

Orange County Transportation Authority Board Meeting
OCTA Headquarters
First Floor - Room 154, 600 South Main Street
Orange, California
Monday, June 13, 2005, at 9:00 a.m.

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

Invocation

Director Monahan

Pledge of Allegiance

Director Correa

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.

Special Matters

1. **Retiree Recognition**
2. **Public Hearing on the Orange County Transportation Authority's Fiscal Year 2005-06 Budget**
Andrew Oftelie/James S. Kenan

Overview

The Orange County Transportation Authority Fiscal Year 2005-06 Budget presents a balanced plan of sources and uses of funds while providing for the current and future transportation requirements of Orange County. The public hearing provides the public the opportunity to comment on the details of the budget. The Board of Directors may approve the fiscal year 2005-06 budget following the public hearing on June 13, 2005, at the regularly scheduled Board meeting on June 27, 2005, or in a special meeting convened prior to July 1, 2005, by when state law mandates budget approval.

Recommendations

- A. Conduct a public hearing on the Orange County Transportation Authority's Fiscal Year 2005-06 Budget on June 13, 2005.
- B. Approve by resolution the Orange County Transportation Authority's Fiscal Year 2005-06 Budget.
- C. Authorize the Chief Executive Officer to execute the software and hardware licensing, maintenance, and emergency support purchase orders and/or agreements.

Consent Calendar (Items 3 through 21)

All matters on the Consent Calendar are to be approved in one motion unless a Board member or a member of the public requests separate action on a specific item.

Orange County Transportation Authority Consent Calendar Matters

3. Approval of Minutes

Of the Orange County Transportation Authority and affiliated agencies' regular meeting of May 23, 2005.

4. Approval of Travel by Board Members

Approval of travel by Board Members to New York for the annual Rating Agency Trip and travel to Washington, D.C., for advocacy and Congressional meetings.

5. Measure M Extension Consultant Contract Amendments

Monte Ward/Arthur T. Leahy

Overview

On February 28, 2005, the Board of Directors authorized the Chief Executive Officer to enter into agreements with consultants to assist with the development of a Transportation Investment Plan to support a possible extension of the Measure M one-half cent transportation sales tax. The addition of the firm of Schubert Flint to the consultant team is recommended as well as an amendment to each of the consultant contracts to establish appropriate limits on outreach and communication activities in advance of a potential ballot measure.

Recommendations

- A. Direct the Chief Executive Officer to seek an addendum to Agreement C-50819 with the firm of Smith, Watts & Company to add the firm of Schubert Flint Public Affairs Inc. as a subcontractor to perform outreach services through April 30, 2006, and increase the overall contract amount by \$100,000 to \$250,000.

5. (Continued)

- B. Adjust the maximum obligation for Agreement C-5-0870 with Townsend, Raimundo, Besler & Usher from \$90,000 to \$100,000 to cover potential reimbursement for actual expenses.
- C. Approve the addition of language to contracts with California Strategies, Smith, Watts & Company, and Townsend, Raimundo, Besler & Usher to conform to a recent Opinion of the California Attorney General regarding limits on outreach and communication activities of staff and consultants in advance of a ballot measure.

6. Selection of Firm to Recommend to the Board of Directors for Federal Legislative Advocacy and Consulting Services

Kristine Murray/Richard J. Bacigalupo

Overview

The Orange County Transportation Authority's Fiscal Year 2005-2006 Budget includes the retention of federal legislative advocacy and consulting services. Requests for Proposals were solicited in accordance with applicable procurement procedures. Three firms submitted proposals in response and the Orange County Transportation Authority's evaluation committee has determined that all three meet the minimum requirements specified in the Request for Proposal. The Legislative and Government Affairs Committee will now finalize its recommendation to be submitted to the Board of Directors for contract award on June 13, 2005.

Committee Recommendations (reflects change from staff recommendation)

- A. Authorize the Chief Executive Officer to execute Agreement C-5-2315 between the Orange County Transportation Authority and Potomac Partners DC, LLC, for federal legislative advocacy and consulting services.
- B. Committee directed staff to negotiate a best and final offer with Rick Alcalde, President of Potomac Partners DC, LLC, for federal legislative advocacy and consulting services and to bring this offer to the full Board on June 13, 2005.

7. Annual Internal Audit Plan for Fiscal Year 2004-05 Third Quarter Update

Robert A. Duffy/Richard J. Bacigalupo

Overview

The Orange County Transportation Authority Board of Directors adopted the Annual Internal Audit Plan for Fiscal Year 2004-05. This is the quarterly update for the third quarter of the fiscal year. Revisions to the plan are needed to incorporate changes to the original plan.

Recommendation

Approve the revised Annual Internal Audit Plan for Fiscal Year 2004-05.

8. Customer Relations Service Quality Report for Third Quarter Fiscal Year 2004-2005

Adam Raley/Ellen S. Burton

Overview

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

Recommendation

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

9. Agreement for Coin and Currency Counting Services

Tom Wulf/James S. Kenan

Overview

As part of the Orange County Transportation Authority's proposed Fiscal Year 2005-06 Budget, approval by the Board of Directors is being requested for coin and currency counting services. Offers were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board approval is requested to execute an agreement.

