSP program is designed to provide timely assistance to motorists with disabled vehicles, as well as timely response to other incidents leaving debris on the freeways. In November 1992, the FSP began providing peak-hour assistance to stranded motorists along Orange County freeways. In addition, the FSP program provides peak commute hour service on all freeways within Orange County as well as mid-day and certain construction zones service.

### **Discussion**

The Authority is the contract administrator for the FSP program, procuring services necessary for its operation. Annually, Caltrans budgets for the state's share of the FSP program, and CHP's portion is then received from Caltrans;

the remaining funds are allocated by formula to each FSP program. Local programs and annual funding agreements with Caltrans are required to provide 20 percent of total program funding.

The allocation from Caltrans to Orange County's FSP program for fiscal year 2006-07 funding period is \$3,071,452, requiring a match of \$767,863, from the Authority. Total program allocation under the agreement is \$3,839,315. Under terms of the agreement, the Authority will have until June 30, 2008, to expend the allocation.

**Fiscal Impact**

Funds for operation of the FSP program have been included in fiscal year 2006-07 budget of the Orange County Service Authority for Freeway Emergencies, Fund 0013.

**Summary**

Based on the material provided, staff recommends execution of Agreement C-6-0797 between the Authority and Caltrans, for fiscal year 2006-07 Freeway Service Patrol program funding.


**Attachment**

- A. Freeway Service Patrol Program Fund Transfer Agreement  
(Non Federal)

**Prepared by:**

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

**Approved by:**

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

FREEWAY SERVICE PATROL PROGRAM  
FUND TRANSFER AGREEMENT (Non Federal)

ATTACHMENT A

Agreement No. FSP07-6071(031)  
Project No. FSP07-6071(031)

Location: 12-ORA-Var-OCTA  
EA: 12-931877L

THIS AGREEMENT, effective on July 1, 2006, is between the State of California, acting by and through the Department of Transportation, hereinafter referred to as STATE, and the Orange County Transportation Authority, a public agency, hereinafter referred to as "ADMINISTERING AGENCY."

WHEREAS, Streets and Highways Code (S&HC) Section 2560 et seq. authorizes STATE and administering agencies to develop and implement a Freeway Service Patrol (FSP) program on traffic-congested urban freeways throughout the state; and

WHEREAS, STATE has distributed available State Highway Account funds to administering agencies participating in the FSP Program in accordance with S&HC Section 2562; and

WHEREAS, ADMINISTERING AGENCY has applied to STATE and has been selected to receive funds from the FSP Program for the purpose of Freeway Service Patrol fro FY 2006-2007, hereinafter referred to as "PROJECT"; and

WHEREAS, proposed PROJECT funding is as follows:

Total Cost	State Funds	Local Funds
\$3,839,315.00	\$3,071,452.00	\$767,863.00 ; and

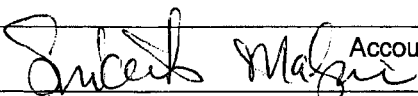
WHEREAS, STATE is required to enter into an agreement with ADMINISTERING AGENCY to delineate the respective responsibilities of the parties relative to prosecution of said PROJECT; and

WHEREAS, STATE and ADMINISTERING AGENCY mutually desire to cooperate and jointly participate in the FSP program and desire to specify herein the terms and conditions under which the FSP program is to be conducted; and

WHEREAS, ADMINISTERING AGENCY has approved entering into this Agreement under authority of Resolution No. \_\_\_\_\_ approved by ADMINISTERING AGENCY on \_\_\_\_\_, a copy of which is attached.

For Caltrans Use Only

I hereby Certify upon my own personal knowledge that budgeted funds are available for this encumbrance

		Accounting Officer	Date	\$ 3,071,452.00				
Chapter	Statutes	Item	Fiscal Year	Program	BC	Category	Fund Source	\$
47	2006	2660-102-042	2006/2007	20.30.010.600	C	262040	114-042-T	3,071,452.00





NOW, THEREFORE, the parties agree as follows:

## SECTION I

### STATE AGREES:

1. To define or specify, in cooperation with ADMINISTERING AGENCY, the limits of the State Highway segments to be served by the FSP as well as the nature and amount of the FSP dedicated equipment, if any, that is to be funded under the FSP program.
2. To pay ADMINISTERING AGENCY the STATE's share, in amount not to exceed \$3,071,452.00, of eligible participating PROJECT costs.
3. To Deposit with ADMINISTERING AGENCY, upon ADMINISTERING AGENCY's award of a contract for PROJECT services and receipt of an original and two signed copies of an invoice in the proper form, including identification of this Agreement Number and Project Number, from ADMINISTERING AGENCY, the amount of \$491,432.32. This initial deposit represents STATE's share of the estimated costs for the initial two months of PROJECT. Thereafter, to make reimbursements to ADMINISTERING AGENCY as promptly as state fiscal procedures will permit, but not more often than monthly in arrears, upon receipt of an original and two signed copies of invoices in the proper form covering actual allowable costs incurred for the prior sequential month's period of the Progress Payment Invoice (The initial deposit will be calculated at 16% of the STATE's total share.).
4. When conducting an audit of the costs claimed by ADMINISTERING AGENCY under the provisions of this Agreement, STATE will rely to the maximum extent possible on any prior audit of ADMINISTERING AGENCY performed pursuant to the provisions of state and federal laws. In the absence of such an audit, work of other auditors will be relied upon to the extent that work is acceptable to STATE when planning and conducting additional audits.

## SECTION II

### ADMINISTERING AGENCY AGREES:

1. To commit and contribute matching funds from ADMINISTERING AGENCY resources, which shall be an amount not less than 25 percent of the amount provided by STATE from the State Highway Account.
2. The ADMINISTERING AGENCY's detailed PROJECT Cost Proposal which identifies all anticipated direct and indirect PROJECT costs which ADMINISTERING AGENCY may invoice STATE for reimbursement under this Agreement is attached hereto and made an express part of this Agreement. The detailed PROJECT Cost Proposal reflects the provisions and/or regulations of Section III, Article 8, of this Agreement.
3. To use all state funds paid hereunder only for those transportation related PROJECT purposes that conform to Article XIX of the California State Constitution.

4. STATE funds provided to ADMINISTERING AGENCY under this Agreement shall not be used for administrative purposes by ADMINISTERING AGENCY.
5. To develop, in cooperation with STATE, advertise, award and administer PROJECT contract(s) in accordance with ADMINISTERING AGENCY competitive procurement procedures.
6. Upon award of a contract for PROJECT, to prepare and submit to STATE an original and two signed copies of invoicing for STATE's initial deposit specified in Section I, Article 3. Thereafter, to prepare and submit to STATE an original and two signed copies of progress invoicing for STATE's share of actual expenditures for allowable PROJECT costs.
7. Said invoicing shall evidence the expenditure of ADMINISTERING AGENCY's PROJECT participation in paying not less than 20% of all allowable PROJECT costs and shall contain the information described in Chapter 5 of the Local Assistance Procedures Manual and shall be mailed to the Department of Transportation, Accounting Service Center, MS 33, Local Program Accounting Branch, P.O. Box 942874, Sacramento CA, 94274-0001.
8. Within 60 days after completion of PROJECT work to be reimbursed under this Agreement, to prepare a final invoice reporting all actual eligible costs expended, including all costs paid by ADMINISTERING AGENCY and submit that signed invoice, along with any refund due STATE, to the District Local Assistance Engineer. Backup information submitted with said final invoice shall include all FSP operational contract invoices paid by ADMINISTERING AGENCY to contracted operators included in expenditures billed for to STATE under this Agreement.

#### 9. COST PRINCIPLES

- A) ADMINISTERING AGENCY agrees to comply with, and require all project sponsors to comply with, Office of Management and Budget Circular A-87, Cost Principles for State and Local Government, and 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- B) ADMINISTERING AGENCY will assure that its Fund recipients will be obligated to agree that (1) Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual PROJECT cost items and (2) those parties shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving Funds as a contractor or subcontractor under this Agreement shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- C) Any Fund expenditures for costs for which ADMINISTERING AGENCY has received payment or credit that are determined by subsequent audit to be unallowable under Office of Management and Budget Circular A-87, 48 CFR, Chapter 1, Part 31 or 49 CFR, Part 18, are subject to repayment by ADMINISTERING AGENCY to STATE. Should ADMINISTERING AGENCY fail to reimburse Fund moneys due STATE within 30 days of demand, or within such other period as may be agreed in writing between the Parties hereto, STATE is authorized to intercept and withhold future payments due ADMINISTERING AGENCY from STATE or any third-party source, including, but not limited to, the State Treasurer, the State Controller and the California Transportation Commission.

## 10. THIRD PARTY CONTRACTING

A) ADMINISTERING AGENCY shall not award a construction contract over \$10,000 or other contracts over \$25,000 [excluding professional service contracts of the type which are required to be procured in accordance with Government Code Sections 4525 (d), (e) and (f)] on the basis of a noncompetitive negotiation for work to be performed using Funds without the prior written approval of STATE.

B) Any subcontract or agreement entered into by ADMINISTERING AGENCY as a result of disbursing Funds received pursuant to this Agreement shall contain all of the fiscal provisions of this Agreement; and shall mandate that travel and per diem reimbursements and third-party contract reimbursements to subcontractors will be allowable as project costs only after those costs are incurred and paid for by the subcontractors.

C) In addition to the above, the preaward requirements of third party contractor/consultants with ADMINISTERING AGENCY should be consistent with Local Program Procedures as published by STATE.

## 11. ACCOUNTING SYSTEM

ADMINISTERING AGENCY, its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate Fund expenditures by line item. The accounting system of ADMINISTERING AGENCY, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices.

## 12. RIGHT TO AUDIT

For the purpose of determining compliance with this Agreement and other matters connected with the performance of ADMINISTERING AGENCY's contracts with third parties, ADMINISTERING AGENCY, ADMINISTERING AGENCY's contractors and subcontractors and STATE shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times for three years from the date of final payment of Funds to ADMINISTERING AGENCY. STATE, the California State Auditor, or any duly authorized representative of STATE or the United States Department of Transportation, shall each have access to any books, records, and documents that are pertinent for audits, examinations, excerpts, and transactions, and ADMINISTERING AGENCY shall furnish copies thereof if requested.

