

Date: Monday, June 23, 2008

Time: 9:00 a.m.

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



BOARD AGENDA

Orange County Transportation Authority Board Meeting
OCTA Headquarters
First Floor - Room 154, 600 South Main Street
Orange, California
Monday, June 23, 2008, at 9:00 a.m.

ACTIONS

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

Invocation

Director Glaab

Pledge of Allegiance

Director Rosen

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.

Public Availability of Agenda Materials

All documents relative to the items referenced in this agenda are available for public inspection at www.octa.net or through the Clerk of the Board's office at the OCTA Headquarters, 600 So. Main Street, Orange, California.



BOARD AGENDA

ACTIONS

Call to Order

Special Matters (Items 1 through 3)

1. Presentation of Resolutions of Appreciation for Employees of the Month for June 2008

Present Orange County Transportation Authority Resolutions of Appreciation Nos. 2008-36, 2008-37, 2008-38 to Tadahisa Ogawa, Coach Operator; Mario Ramos, Maintenance; and Edwin Byrne, Administration, as Employees of the Month for June 2008.

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

Present Orange County Transportation Authority Resolution of Appreciation No. 2008-50 to Orange County Sheriff's Deputy Dan Bloom.

3. Measure M Oversight Committee New Member Recruitment and Lottery
Alice T. Rogan/Ellen S. Burton

Overview

Measure M, first approved by voters in 1990, and renewed again by voters in 2006, calls for an oversight committee to serve as a watchdog over the Program of Transportation Improvements. Each year, new members are recruited and selected to fill vacancies left by expired terms. The recruitment process has been completed for 2008 and a lottery must take place in public session to fill vacancies in the Second Supervisorial District and the Third Supervisorial District.

Recommendations

- A. Pursuant to Measure M Ordinance, conduct the lottery for final selection of new Measure M Taxpayers Oversight Committee members by drawing one name representing the Second Supervisorial District and two names representing the Third Supervisorial District from the list of recommended finalists from Grand Jurors Association of Orange County.



BOARD AGENDA

ACTIONS

3. (Continued)

- B. Adopt Orange County Local Transportation Authority Resolutions of Appreciation Nos. 2008-33 for Brooks Corbin, 2008-34 for Merlin Henry, and 2008-35 for Greg Moore, members of the Taxpayers' Oversight Committee whose terms have expired.

Consent Calendar (Items 4 through 28)

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

4. Approval of Board Member Travel

Approval is requested for Director Art Brown to travel to Seattle, WA, July 20 22, 2008, to participate in the American Public Transportation Association Transit Board Member Seminar and Workshop.

5. Approval of Minutes

Of the Orange County Transportation Authority and affiliated agencies' regular meeting of June 9, 2008.

6. Approval of Resolutions of Appreciation for Employees of the Month for June 2008

Adopt Orange County Transportation Authority Resolutions of Appreciation Nos. 2008-36, 2008-37, and 2008-38 to Tadahisa Ogawa, Coach Operator; Mario Ramos, Maintenance; and Edwin Byrne, Administration, as Employees of the Month for June 2008.



BOARD AGENDA

ACTIONS

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

Adopt Orange County Transportation Authority Resolution of Appreciation No. 2008-50 for Orange County Sheriff's Deputy Dan Bloom.

8. **State Legislative Status Report**

Kristin Essner/P. Sue Zuhlke

Overview

An oppose position is recommended for a bill that would create new liabilities for a public entity when entering into a contract for a project.

Recommendation

Adopt the following recommended position on legislation:

Oppose AB 983 (Ma, D-San Francisco), which would impose additional requirements on public entities when entering into a contract with a private contractor for a project.

9. **Federal Legislative Status Report**

Richard J. Bacigalupo

Overview

This report provides an update on recent legislative issues in Washington, including the House fiscal year 2009 appropriations markup schedule, the congressional fiscal year 2009 budget resolution, and the signing into law of a transportation technical corrections act..

Recommendation

Receive and file as an information item.



BOARD AGENDA

ACTIONS

10. Draft 2008 State Route 91 Implementation Plan
Dan Phu/Kia Mortazavi

Overview

Enabling legislation related to the 91 Express Lanes requires the Orange County Transportation Authority to annually issue a plan and proposed schedule for the Riverside Freeway (State Route 91) improvement projects eligible for funding by potential excess toll revenue. The Draft 2008 State Route 91 Implementation Plan is provided for Board of Directors' review and approval.

Recommendation

Approve the Draft 2008 State Route 91 Implementation Plan.

11. 2007 Combined Transportation Funding Program Call for Projects
Jennifer Bergener/Kia Mortazavi

Overview

The Orange County Transportation Authority issued a Combined Transportation Funding Program call for projects in December 2007. This call for projects made funds available for streets and roads projects through four programs. A priority list of projects recommended for funding is presented for Board of Directors review and approval.

Recommendations

- A. Approve the recommended funding allocations for the 2007 Combined Transportation Funding Program call for projects in the categories of Intersection Improvement Program, Signal Improvement Program, Transportation Demand Management, and Growth Management Area.
- B. Authorize staff to amend the Regional Transportation Improvement Program as necessary to facilitate the programming recommended above.
- C. Authorize the Chief Executive Officer to execute all necessary agreements and amendments with local agencies to facilitate the programming recommended above.



BOARD AGENDA

ACTIONS

12. Combined Transportation Funding Program - March 2008 Semi-Annual Review

Jennifer Bergener/Kia Mortazavi

Overview

The Orange County Transportation Authority recently completed the semi-annual review of projects funded through the Combined Transportation Funding Program. This process reviews the status of grant-funded streets and roads projects and affords an opportunity for updates. The requested changes and recommendations are provided for Board of Directors review and approval.

Recommendation

Approve adjustments to the Combined Transportation Funding Program project allocations as presented.

13. Guiding Principles for the Renewed Measure M Transit Strategic Plan

Kurt Brotcke/Kia Mortazavi

Overview

The Renewed Measure M Early Action Plan includes a recommendation to develop a transit strategic plan to guide the development of the transit program. Guiding principles for the plan and future funding applications are presented for Board of Directors' review and approval.

Committee Recommendations

- A. Approve the amended guiding principles as presented in Transmittal Attachment A.
- B. Direct staff to return with funding guidelines for the competitive transit programs beginning in summer 2008.



BOARD AGENDA

ACTIONS

14. **Cooperative Agreement with California Department of Transportation for the Garden Grove Freeway (State Route 22) Additional Soundwalls Project**

George B. Saba/Kia Mortazavi

Overview

The Orange County Transportation Authority proposes to enter into a cooperative agreement with the California Department of Transportation to establish roles and responsibilities for the preparation of plans, specifications, estimate, and right-of-way certification for the additional soundwalls along the Garden Grove Freeway (State Route 22).

Recommendation

Authorize the Chief Executive Officer to execute Cooperative Agreement No. 8-0882 between the Orange County Transportation Authority and the California Department of Transportation for the preparation of plans, specifications, estimate, and right-of-way certification for the additional soundwalls along the Garden Grove Freeway (State Route 22).

15. **Multi-County Goods Movement Action Plan**

Barry Engelberg/Kia Mortazavi

Overview

In June 2004, the Orange County Transportation Authority entered into a partnership with other regional transportation commissions and authorities to address the goods movement challenges facing Southern California. This effort was critical to Southern California and Orange County's success to receive Trade Corridors Improvement Fund. The Orange County Transportation Authority was awarded \$218 million in Proposition 1B funds. A final report and cooperative agreement amendment are presented for Board of Directors' review and approval.



BOARD AGENDA

ACTIONS

15. (Continued)

Recommendations

- A. Approve the Multi-County Goods Movement Action Plan.
- B. Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement No. C-5-2653 between the Orange County Transportation Authority and the Los Angeles County Metropolitan Transportation Authority, in the amount of \$27,420, for additional services performed by Wilbur Smith Associates for the Multi-County Goods Movement Action Plan.

16. **Agreement with Orange County Register for Transportation Curriculum Program for Youth**

Stella Lin/Ellen S. Burton

Overview

Staff is requesting authorization to enter into a sole source agreement with the Orange County Register to provide a transportation curriculum for students and teachers for the upcoming 2008-2009 school year.

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-8-0949 between the Orange County Transportation Authority and the Orange County Register, in the amount of \$50,000, for the period from July 1, 2008, to June 30, 2009, for the Newspaper in Education Program, which includes transportation curriculum specifically designed for Orange County Transportation Authority.

17. **Citizens Advisory Committee Update**

Tamara S. Warren/Ellen S. Burton

Overview

The Orange County Transportation Authority's Citizens Advisory Committee has been meeting monthly for the past year. A summary of the Citizens Advisory Committee's activities and the status of committee appointments are provided with this report.



BOARD AGENDA

ACTIONS

17. (Continued)

Recommendations

- A. Receive and file the Citizens Advisory Committee status report.
- B. Adopt Resolutions of Appreciation 2008-45 through 2008-49 for members of the 2007-2008 Citizens Advisory Committee who will be leaving the committee.

18. **Agreement for Upgrade of Nortel Telecommunications Systems**

Barbara Pouliot/James S. Kenan

Overview

As part of the fiscal year 2007-08 budget, the Board approved the purchase and installation of upgrades to the Orange County Transportation Authority's Nortel Telecommunications Systems. Proposals were received in accordance with the Orange County Transportation Authority's fixed assets procurement procedures.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-8-0685 between the Orange County Transportation Authority and Integrated Technology, whose offer best meets the Orange County Transportation Authority's requirements, in an amount not to exceed \$271,034, for upgrades of Nortel Telecommunications Systems.

19. **Request for Proposals for Armored Vehicle and Fare Collection Counting Services**

Tom Wulf/James S. Kenan

Overview

Staff has developed a scope of work and a request for proposals for armored vehicle and fare collection counting services. The total cost of a five-year contract is anticipated to be around \$5 million.



BOARD AGENDA

ACTIONS

19. (Continued)

Recommendations

- A. Approve the proposed evaluation criteria and weightings.
- B. Approve the release of the Request for Proposals 8-0921 for Armored Vehicle and Fare Collection Counting Services.

20. **Agreement for a Leadership Development and Succession Planning Program**

Julie Espy/James S. Kenan

Overview

The Orange County Transportation Authority has begun a limited Leadership Development and Succession Planning Program. Staff seeks consultant services to assist in creating a self-sustaining program open to participants in all divisions.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-8-0640 between the Orange County Transportation Authority and Insight Strategies, Inc., in an amount not to exceed \$259,100 over three years, for a Leadership Development and Succession Planning Program.

21. **Fiscal Year 2007-08 Third Quarter Budget Status Report**

Rene I. Vega/James S. Kenan

Overview

The Orange County Transportation Authority's staff has implemented the fiscal year 2007-08 budget. This report summarizes the material variances between the budget plan and actual revenues and expenses.

Recommendation

Receive and file as an information item.



BOARD AGENDA

ACTIONS

Orange County Local Transportation Authority Consent Calendar Matters

22. Approval to Release Request for Proposals for On-Call Traffic Engineering Services

Anup Kulkarni/Kia Mortazavi

Overview

Consultant traffic engineering services are needed to support the Proposition 1B Traffic Light Synchronization Program. This program will provide funding to implement signal synchronization on over 150 miles of Orange County streets over the next three fiscal years. Orange County Transportation Authority staff has developed a draft request for proposals to initiate the procurement process to retain consultants to provide on-call traffic engineering services to support the program.

Recommendations

- A. Approve the proposed evaluation criteria and weightings.
- B. Approve the release of Request for Proposals 8-0612 for on-call traffic engineering services.

23. Selection of a Consultant for Preparation of Plans, Specifications, and Estimate for Placentia Metrolink Station Improvements Project

Pradeep Gunaratne/Kia Mortazavi

Overview

Proposals for consulting services to prepare plans, specifications, and estimate for the Placentia Metrolink Station were solicited in accordance with the Orange County Transportation Authority's procurement procedures for the retention of a consultant to perform architectural and engineering work. Approval is requested for the selection of a firm to perform the required work.