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-5-0745 between the Orange County Transportation Authority and Los Angeles Federal Armored Services, Incorporated, in an amount not to exceed \$900,000, for coin and currency counting services for the period July 1, 2005, through June 30, 2008.

10. Third Quarter Fiscal Year 2004-05 Procurement Report

Linda L. Hunter/James S. Kenan

Overview

The Third Quarter Procurement Report provides an update of the procurement activities for the fiscal year 2004-05, from July 1, 2004, through March 31, 2005. This report focuses on total dollars procured by each Orange County Transportation Authority division.

Recommendation

Receive and file as an information item.

11. Third Quarter Fiscal Year 2004-05 Budget Status

Bruce Gilliland/James S. Kenan

Overview

The Orange County Transportation Authority's staff has implemented the fiscal year 2004-05 budget. This report summarizes the material variances between the budget plan and actual revenues and expenses.

Recommendation

Receive and file as an information item.

12. Third Quarter Fiscal Year 2004-05 Grant Status Report

Linda M. Gould/James S. Kenan

Overview

The Quarterly Grant Status Report summarizes grant activities for information purposes for the Orange County Transportation Authority Board of Directors. This report focuses on significant grant activity for the period of January through March 2005. The Quarterly Grant Status Report summarizes future grant applications, pending grant applications, executed grant awards, current grant agreements and closed-out grant agreements.

Recommendation

Receive and file as an information item.

13. Third Quarter Fiscal Year 2004-05 Bus Operations Monthly Performance Measurements Report

James L. Cook, Jr./James S. Kenan

Overview

Orange County Transportation Authority recognizes the need for improved accountability and operational performance. With this in mind, the Bus Operations Monthly Performance Measurements report was developed in accordance with Executive Management direction. The Bus Operations Monthly Performance Measurements report serves as a tool to survey operational performance and as the nexus for process improvements.

13. (Continued)

Recommendation

Receive and file as an information item.

14. Agreement for Temporary Staffing Services

Al Gorski/James S. Kenan

Overview

The Orange County Transportation Authority currently has agreements with Kimco Staffing Services Inc., and Corestaff Services to provide temporary staffing services, in the amount not to exceed a cumulative total of \$996,000, for a two-year period. The term of these agreements expires June 30, 2005.

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-5-0938 with Corestaff Services; Agreement C-5-2439 with Focus on Temps, Inc., and Agreement C-5-2438 with PDQ Careers, in an amount not to exceed \$340,000, to provide temporary personnel services for a period of July 1, 2005, to June 30, 2006, with four option years.

15. Overall Annual Participation Goal for Disadvantaged Business Enterprise Firms on all Federally Assisted Projects for Fiscal Year 2005-06

Tina Giles-Potter/Marlene K. Heyser

Overview

An overall annual Disadvantaged Business Enterprise goal has been developed for participation in the Orange County Transportation Authority's Fiscal Year 2005-06 federally-assisted contracts in compliance with federal regulations set forth in 49 CFR Part 26 entitled "Participation by Disadvantaged Business Enterprises in U.S. Department of Transportation Programs." The recommended overall annual Disadvantaged Business Enterprises goal for contracts assisted by the Federal Transit Administration and Federal Highway Administration is 12 percent.

15. **(Continued)**

Recommendation

Adopt the proposed fiscal year 2005-06 overall annual Disadvantaged Business Enterprise participation goal of 12 percent for contracts assisted by the U.S. Department of Transportation, in accordance with 49 CFR Part 26.

Orange County Service Authority for Abandoned Vehicles Consent Calendar Matters

16. **Service Authority for Abandoned Vehicles Program Overview**

Iain Fairweather/Paul C. Taylor

Overview

Orange County's Service Authority for Abandoned Vehicles Program provides funds to Orange County cities and the County for removing abandoned vehicles from public right-of-way and private property. This report provides an overview of the program.

Recommendation

Receive and file this report.

Orange County Transit District Consent Calendar Matters

17. **Agreement for Improvements to the Liquefied Natural Gas On-Board Fuel System**

Al Pierce/William L. Foster

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2004-05 Budget, the Board approved implementation of projects to improve the performance and reliability of the liquefied natural gas fuel system installed on 232 North American Bus Industries buses.

17. (Continued)

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-4-1198 between the Orange County Transportation Authority and Chart Industries, Inc., in an amount not to exceed \$1,120,130, for the implementation of on-board fueling system hardware improvements.

18. Agreement to Install Optical Fire Detection and Suppression on 30 Low Floor Articulated Buses

Al Pierce/William L. Foster

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2004-05 Budget, the Board approved the installation of optical fire detection and suppression on 30 low floor articulated buses.

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-4-0960 between the Orange County Transportation Authority and Complete Coach Works, in an amount not to exceed \$248,239, for the installation of optical fire detection and suppression on 30 low floor articulated buses.