### 13. TRAVEL AND SUBSISTENCE

Payments to only ADMINISTERING AGENCY for travel and subsistence expenses of ADMINISTERING AGENCY forces and its subcontractors claimed for reimbursement or applied as local match credit shall not exceed rates authorized to be paid exempt non-represented State employees under current State Department of Personnel Administration (DPA) rules. If the rates invoiced are in excess of those authorized DPA rates, then ADMINISTERING AGENCY is responsible for the cost difference and any overpayments shall be reimbursed to STATE on demand.

### 14. SINGLE AUDIT

ADMINISTERING AGENCY agrees to include all state (Funds) and federal funded projects in the schedule of projects to be examined in ADMINISTERING AGENCY's annual audit and in the schedule of projects to be examined under its single audit prepared in accordance with Office of Management and Budget Circular A-133.

## SECTION III

### IT IS MUTUALLY AGREED:

1. All obligations of STATE under the terms of this Agreement are subject to the appropriation of resources by the Legislature and the encumbrance of funds under this Agreement. Funding and reimbursement is available only upon the passage of the State Budget Act containing these STATE funds. The starting date of eligible reimbursable activities shall be July 1, 2006.
2. All obligations of ADMINISTERING AGENCY under the terms of this Agreement are subject to authorization and allocation of resources by ADMINISTERING AGENCY.
3. ADMINISTERING AGENCY and STATE shall jointly define the initial FSP program as well as the appropriate level of FSP funding recommendations and scope of service and equipment required to provide and manage the FSP program. No changes shall be made in these unless mutually agreed to in writing by the parties to this Agreement.
4. Nothing in the provisions of this Agreement is intended to create duties or obligations to or rights in third parties not parties to this Agreement or affect the legal liability of either party to this Agreement by imposing any standard of care with respect to the maintenance of State highways different from the standard of care imposed by law.
5. Neither STATE nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by ADMINISTERING AGENCY under or in connection with any work, authority or jurisdiction delegated to ADMINISTERING AGENCY under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, ADMINISTERING AGENCY shall fully defend, indemnify and save harmless the State of California, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by ADMINISTERING AGENCY under or in connection with any work, authority or jurisdiction delegated to ADMINISTERING AGENCY under this Agreement.

6. Neither ADMINISTERING AGENCY nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by STATE under or in connection with any work, authority or jurisdiction delegated to STATE under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, STATE shall fully defend, indemnify and save harmless ADMINISTERING AGENCY, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by STATE under or in connection with any work, authority or jurisdiction delegated to STATE under this Agreement.

7. ADMINISTERING AGENCY will maintain an inventory of all non-expendable PROJECT equipment, defined as having a useful life of at least two years and an acquisition cost of \$500 or more, paid for with PROJECT funds. At the conclusion of this Agreement, ADMINISTERING AGENCY may either keep such equipment and credit STATE its share of equipment's fair market value or sell such equipment at the best price obtainable at a public or private sale (in accordance with established STATE procedures) and reimburse STATE its proportional share of the sale price.

8. ADMINISTERING AGENCY and its sub-contractors will comply with all applicable Federal and State laws and regulations, including but not limited to, Office of Management and Budget Circular A-97, Cost Principles for State and Local Governments (49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).

9. In the event that ADMINISTERING AGENCY fails to operate the PROJECT commenced and reimbursed under this Agreement in accordance with the terms of this Agreement or fails to comply with applicable Federal and State laws and regulations, STATE reserves the right to terminate funding for PROJECT, or portions thereof, upon written notice to ADMINISTERING AGENCY.

10. This Agreement shall terminate on June 30, 2008. However, the non-expendable equipment, and liability clauses shall remain in effect until terminated or modified in writing by mutual agreement.

STATE OF CALIFORNIA

ORANGE COUNTY TRANSPORTATION COMMISSION

Department of Transportation

By: \_\_\_\_\_

By: \_\_\_\_\_

Office of Project Implementation, South  
Division of Local Assistance

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_





BOARD COMMITTEE TRANSMITTAL

**December 11, 2006**

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup> Wendy Knowles, Clerk of the Board  
**Subject:** Amendment No. 3 to Agreement C-3-0473 for Disadvantaged Business Enterprise Services in Support of the Garden Grove Freeway (State Route 22) High Occupancy Vehicle Lane Design-Build Project

Regional Planning and Highways Committee

December 4, 2006

**Present:** Directors Cavecche, Dixon, Green, Norby, Pringle, and Rosen  
**Absent:** None

***Committee Vote***

This item was passed by Committee Members present.

Director Norby opposed this matter.

***Committee Recommendation***

Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-3-0473 between the Orange County Transportation Authority and Padilla & Associates, Inc., in an amount not to exceed \$210,000, for Disadvantaged Business Enterprise consultant services for the Garden Grove Freeway (State Route 22) High Occupancy Vehicle Lane Design-Build Project.







**December 4, 2006**

**To:** Regional Planning and Highways Committee

**From:** <sup>DSZ for</sup> Arthur T. Leahy, Chief Executive Officer

**Subject:** Amendment No. 3 to Agreement C-3-0473 for Disadvantaged Business Enterprise Services in Support of the Garden Grove Freeway (State Route 22) High Occupancy Vehicle Lane Design-Build Project

### **Overview**

On June 4, 2003, staff awarded an agreement to Padilla & Associates, Inc., in the amount of \$100,000, to provide Disadvantaged Business Enterprise consultant services for the Garden Grove Freeway (State Route 22) High Occupancy Vehicle Lane Design-Build Project. The Board of Directors approved Amendment No. 1, in the amount of \$150,000, for continued consulting services and Equal Employment Opportunity contract compliance review on June 27, 2005. An amendment is required to provide continued consultant support through project closeout.

### **Recommendation**

Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-3-0473 between the Orange County Transportation Authority and Padilla & Associates, Inc., in an amount not to exceed \$210,000, for Disadvantaged Business Enterprise consultant services for the Garden Grove Freeway (State Route 22) High Occupancy Vehicle Lane Design-Build Project.

### **Background**

On June 4, 2003, staff awarded a contract to Padilla & Associates, Inc., in the amount of \$100,000, for consultant services to assist the Orange County Transportation Authority (Authority) in establishing a Disadvantaged Business Enterprise (DBE) goal for the Garden Grove Freeway (State Route 22) High Occupancy Vehicle (HOV) Lane Design-Build Project. The consultant was also tasked with updating the Authority's DBE program to include language specific to the design-build project delivery method, reviewing proposals, and best and

final offers for compliance with the DBE goal, and providing technical assistance on DBE issues.

As a condition of receiving federal assistance, the Authority was required to submit to the Federal Highway Administration (FHWA), a project specific goal pursuant to Section 1101 of the Transportation Equity Act for the 21<sup>st</sup> Century; 49 Code of Federal Regulations (CFR) Part 26; and the Federal Transportation Master Agreement. On September 22, 2003, the Board approved a DBE project goal of 12 percent. On August 23, 2004, the Board awarded the design-build contract to Granite-Myers-Rados (GMR), a joint venture for \$390 million.

The FHWA has approved the DBE project goal and is monitoring compliance to the 12 percent DBE goal. The FHWA, through the California Department of Transportation (Caltrans) local assistance, advised the Authority that in addition to monitoring the project for DBE compliance, an Equal Employment Opportunity (EEO) Contract Compliance Review will be conducted for this project. Due to their knowledge of the project, staff requested that Padilla & Associates, Inc.'s scope of work be expanded to include additional EEO Contract Compliance Review services. The Board of Directors approved Amendment No. 1 in the amount of \$150,000 for continued DBE consulting services and EEO contract compliance review.

On October 25, 2005, Amendment No. 2 was executed expanding the scope of work to include DBE certifications to be billed on a graduated fee schedule based on full or partial completion of an applicants file. The contract amount was not increased although additional tasks were added to the scope of work.

### ***Discussion***

Historically, the Authority has acted as a funding agency for freeway projects with the DBE and EEO compliance responsibilities handled by Caltrans. This is the first freeway project where the Authority has been the lead and the first design-build project on an operating freeway. Therefore, the Authority had very little historical data by which to determine the costs of the DBE compliance services.

It should also be noted that this construction contract was awarded prior to the Ninth Circuit Court of Appeals ruling on *Western States Paving Co. vs. Washington State Department of Transportation* establishing new evidentiary standards necessary to constitutionally support the use of race-conscious DBE

**Amendment No. 3 to Agreement C-3-0473 for Disadvantaged Business Enterprise Services in Support of the Garden Grove Freeway (State Route 22) High Occupancy Vehicle Lane Design-Build Project**

**Page 3**

goals. Therefore, the Authority must strive to meet the contract goal of 12 percent DBE participation or be able to document good faith efforts to obtain the contract goal.

This procurement was originally handled in accordance with the Authority's procurement policies and procedures for professional services. It has become necessary to amend the agreement due to the aggressive schedule and complexities of the design-build process and to ensure that federal requirements are met as mandatory to receive more than \$112 million in federal funding for the project.

As of November 20, 2006, invoices submitted by Padilla & Associates, Inc. exceed the current contract amount by \$52,048.29 as follows:

Invoice Number	Amount of Invoice	Amount Paid	Balance Due
37 R (Revised)	\$9,512.59	\$2,944.16	\$6,568.43
38	\$10,018.50	\$0	\$10,018.50
39	\$12,639.16	\$0	\$12,639.16
40	\$11,781.04	\$0	\$11,781.04
41	\$11,041.16	\$0	\$11,041.16

According to the consultant, the previous contract manager was notified that the contract amount would be exceeded in June 2006. The contractor was instructed to continue work. The previous contract manager left Authority employment in November 2006.

The consultant estimates that monthly billing through close out of the project for continued DBE and EEO compliance, and verification of prompt payment provisions to all subcontractors of GMR will be \$11,000 per month. With the continued construction of Magnolia Street bridge continuing through March 2007 and landscaping into late 2007, the construction manager has recommended that the contract be extended through December 31, 2007.

In addition to the extra work that was added to the Scope of Work, the level of effort required to monitor DBE compliance on a design-build project is greater than monitoring DBE compliance on a traditional design-bid-build project due to the fact that the scope and subcontracting opportunities are not defined until later in the design stage.