BOARD AGENDA

ACTIONS

23. (Continued)

Recommendations

- A. Select Willdan Engineering as the top-ranked firm to prepare plans, specifications, and estimate for the Placentia Metrolink Station.
- B. Authorize the Chief Executive Officer to request a cost proposal from Willdan Engineering and negotiate an agreement for services.
- C. Authorize the Chief Executive Officer to execute the final agreement.

24. Rail-Highway Grade Crossing Enhancement Program Update

Mary Toutouchi/Kia Mortazavi

Overview

On August 27, 2007, the Orange County Transportation Authority Board of Directors approved the implementation strategy for the Rail-Highway Grade Crossing Enhancement Program and quiet zone improvements at 53 at-grade rail-highway crossings in Orange County. Significant efforts have been undertaken to advance the program towards completion by the spring of 2010. This progress report provides an update on the program for the Board of Directors' consideration. In addition, a program budget amendment is proposed, in the amount of \$10 million, to bring the total program budget to \$70 million. This is based on updated cost estimates generated at 30 percent design completion.

Recommendations

- A. Approve the elimination of the Raymond Street grade crossing, in the City of Fullerton, from the Rail-Highway Grade Crossing Enhancement Program. This reduces the number of at-grade crossings in the program from 53 to 52. Raymond Street is now funded for construction of a grade separation.
- B. Amend the program scope to include city traffic signal improvements needed to support the railroad signal system/city traffic signal interface and right-of-way acquisition, where necessary, for the construction of safety enhancements.



BOARD AGENDA

ACTIONS

24. (Continued)

- C. Approve an amendment of \$10 million to the program budget, increasing the total program budget from \$60 million to \$70 million, for combined railroad grade crossing safety enhancements and quiet zone improvements at 52 at-grade rail-highway crossings.
- D. Authorize the use of \$8.8 million of Renewed Measure M funds and \$1.2 million of local city matching funds for the amendment to the program budget.

Orange County Transit District Consent Calendar Matters

25. **Agreement for Construction of Steam Clean Area Modifications at the Santa Ana Base**
James J. Kramer/Kia Mortazavi

Overview

Facility modifications to the steam clean area at the Santa Ana Base are necessary to minimize water intrusion into the adjacent maintenance service bays. The project is ready for construction and Board of Directors' authorization is requested.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-8-0768 between the Orange County Transportation Authority and Autolift Services, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$91,500, for steam clean area modifications at the Santa Ana Base.



BOARD AGENDA

ACTIONS

26. **Amendment to Agreement for Support Services and Infrastructure for the On-Board Bus Video Surveillance System**
Ryan Erickson/Beth McCormick

Overview

On May 22, 2006 and April 23, 2007, the Board of Directors approved an agreement and amendments with March Networks Corporation, in the total amount of \$819,292, to provide wireless infrastructure, system maintenance, and video storage and retrieval services for the on-board bus video surveillance system. It is time to consider exercising the second option term for system maintenance, video storage, and video retrieval services, along with additional infrastructure and in-vehicle capital improvements.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 6 to Agreement No. C-6-0142 between the Orange County Transportation Authority and March Networks Corporation, in an amount not to exceed \$370,000, to exercise the second option term for support services and to complete infrastructure and in-vehicle capital improvements, for a new total contract value of \$1,189,292.

27. **Customer Relations Report for Third Quarter Fiscal Year 2007-08**
Adam Raley/Ellen S. Burton

Overview

The Customer Relations report is submitted to the Orange County Transportation Authority Board of Directors on a quarterly basis. The report provides an overview of customer communications received during the prior period of January through March 2008, as well as a review of the performance of Alta Resources, the contracted provider of the Customer Information Center.

Recommendation

Receive and file as an information item.



BOARD AGENDA

ACTIONS

28. Customer Information Center Update

Marlon Perry/Ellen S. Burton

Overview

The Orange County Transportation Authority Customer Information Center assists customers with trip planning by providing travel itineraries and general information to bus riders seven days a week, 365 days a year. This report provides an update on the Customer Information Center including the increases in call volume and the effect on the Alta Resources contract.

Committee Recommendation

Direct staff to return to conduct a six-month pilot program of hours reduction and return to Committee with results report.

Regular Calendar

Orange County Transportation Authority Regular Calendar Matters

29. Trade Corridors Improvement Fund Grade Separation Projects

Tom Bogard/Kia Mortazavi

Overview

On April 10, 2008, the California Transportation Commission approved an allocation of \$183 million to Orange County under the Trade Corridors Improvement Fund program for seven railroad grade separation projects. This report discusses the next steps planned in the implementation of these projects and the special risks associated with this work.

Committee Recommendations

- A. Release request for proposals No. 8-0961, No. 8-0922, and No. 8-0962 to select firms to provide final design services for the Placentia Avenue, Kraemer Boulevard, and Lakeview Avenue grade separation projects, respectively.



BOARD AGENDA

ACTIONS

29. (Continued)

- B. Advance final design services for the Orangethorpe Avenue and Tustin Avenue/Rose Drive grade separation projects.
- C. Expedite the traffic analysis study of the grade separation projects.

30. **91 Express Lanes Debt**

Kirk Avila/James S. Kenan

Overview

In January 2008, Ambac Assurance Corporation was downgraded by Fitch, Inc. and placed on negative credit watch by Moody's Investors Service, Inc., and Standard and Poor's Ratings Services. As a result, many investors have lost confidence in any debt insured by Ambac Assurance Corporation. The 91 Express Lanes variable rate bonds are currently insured by Ambac Assurance Corporation and have experienced higher interest rate costs since the downgrade. Staff has evaluated various options and presents a refinancing strategy for approval.

Committee Recommendations

- A. Select Lehman Brothers, Citi, De La Rosa, Goldman Sachs, JP Morgan Securities, Inc., and Merrill Lynch to serve on the underwriting team for the refinancing of the 91 Express Lanes debt with Lehman Brothers serving as the senior manager.
- B. Authorize the issuance of a request for proposals for credit support and liquidity agreement for the new 91 Express Lanes variable rate bonds.



BOARD AGENDA

ACTIONS

Orange County Local Transportation Authority Regular Calendar Matter

31. Garden Grove Freeway (State Route 22) Design-Build Project Update Joe Toolson/Kia Mortazavi

Overview

The major improvements on the Garden Grove Freeway (State Route 22) from Valley View Street to the Costa Mesa Freeway (State Route 55) were completed in September 2007 and all lanes were opened to traffic. Since this time, all corrective work has been completed and the improved facilities have been turned over to the California Department of Transportation and other local agencies. This report provides an update on the completion of the project and gives the status of several ongoing work items associated with the project. This report also requests approval of a cooperative agreement with the City of Garden Grove for improvements related to the Garden Grove Freeway (State Route 22).

Recommendation

Authorize the Chief Executive Officer to execute Cooperative Agreement No. C-7-1368 between the Orange County Transportation Authority and the City of Garden Grove, in which the Orange County Transportation Authority will reimburse the City of Garden Grove \$1,350,000, for the design, construction, construction management, and maintenance of the placement of rubberized asphalt concrete on Trask Avenue, and the City of Garden Grove will reimburse the Orange County Transportation Authority \$572,286 for the completion of the third through-lane on eastbound Garden Grove Boulevard.

Discussion Items

32. Public Comments

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



BOARD AGENDA

33. Chief Executive Officer's Report

34. Directors' Reports

35. Closed Session

A Closed Session is not scheduled for this meeting.

36. Adjournment

There is a Special Meeting of the Board of Directors scheduled for **8:30 a.m. on Monday, July 14, 2008**, and the next regularly scheduled meeting of this Board will be held at **9:00 a.m. on July 14, 2008**, at the OCTA Headquarters.

ACTIONS



June 23, 2008

To: Members of the Board of Directors
From: Arthur T. Leahy, Chief Executive Officer
Subject: Measure M Taxpayers Oversight Committee New Member Recruitment and Lottery

Overview

Measure M, first approved by voters in 1990, and renewed again by voters in 2006, calls for an oversight committee to serve as a watchdog over the Program of Transportation Improvements. Each year, new members are recruited and selected to fill vacancies left by expired terms. The recruitment process has been completed for 2008 and a lottery must take place in public session to fill vacancies in the Second Supervisorial District and Third Supervisorial District.

Recommendations

- A. Pursuant to Measure M Ordinance, conduct the lottery for final selection of new Measure M Taxpayers Oversight Committee members by drawing one name representing the Second Supervisorial District and two names representing the Third Supervisorial District from the list of recommended finalists from Grand Jurors Association of Orange County.
- B. Adopt Orange County Local Transportation Authority resolutions of appreciation nos. 2008-33 for Brooks Corbin, 2008-34 for Merlin Henry and 2008-35 for Greg Moore, members of the Taxpayers Oversight Committee whose terms have expired.

Background

A Measure M oversight committee is required by the Traffic Improvement and Growth Management Plan Ordinance No. 2 (M1) as well as Ordinance No. 3 (M2). The oversight committee is an independent committee representing all five supervisorial districts in the County and is responsible for ensuring the

transportation projects in Measure M are implemented according to the expenditure plan approved by the voters.

The original oversight committee, known as the Citizens Oversight Committee (COC) began meeting in 1991. M2 called for the COC to be transformed into the Taxpayers Oversight Committee (TOC). Last year, the TOC took on the role of the COC and has essentially the same make-up and basic responsibilities. The 11-member committee has a balanced representation of all supervisorial districts, with 10 private citizens plus the Orange County Auditor-Controller. The TOC meets bimonthly to review progress on the implementation of the Measure M program.

Each year, as terms on the TOC come to an end, recruitment is conducted to fill vacancies on the TOC. As outlined in the M1 Ordinance, the recruitment process is conducted by the Grand Jurors Association of Orange County (GJAOC). This organization acts as an independent body serving in the interest of Orange County citizens. In its role, the GJAOC appoints a five-member selection panel (GJAOC Selection Panel).

The GJAOC Selection Panel conducted the first COC application/recruitment program from August to October 1990. The first lottery took place on November 15, 1990, and the individuals chosen began meeting in January 1991, serving staggered one-year, two-year, or three-year terms. Following the same recruitment process, new members serving three-year terms have joined the committee each year, replacing outgoing members whose terms have expired.

Discussion

On June 30, 2008, the terms of three members of the TOC will expire. The membership roster is attached (Attachment A). The schedule for the recruitment process for this year began in April (Attachment B) to fill vacancies in the Second and Third supervisorial districts.

The GJAOC Selection Panel (Attachment C) concluded the recruitment process to fill the three vacant positions at the end of May. The GJAOC Selection Panel used a fact sheet/application form for recruitment purposes (Attachment D). Applications were distributed to approximately 3,000 persons in the Second and Third supervisorial districts by utilizing direct mail to listings in the Orange County Transportation Authority database. Advertisements were also placed in the *Los Angeles Times/Orange County Edition*, the *Orange County Register*, and local newspapers. In addition, announcements were sent to local organizations to include in their newsletters.

The members of the GJAOC Selection Panel screened nearly 70 applications from interested citizens. The GJAOC Selection Panel looked closely at each applicant's community service record as well as experience in community and transportation issues. The GJAOC Selection Panel considered each individual's ability to assess and analyze facts, desire to make the oversight committee a priority, involvement in community organizations, special skills or experience, and degree of knowledge of government. In addition, M1 Ordinance prohibits elected or appointed officials from serving on the Taxpayers Oversight Committee. Finalists with potential conflicts have agreed to resign from their elected positions if selected.

Following an initial screening process, personal interviews were conducted by the GJAOC Selection Panel in an effort to gain as much insight as possible into the most qualified candidates.

The criteria listed in Policy Resolution No. 1, Section III, No. 3 of Ordinance No. 2, calls for a minimum of three and no more than five candidates to be recommended for each supervisorial district. The GJAOC Selection Panel is recommending 15 candidates for possible membership on the committee: five from the Second District and 10 from the Third District. The list of finalists is included as Attachment E.