19. Agreement for the Purchase and Placement of Solar Lighting Units

Al Pierce/William L. Foster

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2004-05 Budget, the Board approved the purchase and placement of solar lights at selected bus stops.

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-5-0468 between the Orange County Transportation Authority and Carmanah Technologies, Inc., in an amount not to exceed \$175,000, to manufacture and install 300 solar lighting units at selected bus stops.

20. Selection of Consultant for On-Call Environmental Services

James J. Kramer/Stanley G. Phernambucq

Overview

As a part of the Orange County Transportation Authority's Fiscal Year 2004-05 Budget, the Board approved on-call environmental services for facility modifications. On-call environmental services will be required for the upcoming facility modification projects in the next fiscal year. Staff issued a Request for Proposals in accordance with the Orange County Transportation Authority's current procurement procedures for architectural and engineering services. These procedures are in accordance with both federal and state legal requirements.

Recommendations

- A. Authorize staff to request cost proposals from Kleinfelder, Leighton Consulting, and Ninyo & Moore, and negotiate agreements for their services.
- B. Authorize the Chief Executive Officer to execute Agreement C-5-0510 with Kleinfelder; Agreement C-5-2441 with Leighton Consulting, and Agreement C-5-2442 with Ninyo & Moore for services in an amount not to exceed \$200,000.

21. Selection of a Consultant for Garfield-Gisler Bridge Preliminary Engineering and Supplemental Environmental Impact Report

Shohreh Dupuis/Paul C. Taylor

Overview

On August 23, 2004, the Board of Directors directed staff to develop a Scope of Work and release a Request for Proposals for the preparation and development of a Preliminary Engineering and Supplemental Environment Impact Report to assess the feasibility of the Garfield-Gisler Bridge crossing over the Santa Ana River. Offers were received in accordance with the Orange County Transportation Authority's procurement procedures.

21. (Continued)

Recommendations

- A. Authorize staff to request a cost proposal from LSA Associates, Inc. based on their qualifications and negotiate an agreement for their services.
- B. Authorize the Chief Executive Officer to execute the final agreement.

Regular Calendar

22. Grade Crossing Safety Enhancement Program

Shohreh Dupuis/Paul C. Taylor

Overview

Staff is seeking Board approval of an implementation strategy for the Grade Crossing Safety Enhancement Program.

Recommendations

- A. Approve the implementation strategy and the allocation of \$10 million of Commuter Urban Rail Endowment funds for the Grade Crossing Safety Enhancement Program.
- B. Authorize the Chief Executive Officer to enter into a Memorandum of Understanding with the affected jurisdictions and the Southern California Regional Rail Authority for funding and implementing of the Grade Crossing Safety Enhancement Program.

Orange County Transit District Regular Calendar Matters

23. Agreement to Purchase 50 Compressed Natural Gas 40-Foot Fixed Route Buses and Proceed with Fueling Station Infrastructure at the Santa Ana Base

Al Pierce/William L. Foster

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2004-05 Budget, the Board approved procurement of 50 alternative fuel buses and associated fueling infrastructure, with the preferred fuel being Compressed Natural Gas.

Committee Recommendations (reflects change from staff recommendation)

- A. Authorize the Chief Executive Officer to execute Agreement C-5-0746 between the Orange County Transportation Authority and New Flyer of America, Inc., in an amount not to exceed \$21,408,912, for the procurement of 50 compressed natural gas powered buses.
- B. This recommendation was pulled by staff at the Transit Planning and Operations Committee meeting.

24. Amendment to Agreement for ACCESS and Contracted Fixed Route Services

Curt Burlingame/William L. Foster

Overview

On April 12, 2004, the Board of Directors approved an agreement with Laidlaw Transit Services, Inc., in the amount of \$31,733,223, to provide ACCESS and Contracted Fixed Route services. While a procurement is underway for these services to be effective August 1, 2005, staff requests a four-month extension to the current agreement with Laidlaw Transit Services, Inc., to allow additional time for the evaluation of proposals for ACCESS and Contracted Fixed Route services. The current agreement expires July 31, 2005.

24. (Continued)

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 5 to Agreement C-4-0301 between the Orange County Transportation Authority and Laidlaw Transit Services, Inc., in an amount not to exceed \$10,657,474, for the provision of ACCESS and Contracted Fixed Route services through November 30, 2005.

Other Matters

25. Chief Executive Officer's Report

26. Directors' Reports

27. 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.

28. Closed Session

1. Pursuant to Government Code Section 54956.9(a) to discuss Juan Arana v. Orange County Transportation Authority, OCSC No. 04CC09459.
2. Pursuant to Government Code Section 54956.9(c).

29. Adjournment

The next regularly scheduled meeting of the OCTA/OCTD/OCLTA/OCSAFE/OCSSAAV Board will be held at **9:00 am. on June 27, 2005**, at OCTA Headquarters at 600 South Main Street, First Floor - Room 154 Orange, California.