**Amendment No. 3 to Agreement C-3-0473 for Disadvantaged Business Enterprise Services in Support of the Garden Grove Freeway (State Route 22) High Occupancy Vehicle Lane Design-Build Project**

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**Page 4**

As of October 31, 2006, GMR's DBE attainment to the 12 percent DBE goal is 8.61 percent. There remains approximately \$25 million in additional work to be conducted on the project providing possible opportunities to subcontract to DBE firms. Final goal attainment will not be known until mid-2007. The Authority's consultant will continue to monitor good faith efforts for consideration in the goal attainment.

The original agreement awarded on June 4, 2003, was in the amount of \$100,000. This agreement has been amended previously (Attachment A). The total amount after approval of Amendment No. 3 will be \$460,000.

**Fiscal Impact**

The additional work described in Amendment No. 3 to Agreement C-3-0473 was approved in the Authority's Fiscal Year 2006-2007 Budget, Account 0010-7519-F7100-5DK, and is funded through the Local Transportation Authority Fund. This is a time and expense contract and the portion of the contract cost for services to be provided from July 1, 2007 to December 31, 2007, estimated at \$66,000 will be presented in the Authority's Fiscal Year 2007-2008 Proposed Budget.

**Summary**

Based on the material provided, staff recommends approval of Amendment No. 3, in the amount of \$210,000, to Agreement C-3-0473 with Padilla & Associates, Inc.

**Amendment No. 3 to Agreement C-3-0473 for Disadvantaged  
Business Enterprise Services in Support of the Garden Grove  
Freeway (State Route 22) High Occupancy Vehicle Lane  
Design-Build Project**

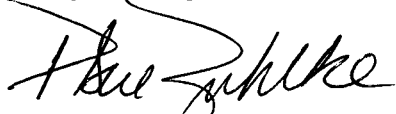
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**Page 5**

***Attachment***

A. Padilla & Associates, Inc., Agreement C-3-0473 Fact Sheet

**Prepared by:**



P. Sue Zuhlke  
Interim Director, Employee & Labor  
Relations and Civil Rights  
(714) 560-5574



## **ATTACHMENT A**

### **Padilla & Associates, Inc. Agreement C-3-0473 Fact Sheet**

1. June 4, 2003, Agreement C-3-0473, \$100,000, approved by purchasing agent.
  - Disadvantaged Business Enterprise consultant services for the Garden Grove Freeway (State Route 22) High Occupancy Vehicle Lane Design-Build Project.
2. June 27, 2005, Amendment No. 1 to Agreement C-3-0473, \$150,000, approved by the Board of Directors.
  - Additional DBE program compliance, monitoring, and enforcement and EEO contractor compliance review.
3. October 25, 2005, Amendment No. 2 to Agreement C-3-0473, approved by the purchasing agent.
  - To incorporate graduated fee schedule for DBE certification services and amend scope of work to describe certification requirements.
4. December 11, 2006, Amendment No. 3 to Agreement C-3-0473, \$210,000, pending approval by Board of Directors.
  - To extend contract through December 31, 2007, and increase maximum obligation for continued DBE program compliance, monitoring, and enforcement and EEO contractor compliance review.

Total committed to Padilla & Associates, Inc., Agreement C-3-0473: \$460,000.







BOARD COMMITTEE TRANSMITTAL

**December 11, 2006**

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup> Wendy Knowles, Clerk of the Board  
**Subject:** Request to Release Request for Proposals for a Compressed Natural Gas Fueling Station at the Anaheim and Garden Grove Bases

Transit Planning and Operations Committee

November 22, 2006

**Present:** Directors Brown, Duvall, Green, Norby, Pulido, and Winterbottom  
**Absent:** Director Silva

**Committee Vote**

This item was passed by all Committee Members present.

Director Pulido was not present to vote on this item.

**Committee Recommendation**

Approve the proposed evaluation criteria and weighting of criteria in accordance with procedures for fixed assets, competitive negotiated procurements.





**November 22, 2006**

**To:** Transit Planning and Operations Committee

**From:** Arthur T. Leahy, <sup>ML</sup> Chief Executive Officer

**Subject:** Request to Release Request for Proposals for a Compressed Natural Gas Fueling Station at the Anaheim and Garden Grove Bases

### **Overview**

Staff has developed the proposed evaluation criteria weighting to initiate the competitive procurement process to select a firm to provide a lease-to-own compressed natural gas fueling facility at the Anaheim and Garden Grove bases.

### **Recommendation**

Approve the proposed evaluation criteria and weighting of criteria in accordance with procedures for fixed assets, competitive negotiated procurements.

### **Background**

On May 8, 2006, the Orange County Transportation Authority (Authority) Board of Directors (Board) accelerated the procurement of 249 compressed natural gas (CNG) 40-foot fixed route buses and authorized the issuance of a Request for Proposals (RFP) for the design, construction, operation, and maintenance of a CNG fueling station at the Anaheim and Garden Grove bases. This RFP provided for a lease-to-own approach and requested responses for a CNG fueling station. The Contracts Administration and Materials Management (CAMM) Department issued RFP 6-0491 for CNG fueling stations on June 26, 2006. On August 29, 2006, three offers were received. On October 26, 2006, CAMM canceled RFP 6-0491 due to delay in the Authority's CNG bus manufacturing schedule. The new RFP will be released upon Board approval of the evaluation criteria.

### **Discussion**

The procurement for the CNG fueling stations will be handled in accordance with the Authority's procedures for fixed assets, competitive procurement procedures.

**Request to Release Request for Proposals for a  
Compressed Natural Gas Fueling Station at the Anaheim  
and Garden Grove Bases**

**Page 2**

Due to the nature of the technology involved, the Authority used a competitive negotiated procurement method to lease-to-own the fueling station equipment. A lease-to-own approach would allow the transfer of development and construction risks associated with the station from the Authority to the contractor. The criteria for selecting a firm is based on meeting the Authority's technical requirements at the most competitive cost. This is the same procurement method used for the CNG fueling station under construction at the Santa Ana Base that is scheduled for completion in March 2007.

Staff requests approval of the evaluation criteria, which will be used to evaluate proposals received in response to the RFP. The proposals will be evaluated based on the following weighted criteria:

- Qualifications of the Firm: 40 percent
- Staffing: 20 percent
- Work Plan: 15 percent
- Cost and Price: 25 percent

In developing the evaluation criteria, several factors were considered. Staff assigned a greater weight to the qualifications of the firm because the firm will be responsible for the design, construction, maintenance, and operation of the fueling stations for 10 years. The firm's experience with other transit agencies having similar size projects is very important to the success of this project.

***Summary***

It is requested that the Board approve the proposed evaluation criteria and authorize the release of a Request for Proposals for compressed natural gas fueling stations at the Anaheim and Garden Grove bases.


***Attachment***

None.

**Prepared by:**

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

**Approved by:**

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





BOARD COMMITTEE TRANSMITTAL

**December 11, 2006**

**To:** Members of the Board of Directors  
**From:** Wendy Knowles, Clerk of the Board  
**Subject:** Proposition 1B Corridor Mobility Improvement Account Project Submissions

Regional Planning and Highways Committee

December 4, 2006

**Present:** Directors Cavecche, Dixon, Green, Norby, Pringle, and Rosen  
**Absent:** None

**Committee Vote**

This item was passed by all Committee Members present.

**Committee Recommendations**

- A. Authorize the Chief Executive Officer to submit project nominations to the California Transportation Commission for the Corridor Mobility Improvement Account established by the passage of Proposition 1B.
- B. Authorize the Chief Executive Officer to commit local matching funds as proposed.
- C. Authorize the Chief Executive Officer to prioritize the project submissions as proposed.
- D. Authorize staff to process all necessary amendments to the Regional Federal Transportation Improvement Program to facilitate the above actions.





**December 4, 2006**

**To:** Regional Planning and Highways Committee  
**From:** Arthur T. Leahy, <sup>for</sup> Chief Executive Officer  
**Subject:** Proposition 1B Corridor Mobility Improvement Account Project Submissions

### **Overview**

On November 7, 2006, California voters passed Proposition 1B, which provides \$19.9 billion for investment in transportation infrastructure. Proposition 1B establishes the Corridor Mobility Improvement Account which specifies \$4.5 billion for investment in the state highway system. Project nominations are due to the California Transportation Commission by January 16, 2007.

### **Recommendations**

- A. Authorize the Chief Executive Officer to submit project nominations to the California Transportation Commission for the Corridor Mobility Improvement Account established by the passage of Proposition 1B.
- B. Authorize the Chief Executive Officer to commit local matching funds as proposed.
- C. Authorize the Chief Executive Officer to prioritize the project submissions as proposed.
- D. Authorize staff to process all necessary amendments to the Regional Federal Transportation Improvement Program to facilitate the above actions.

### **Background**

Proposition 1B was passed by California voters on November 7, 2006. Within Proposition 1B are 12 individual program categories. Four categories, totaling \$9 billion, will be distributed via formula or direct earmark. Of this \$9 billion, the Orange County Transportation Authority (OCTA) expects to receive approximately \$307 million (comprised of \$210 million for transit and



\$97 million for highway or transit projects), while Orange County cities and the County would receive approximately \$156 million for local streets and roads.

The remaining eight program categories, totaling \$10.9 billion, will be distributed on a competitive basis.

The four largest competitive programs are:

• Corridor Mobility Improvement Account (CMIA)	\$4.5 billion
• Port Infrastructure, Security, and Air Quality	\$3.3 billion
• Transit System Safety, Security, Disaster Response	\$1.0 billion
• State-Local Partnership Account	\$1.0 billion

At \$4.5 billion, the CMIA account is the single largest competitive account, focusing specifically on relieving congestion on the state highway system.

In addition, the statute requires the California Transportation Commission (CTC) develop guidelines by December 1, 2006, receive project nominations by January 15, 2007, and adopt an initial program by March 1, 2007. Finally, the projects must commence construction no later than December 31, 2012.

### ***Discussion***

As previously presented to the Executive Committee of the OCTA Board of Directors (Board) on October 2 and November 6, 2006, staff has identified projects on four corridors to be submitted to the CTC for funding consideration:

- Riverside Freeway (State Route 91)
- San Diego Freeway (Interstate 405)/Garden Grove Freeway (State Route 22)
- Orange Freeway (State Route 57)
- Santa Ana and San Diego Freeways (Interstate 5)

Project listings, descriptions, estimated project cost, and CMIA funding share are contained in Attachment A.