At the June 23, 2008, Board of Directors meeting, the Chairman will select three persons by lottery to fill the vacant positions - one from the Second District and two from the Third District. The three new members will begin serving their terms in July 2008. For the Third Supervisorial District, the first name drawn will serve a three-year term and the second name drawn will serve a two-year term in order to ensure continuity on the committee. The representative from the Second Supervisorial District will serve a three-year term.

During the lottery process, the first name drawn from each supervisorial district will be the selected committee member. The remaining names will be drawn from each supervisorial district to establish a contingency list. Should a vacancy occur, finalists would be called upon to serve on the committee in the order in which the names were drawn.

Resolutions for Outgoing Members

Participation on the TOC has been a three-year commitment. The volunteers who serve on the TOC provide expertise and insight resulting in thoughtful discussion regarding implementation and oversight of Measure M. In

Merlin Henry, Third Supervisorial District; and Greg Moore, Third Supervisorial District (Attachment F).


Summary

The GJAOC Selection Panel has completed its recruitment for three open positions on the Measure M Taxpayers Oversight Committee for the Second and Third supervisorial districts. The GJAOC Selection Panel has submitted the names of eligible candidates for the 2008 lottery to fill the three positions. Three resolutions of appreciation for outgoing TOC members are included for Board adoption.


Attachments

- A. Measure M Taxpayers Oversight Committee Members – July 1, 2007 through June 30, 2008
- B. Measure M Oversight Committee 2008 Recruitment Schedule Supervisorial Districts Two and Three
- C. Grand Jurors Association of Orange County – Oversight Committee Selection Panel 2008
- D. 2008 Measure M Taxpayers Oversight Committee Application
- E. Measure M Taxpayers Oversight Committee 2008 Finalists
- F. Resolutions of Appreciation to Outgoing Members

Prepared by:


Alice T. Rogan
Community Relations Officer
(714) 560-5577

Approved by:


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

**MEASURE M
TAXPAYERS OVERSIGHT COMMITTEE MEMBERS
JULY 1, 2007 THROUGH JUNE 30, 2008**

<u>District</u>	<u>Name</u>	<u>Term</u>	<u>Expiration</u>
1	Charles Smith	3 Years	2010
1	Narinder Mahal	2 years	2009
2	Brooks Corbin	3 Years	2008
2	Gilbert Ishizu	3 Years	2009
3	Merlin Henry	3 Years	2008
3	Greg Moore	3 Years	2008
4	Frederick von Coelin	3 Years	2009
4	Rose Coffin	3 years	2010
5	Richard Gann	3 years	2010
5	James Kelly	3 years	2009
	David Sundstrom, Auditor-Controller		

**MEASURE M OVERSIGHT COMMITTEE
2008 RECRUITMENT SCHEDULE
SUPERVISORIAL DISTRICTS TWO AND THREE**

January 24	Planning meeting with Selection Panel
April 2	Advertisement appears in local papers within the Second and Third supervisorial districts
1	Press release distributed
1 & 5	Advertisement appears in the <i>Orange County Register</i> , L.A. Times edition; and the <i>Orange County Register</i> , Metro section
19	Advertisement appears in the <i>Orange County Register</i>
May 2	Applications due
6	Reading of applications by Selection Panel
7-27	Selection Panel interviews candidates
27	Selection Panel submits list of finalists to OCTA
27-31	Legal review for conflict of interest
June 23	OCTA Chairman draws names

**GRAND JURORS ASSOCIATION OF ORANGE COUNTY
OVERSIGHT COMMITTEE
SELECTION PANEL
2008**

Joe Moreland (Chair)

Peter Carter

Charlotte Fox

Rose Moreno

Glen Stroud

APPLY FOR THE 2008 MEASURE M TAXPAYERS OVERSIGHT COMMITTEE

RESIDENTS NEEDED FROM THE SECOND AND THIRD SUPERVISORIAL DISTRICTS

Measure M is the Transportation Ordinance and Plan approved first by Orange County voters in 1990 and renewed again by voters in 2006. The combined measures raise the sales tax in Orange County by one-half cent for a total period of 50 years to alleviate traffic congestion. This money is administered by the Orange County Transportation Authority (OCTA) and pays for specific voter-approved transportation projects for freeway improvements, local street and road improvements, and rail and transit programs specified in the Plan.

Measure M requires that an independent Taxpayers Oversight Committee ensure the integrity of the measure by acting as watchdog over the expenditures specified in the Transportation Ordinance and Plan.

The responsibilities of the 11-member Measure M Oversight Committee are to:

- Ensure all transportation revenue collected from Measure M is spent on the projects approved by the voters as part of the Plan;
- Ratify any changes in the Plan and recommend any major changes go back to the voters for approval;
- Participate in ensuring that all jurisdictions in Orange County conform with the requirements of Measure M before receipt of any tax monies for local projects;
- Hold annual public meetings regarding the expenditure and status of funds generated by Measure M;
- Review independent audits of issues regarding the Plan and performance of the Orange County Local Transportation Authority regarding the expenditure of Measure M sales tax monies.
- Annually certify whether Measure M funds have been spent in compliance with the Plan.

► HOW ARE MEMBERS CHOSEN?

Measure M Oversight Committee candidates are chosen by the Grand Jurors Association of Orange County (GJAOC), which has formed a five-member Oversight Committee Selection Panel to conduct an extensive recruitment program. The panel screens all applications, conducts interviews and recommends candidates for membership on the Taxpayers Oversight Committee. The GJAOC is made up of former grand jurors who have a continuing concern for good government and whose purpose is to promote public understanding of the functions and purpose of the grand jury. The GJAOC is a neutral body serving the interests of the citizens of Orange County.

Measure M Taxpayers Oversight Committee members represent each of the five Orange County Supervisorial Districts and have been meeting regularly since 1990. At this time, the GJAOC is conducting a recruitment to fill three vacancies with two representatives from the Third and one from the Second supervisorial districts. The GJAOC will recommend as many as five finalists from each district. The new members are to be chosen by lottery at the June 23, 2008 meeting of the OCTA Board of Directors. The terms for the new committee members will begin July 1, 2008. The representatives will serve three-year terms which expire on June 30, 2011. This is a volunteer position and no monetary compensation will be paid to committee members. The Chairperson is the elected Auditor-Controller of Orange County. The Auditor-Controller's term coincides with his/her elected term.

► WHO CAN APPLY TO SERVE?

Any Orange County citizen 18 years or older may apply to serve on the Measure M Taxpayers Oversight Committee. Potential candidates will be reviewed on the basis of the following criteria:

1. Commitment and ability to participate in Taxpayers Oversight Committee meetings for a three-year term from July 1, 2008 to June 30, 2011. The Committee will maintain time and meeting requirements. The Committee currently meets bi-monthly.
2. Demonstrated interest and history of participation in community activities, with special emphasis on transportation-related activities.
3. Lack of conflict of interest with respect to the expenditure of the sales tax revenue generated by Measure M. All Taxpayers Oversight Committee members are required to sign a conflict of interest form when accepting appointment.
4. Elected or appointed city, district, county, state or federal officials are not eligible to serve.

DEADLINE FOR APPLICATION:

All applications **MUST** be received no later than **May 2, 2008**. For more information, call the GJAOC's Citizen Oversight Committee Selection Panel at (714) 970-9329. Please mail application to:

GJAOC's Measure M Oversight Committee
Selection Panel
P.O. Box 1154
Yorba Linda, CA 92885-1154

APPLICATION FOR MEASURE M TAXPAYERS OVERSIGHT COMMITTEE

PLEASE TYPE OR PRINT USING DARK INK. ADDITIONAL SHEETS MAY BE ATTACHED IF NEEDED.

Name (Mr. Ms. Mrs.) _____ Email _____
(circle one)

Business Address _____ City _____ Zip Code _____

Residence Address _____ City _____ Zip Code _____

Home Phone (_____) _____ Business Phone (_____) _____

Supervisory District Number _____ (Call Registrar of Voters at (714) 567-7586 to confirm your district.)

Are you presently employed? _____ not employed? _____ retired? _____

Present Occupation _____ Employer _____

Please state your ethnic origin (optional) _____

How long have you lived in Orange County? _____

Are you a citizen of the United States? Yes No

Are you a registered voter? Yes No

Are you related to, or closely associated with any elected official or public employee? Yes No

If yes, please state the nature of the association.

Have you ever been convicted of malfeasance in office, or of any felony? Yes No

If yes, please explain.

As a member of any profession or organization, or as a holder of any office, have you ever been suspended, disbarred, or otherwise disqualified? Yes No

If yes, please explain.

Do you personally have any past or pending issues related to development or transportation in any Orange County city? Yes No

If yes, please explain.

Are you currently serving with any organization in an elected or appointed capacity involved with planning or traffic matters? Yes No

If yes, please explain.

KEEP AN EYE ON YOUR TAX DOLLARS

Do you possess research abilities, including complex reading facility and capability to assess and analyze facts? Yes No

Are you able and willing to define and evaluate issues without expressing a personal bias? Yes No

While no specific time commitment is predetermined, are you willing to make a conscientious effort for a period of three years to give membership on this committee a priority and participate as necessary? Yes No

If you are presently active or have been active in the past five years in any organization, please give the organization name, nature of your activities and duties, and appropriate dates. (Attach sheet if necessary)

In what transportation-related activities have you been involved?

What do you know about Measure M?

What specialized skill or expertise would you bring to the Oversight Committee?

EDUCATIONAL BACKGROUND:

List highest grade completed, any degrees you hold and the college/university attended and date of graduation.

EMPLOYMENT BACKGROUND:

List employment history for the last five years, including positions and titles held.

How did you hear about the Taxpayers Oversight Committee?

APPLICATION FOR MEASURE M TAXPAYERS OVERSIGHT COMMITTEE

Why do you wish to be considered for membership on the Taxpayers Oversight Committee?

APPLICATION MUST BE RECEIVED BY MAY 2, 2008.

Please send completed application to:

GJAOC's Measure M Taxpayers Oversight Committee Selection Panel
P.O. Box 1154
Yorba Linda, CA 92885-1154

For more information call (714) 970-9329.

I hereby declare the information provided in this Application for the Measure M Oversight Committee is true, correct and complete to the best of my knowledge. I understand that my statements may be verified and I give permission to do so.

_____ Date

_____ Signature



Orange County Transportation Authority
550 South Main Street
PO Box 14184
Orange, CA 92863-1584

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**MEASURE M
OVERSIGHT COMMITTEE
2008 FINALISTS**

DISTRICT 2

NAME	CITY
Howard D. Mirowitz	Newport Beach
Tom Eichhorn	Newport Beach
Michael Schwarzmann	Costa Mesa
Heriberto Soto	Newport Beach
Tom Truscott	La Palma

DISTRICT 3

NAME	CITY
Edgar Wylie	Irvine
C. James Hillquist	Yorba Linda
Ty Keith	Orange
Susan Lamourex	Irvine
Robert W. Clemmer	Yorba Linda
Herbert W. Trumpoldt	Yorba Linda
Michael T. Lebeau	Orange
Fernando Salvidar	Tustin
Roger T. Merchant	Brea
Bill Quisenberry	Orange

Brooks Corbin

WHEREAS, the Orange County Transportation Authority Board of Directors recognizes and commends the valuable contribution of Brooks Corbin to the successful implementation of Measure M to date; and

WHEREAS, be it known that Brooks Corbin has served on the Measure M Citizens/Taxpayers Oversight Committee from July 2005 to June 2008;

WHEREAS, Mr. Corbin served as Co-Chairman of the Measure M Citizens/Taxpayers Oversight Committee for one year;

WHEREAS, Mr. Corbin has served on the Measure M Citizens/Taxpayers Oversight Committee Audit Subcommittee for three years;

WHEREAS, representing the citizens of Orange County and the Second Supervisorial District, Mr. Corbin displayed a keen perception and understanding of issues and the complexities of Measure M.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors does hereby acknowledge and appreciate the dedicated efforts of Mr. Corbin and his willingness to give up many hours of his personal time to ensure the will of the voters, and the integrity of Measure M is maintained.