The CMIA program is a competitive program, and as such, project selection is based upon a project's ability to improve performance on highly congested travel corridors. Staff is proposing specific projects that have the ability to compete well within the CMIA program guidelines.

The CMIA program guidelines also require that the California Department of Transportation (Caltrans) concur with the project cost estimates submitted by

regional agencies. OCTA staff is working with Caltrans District 12 to finalize cost estimates for CMIA project nominations. Project cost estimates may be adjusted from the estimates shown in Attachment A as a result of consultation with Caltrans.

The CMIA-adopted program guidelines also address local funding contribution for top projects. Specifically, Section Five of the CMIA Program Guidelines states "The Commission intends also to consider the contribution of local funding in the selection of projects for CMIA funding. The Commission's expectation of local funding may increase with the size of the project, the share of local traffic in the corridor, and the ability of the regional agency or a local implementing agency to contribute funding to the project." While this is not a requirement, staff feels that the OCTA Board should consider providing matching funds on a project-by-project basis in order to convey local commitment to the proposed CMIA projects.

#### **Proposed Match Funding**

State guidelines include matching funds as one of the considerations in the project selection, along with congestion relief and project readiness. OCTA staff has reviewed the available local funding sources and recommends \$550 million of local funds to match \$618 million in state bond funding for a 47 percent local share. The Renewed Measure M Program, savings from the current Measure M Program, and federal discretionary funds allow Orange County to further strengthen our submittals for state bond funding. This proposal is constructed on the goal of achieving a dollar-for-dollar match as detailed below:

- \$218 million in federal Congestion Mitigation and Air Quality (CMAQ) funds for the Interstate 405/San Gabriel River Freeway/State Route 22 confluence and the Interstate 5 (I-5) Gene Autry interchange. The level of funding is based on maximum available CMAQ funds within the next five years.
- OCTA staff is projecting a \$147 million unprogrammed balance in the 1990 Measure M Freeway Program due to savings and better than anticipated sales tax receipts. These funds are proposed to be targeted for State Route 57 corridor improvements.
- The Renewed Measure M provides a funding source for a broader freeway improvement program and designates State Route 91 (SR-91) as the centerpiece. Given the opportunity to leverage state funds for this corridor, staff is recommending use of \$118 million in Renewed Measure M funding to implement several shelf-ready projects along SR-91. In addition,

\$20 million of Renewed Measure M funding is included for the I-5/Ortega Highway (State Route 74) interchange at State Route 74 (SR-74).

- Approximately \$48 million of local funds are proposed to augment the Orange County proposal, comprised of \$25 million of 91 Express Lanes revenues and \$5 million of Riverside County Transportation Congestion Relief funds for SR-91 projects. Another \$18 million of County of Orange developer funds are included for the I-5/SR-74 interchange project.

Staff recommends this package because it makes the best use of available funds to attract state bond funds to critical Orange County projects. The proposal, however, has several risks:

- The proposal is based on Project Study Reports, and more detailed engineering may reveal a need for additional funds and Orange County could be expected to fund the increases.
- The I-5 Gateway project is in its early construction phases and more funding may be needed to complete this project, as well as address closeout expenses with other Measure M projects.
- Use of the Measure M balance requires a separate OCTA action and Citizens Oversight Committee approval.
- Early delivery of this \$1.2 billion program will have resource implications for OCTA and Caltrans.
- More detailed financial analysis is needed for the proposed advancement of Renewed Measure M funds as well as use of 91 Express Lane funds.

OCTA's considerable experience in delivering the 1990 Measure M Freeway Program, availability of Renewed Measure M, and access to traditional state highway dollars can mitigate the risks. Moreover, the opportunity to attract \$618 million of funding coupled with ability to deliver congestion relief projects earlier, warrants the submittal of the proposed package as reflected in Attachment A. OCTA will continue to monitor and bring refinements and updates on this matter to the Board as information becomes available.

The adopted CMIA program guidelines also address the issue of project priorities. Specifically, Section 11 of the CMIA Program Guidelines states "An agency that submits or endorses project nominations for more than one project should also identify its project funding priorities and the basis for those priorities." Staff proposes a prioritized project list based upon two critical criteria contained in the CMIA program guidelines. These two criteria are mobility improvement and early delivery. Attachment B proposes a corridor priority based on these two criteria. The ability for early delivery is based upon

the stage in which a project is in the formal six-stage project development process, i.e., the farther it is the earlier it can be delivered.

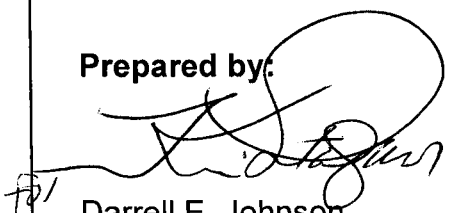
***Summary***

The CMIA established with the passage of Proposition 1B requires that the CTC receive project nominations by January 15, 2007, and adopt an initial program by March 1, 2007. Staff is requesting the authority to submit the proposed projects to the CTC .

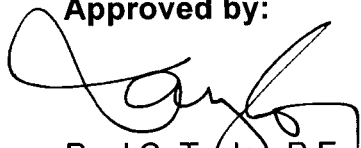
***Attachments***

- A. Proposed Corridor Mobility Improvement Account (CMIA) Project Nominations
- B. Proposed Corridor Mobility Improvement Account (CMIA) Project Submissions Readiness and Prioritization Assessment

**Prepared by:**

  
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Development & Commuter Rail  
(714) 560-5343

**Approved by:**

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



## Proposed Corridor Mobility Improvement Account (CMIA) Project Nominations

Freeway Corridor	Description	Estimated Project Cost (in millions)	Proposed CMIA Share	Proposed Local Share	Proposed Local Fund Source
I-405 / SR-22**	HOV Connectors 22/405 & 405/605 , 2nd HOV lane on 405 from 22 to 605	\$ 400 \$	200 \$	200	Federal Congestion Mitigation & Air Quality Congestion (CMAQ)
<b>I-405 / SR-22 Corridor Total</b>		<b>\$ 400 \$</b>	<b>200 \$</b>	<b>200</b>	
SR-91	Eastbound lane from SR-241 to SR-71	\$ 78 \$	73 \$	5	Riverside County Transportation Congestion Relief 91 Express Funds
SR-91	Westbound lane from SR-71 to SR-241*	\$ 50 \$	25 \$	25	Renewed Measure M
SR-91	Add 1 lane in each direction Lakeview to Gypsum	\$ 135 \$	68 \$	68	Renewed Measure M
SR-91	Westbound lane from SR-55 to Tustin Ave	\$ 55 \$	28 \$	28	Renewed Measure M
SR-91	Westbound lanes from SR-57 to I-5	\$ 45 \$	23 \$	23	Renewed Measure M
<b>SR-91 Corridor Total</b>		<b>\$ 363 \$</b>	<b>216 \$</b>	<b>148</b>	
SR-57	Northbound lane from Lambert to Tonner Canyon	\$ 114 \$	57 \$	57	1990 Measure M Fwy Program Savings
SR-57	Northbound lanes from Katella to Lincoln and from Orangethorpe to Lambert	\$ 181 \$	91 \$	91	1990 Measure M Fwy Program Savings
<b>SR-57 Corridor Total</b>		<b>\$ 295 \$</b>	<b>147 \$</b>	<b>147</b>	
I-5	Improve I-5/SR-74 Interchange	\$ 75 \$	38 \$	18	Local/Developer Funds and
I-5	Gene Autry HOV Connection to the west	\$ 35 \$	18 \$	20 18	Renewed Measure M Federal Congestion Mitigation & Air Quality Congestion (CMAQ)
<b>I-5 Corridor Total</b>		<b>\$ 110 \$</b>	<b>55 \$</b>	<b>56</b>	
<b>Total</b>		<b>\$ 1,168 \$</b>	<b>618 \$</b>	<b>550</b>	

\* Estimated OCTA portion of Riverside County Transportation Commission SR-241 to I-15 widening project

\*\* Design / Build could reduce project costs by \$100 million



## Proposed Corridor Mobility Improvement Account (CMIA) Project Submissions Readiness and Prioritization Assessment

Freeway Corridor	Description	Mobility Improvement Potential	Project Study		Project Report and Environmental Document		Plans, Specifications & Estimates in Progress		Proposed Corridor Priority
			Report in Progress	Report Complete	Document in Progress	Document Complete	Estimates in Progress	Estimates Complete	
I-405 / SR-22	HOV Connectors 22/405 & 405/605 , 2nd HOV lane on 405 from 22 to 605	HIGH	Y	Y	Y	Y	Y		1
SR-91	Eastbound lane from SR-241 to SR-71	HIGH	Y	Y	Y				2
SR-91	Westbound lane from SR-71 to SR-241	HIGH	Y						2
SR-91	Westbound lanes from SR-57 to I-5	MEDIUM	Y	Y					2
SR-91	Add 1 lane in each direction Lakeview to Gypsum	MEDIUM	Y	Y					2
SR-91	Westbound lane from SR-55 to Tustin Ave	MEDIUM	Y	Y					2
SR-57	Northbound lanes from Katella to Lambert	HIGH	Y	Y	Y				3
SR-57	Northbound lane from Lambert to Tonner Canyon	MEDIUM	Y	Y					3
I-5	Improve I-5/SR-74 Interchange	MEDIUM	Y	Y	Y				4
I-5	Gene Autry HOV Connection to the west	LOW	Y	Y	Y	Y	Y	Y	4







**December 11, 2006**

**To:** Members of the Board of Directors  
**From:** Arthur T. Leahy, <sup>my</sup> Chief Executive Officer  
**Subject:** Proposed Fare Increase for Express Bus Routes 757 and 758

### **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 routes 757, 758, and 794/A for a period of six months following service implementation to attract and maintain customers.

### **Recommendations**

- A. Extend the promotional fare for Route 757 and Route 758 from January 3, 2007, through January 21, 2007.
- B. Conduct a public hearing on January 8, 2007, and receive public comment regarding the proposal to increase fares on routes 757 and 758 from \$1.25 to \$2.50.
- C. Following review of the public comment, establish January 22, 2007, as the effective date for the change in fare for routes 757 and 758.

### **Background**

Last summer, the Orange County Transportation Authority (Authority) Board of Directors 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. As part of the implementation process, the Board approved 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/A (Riverside/Corona to South Coast Metro Express).

The promotional fares were scheduled to run for six months from the implementation date of each service. Routes 757 and 758 were implemented

on July 3, 2006, and the promotional fare is scheduled to expire Wednesday, January 3, 2007.

Route 794/A began service on September 11, 2006, and the promotional fare is scheduled to expire on Sunday, March 11, 2007. The regular inter-county express fare of \$3.75 will take effect on March 12, 2007.

### ***Discussion***

As reported to the Board of Directors on November 27, 2006, routes 757, 758 and 794/A have been successful in attracting new ridership. Since implementation, Authority staff has participated in an on-going dialogue with riders and representatives of employment centers to improve customer satisfaction. As part of this communication process, changes either have been or will be made to further reduce travel time and make service available to additional employment centers in the Irvine Spectrum area. Maps of the three routes are shown in Attachment A.

As part of the service review process, the Authority's Fare Policy Committee recommends that the fares for routes 757 and 758 be increased from \$1.25 to \$2.50, with new monthly-prepaid express bus passes to be offered for \$86.00. This recommendation departs from the standard fare for inter-county express bus service, which is set at \$3.75 per the Authority's Schedule of Tariffs. Routes 757 and 758 operate as an express service with additional limited-stops in selected areas. Consequently, staff believes the additional travel along surface streets, the mid-route stops established in the Brea Mall and Diamond Bar areas, and the associated limited use of higher speed facilities, such as freeways, justifies a lower fare.

Inasmuch as the Authority's Schedule of Tariffs does not include an express bus fare of \$2.50, a public hearing is required to establish this proposed permanent fare. The public hearing should have been scheduled no later than the December 11, 2006, regular meeting of the Authority Board of Directors. However, due to a staff error involving the Board approval process, the public hearing cannot be scheduled prior to January 8, 2007, in order to adhere to public notification mandates. Accordingly, a brief extension of the promotional fare for routes 757 and 758 is proposed to provide time to prepare and distribute public notification materials. Following review of the public comment, with Board approval, the fare is proposed to be changed effective January 22, 2007.

***Summary***

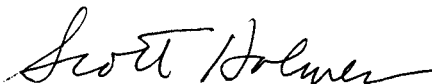
Last summer, new and improved express bus routes 757, 758, and 794/A were instituted between points of origin in Los Angeles, Riverside, and San Bernardino counties and employment centers in Orange County.

The introductory fares associated with the services are scheduled to expire in 2007, and a public hearing is necessary to establish a new express fare that is proposed for routes 757 and 758. With Board approval, the hearing will be scheduled for January 8, 2007. Upon review of the public comment and with Board approval, the fare changes for routes 757 and 758 are proposed to become effective Monday, January 22, 2007.

***Attachments***

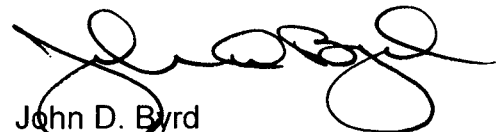
- A. Express Bus Route Maps
- B. Notice of Public Hearing

**Prepared by:**

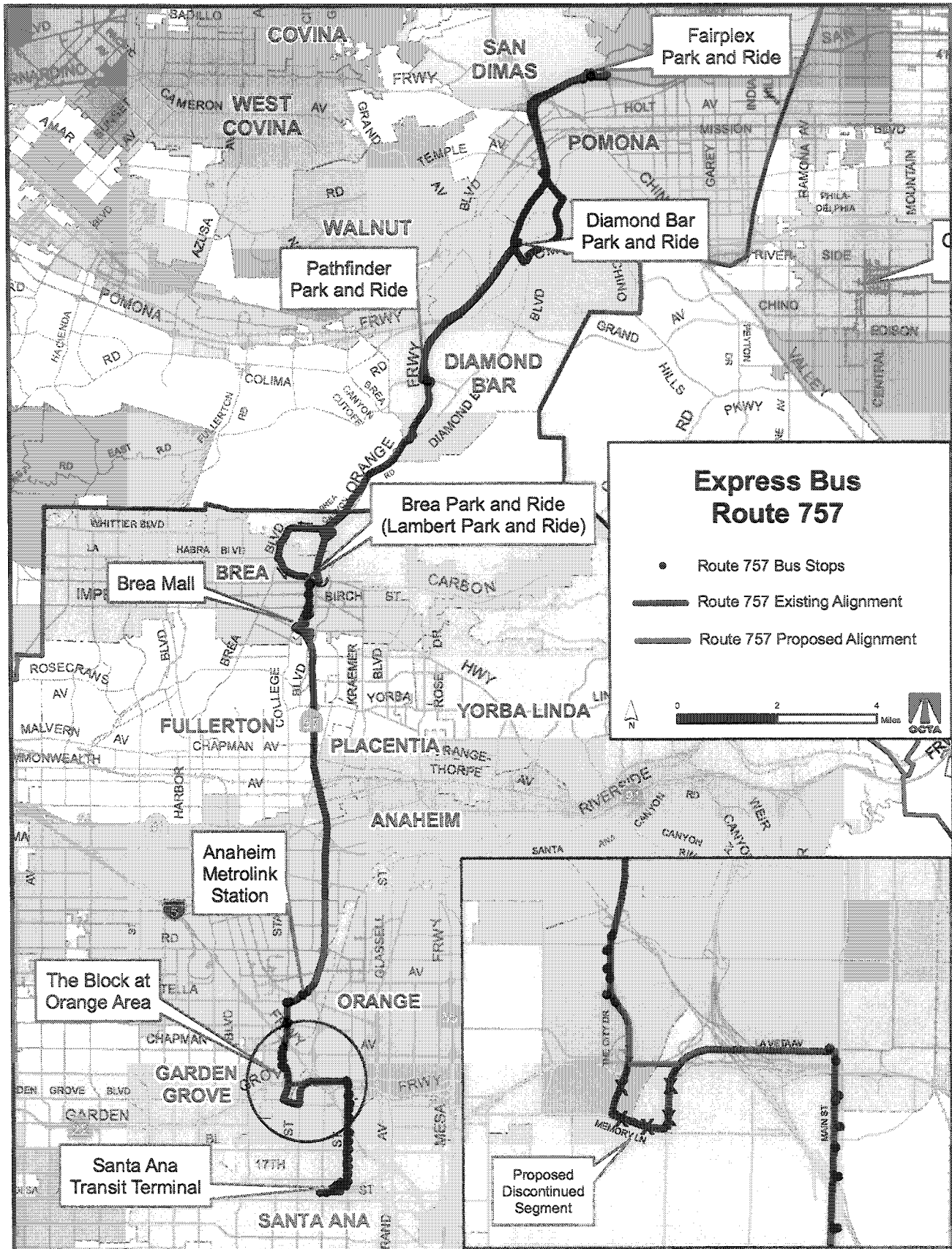


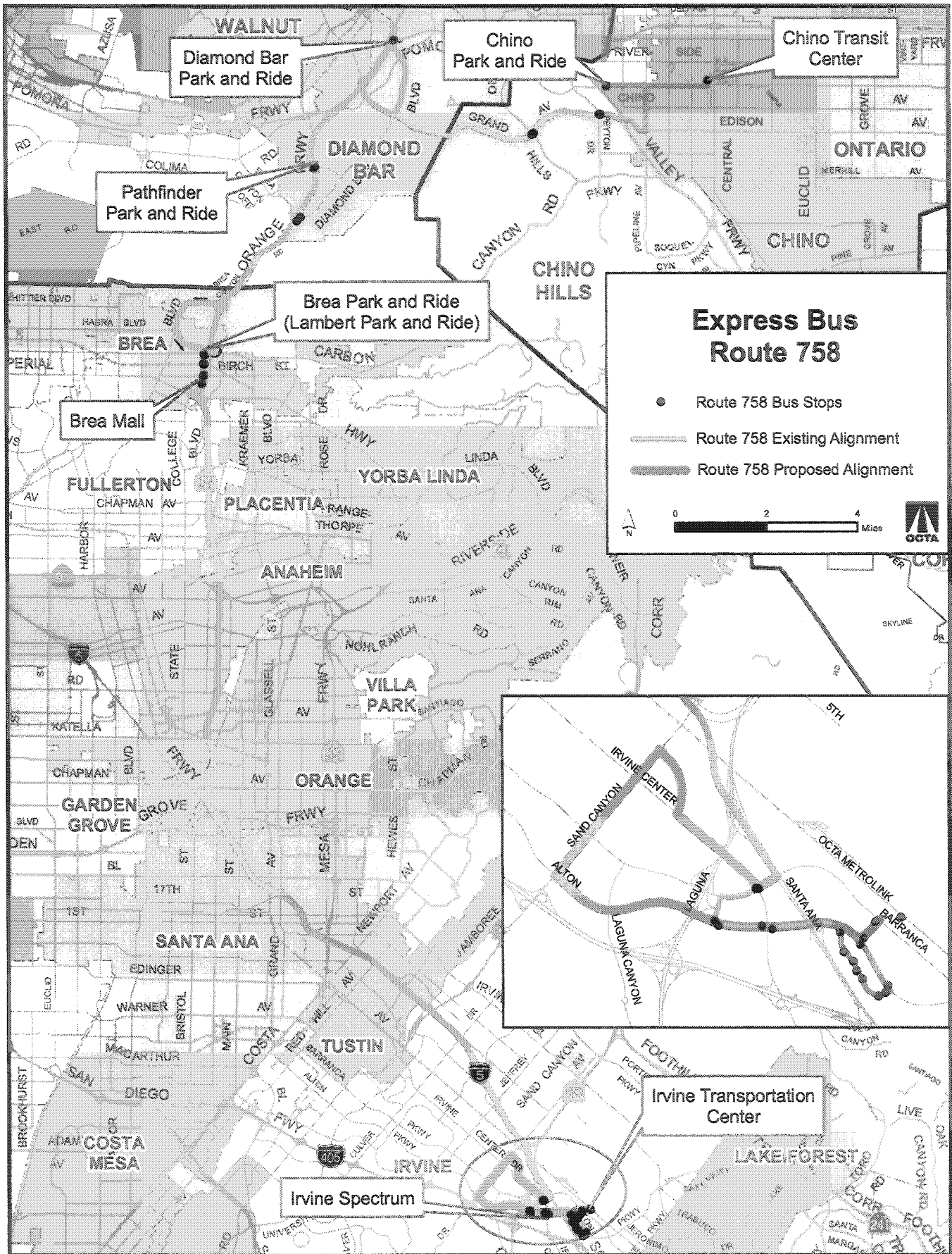
Scott Holmes  
Manager, Service Planning  
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(714) 560-5710