Dated: June 23, 2008

**Chris Norby, Chairman
Orange County Transportation Authority**

Merlin Henry

WHEREAS, the Orange County Transportation Authority Board of Directors recognizes and commends the valuable contribution of Merlin Henry to the successful implementation of Measure M to date; and

WHEREAS, be it known that Merlin Henry has served on the Measure M Citizens/Taxpayers Oversight Committee from 2005 to 2008;

WHEREAS, Mr. Henry has served on the Measure M Citizens/Taxpayers Oversight Committee Growth Management Subcommittee for three years;

WHEREAS, Mr. Henry also served as Chairman of the Measure M Citizens/Taxpayers Oversight Committee Growth Management Subcommittee for one year;

WHEREAS, Mr. Henry has acted in the best interest of the citizens of Orange County and the Third Supervisorial District.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors does hereby acknowledge and appreciate the dedicated efforts of Mr. Henry and his willingness to give up many hours of his personal time to ensure the will of the voters, and the integrity of Measure M is maintained.

Dated: June 23, 2008

**Chris Norby, Chairman
Orange County Transportation Authority**

OCTA Resolution No. 2008-34

Greg Moore

WHEREAS, the Orange County Transportation Authority Board of Directors recognizes and commends the valuable contribution of Greg Moore to the successful implementation of Measure M to date; and

WHEREAS, be it known that Greg Moore has served on the Measure M Citizens/Taxpayers Oversight Committee from 2005 to 2008;

WHEREAS, Mr. Moore has served on the Measure M Citizens/Taxpayers Oversight Committee Growth Management Subcommittee for three years;

WHEREAS, Mr. Moore has acted in the best interest of the citizens of Orange County and the Third Supervisorial District.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors does hereby acknowledge and appreciate the dedicated efforts of Mr. Moore and his willingness to give up many hours of his personal time to ensure the will of the voters, and the integrity of Measure M is maintained.

Dated: June 23, 2008

**Chris Norby, Chairman
Orange County Transportation Authority**

OCTA Resolution No. 2008-35

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
June 9, 2008

Call to Order

The June 9, 2008, regular meeting of the Orange County Transportation Authority and affiliated agencies was called to order by Chairman Norby at 9:00 a.m. at the Orange County Transportation Authority Headquarters, Orange, California.

Roll Call

Directors Present: Chris Norby, Chairman
Peter Buffa, Vice Chair
Jerry Amante
Patricia Bates
Bill Campbell
Carolyn Cavecche
Richard Dixon
Paul Glaab
Cathy Green
Allan Mansoor
John Moorlach
Janet Nguyen
Curt Pringle
Miguel Pulido
Mark Rosen
Gregory T. Winterbottom
Cindy Quon, Governor's Ex-Officio Member

Also Present: Arthur T. Leahy, Chief Executive Officer
Paul C. Taylor, 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: Arthur C. Brown

Invocation

Vice Chair Buffa gave the invocation.

Pledge of Allegiance

Director Green led the Board and audience in the Pledge of Allegiance.

Public Comments on Agenda Items

Chairman Norby 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. Public Hearing on the Orange County Transportation Authority's Fiscal Year 2008-09 Budget

Chairman Norby opened the public hearing and invited comments by members of the public who wished to address the Board on the budget.

Public comments were heard from:

Jim Fitzpatrick, resident of Costa Mesa, extended his appreciation to the Board for their support of the State Route 55 project.

Ken Phipps, Director of Finance, Administration, and Human Resources, presented a summary and highlights of this year's proposed balanced budget.

Christie Rudder, representing the Dayle McIntosh Center, requested that safety be considered in the signal synchronization and that the budgeted project be continued to remove barriers at bus stops to make it easier for those using wheelchairs.

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

- A. Conduct a public hearing on the Orange County Transportation Authority's Fiscal Year 2008-09 Budget on June 9, 2008.
- B. Approve by resolution the Orange County Transportation Authority's Fiscal Year 2008-09 Budget.
- C. Approve changes to the Personnel and Salary Resolution.
- D. Authorize the purchasing agent to execute specified annual software and hardware licensing, maintenance, and emergency support purchase orders and/or agreements.

Consent Calendar (Items 2 through 26)

Chairman Norby stated 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.

Orange County Transportation Authority Consent Calendar Matters

2. Approval of Board Member Travel

A motion was made by Vice Chairman Buffa, seconded by Director Green, and declared passed by those present, to approve travel requests for Chairman Norby, Vice Chair Buffa, and Directors Amante, Campbell, and Cavecche to travel to New York, NY, in June 2008 to participate in the Annual Rating Agency Trip.

3. Approval of Minutes

A motion was made by Vice Chairman Buffa, seconded by Director Green, and declared passed by those present, to approve the minutes of the regular meeting of the Orange County Transportation Authority and affiliated agencies' regular meeting of May 23, 2008.

4. Limited Review of Western Conference of Teamsters Pension Plan

A motion was made by Vice Chairman Buffa, seconded by Director Green, and declared passed by those present, to direct staff to implement the recommendation in the Limited Review of Western Conference of Teamsters Pension Plan, Internal Audit Report No. 08-009.

5. Internal Audit Activity Comparisons

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

6. State Legislative Status Report

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

A. Adopt the following recommended position on legislation:

Support AB 2009 (Hernandez, D-West Covina and
Huff, R-Diamond Bar)

B. Oppose the diversion of base transit operation funds for General Fund purposes.

7. State Legislative Advocacy and Consulting Services

A motion was made by Vice Chairman Buffa, seconded by Director Green, and declared passed by those present, for the Board of Directors to consider at a future meeting an extension of the current contract with Sloat Higgins Jensen & Associates in lieu of commencing a competitive procurement for state advocacy services effective December 1, 2008.

8. Federal Legislative Status Report

Director Moorlach pulled this item and inquired about reasons to support this bill. Director Rosen stated that he had opposed this at the Legislative and Communications Committee, seeing it as an effort to raise fees or taxes on imports and exports. He stated that he feels it is an abysmal national economic policy, particularly with gas prices now increasing greatly. Director Rosen further stated that this type of fee or tax will greatly add to the cost of goods throughout the United States and cause further economic stress.

Director Pringle stated that the distinction is very clear between a fee and a tax, and he does not believe this is a tax. He believes this fee is for the cost of impacts that are placed on everyone as a result of additional trade. He stated that while he feels that opening the country's access to trade around the world is positive, it should not come to the detriment of U.S. automobile drivers, and that is what he believes it does.

Discussion followed, resulting in Director Pringle making a motion, seconded by Director Amante, to make the following modifications to the letter to Congressman Calvert:

- Emphasize verbiage that the fee not be collected on an ad valorem basis, but rather based upon the volume impacts;
- Address spending the money where the greatest impacts are occurring;
- Projects would need to go through a competitive process to receive this level of funding.

Director Mansoor recommended a letter of suggestions or concern, not 'support' be sent. Members agreed with this distinction in the letter.

A roll call vote was taken, with the Board voting 14-2 to accept these modifications.

Voting in opposition of this motion were Directors Nguyen and Rosen.

9. Proposition 1B California Transit Security Grant Program Authorization

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

- A. Adopt Orange County Transportation Authority Resolution No. 2008-43 authorizing the Chief Executive Officer to file and execute grant-related agreements with the Governor's Office of Homeland Security, as the designated administrative agency of the California Transit Security Grant Program.
- B. Approve the candidate project list and authorize staff to amend the Regional Transportation Improvement Program and State Transportation Improvement Program to accommodate grant revenues.

10. 2008 Regional Transportation Plan

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

11. Consultant Selection for a Comprehensive Strategic Assessment to Study the Coordination and Improvement of Passenger Rail Services in the Los Angeles - San Diego - San Luis Obispo Rail Corridor

A motion was made by Vice Chairman Buffa, seconded by Director Green, and declared passed by those present, to authorize the Chief Executive Officer to execute Agreement No. C-8-0548 between the Orange County Transportation Authority and Wilbur Smith Associates, in the amount of \$349,364, to conduct a comprehensive strategic assessment to study the coordination and improvement of passenger rail services in the Los Angeles – San Diego – San Luis Obispo rail corridor.

12. Request to Award Agreement for Information Security – Vulnerability Management Program and Assessment Services

This item was deferred to a future meeting.

13. Resolution to Establish the Orange County Transportation Authority General Fund Appropriations Limitation for Fiscal Year 2008-09

A motion was made by Vice Chairman Buffa, seconded by Director Green, and declared passed by those present, to adopt Orange County Transportation Authority Resolution No. 2008-29 to establish the Orange County Transportation Authority General Fund appropriations limit at \$8,207,129 for fiscal year 2008-09.

14. Agreement for Medical Services Contracts for Post Offer/ Pre-Employment Medical Examinations with Drug and Alcohol Screening

A motion was made by Vice Chairman Buffa, seconded by Director Green, and declared passed by those present, to authorize the Chief Executive Officer to execute Agreement No. C-8-0625 with Pacific Medical Clinic to provide post-offer/pre-employment physical examinations, with drug and alcohol testing services, for the period of July 1, 2008, to June 30, 2011, with two option years in an estimated annual amount of \$65,000.

15. Procurement Outreach Program

A motion was made by Vice Chairman Buffa, seconded by Director Green, and declared passed by those present, to direct staff to continue providing procurement outreach activities including replacing the Small Business Conference and Vendor Fair with smaller workshops that will focus on particular industries.

16. Management Response to Contracts Administration and Materials Management Staffing and Turnover Assessment

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

- A. Approve the addition of one new principal contract administrator and one new department manager to the Contracts Administration and Materials Management Department to be implemented as part of the fiscal year.
- B. Approve the payment of a signing and retention bonus in the recruitment of the section manager of capital projects if the position has not been filled by the beginning of fiscal year 2008-09.
- C. Approve the proposed adjustment in salary grades for the principal contract administrator and section manager positions within the Contracts Administration and Materials Management Department to be implemented as part of the Fiscal Year 2008-09 Personnel and Salary Resolution.

17. Annual Insurance Program Review

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

18. Third Quarter Fiscal Year 2007-08 Grant Status Report

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

Orange County Local Transportation Authority Consent Calendar Matters

19. Selection of a Consultant for Preparation of a Project Study Report for Improvements to the San Diego Freeway (Interstate 5) Between the San Joaquin Transportation Corridor (State Route 73) and the El Toro Y Interchange

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

- A. Approve the selection of PBS&J as the top-ranked firm to prepare the project study report for improvements to the San Diego Freeway (Interstate 5) between the San Joaquin Transportation Corridor (State Route 73) and the El Toro Y interchange.
- B. Authorize staff to request a cost proposal from PBS&J and negotiate an agreement for services within the budgeted amount.
- C. Authorize the Chief Executive Officer to execute the final agreement.

Pursuant to Government Code 84308, Directors Bates and Nguyen abstained from voting on this item.

20. Resolution to Establish the Orange County Local Transportation Authority/Measure M Appropriations Limitation for Fiscal Year 2008-09

A motion was made by Vice Chairman Buffa, seconded by Director Green, and declared passed by those present, to adopt Orange County Local Transportation Authority/Measure M Resolution No. 2008-30 to establish the Orange County Local Transportation Authority/Measure M appropriations limit at \$1,245,009,245 for fiscal year 2008-09.

21. Consultant Selection for the Development of the Countywide Traffic Signal Synchronization Master Plan

A motion was made by Vice Chairman Buffa, seconded by Director Green, and declared passed by those present, to authorize the Chief Executive Officer to execute Agreement No. C-8-0634 between the Orange County Transportation Authority and the top-ranked firm, KOA Corporation, in an amount not to exceed \$598,029, for consultant services to develop the Countywide Traffic Signal Synchronization Master Plan.

22. Agreement for Public Outreach Consultant to Support the Environmental, Design, and Initial Construction Phases of the Orange Freeway (State Route 57) Improvement Projects

A motion was made by Vice Chairman Buffa, seconded by Director Green, and declared passed by those present, to authorize the Chief Executive Officer to execute Agreement No. C-7-1493 between the Orange County Transportation Authority and Westbound Communications in a firm-fixed amount of \$382,175 over a three-year term, for comprehensive public outreach services in support of the environmental, design, and initial construction phases of two projects on the Orange Freeway (State Route 57).

Orange County Transit District Consent Calendar Matters

23. Review of Agreement No. C-5-3021 with Veolia Transportation Services, Inc.

A motion was made by Vice Chairman Buffa, seconded by Director Green, and declared passed by those present, to direct staff to implement the recommendations in the Review of Agreement No. C-5-3021 with Veolia Transportation Services, Inc., Internal Audit Report No. 08-005.

24. Agreement to Provide an Emergency Management Plan Training Program

Director Moorlach pulled this item and stated that he had concerns regarding spending more money for the top bidder, as opposed to selecting the lower bidder, or in selecting the lower bidder, would that result in various change orders being necessary.

Beth McCormick, General Manager of Transit, explained that the lower-cost firm could not provide the training and staffing that was needed to accomplish the training; however, the lower bidder did not have the experience desired.

A motion was made by Director Green, seconded by Vice Chair Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute Agreement No. C-8-0119 between the Orange County Transportation Authority and Willdan, in an amount not to exceed \$199,850, to provide an emergency management plan training program from July 1, 2008, through September 30, 2010.

Director Amante was not present for the vote on this item.

25. Amendments to Cooperative Agreements with Riverside Transit Agency to Jointly Fund Intercounty Route 149 and Intercounty Express Bus Route 794

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

- A. Authorize the Chief Executive Officer to execute Amendment No. 2 to Cooperative Agreement No. C-6-0283 between the Orange County Transportation Authority and Riverside Transit Agency, committing an amount not to exceed \$230,000, to jointly fund intercounty Route 149 through June 30, 2009, bringing the total contract value to \$649,000.
- B. Authorize the Chief Executive Officer to execute Amendment No. 2 to Cooperative Agreement No. C-6-0589 between the Orange County Transportation Authority and Riverside Transit Agency, receiving an amount not to exceed \$162,000, to jointly fund intercounty express bus Route 794 through August 31, 2009, bringing the total contract value to \$459,000.

26. Approval to Release Request for Proposals for the Bus Stop Maintenance Program

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

- A. Approve the proposed evaluation criteria and weightings.
- B. Approve the release of Request for Proposals 8-0728 for continual bus stop maintenance at each of the 6,575 locations.

Regular Calendar

Orange County Transportation Authority Regular Calendar Matters

27. Orange County Transportation Gateway Signs

Tom Bogard, Director of Highway Project Delivery, presented this item to the Board and provided pictures of several potential gateway signs.

The discussion which followed highlighted verbiage on signs, height and size, possible materials, and costs associated with various designs.

Director Pringle stated he would like to see something along the lines of an "Adopt a Sign" program, as with the "Adopt a Highway" signs to address costs associated with maintenance and keeping the signs free of graffiti. Director Quon indicated Caltrans District 12 could look into those types of programs being developed.

27. (Continued)

Director Campbell commented that he felt that putting "Welcome" on the signs would be appropriate, and staff replied they would check on incorporating that verbiage.

A motion was made by Chairman Norby, seconded by Director Campbell, and declared passed by those present, to refer this topic to the Highways and Legislative and Communications Committees for further discussion.

Discussion Items

28. Public Comments

Chairman Norby 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.

Public comments were heard from:

Russ Mc Donald, resident of Garden Grove, stated he owns property at Lampson and Brookhurst in Garden Grove, and has issues on his property that abuts the OCTA property. He requested staff to look into these issues.

Dawn Pennington, resident of Orange, stated there are accidents occurring on OCTA buses with wheelchairs not being secured correctly and requested staff to look into this problem.

Marnie Primmer, resident of Costa Mesa, thanked OCTA for the work on the State Route 55 Access Study and making it a priority project.

Tony Peca, resident of Costa Mesa, provided comments on the State Route 55 project.

Christie Rudder, representing the Dayle McIntosh Center, provided comments regarding the wheelchair securement issue and encouraged the Board to investigate this situation.

Sylvia Delgado, resident of Orange, addressed the Board, stating problems she has experienced with ACCESS service since Veolia took over the service, citing no-show issues and wheelchair securement issues.

29. Chief Executive Officer's Report

Chief Executive Officer, Arthur T. Leahy, reported:

- The Governor has signed Assembly Bill 2906, which relates to removing the requirement to maintain the four-foot buffer on the State Route 55;
- Directors Dixon and Glaab attended the Southern California Association of Governments' meeting last week where they voted to oppose Senate Bill 375;
- The Governor has appointed Lucy Dunn has been appointed to serve on the California Transportation Commission;
- The Irvine Shuttle launches their service today;
- Focus groups begin this week on the LOSSAN rail integration;
- It has been noted that graffiti damage has increased recently, and steps are being taken to control this as much as possible;
- OCTA was presented with the Silver Anvil Award, presented issues management in government.

30. Directors' Reports

Director Quon reported that Caltrans finished a project study report for converting the four-foot buffer high-occupancy vehicle (HOV) lane on the State Route 55 to a continuous access HOV.

Director Pringle inquired how long it takes to remove graffiti, and was advised that the recent graffiti on the State Route 22 is being removed today. Director Pringle stated that the cities should assist Caltrans with this effort whenever possible.

Director Pringle requested OCTA conduct a thorough evaluation of concerns and complaints raised today by fixed route users and perform a review of the procedures used to secure wheelchairs on fixed route buses. He further asked that staff evaluate if extra training or different practices are indicated.

Director Winterbottom thanked Director Pringle for his request for staff to evaluate the wheelchair issues and stated one of the issues is that sizes of passengers and wheelchairs is a factor in the training of drivers.

Director Green stated that the City of Huntington Beach has put more people on graffiti eradication and stated that may need to be considered at other agencies.

Director Moorlach asked if the use of cameras on freeways are of help with graffiti control, and Director Quon responded that surveillance cameras are on the freeway to observe traffic conditions, though do not record due to privacy act issues.

30. (Continued)

Director Moorlach stated that he received a letter stating it has become difficult in some areas to see addresses on buildings in strip malls and was hoped cities are encouraged to utilize better signage.

Director Amante commented that he feels cities could be more proactive along the freeways regarding graffiti control, and stated that his city increased their efforts over the past year for thousands of dollars and were realizing a decrease in the problem.

31. Closed Session

A Closed Session was held pursuant to Government Code Section 54956.8 to meet with OCTA negotiator, James Staudinger, to discuss the purchase of real property owned by the State of California, identified as Assessor Parcel Number 637-492-10, at the southern end of Forbes Road in the City of Laguna Niguel. The negotiator for the State of California is Ricky Rodriguez.

Directors Cavecche, Dixon, and Pulido were not present at the Closed Session.

32. Adjournment

The meeting adjourned at 11:05 a.m. Chairman Norby announced that the next regularly scheduled meeting of this Board would be held at **9:00 a.m. on June 23, 2008**, at the OCTA Headquarters.

ATTEST

Wendy Knowles
Clerk of the Board

Chris Norby
OCTA Chairman



ORANGE COUNTY
TRANSPORTATION AUTHORITY

RESOLUTION

TADAHISA OGAWA

WHEREAS, *the Orange County Transportation Authority recognizes and commends Tadahisa Ogawa; and*

WHEREAS, *be it known that Tadahisa Ogawa has been a principal player at the OCTA, his teamwork and partnership is evident by being a member of the Santa Ana Base's Wellness Team; and has performed his responsibilities as a Coach Operator in a professional, safe, courteous, and reliable manner; and*

WHEREAS, *Tadahisa Ogawa has demonstrated his integrity by maintaining perfect attendance for 25 years. His dedication exemplifies the high standards set forth for Orange County Transportation Authority employees; and*

WHEREAS, *Tadahisa Ogawa has demonstrated that safety is paramount by achieving 25 years of safe driving and that courtesy to his customers ensures continued patronage for OCTA.*

NOW, THEREFORE, BE IT RESOLVED *that the Authority does hereby declare Tadahisa Ogawa as the Orange County Transportation Authority Coach Operator Employee of the Month for June 2008; and*

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

Dated: June 23, 2008

Chris Norby, Chairman
Orange County Transportation Authority

Arthur T. Leahy

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

OCTA Resolution No. 2008-37





ORANGE COUNTY
TRANSPORTATION AUTHORITY

RESOLUTION

MARIO RAMOS

WHEREAS, *the Orange County Transportation Authority recognizes and commends Mario Ramos; and*

WHEREAS, *be it known that Mario Ramos is a valued member of the Maintenance Department. His diligence, industriousness and conscientiousness in performing all tasks are recognized. Mario consistently demonstrates a high level of achievement in assisting the Garden Grove Base meet mission goals; and*

WHEREAS, *Mario's work ethic, bus diagnosis and repair skills are exceptional. His detailed workmanship and positive attitude in performing all facets of his job have earned him the respect of both his supervisor and his peers; 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 Mario Ramos as the Orange County Transportation Authority Maintenance Employee of the Month for June 2008; and*

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

Dated: June 23, 2008

Chris Norby, Chairman
Orange County Transportation Authority

Arthur T. Leahy

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

OCTA Resolution No. 2008-36





ORANGE COUNTY
TRANSPORTATION AUTHORITY

RESOLUTION

EDWIN BYRNE

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

WHEREAS, be it known that Edwin Byrne has demonstrated his abilities as an outstanding risk management professional providing superior performance managing the Authority's Workers' Compensation Program from April 2006 to June 2008 in order to reduce workplace injuries, administrative and program costs; and

WHEREAS, Edwin Byrne's exceptional organizational skills, communication abilities, thorough and thoughtful approach and management expertise allowed him to develop an efficient claims team, utilizing cost-saving methods, effective protocols and exceptional collaboration with internal customers and partners to develop a safer workplace; and

WHEREAS, Edwin Byrne's superior management of the Authority's Workers' Compensation Program has resulted in a reduction of 161 workplace injuries and a cost reduction of approximately \$2.5 million; and

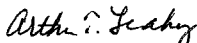
WHEREAS, Edwin Byrne continues to provide a high level of energy and enthusiasm to this program to further its success. Edwin continues to work with the Authority's internal partners and to lead the claims team to generate creative methods to reduce workplace injuries and costs of the program making him an ideal employee and a true professional.

NOW, THEREFORE, BE IT RESOLVED that the Authority does hereby declare Edwin Byrne as the Orange County Transportation Authority Administrative Employee of the Month for June 2008; and

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

Dated: June 23, 2008

Chris Norby, Chairman
Orange County Transportation Authority



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





ORANGE COUNTY
TRANSPORTATION AUTHORITY

RESOLUTION

DEPUTY DAN BLOOM

WHEREAS, the Orange County Transportation Authority recognizes and commends Deputy Dan Bloom; and

WHEREAS, Deputy Bloom has been assigned to Transit Police Services since January 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 Bloom has made or been involved in over 200 arrests in the past year for such violations as trespassing on the right of ways, drug possession, possession of stolen property, weapons offenses, criminal threats, assault on a coach operator, vandalism and theft; and

WHEREAS, Deputy Bloom has been responsive to the needs of OCTA in participating in such enforcement actions as Operation Lifesaver, Zero Tolerance Graffiti Enforcement, Golden Guardian 2007, Ride and Read Program, OCTAP Enforcement Day; and

WHEREAS, Deputy Bloom's primary duties are to reduce trespassing and enforce all applicable laws on OCTA's railroad right of ways. He works in an undercover capacity and is tasked with patrolling the bus stops, bus routes, and transit centers.