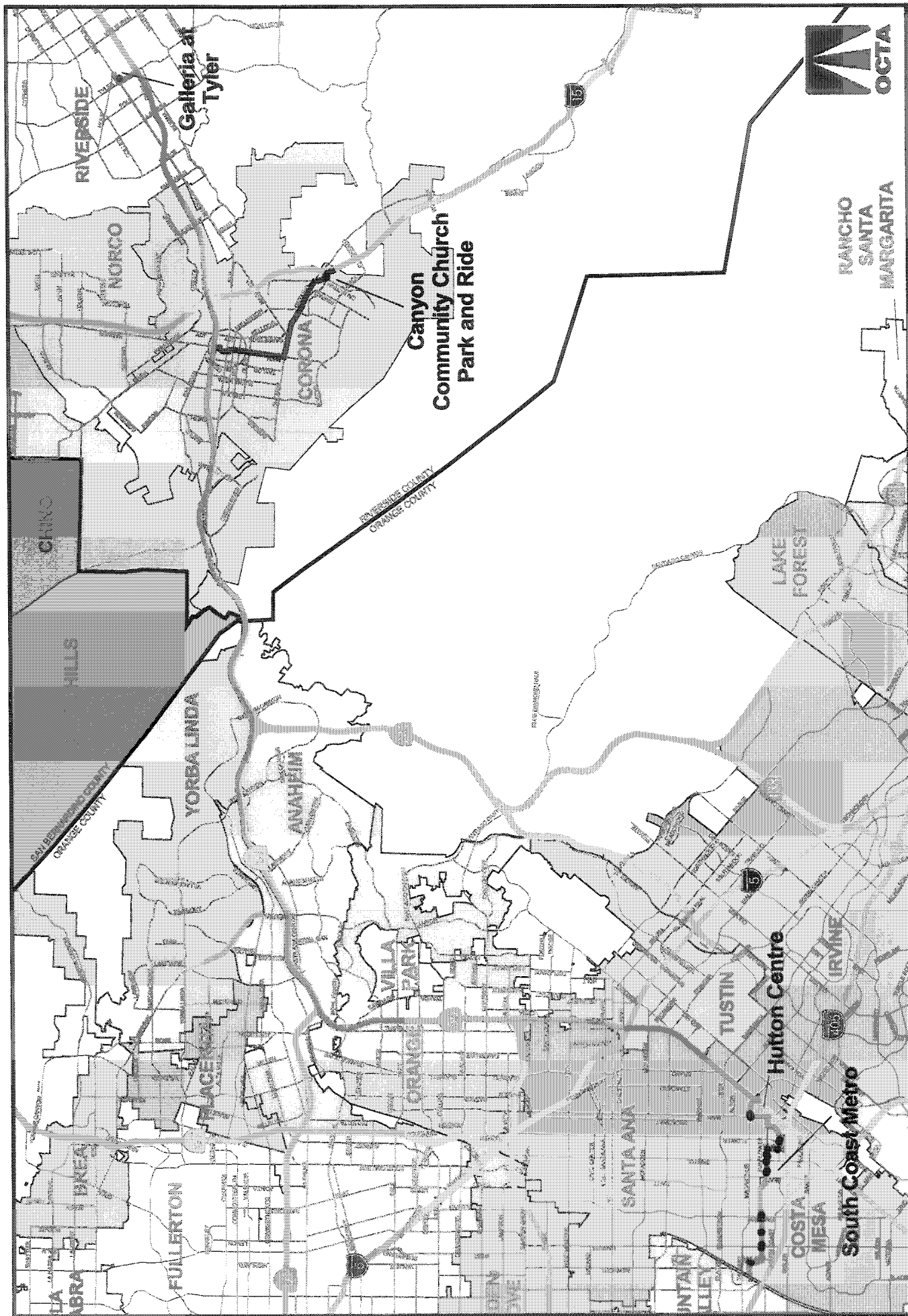
**Approved by:**



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



0 1 2 Miles





## Notice of Public Hearing

**Re: Orange County Transportation Authority  
Proposed Fare Increase for Express Bus Routes 757 and 758  
January 8, 2007**

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**NOTICE IS HEREBY GIVEN** that the Orange County Transportation Authority (OCTA) Board of Directors will hold a public hearing at 9:00 a.m. on Monday, January 8, 2007, at the Orange County Transportation Authority, 600 South Main St., Orange, California. The public hearing shall be for the purpose of considering a proposed increase of fares for routes 757 and 758.

**Description of Fare Increase:** The fare for routes 757 (Pomona to Santa Ana Express) and 758 (Chino to Irvine Express) is proposed to be increased from a \$1.25 introductory rate to \$2.50. A new prepaid Express Bus Monthly Pass for \$86.00 is proposed to be sold to be used on these services. These recommendations fall under Section 5(i)(3) of the Urban Mass Transportation Act of 1964 (Federal Transit Act, as amended) and thus require a public hearing.

**Description of Service Area:** The service areas affected by the proposed fare increases can be described as inter-county including Los Angeles, Orange, and San Bernardino counties.

**Relocation:** No persons, families or businesses will be displaced by the proposed fare increases.

**Environment:** In accordance with the California Environmental Quality Act (CEQA) of 1970, OCTA has determined that the project will have no significant effect on the environment and meets the criteria of an exemption under CEQA Reg. 15061(b)(3). OCTA will file a Notice of Exemption for the proposed express bus fare increases.

**Comprehensive Planning:** The proposed fare increases conforms with comprehensive land use and transportation planning in the area.



**Elderly and Persons with Disabilities:** The proposed fare increases will not adversely affect public transit availability for the elderly and persons with disabilities.

**Public Participation:** Interested persons may submit, orally or in writing, recommendations and evidence with respect to the proposed fare increases. A description of the proposals will be available for public inspection between December 8, 2006 and January 8, 2007. Please contact the Clerk of the Board, Wendy Knowles, at the below address and/or telephone number.

**At the Public Hearing,** the OCTA Board of Directors will afford interested persons or agencies an opportunity to submit, either orally or in writing, evidence and recommendations with respect to the effects of the proposed fare increases.

**ALL INTERESTED PARTIES** are invited to submit, orally or in writing, evidence and recommendations with respect to the proposed fare increases. Written comments may be addressed to the Clerk of the Board:

Wendy Knowles  
Clerk of the Board  
Orange County Transportation Authority  
550 South Main Street  
P.O. Box 14184  
Orange, CA 92863-1584  
Telephone (714) 560-5676



**UPDATED DATA WILL BE PROVIDED  
AT THE BOARD MEETING WITH A  
POWERPOINT PRESENTATION.**

**THANK YOU –**





MEMO

***December 11, 2006***

To: Members of the Board of Directors  
From: Arthur C. Brown, Chairman  
Subject: **Chairman's Goals Status Report**

At the beginning of the year, I set forth a set of goals for my term as Chairman of the Board of Directors.

As my term ends, I'm providing a status report on those goals. I am pleased that all my goals were either completed or moved forward in such a way that substantial progress was made and are ready for the new Board of Directors.

Some highlights are the completion of the Garden Grove Improvement project, increased service and ridership on Metrolink, and the renewal of Measure M.

I have enjoyed my tenure as Chairman and look forward to continued success in the new year.

Attachment



## CHAIRMAN'S GOALS

NO.	CHAIRMAN GOAL	TIME FRAME	AREA OF CONCENTRATION	STATUS	DESCRIPTION
1	Put renewal of Measure M on the November Ballot	July	External Affairs/Special Projects	To BOD on 7/24	The BOD will be asked to approve, by a two-thirds majority, the Renewed Measure M Draft Investment Plan and request that the Bd. of Supervisors place it on the ballot.
2	Begin the I-5 Gateway Project through Buena Park	May	Development	Groundbreaking held on 5/12/	Along the I-5, from the SR-91 to the OC/LA line, this project widens the freeway from six to 10 lanes; reconstruct six bridges as well as associated sound and retaining wall work.
3	Complete the SR-22 improvements within the 800 day schedule	November	Development	Project is on schedule	The project includes the addition of one car pool lane in each direction between the Costa Mesa Freeway and Valley View Ave; a travel lane in each direction between The City Dr. and Beach Blvd. as well as various highway connectors, etc.
4	Completion of Central County Corridor Study	November	Development	OCTA continues to work with the Army Corps of Engineers and the County of Orange on the technical feasibility of the extension of the SR-57. Updates to Board expected early 2007	The study seeks to develop options for improving mobility in central Orange County including widening and improving area arterials, additional lanes on the SR-55, and the extension of the SR-57 to the I-405.
5	Work with Riverside Transportation Commission for mutual benefit	Ongoing	Development	On going coordination efforts are underway through ROCA and SR-91 Committees.	Both boards and staffs of the OCTA and RCTC continue to work together on transportation challenges along the SR-91 Corridor.

# CHAIRMAN'S GOALS

NO.	CHAIRMAN GOAL	TIME FRAME	AREA OF CONCENTRATION	STATUS	DESCRIPTION
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6	Award of ACCESS service contract	February	Transit	Contract awarded by BOD on 2/27	ACCESS is OCTA's shared-ride paratransit service. The service is for those eligible people unable to use regular bus service due to a disability.
7	Complete signal synchronization demonstration project along Euclid as well as a definition of a pilot project in South County	August	Development	OCTA has initiated a draft MOU between the six affected local agencies and Caltrans. Consultant selection is underway for OSO Parkway South County Pilot Project.	Euclid Street from La Habra to Fountain Valley, is a high traffic volume corridor linking north and central Orange County. The corridor is 15 miles, includes 60 signals, and traffic volumes are as high as 50,000 vehicles daily.
8	Establishment of a technical committee to study a countywide method for emergency vehicle pre-emption	Ongoing	Development	OCTA has formed a technical working group, the Intelligent Transportation (ITS) Roundtable, to review and discuss transportation technologies including signal preemption. Future meetings will include emergency response agencies for further discussion on signal preemption.	The ITS meets quarterly to review, discuss, and provide input on a countywide basis.
9	Additional Metrolink station in northeast county	September	Development	On 6/26, BOD approved a request for \$2.5 million in State Transportation Improvement Program (STIP) funds for design of a Metrolink station in Placentia. California Transportation Commission approved request in September. City of Placentia is lead agency on environmental study.	Placentia station will relieve some demand on the Fullerton station. The station will also reduce the parking needed in Fullerton.