NOW, THEREFORE, BE IT RESOLVED *that the Authority does hereby declare Deputy Dan Bloom as the Orange County Transportation Authority Transit Police Services Employee of the Quarter for June 2008; and*

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

Dated: June 23, 2008

Chris Norby, Chairman
Orange County Transportation Authority

Arthur T. Leahy

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





MEMO

June 18, 2008

To: Members of the Board of Directors
From: ^{WK}Wendy Knowles, Clerk of the Board
Subject: **Board Committee Transmittal for Agenda Item**

The following item is being discussed at a Committee meeting which takes place subsequent to distribution of the Board agenda. Therefore, you will be provided a transmittal following that Committee meeting (and prior to the Board meeting) informing you of Committee action taken.

Thank you.



June 19, 2008

To: Legislative and Communications Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: State Legislative Status Report

Overview

An oppose position is recommended for a bill that would create new liabilities for a public entity when entering into a contract for a project.

Recommendations

Adopt the following recommended position on legislation:

Oppose AB 983 (Ma, D-San Francisco), which would impose additional requirements on public entities when entering into a contract with a private contractor for a project.

Discussion

AB 983 (Ma, D-San Francisco)

AB 983 (Ma, D-San Francisco) requires a local public agency, charter city, or charter county before entering into any contract for a project, to provide full, complete, and accurate plans, specifications, and cost estimate to a contractor in order for a private contractor to adequately and sufficiently carry out the project. AB 983 further clarifies that the abovementioned provisions do not apply to any identified design-build project or a project which includes a design-build component.

AB 983 amends existing law in response to a recent appellate court decision (Thompson Pacific Construction, Inc. v. City of Sunnyvale, 2007) which determined that in order to recover a claim for alleged incomplete plans and specification provided by the public entity, a contractor must prove that a public entity purposefully provided inaccurate documents and/or actively concealed

information which in turn, produced faulty documents which the contractor then used in preparing the bid for the project.

AB 983 instead places the responsibility on the public entity to ensure that the plans and specifications are accurate. By absolving a contractor from any liability, there is no incentive if a contractor discovers an error upon initial review to report that error to the contracting public agency because it will be easier to make a claim for deficient plans at a later date. As a result, OCTA would be exposed to a greater number of claims filed by contractors as well as a greater risk of lawsuits will be encouraged by AB 983.

An analysis of the bill is attached (Attachment A). Staff recommends: OPPOSE.

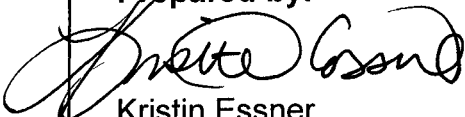
Summary

An oppose position is recommended for a bill that creates additional liabilities for public entities when entering into contracts with private entities for a project.

Attachments

- A. Analysis of AB 983 (Ma, D-San Francisco)
- B. Orange County Transportation Authority Legislative Matrix

Prepared by:



Kristin Essner
Government Relations
Representative
(714) 560-5754

Approved by:



P. Sue Zuhlke
Chief of Staff
(714) 560-5574

BILL: AB 983 (Ma, D-San Francisco)
Introduced February 22, 2007
Amended January 14, 2008
Amended April 9, 2008
Amended May 20, 2008

SUBJECT: Requires a local public entity to have full, complete, and accurate plans, specifications, and cost estimates before entering into any public contract with a private contractor for a project

STATUS: Passed Assembly Business and Professions Committee 7-3
Passed Assembly Appropriations Committee 12-5
Passed Assembly Floor 45-32
Passed Senate Government Organization Committee 5-4
Passed Senate Judiciary Committee 5-0
Pending on Senate Floor

SUMMARY AS OF JUNE 6, 2008:

Originally introduced as a bill related to the state budget and service contracts, AB 983 was amended in January to require a local public agency, charter city, or charter county, before entering into any contract for a project, to provide full, complete, and accurate plans, specifications, and cost estimate to a contractor in order for a private contractor to adequately and sufficiently carry out the project. AB 983 further clarifies that the abovementioned provisions do not apply to any identified design-build project and/or a project which includes a design-build component.

Section 1104 of the California Public Contracts Code (PCC) was enacted in 1999 (Chapter 875, Statutes of 1999) to restrict a local public agency from requiring a contract bidder from being responsible for the accuracy and completeness of architectural and/or engineering plans and specifications on public works projects. PPC Section 1104 also allows local public agencies to require a contract bidder to review plans and specifications prior to a bid. However, the reporting of any errors or omissions by the contract bidder shall be considered under the confines of the contractor's capacity as a contractor and not as the licensed design professional responsible for approving all relevant documents.

AB 983 amends Section 1104 in response to a recent appellate court decision (Thompson Pacific Construction, Inc. v. City of Sunnyvale, 2007) which determined that in order to recover a claim from a public entity for an alleged omission in design plans and specification provided by the public entity, a contractor must prove that a public entity purposefully provided inaccurate documents and/or actively concealed information which, in turn, produced faulty documents which the contractor then used in preparing the bid for the project. According to proponents of AB 983 the Thompson decision set a precedent by placing the burden of proof on contractors and altering the legal interpretation of Section 1104. Thus proponents argue, clarification is needed to restore the original intent of Section 1104.

EFFECTS ON ORANGE COUNTY:

The Orange County Transportation Authority (OCTA), routinely enters into contracts for a wide variety of projects including transit improvements and highway construction. In both the design and construction phases of a project, OCTA contracts with architects and engineers in the design phase and with construction firms in the construction phase to carry out the necessary work.

In 2006, Assembly Member Lois Wolk (D-Davis) authored AB 573 (Chapter 455, Statutes of 2006), which provided greater protection to architects and engineers by restricting local agencies' ability to recoup expenses related to claims for deficient design or design errors from professional designers to situations where a local agency can prove the design professional was negligent or engaged in willful misconduct in preparation of design work. AB 573 was drafted in response to the specified provisions in Section 1104 in order to "protect" design professionals from being exposed to numerous claims pursued by local agencies when omissions in design plans are uncovered. Upon passage of AB 573, agencies such as OCTA must now show evidence that the designer purposefully or carelessly provided inaccurate design documents to a local agency, which in turn were provided to a contractor to carry out construction. However, many times local agencies do not possess the staff expertise to sufficiently review design plans for omissions prior to a project going out to bid.

AB 983 attempts to "protect" private contractors in a similar manner as AB 573 did for professional designers. By absolving a contractor from any liability, there is no incentive if a contractor discovers an error upon initial review to report that error to the contracting public agency as it will be easier to make a claim for deficient plans at a later date. As a result, OCTA would be exposed to a greater number of claims filed by contractors as well as a greater risk of lawsuits will be encouraged by AB 983.

For example, provisions under AB 983 would effectively remove the contractor's responsibility for performing even a cursory review of a project's plans and specifications and providing input to the public entity before submitting a bid. Instead, a contractor could submit an obviously low bid in order to secure the award of the project in a competitive bid and later claim that any cost overrun or change orders to make up for the true cost of the project were due to faulty plans presented by the public entity and leaving the public entity without a defense to the claim by the contractor.

Under AB 983, in order for a public entity like OCTA to maintain the status quo, it would be required to perform a complete review of all plans and specifications prepared by its architect or designer and be responsible for the accuracy of the plans and specifications without any responsibility or accountability being granted to the actual contractor for reviewing the documents and submitting a realistic and accurate bid for the project. This could potentially require all public entities to retain two separate designers for each project. One to design the project and a second to review the first's design prior to releasing it to the construction contractor. In sum, local agencies such as OCTA could

experience increased costs due to rising breach of implied warranty claims associated with legal services, OCTA staff time, possibly hiring a licensed professional to review all design plans, and project delays.

OCTA POSITION:

Staff recommends: OPPOSE

AMENDED IN SENATE MAY 20, 2008

AMENDED IN SENATE APRIL 9, 2008

AMENDED IN SENATE JANUARY 14, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 983

Introduced by Assembly Member Ma

February 22, 2007

An act to amend Section 1104 of the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 983, as amended, Ma. Public contracts: plans and specifications.

Existing law contains various provisions relating to the bidding process for public works projects. Existing law prohibits a local public entity, charter city, or charter county from requiring a bidder to assume responsibility for the completeness and accuracy of architectural or engineering plans and specifications on public works projects, except on clearly designated design-build projects.

This bill would require a local public entity, charter city, or charter county, before entering into any contract for a project, to provide full, complete, and accurate plans and specifications and estimates of cost, giving such direction as will enable any competent mechanic or other builder to carry them out. This bill would exempt from these provisions any clearly identified design-build projects or design-build portions thereof. This bill would further provide that these provisions shall not be construed to require a contractor to prove an affirmative or intentional misrepresentation or active concealment on the part of the public entity, charter city, or charter county that provides the plans and specifications,

nor construed to prohibit the public entity, charter city, or charter county from raising any affirmative defenses available to it under law.

This bill would also specify that these provisions would not expand, restrict, or otherwise change the liability or potential liability of a design professional, as defined.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1104 of the Public Contract Code is
2 amended to read:

3 1104. (a) No local public entity, charter city, or charter county
4 shall require a bidder to assume responsibility for the completeness
5 and accuracy of architectural or engineering plans and
6 specifications on public works projects, except on clearly
7 designated design-build projects. Nothing in this section shall be
8 construed to prohibit a local public entity, charter city, or charter
9 county from requiring a bidder to review architectural or
10 engineering plans and specifications prior to submission of a bid,
11 and report any errors and omissions noted by the contractor to the
12 architect or owner. The review by the contractor shall be confined
13 to the contractor's capacity as a contractor, and not as a licensed
14 design professional.

15 (b) Except for clearly identified design-build projects or
16 design-build portions thereof, before entering into any contract for
17 a project, a local public entity, charter city, or charter county shall
18 provide full, complete, and accurate plans and specifications and
19 estimates of cost, giving such direction as will enable any
20 competent mechanic or other builder to carry them out.

21 ~~Nothing~~

22 (c) (1) ~~Nothing~~ in this section shall be construed to require a
23 contractor to prove an affirmative or intentional misrepresentation
24 or active concealment on the part of the local public entity, charter
25 city, or charter county that provides the plans and specifications.

26 (2) ~~Nothing in this section shall be construed to prohibit a local~~
27 ~~public entity, charter city, or charter county from raising any~~
28 ~~affirmative defenses available to it under law.~~

29 ~~Nothing~~

1 (3) *Nothing* contained in this section shall expand, restrict, or
2 otherwise change the liability or potential liability of a design
3 professional as defined in paragraph (2) of subdivision (b) of
4 Section 2782.8 of the Civil Code.

O



Orange County Transportation Authority Legislative Matrix

2008 State Legislation Session
June 6, 2008

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
OCTA SPONSORED LEGISLATION			
AB 387 (Duvall - R) Design-Build: Transit Contracts	Amends law that authorizes transit operators to enter into design-build contract according to specified procedures. Provides that there would be no cost threshold for the acquisition and installation of technology applications or surveillance equipment designed to enhance safety, disaster preparedness, and homeland security efforts. Allows those projects to be awarded based on either the lowest responsible bidder or best value.	INTRODUCED: 02/15/2007 LAST AMEND: 01/07/2008 LOCATION: Senate Appropriations Committee STATUS: 03/11/2008 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS. Hearing Date: 06/23/2008 10:00am	Sponsor SUPPORT: CH2M HILL, California Transit Association OPPOSE: Associated Builders and Contractors of California, Western Electrical Contractors' Association
▶ AB 2906 (Tran – R) Vehicles: High-Occupancy Vehicle Lane: Buffer Area	Repeals existing law that requires specified high occupancy vehicle lanes to be separated from adjacent mixed flow lanes by a buffer area of at least four feet in width.	INTRODUCED: 02/22/2008 LOCATION: To Governor STATUS: 06/06/2008 Signed by GOVERNOR. 06/06/2008 Chaptered by Secretary of State. Chapter No. 27	Sponsor

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
BILLS WITH OFFICIAL POSITIONS			
<p>► AB 660 (Galgiani – D)</p> <p>Railroad-Highway Grade Separations</p>	<p>Revises the highway-railroad grade separation program of the Department of Transportation to delete funding eligibility for a grade separation at a proposed new grade crossing or for removal or relocation of highways or railroad tracks to eliminate grade crossings. Provides a maximum allocation of project costs for all projects funded. Limits the maximum total allocation. Sets a railroad's contribution. Modifies the calculation of the amount of funds deducted from the apportionments of fuel tax revenues.</p>	<p>INTRODUCED: 02/21/2007 LAST AMEND: 06/04/2008 LOCATION: Senate Transportation and Housing Committee</p> <p>STATUS: 02/07/2008 To SENATE Committee on TRANSPORTATION AND HOUSING. HEARING: 06/10/2008 1:30 pm</p>	<p>Oppose Unless Amended</p> <p>SUPPORT: American Federation of State, County, and Municipal Employees, CSAC (Support with amendments), City of Merced, Merced County, Southern California Contractor Association</p> <p>OPPOSE: Alameda Corridor East (unless amended)</p>
<p>► AB 842 (Jones – D)</p> <p>Regional Plans: Traffic Reduction</p>	<p>Requires the Transportation Commission to update its guidelines for the preparation of regional transportation plans, including a requirement that each regional transportation plan provide for a 10 percent reduction in the growth increment of vehicle miles traveled. Requires the Department of Housing and Community develop to rank applicants for the award of capital improvement grants based upon a reduction of vehicle miles traveled as a result of the project.</p>	<p>INTRODUCED: 02/22/2007 LAST AMEND: 01/17/2008 LOCATION: Senate Transportation and Housing Committee</p> <p>STATUS: 02/07/2008 To SENATE Committee on TRANSPORTATION AND HOUSING. Hearing: 06/17/2008 1:30 pm</p>	<p>Oppose Unless Amended</p> <p>SUPPORT: California League of Conservation Voters (Sponsor), American Lung Association, Gray Panthers</p> <p>OPPOSE: Metropolitan Transportation Commission (unless amended), Association of Bay Area Governments</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► AB 996 (Spitzer -- R)</p> <p>Department of Motor Vehicles: Records</p>	<p>Revises the confidentiality exemption for nondisclosure of person information in the Department of Motor Vehicles records for state officers and employees to provide that a governmental agency may obtain the information necessary to process the service and collection of traffic, parking, toll bridge or toll road violations. Provides the statutory time periods for processing such violations are tolled until the department provides the confidential home addressee's information. Authorizes service of process.</p>	<p>INTRODUCED: 02/22/2007 LAST AMEND: 06/02/2008 LOCATION: Senate Public Safety Committee</p> <p>STATUS: 06/02/2008 From SENATE Committee on PUBLIC SAFETY with author's amendments. 06/02/2008 In SENATE. Read second time and amended. Re-referred to Committee on PUBLIC SAFETY. HEARING: 06/10/2008 9:30am</p>	<p>Support/Work with Author</p> <p>None Listed</p>
<p>► AB 2009 (Hernandez –D)</p> <p>Utility Users Tax: Exemption</p>	<p>Amends existing law that authorizes a county board of supervisors to levy a utility user tax on the consumption of in the unincorporated area of the county. Provides that no utility user tax shall be imposed upon compressed natural gas within a local jurisdiction if that natural gas is dispensed by a gas compressor that is separately metered and dedicated to serve the local agency or public transit operator.</p>	<p>INTRODUCED: 02/15/2008 LAST AMEND: 05/06/2008 LOCATION: Senate Revenue and Taxation Committee</p> <p>STATUS: 05/22/2008 To SENATE Committee on REVENUE AND TAXATION.</p>	<p>Support</p> <p>(partial list) SUPPORT: Foothill Transit (Sponsor), CA Transit Association, LAMTA</p> <p>OPPOSE: City of Irwindale</p>
<p>► AB 3034 (Galgiani – D)</p> <p>Safe, Reliable High-Speed Passenger Train Bond Act</p>	<p>Makes various revisions to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to be submitted to the voters. Refers to construction of a high-speed train system consistent with the High Speed Rail Authority certified environmental impact report, rather than with the final business plan. Revises descriptions of route corridors of the proposed high-speed train system. Relates to revenues from operation of the high-speed train system.</p>	<p>INTRODUCED: 02/22/2008 LAST AMENDED: 04/21/2008 LOCATION: Senate pending committee assignment</p> <p>STATUS: 05/29/2008 In ASSEMBLY. Read third time, urgency clause adopted. Passed ASSEMBLY. *****To SENATE.</p>	<p>Support</p> <p>SUPPORT: California High Speed Rail Authority, Association for California High Speed Trains, California State Association of Counties</p> <p>OPPOSE: Sierra Club California</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>SB 375 (Steinberg – D)</p> <p>Transportation Planning: Travel Models: Reviews</p>	<p>Relates to guidelines for travel demand guidelines used in regional transportation plans. Includes a requirement that a regional transportation plan include a sustainable community strategy designed to achieve goals for the reduction of greenhouse gas emissions. Creates provisions for an environmental document under the Environmental Quality Act that examines specific impacts of a transportation project located in a local jurisdiction that has amended its general plan and the legislative body finds the project meets specified criteria.</p>	<p>INTRODUCED: 02/21/2007 LAST AMEND: 03/24/2008 LOCATION: Assembly Appropriations Committee</p> <p>STATUS: 03/24/2008 From ASSEMBLY Committee on APPROPRIATIONS with author's amendments. 03/24/2008 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.</p>	<p>Oppose Unless Amended</p> <p>(partial list)</p> <p>SUPPORT: California League of Conservation Voters (co-sponsor), Natural Resources Defense Council (co-sponsor), American Lung Association of California, Metropolitan Transportation Commission, California State Association of Counties (if amended)</p> <p>OPPOSE: Orange County Business Council, California Building Industry Association, Department of Finance, Contra Costa Transportation Authority, California Chamber of Commerce, Transportation California</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>SB 974 (Lowenthal – D)</p> <p>Ports: Congestion Relief: Environmental Mitigation</p>	<p>Requires the Ports of Los Angeles and Long Beach to transmit a portion of the funds derived from imposition of a container cargo user fee to the San Pedro Bay Ports Congestion Relief Trust Fund and San Pedro Bay Ports Mitigation Relief Trust Funds. Requires the Port of Oakland to transmit a portion of the funds derived from imposition of the fee to the Port of Oakland Congestion Relief Trust Fund and a portion to the Port of Oakland Mitigation Relief Trust Fund. Authorizes related financing agreements.</p>	<p>INTRODUCED: 02/23/2007 LAST AMEND: 09/05/2007 LOCATION: Assembly Third Reading File</p> <p>STATUS: 02/26/2008 In ASSEMBLY. From Inactive File. To third reading.</p>	<p>Support with Amendments</p> <p>(partial list)</p> <p>SUPPORT: LACMTA, Mayor Curt Pringle, City of Anaheim, Port of Long Beach (support only if amended), SCAQMD, California Air Pollution Control Officers Association, California League of Conservation Voters, Gateway Council of Governments, Natural Resources Defense Council.</p> <p>OPPOSE: California Chamber of Commerce, California Railroad Industry, California Taxpayers' Association, National Association of Manufacturers, United States Chamber of Commerce, United Chambers of Commerce of the San Fernando Valley, Howard Jarvis Taxpayers' Association</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► SB 1165 (Kuehl – D)</p> <p>Environment: Environmental Impact Report</p>	<p>Authorizes a person to submit certain project information to the lead agency for preparation of an environmental impact report (EIR) and for that agency to consider and retain such communications. Makes administrative drafts of the environmental impact report, negative declaration, or mitigated negative declarations available to the public; prohibits a lead agency from relying on certain older EIRs for projects that involve the issuance of a lease, permit, license, certificate, or other use entitlement.</p>	<p>INTRODUCED: 02/07/2008 LAST AMEND: 05/15/2008 LOCATION: Senate Third Reading File</p> <p>STATUS: 05/29/2008 In SENATE. Read third time. Failed to pass SENATE.</p>	<p>Oppose</p> <p>(partial list) SUPPORT: Environment California, California League of Conservation Voters</p> <p>OPPOSE: California Chamber of Commerce, California Building Industry Association, County of Orange</p>
<p>► SB 1316 (Correa – D)</p> <p>Transportation Facilities: Tolls: Orange/Riverside</p>	<p>Authorizes the Orange County Transportation Authority to eliminate its rights, interests, and obligations in the Riverside County portion of the State Highway Route 91 toll lane by partial assignment to the Riverside County Transportation Commission or by amendment to the franchise agreement. Deletes the 2030 limitation on issuance of bonds and collections of tolls. Authorizes the use of toll revenues for the toll lane and for other related transportation purposes in the Route 91 corridor.</p>	<p>INTRODUCED: 02/20/2008 LAST AMEND: 05/27/2008 LOCATION: Assembly Transportation Committee</p> <p>STATUS: 06/05/2008 To ASSEMBLY Committee on TRANSPORTATION. Hearing Date: 06/16/2008 1:30 pm</p>	<p>Support</p> <p>SUPPORT Riverside County Transportation Commission (sponsor), City of Corona, Greater Riverside Chambers of Commerce, Riverside City Firefighters' Association</p> <p>OPPOSE: Environmental Defense</p>
<p>► SB 1507 (Oropeza –D)</p> <p>Highway Construction: School Boundaries</p>	<p>Prohibits the Transportation Commission from authorizing the construction or expansion of, and the Department of Transportation from constructing or expanding, a state highway within 1/4 mile of a school boundary, with exceptions for certain operational or safety improvements, high-occupancy vehicle lanes, and projects that have a positive air quality impact. Prohibits a project subject to this restriction from being included in a regional transportation improvement program by a transportation agency.</p>	<p>INTRODUCED: 02/20/2008 LAST AMEND: 05/27/2008 LOCATION: Assembly pending committee assignments</p> <p>STATUS: 05/29/2008 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.</p>	<p>Oppose</p> <p>(partial list) SUPPORT: American Lunch Association, Sierra Club, California Coalition for Clean Air.</p> <p>OPPOSE: County of Orange, Department of Finance , Automobile Club of Southern California, and County of Ventura</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
BILLS BEING MONITORED			
AB 38 (Nava – D) Department of Emergency Services and Homeland Security	Deletes provisions of existing law that governs the Office of Homeland Security and the Office of Emergency Services and establishes the Department of Emergency Services and Homeland Security, in the office of the Governor, which would succeed to and be vested with the duties, powers, purposes, responsibilities of both of the former offices. Requires the Office of Emergency Services to develop and complete a guidance document to the state emergency plan with respect to agriculture-related disasters.	INTRODUCED: 12/04/2006 LAST AMEND: 05/06/2008 LOCATION: Senate Appropriations Committee STATUS: 05/06/2008 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	SUPPORT: Office of Emergency Services, Office of Homeland Security, California Emergency Services Association, CSAC, California State Sheriffs' Association, Little Hoover Commission, Metropolitan Transportation Commission, James Lee Witt Associates, Regional Council of Rural Counties
► AB 109 (Nunez – D) Global Warming Solutions Act of 2006: Annual Report	Requires the Energy Commission to implement the Alternative and Renewable Fuel and Vehicle Technology Program and to provide a public competitive process for allocation of funds. Requires the commission include specified projects within the program. Adds feedstock cultivation to the full fuel-cycle assessment under the program. Expands the Air Quality Improvement Program to fund projects to achieve air quality improvements and greenhouse gas emissions reductions. Prohibits reductions for trading purposes.	INTRODUCED: 01/05/2007 LAST AMEND: 05/27/2008 LOCATION: Senate Appropriations Committee STATUS: 06/02/2008 From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.	SUPPORT: American Federation of State County and Municipal Employees, California Association of Professional Scientists, Moller International Inc., Silicon Valley Leadership Group
AB 867 (Davis – D) Transportation Analysis Zones	Requires each metropolitan planning organization and each regional transportation planning agency, in developing the regional transportation plan, to factor the mobility of low-income and minority residents into its computer analysis of regional traffic analysis zones used to estimate travel behavior and traffic generation as part of the transportation demand model. Requires results of such analysis to be availed to the public and to be added as an addendum to the regional transportation plan.	INTRODUCED: 02/22/2007 LAST AMEND: 07/10/2007 LOCATION: Senate Appropriations Committee STATUS: 08/30/2007 In SENATE Committee on APPROPRIATIONS: Not heard.	SUPPORT: American Federation of State, County and Municipal Employees