## CHAIRMAN'S GOALS

NO.	CHAIRMAN GOAL	TIME FRAME	AREA OF CONCENTRATION	STATUS	DESCRIPTION
10	Work with other Metrolink partners to enhance service	Yearlong	Development	On 6/3/ OCTA instituted Saturday Metrolink service between Oceanside and Los Angeles; on 7/2/, Sunday service began on the same route. Working with the Riverside Transportation Commission and the San Bernardino Associated Governments, OCTA introduced year-round weekend service between those counties and Oceanside on 7/15.	OCTA continues to work with neighboring counties to enhance Metrolink service as part of the Metrolink Expansion Plan.
11	Study the feasibility of developing a "Park and Fly" system to John Wayne Airport as well as work with MTA regarding a link from LAX via the Green Line using OCTA bus service.	December	Development	As a first step for the future park and Ride system, OCTA will contract for a consultant to evaluate private sector development/ services at OCTA-owned transit centers and park-and-ride locations. Staff report to Board on 11/22/06 notified Board initial study has begun. Consultant procurement process is underway.	Private sector interest in a park-and-fly system at OCTA owned facilities will be evaluated this year.





MEMO

**December 11, 2006**

To: Members of the Board of Directors  
From: <sup>ATL</sup> Arthur T. Leahy, Chief Executive Officer  
Subject: **Chief Executive Officer's Goals Status Report**

Please find attached an updated status report on the Chief Executive Officer's goals for calendar year 2006.

The goals are comprehensive and address a wide range of key performance areas for the Orange County Transportation Authority. They also provide a useful instrument for monitoring results during the year.

I will update the Board of Directors on the status of the goals on a quarterly basis.

ATL:tso  
Attachment



**Chief Executive Officer Goals  
Status Report**

CEO's Goal      Time Frame      Area of Concentration      Status      Summary

<b>February</b>					
CEO Goal Reference Number					
1	OCTA to hold SR-22 press communications and/or events.	February - November 2006	External Affairs	November 27 completion event scheduled	Completed
<b>March</b>					
CEO Goal Reference Number					
2	Staff will develop implementation strategy for SR-22/I-405 Connector Project for Board approval.	March 2006	Development	Approved by BOD 7/24	Completed
3	Staff will secure Board approval of the 2006 Comprehensive Business Plan (CBP) and use the assumptions from the base year as the starting point for the FY 2006-07 budget.	March 2006	Finance, Administration & Human Resources	Approved by BOD 3/27	Completed
4	OCTA will award ACCESS, Contracted Fixed Route, StationLink, and Express Bus Service contract. Weekly status reports are to be provided to Board during transition period and for 90 days following move to Irvine Base with monthly reports there after.	March 2006	Transit	Approved by BOD 2/27	Completed
5	OCTA will secure funding for I-5 Gateway Freeway Widening contract.	March 2006	Development	Approved by BOD 2/27	Completed
6	Staff will provide status and budget for Euclid signal synchronization project.	March 2006	Development	Approved by BOD 3/27	Completed

**Chief Executive Officer Goals  
Status Report**

**Summary**

**CEO's Goal**      **Time Frame**      **Area of Concentration**      **Status**

CEO Goal  
Reference  
Number

**First Quarter**

7	OCTA staff will conduct a workshop to review procurement process	First Quarter	Finance, Administration & Human Resources	Workshop conducted on 3/27 Additional workshop will be conducted during first quarter of 2007	The procurement workshop will provide the Board of Directors with a review of the current procurement process. Staff will seek Board direction to finalize any changes to the process.
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CEO Goal  
Reference  
Number

**April**

8	OCTA will host APTA Bus and Paratransit Conference/Roadshow.	April 28, 2006	Transit / External Affairs	Completed 5/3	Completed
9	Pending Board direction, staff to finalize Measure M plan for consideration by cities and Board of Supervisors and request resolutions from cities and Board of Supervisors approving the Measure M Plan.	April-May 2006	External Affairs / Special Projects	Approved by BOD 4/24	Completed
10	Caltrans will report to Board regarding HOV Lane change process.	April 2006	Development	Approved by BOD 4/10	Completed
11	Staff will test & accept first article CNG bus.	May-September 2006	Transit	First article CNG bus to be received in late December	Upon arrival, staff will inspect first article CNG bus to confirm that it meets all specifications and requirements of the contract. Any changes will be provided to the vendor and upon conditional acceptance the buses will operate in fixed route service for verification of performance and durability. Additional buses should begin arriving in late March.
12	OCTA will begin weekend Metrolink service. Staff to make monthly status reports to the Board through September.	June 2006	Development	Started 6/3	Completed

**Chief Executive Officer Goals  
Status Report**

CEO's Goal      Time Frame      Area of Concentration      Status      Summary

<u>CEO Goal Reference Number</u>		<u>June</u>	<u>Time Frame</u>	<u>Area of Concentration</u>	<u>Status</u>	<u>Summary</u>
13		OCTA staff and consultant will complete design for the CNG fueling system at the Santa Ana Bus Base.	June 2006	Development	Construction began 6/12 Scheduled for completion March '07	Completed
14		Staff will secure Board approval for the 2006-07 Annual Budget, which is balanced, without an unplanned use of reserves, and is consistent with the CBP and Board-approved goals, policies, and procedures.	June 2006	Finance, Administration & Human Resources	Approved by BOD 6/12	Completed
<b>Second Quarter</b>						
15		Staff to initiate South County Major Investment Study.	Second Quarter	Development	Policy Committee established	Completed
16		Staff to implement new collective bargaining agreements with Teamsters for maintenance bargaining unit, as well as Transportation Communications Union.	Second Quarter	Employee/ Labor Relations, & Civil Rights	BOD Approved agreement with Teamsters Local 952 on 3/27 and TCU on 4/24.	Completed
<b>July</b>						
17		Staff to implement Express Bus Service on SR-57.	July 1, 2006	Transit	Service implemented 7/1	Completed
18		When approved by majority of cities with a majority of the incorporated population and OCTA Board, OCTA requests Board of Supervisors place renewed Measure M on ballot.	July 2006	External Affairs / Special Projects	Approved by BOD 7/24	Completed

**Chief Executive Officer Goals  
Status Report**

**Summary**

**Status**

**Area of Concentration**

**Time Frame**

**CEO's Goal**

CEO Goal  
Reference  
Number

**July cont.**

19	Staff to complete Long-Range Transportation Plan and short-range action element.	July 2006	Development	Approved by BOD 7/24	Completed
20	OCTA to transition ACCESS service and move contracted services to Irvine Base.	July 2006	Transit	Service transitioned on 7/1	Completed

CEO Goal  
Reference  
Number

**August**

21	Staff to complete callbox reductions and conversion to digital service, per action taken by Board last year.	August 2006	Development	Equipment purchased - upgrade 55% complete	Federal mandate requires that OCSAFE convert the call box communication system from analog cellular service to digital cellular service. The system conversion was delayed by equipment availability because of substantial demand of multiple agencies converting simultaneously. The digital upgrade is expected to be complete by the end of January.
				Reductions Completed June 22	Completed
22	Staff to initiate review of State and Federal legislative goals and assess future advocacy effort requirements.	August 2006	State and Federal Relations	State Advocate Performance Review to BOD 11/27  Federal strategy session - 11/16  State strategy session - 12/7	State advocacy contracts extended for two years on November 27, 2006. Recommendations on the federal advocates contracts will be presented to the Board on December 11.



**Chief Executive Officer Goals  
Status Report**

**CEO's Goal      Time Frame      Area of Concentration      Status      Summary**

<b>September</b>					
CEO Goal Reference Number					
23	Staff to complete assessment of freeway infrastructure protection capabilities and request approval of future course of action from the Security Working Group.	September 2006	Security Threat Assessment	To Security Working Group 10/19/06	Completed
24	OCTA to implement Express Bus Service on SR-91 through a cooperative agreement with Riverside Transit Agency.	September 10, 2006	Transit	Service initiated 9/11	Completed
<b>Third Quarter</b>					
CEO Goal Reference Number					
25	Staff to advance work on Riverside-Orange corridor improvements.	Third Quarter	Development	ROCA Committee established	Completed
25a	Staff to initiate Ortega Highway Safety Study.	Third Quarter	Development	RCTC Lead Agency Scope under development	Completed
25b	Staff to initiate PE for SR-91 improvements and viaduct.	Third Quarter	Development	RCTC Lead Agency Study Underway	Completed
25c	Staff to initiate Irvine-Corona feasibility study.	Third Quarter	Development	RCTC Lead Agency Scope to ROCA Committee 12/1/06	Completed
26	OCTA staff and south Orange County cities to select corridor for South County Signal Synchronization Project.	Third Quarter	Development	Selection of Oso Parkway Approved by BOD 7/28	Completed

**Chief Executive Officer Goals  
Status Report**

**Summary**

**Status**

**Area of Concentration**

**Time Frame**

**CEO's Goal**

CEO Goal Reference Number	<b><u>October</u></b>				
	<b><u>Time Frame</u></b>	<b><u>Area of Concentration</u></b>	<b><u>Status</u></b>	<b><u>Summary</u></b>	
27	October 2006	Federal Relations	FY 2007 appropriations process is ongoing. An update will be provided in November	The OCTA Board of Directors adopted a fiscal year 2007 appropriations project list, which includes 14 projects totaling \$97,180,000. The goal is to reach a minimum of \$10 million in earmarks for OCTA projects for FY07, which amounts to a little more than 10 percent of the total request. It would also represent an increase in congressional earmarks of 40 percent over fiscal year 2006.	
28	October 2006 City delays pushed construction to May '07	Development	Segments B & C delayed by cities, to be advertised by Brea in Dec. '06	This is a local Smart Streets Project. The cities include La Habra, Brea and Fullerton. The project will be split to allow Brea and Fullerton (Segments B&C) to proceed with project, while La Habra (Segment A) addresses local issues.	
28a	Construction to begin May 2007	Development	City of La Habra is lead. Construction delayed due to noise mitigation and right-of-way issues.	Smart Streets Project Segment A consists of re-striping to 6 lanes from L.A. County line to Idaho Street; providing continuous raised median from County line to Beach Blvd; widening of intersections at Beach Blvd., Idaho, Euclid, & Harbor; construction of bus pads, ADA bus stop modifications, bus turnouts, & soundwalls at various locations, and drainage improvements.	
28b	Construction to begin May 2007	Development	Segments B & C delayed by cities, to be advertised by Brea in Feb. '07	Smart Streets Project, Segment B consists of re-striping to 6 lanes from Harbor Blvd. to Berry Street; median modifications at the Puente Street intersection; and constructing bus pads, ADA bus stop modifications, bus turnouts, & soundwalls at various locations	

**Chief Executive Officer Goals  
Status Report**

**Summary**

**Time Frame**

**Status**

**CEO's Goal**

**Area of Concentration**

<b>October cont.</b>					
CEO Goal Reference Number	28c	Segment C: SR-57 to Rose Drive (Brea)	Construction to begin May 2007	Development	Segments B & C delayed by cities, to be advertised by Brea in Feb. '07
	29	OCTA to procure contractor to operate Customer Information Center.	Construction to begin May 2007	External Affairs	Approved by BOD 9/25/06
<b>November</b>					
CEO Goal Reference Number	30	GMR to meet the substantial contractual completion of the SR-22.	November 30, 2006	Development	On Schedule
	31	OCTA to provide technical support for the design of video surveillance system standards (VSS) for the installation of a closed circuit TV camera at the Fullerton Transportation Center.	November 2006	Development	Standards being finalized
	32	Caltrans will award the contract for SR-90 Bridge and Grade Separation.	November 2006	Development	Bids received and award on schedule for November
<b>December</b>					
CEO Goal Reference Number	33	OCTA Board to approve Comprehensive Annual Financial Report (CAFR).	December 2006	Finance, Administration & Human Resources	Scheduled for BOD 12/11
					The Comprehensive Annual Financial Report (CAFR) is the generally accepted publication for reporting audited financial statements and other financial information about the governmental entity.

**Chief Executive Officer Goals  
Status Report**

**CEO's Goal      Time Frame      Area of Concentration      Status      Summary**

CEO Goal  
Reference  
Number

**December cont.**

34	OCTA to draft project report and environmental document for first new eastbound lane on SR-91.	December 2006	Development	On Schedule	Staff will complete the draft environmental report to add a new eastbound lane to SR-91 from SR-241 to SR-71.
35	Staff to report to Board regarding Measure M results and implementation.	December 2006	Special Projects	Schedule for Strategic Delivery Plan to Exec Comm 12/4/06	Completed

CEO Goal  
Reference  
Number

**Fourth Quarter**

36	Staff to develop AAP/EEO plan for Triennial submission and approval by FTA.	Fourth Quarter	Employee/Labor Relations, & Civil Rights	The EEO/AAP was submitted to FTA for approval on October 13, 2006	Completed
37	Staff to develop and submit Triennial Title VI Report to FTA.	Fourth Quarter	Employee/Labor Relations, & Civil Rights	The Title VI Report will be completed and submitted to the FTA on October 17, 2006	Completed

**Chief Executive Officer Goals  
Status Report**

CEO Goal Reference Number	CEO's Goal	Time Frame	Area of Concentration	Status	Summary
	Year Long	Yearlong	Transit	2005 vs 2006 down 7% to 23.5%	The operating ratio is the ratio of farebox revenue to operating cost based on projected growth in ridership.
38	OCTA will achieve an operating ratio of 25 percent, the same as in 2005.	Yearlong	Transit	2005: revenue \$36.4M Jan - Sept 2006: revenue \$37.4M 2.5% increase	
39	OCTA will increase bus revenue to \$49.2 million, an increase of 2.2 percent over 2005.			Jan-Sept 2006 - 1.398M Revenue Vehicle Hours 1.4% increase over 2005	OCTA will operate 1.866 million annual revenue vehicle hours of bus service, an increase of 57,000 annual hours over 2005. OCTA will provide 23.8 million annual revenue vehicle miles of bus service, an increase of over 400,000 miles over 2005.
	Jan-Jul 06 OCTA will provide 1.851 million hours of revenue service hours an increase of 2.0%	Yearlong	Transit	Jan-Sept 2006 17.6M Revenue Vehicles Miles 0.2\$ increase over 2005	
40	OCTA will provide 23.4 million revenue miles, a 0.8 percent increase				
40	OCTA will provide 68.1 million passenger rides, a 2.2 percent increase over 2005.	Yearlong	Transit	Jan-Sept 2006 51.4M passenger rides 38,067,886 3.5% increase over 2005	Passenger rides are estimated to increase by approximately 1.5 million rides to 68.1 million annually, an increase of 2.2 percent over 2005.
41	OCTA will operate 85 percent on-time service and 11,000 miles between road calls.	Yearlong	Transit	On-time performance for July 2006 = 87% Jan-July 2006 86.5%	On time service distance/miles traveled by fixed route buses between mechanical failures not caused by accident or driver error. In January 2006, the fixed route system achieved an on-time performance of 84.9%. For the past 12 months, on-time performance for all scheduled trips has maintained at least 85% on-time performance, which is the system wide goal for this performance measure.

**Chief Executive Officer Goals  
Status Report**

**CEO's Goal      Time Frame      Area of Concentration      Status      Summary**

CEO Goal Reference Number	<u>Year Long Cont.</u>	<u>Time Frame</u>	<u>Area of Concentration</u>	<u>Status</u>	<u>Summary</u>
42	OCTA staff to conduct workplace harassment prevention training for management, administration, and bargaining unit employees.	Yearlong	Employee/Labor Relations, & Civil Rights	Ongoing	In accordance with California AB 1825, the Labor/Employee Relations & Civil Rights Division will conduct bi-annual training for supervisors and management personnel on workplace harassment and discrimination prevention. The Division staff will also conduct training for all coach operators as part of their Annual Required Training as well as for mechanics and administrative employees.
43	OCTA will meet the following goals on the SR-91 Express Lanes: (a) 13,500,000 trips on the lanes (b) \$37,000,000 in toll revenue	Yearlong	Finance, Administration & Human Resources	<p><b>1st quarter</b> a) goal: 3,065,000 actuals: 3,511,000 b) goal: \$8,989,000 actuals: \$10,808,000</p> <p><b>2nd quarter</b> a) goal: 3,123,843 actuals: 3,608,855 b) goal: \$9,131,113 actuals: \$11,704,939</p> <p><b>3rd quarter</b> a) goal: 3,644,901 actual: 3,654,814 b) goal: \$9,914,704 actual: \$9,833,626</p>	<p>To maintain consistency with bond indenture requirements, the SR-91 Express Lanes 2006 revenue and vehicle trip goals are derived from annualized estimates of Vollmer weekly traffic and revenue forecasts.</p> <p>Traffic volumes for the third quarter exceeded the goal by 9,913 or 0.3%. For calendar year to-date for 2006, traffic volumes have exceeded the goal by 940,925 or 9.6%. Toll revenues for the third quarter were \$81,078 less, or 0.8% lower, than the goal. This decline was attributed to an overstated forecast distribution for third quarter toll revenues.</p> <p>Toll revenues for calendar year 2006 through September were 4.3 million or 15.4% higher than the goal.</p>
44	Staff will consider additional bus base, long-range facilities assessment.	Yearlong	Transit	Closed escrow on Laidlaw Transit Service property on Construction Circle 8/31	<p>Based on growth projections substantiated by the Comprehensive Business Plan, staff will assess facility needs for all bus and ParaTransit for the next 15 years.</p> <p>Short-range transit strategy to be completed by 1st Quarter 2007.</p>
45	Staff will evaluate options for developing ARTIC; to integrate Orange County's transportation system with proposed regional systems.	Yearlong	Development	Master planning with City of Anaheim underway	Completed

**Chief Executive Officer Goals  
Status Report**

**Summary**

**Status**

**Area of Concentration**

**Time Frame**

**CEO's Goal**

CEO Goal  
Reference  
Number

**Year Long cont.**

46	Staff will support regional efforts to address goods movement needs along the Orangethorpe corridor.	Yearlong	Development	Southern California National Freight Gateway Memorandum of Understanding to BOD 9/25	Staff will ensure that Orange County's projects/priorities are included in various regional goods movement studies and plans.
47	Staff will monitor and evaluate the CIGNA Health Plan for the following: a) Claim rate accuracy: 95% of total audited claims paid correctly b) Time to process: 90% of claims processed in 14 business days c) Average Speed of Answer: ASA for calls to Call Center shall be no longer than 45 seconds d) Abandonment rate: no greater than 5% of calls result in caller termination before speaking to customer service.	Yearlong	Finance, Administration & Human Resources	a) 99.0 % b) 99.0 % c) 18.6 % d) 1.0 %	Staff will monitor and evaluate the CIGNA Health Plan. CIGNA was recently added as OCTA's health care provider for medical services for administrative employees and Board Members. The items listed under CEO goals are the performance goals contained in the agreement.
48	Position OCTA to influence regional policies, funding decision, and actions on goods movement issues. - provide analysis of volume of goods moved by rail vs. truck - report regularly on regional goods movement strategy development - report on quality of life issues	Yearlong	Development	Comprehensive presentation by SCAG, AQMD & MTA scheduled for January 2007	Completed
49	Develop strategies and policy recommendations to pursue change in operation of HOV lanes to mirror Northern California. Work with Caltrans to: - implement continuous access HOV lanes on SR-22 - ID where/when segments of HOV system might be opened to all traffic due to low usage - analyze accidents (mile for HOV vs. general lanes share results of statewide HOV policy study	Yearlong	Development	Comprehensive presentation by Caltrans scheduled in January 2007	Caltrans staff expected to regularly report on progress at Regional Planning and Highways meetings.