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
AB 901 (Nunez – D) Transportation: Highway Safety Traffic Reduction	Relates to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 that requires funds from the proceeds of bonds under the act for allocation to public transit operators and transportation planning agencies. Requires the Department of Transportation and Transportation Commission to provide information regarding their needs. Imposes specified auditing requirements.	INTRODUCED: 02/22/2007 LAST AMEND: 07/05/2007 LOCATION: Senate Appropriations Committee STATUS: 07/10/2007 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS.	SUPPORT: California Transit Association, LACMTA, Long Beach Transit, Merced Transit, Inyo Mono Transit, Unitrans, Associated Students of the University of California, Davis, Shields for Families, Inc.
AB 1351 (Levine – D) Transportation: State-Local Partnerships	Amends the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006. States the intent of the Legislature to appropriate a specified amount of funds for the State-Local Partnership Program for funding transportation projects for a specified period. Defines local funds under the program relating to a local match as revenues from any locally imposed transportation related sales tax. Requires certain related reports.	INTRODUCED: 02/23/2007 LAST AMEND: 07/12/2007 LOCATION: Senate Appropriations Committee STATUS: 08/30/2007 In SENATE Committee on APPROPRIATIONS: Not heard.	SUPPORT: LACMTA, RCTC
► AB 1506 (Arambula—D) Greenhouse Gas Emissions	Requires the Business, Transportation and Housing Agency to contract with the University of California or with another postsecondary educational institution to conduct a study of the most effective ways for the state to provide incentives to businesses to reduce greenhouse gas emissions, and to report its findings and recommendations to the Legislature.	INTRODUCED: 02/23/2007 LAST AMEND: 07/17/2007 LOCATION: Senate Appropriations Committee STATUS: 8/20/2007 In SENATE Committee on APPROPRIATIONS: Not heard.	None on File
► AB 1845 (Duvall – R) Railroad-Highway Grade Separations	Makes inoperative the requirement for the Department of Transportation to include a specified amount of funds in its annual budget for highway-railroad grade separation projects on the date that the Director of Transportation notifies the Secretary of State that all funds made available by Proposition 1B bond act for such projects have been allocated and expended and all required reports have been completed, and provides for the repeal of the provisions.	INTRODUCED: 01/28/2008 LAST AMEND: 04/16/2008 LOCATION: SENATE Transportation and Housing Committee. STATUS: 05/29/2008 To SENATE Committee on TRANSPORTATION AND HOUSING. Hearing: 06/10/2008 1:30 pm	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► AB 1851 (Nava – D)</p> <p>Greenhouse Gas Emissions: Sale of Voluntary Offsets</p>	<p>Requires sellers of voluntary greenhouse gas emission offsets to ensure that the project generating the offset has been verified to reduce such emissions in a real, additional, measurable, and verifiable manner by independent 3rd-party verifiers that meet specified accreditation standards. Provides offset sellers to disclose specified information in its marketing materials. Requires the seller to ensure offset is registered with a registry accredited by the State Air Resources Board. Provides civil fines.</p>	<p>INTRODUCED: 01/29/2008 LAST AMEND: 05/23/2008 LOCATION: Senate pending committee assignment</p> <p>STATUS: 05/28/2008 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.</p>	<p>SUPPORT: Environmental Defense Fund</p> <p>OPPOSE: Pacific Gas and Electric</p>
<p>► AB 1954 (Jeffries – R)</p> <p>High-Occupancy Toll (HOT) Lanes</p>	<p>Relates to high-occupancy toll (HOT) lanes. Authorizes a value pricing and transit program involving HOT lanes to be developed and operated on State Highway Route 15 in Riverside County by the Riverside County Transportation Commission. Requires the Riverside County Transportation Commission and the Department of Transportation to implement the program pursuant to a cooperative agreement.</p>	<p>INTRODUCED: 02/13/2008 LAST AMEND: 04/07/2008 LOCATION: Senate pending committee assignment</p> <p>STATUS: 05/27/2008 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.</p>	<p>(partial list)</p> <p>SUPPORT: City of Corona, County of Riverside, AFL-CIO</p> <p>OPPOSE: Environmental Defense, Sierra Club California</p>
<p>► AB 1973 (Ruskin – D)</p> <p>Public Utilities Commission</p>	<p>Requires the Governor to appoint a president of the commission from among its members.</p>	<p>INTRODUCED: 02/14/2008 LOCATION: Senate Energy, Utilities, and Communications Committee</p> <p>STATUS: 05/29/2008 To SENATE Committees on ENERGY, UTILITIES AND COMMUNICATIONS and JUDICIARY. Hearing: 06/17/2008 9:00 am</p>	<p>SUPPORT: American Association of Retired Persons (AARP) Communication Workers of America, Local 9400 (sponsor)</p> <p>OPPOSE: California Public Utilities Commission</p>
<p>► AB 2093 (Jones – D)</p> <p>General Plan: Mandatory Elements</p>	<p>Amends the Planning and Zoning Law. Requires to be included in any mandatory element or combination of mandatory elements, consideration of policies that reduce the effects of land use activities and general plan actions on the emission of greenhouse gases in order to help meet the goals of the State Global Warming Solutions Act of 2006.</p>	<p>INTRODUCED: 02/19/2008 LAST AMEND: 05/23/2008 LOCATION: Senate pending committee assignment</p> <p>STATUS: 05/28/2008 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.</p>	<p>SUPPORT: Health Officers Association of California</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► AB 2182 (Caballero – D)</p> <p>Urban Community Center Revitalization Program</p>	<p>Establishes the Urban and Community Center Revitalization Program which would provide for moneys from a specified bond act to be made available for distribution in the form of grants to local governments that meets specified criteria, for specific plans, master environmental impact reports, and charts. Requires the State Clearinghouse in the Governor's Office of Planning and Research to prepare and develop proposed specified regulations for the program.</p>	<p>INTRODUCED: 02/20/2008 LAST AMEND: 05/23/2008 LOCATION: Senate pending committee assignment</p> <p>STATUS: 05/28/2008 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.</p>	<p>SUPPORT: CA Associations of Councils of Government (In Concept)</p> <p>OPPOSE: CA Association of Realtors (Unless Amended)</p>
<p>AB 2295 (Arambula – D)</p> <p>Transportation Capital Improvement Program</p>	<p>Relates to allocations of transportation capital improvement funds pursuant to the State Transportation Improvement Program process. States that local road rehabilitation projects are eligible for these funds.</p>	<p>INTRODUCED: 02/21/2008 LOCATION: Senate Third Reading File</p> <p>STATUS: 05/15/2008 In SENATE. Read second time. To third reading.</p>	<p>SUPPORT: California State Association of Counties (co-sponsor), Regional Council of Rural Counties (co-sponsor), League of California Cities</p>
<p>► AB 2321 (Feuer – D)</p> <p>Transportation Funding: County of Los Angeles</p>	<p>Requires the Los Angeles County Metropolitan Transportation Authority tax ordinance to specify that the tax is to be imposed for a period not to exceed a specified number of years, and to require the authority to include specified projects and programs in its Long Range Transportation Plan. Authorizes the authority to incur bonded indebtedness. Makes other related changes.</p>	<p>INTRODUCED: 02/21/2008 LAST AMEND: 05/28/2008 LOCATION: Senate pending committee assignment</p> <p>STATUS: 05/29/2008 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.</p>	<p>SUPPORT: Los Angeles County Metropolitan Transportation Authority (Metro), California Public Interest Research Group, Environment California</p>
<p>► AB 2376 (Price – D)</p> <p>Small and Emerging Contractors: Assistance Program</p>	<p>Authorizes the Department of Transportation to establish a Small and Emerging Contractor Technical Assistance Program for the purpose of providing training and technical assistance to small contractors to improve their ability to secure surety bond guarantees, offered by the federal Small Business Administration. Authorizes the department to charge a fee to participants in the program to cover the cost of administering the program.</p>	<p>INTRODUCED: 02/21/2008 LAST AMEND: 05/27/2008 LOCATION: Senate pending committee assignment</p> <p>STATUS: 05/29/2008 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.</p>	<p>None Listed</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► AB 2558 (Feuer – D)</p> <p>Los Angeles County Metropolitan Transportation Authority</p>	<p>Authorizes the Los Angeles County Metropolitan Transportation Authority to impose a climate change mitigation and adaptation fee in the County of Los Angeles, subject to approval of an ordinance by a majority of the board of the authority and majority voter approval of a ballot measure containing the fee and an expenditure plan, to appear on the ballot no later than a specified date. Specifies alternative options for imposing the fee, which would be a motor vehicle fuel tax or a vehicle fee.</p>	<p>INTRODUCED: 02/22/2008 LAST AMEND: 04/23/2008 LOCATION: Senate pending committee assignment</p> <p>STATUS: 05/27/2008 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.</p>	<p>(partial list)</p> <p>SUPPORT: LA County Metropolitan Transportation Authority, Natural Resources Defense Council, California Transit Association</p> <p>OPPOSE: Automobile Club of Southern California, Howard Jarvis Taxpayers Association, California Motor Car Dealers Association</p>
<p>► AB 2650 (Carter – D)</p> <p>Department of Transportation: Environmental Process</p>	<p>Extends the date by which the State Department of Transportation to submit a report regarding the surface transportation project delivery pilot program.</p>	<p>INTRODUCED: 02/22/2008 LAST AMEND: 04/23/2008 LOCATION: Senate Transportation and Housing Committee</p> <p>STATUS: 05/15/2008 To SENATE Committee on TRANSPORTATION AND HOUSING. Hearing: 06/10/2008 1:30 pm</p>	<p>SUPPORT: Caltrans (sponsor), Calaveras Council of Governments, City of Merced, Consulting Engineers and Land Surveyors of California</p>
<p>► AB 3021 (Nava – D)</p> <p>California Transportation Financing Authority</p>	<p>Creates the Transportation Financing Authority with powers and duties relative to issuance of bonds to fund transportation projects to be backed by various revenue streams of transportation funds, and toll revenues in order to increase the construction of new capacity or improvements for the state transportation system consistent with specified goals. Sets for the requirements for a project sponsor to obtain bond funding from the authority. Authorizes the imposition and collection of tolls on projects.</p>	<p>INTRODUCED: 02/22/2008 LAST AMENDED: 05/07/2008 LOCATION: Senate pending committee assignment</p> <p>STATUS: 05/28/2008 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.</p>	<p>SUPPORT: State Treasurer Bill Lockyer (sponsor), State Building and Construction Trades Council of California, AFL-CIO</p> <p>OPPOSE: Environmental Defense</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
ACA 1 (Nunez – D) Legislative Reform: Redistricting: Term Limits	Proposes an amendment to the Constitution to specify new legislative term limits, to prohibit a member of the Legislature of the Governor from accepting a campaign contribution from a lobbyist during a specified date until enactment of the budget bill for the ensuing fiscal year, to assign responsibility for congressional and legislative districts boundary lines to a specified commission, to grant the State Supreme Court jurisdiction over a final redistricting plan and to authorize the filing related writs.	INTRODUCED: 12/04/06 LAST AMEND: 05/06/2008 LOCATION: Assembly Appropriations Committee STATUS: 05/06/2008 From ASSEMBLY Committee on APPROPRIATIONS with author's amendments. 05/06/2008 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	None Listed
ACA 2 (Walters – R) Eminent Domain	Proposes a Constitutional amendment that prohibits the taking or damaging of private property without the express written consent of the owner for purposes of economic development, increasing tax revenue, or private use, or when the same use will be maintained following the taking. Requires that, prior to commencement of eminent domain proceedings, the public use for which the property is to be taken is stated in writing. Defines public use. Permits a taking to eliminate an ongoing threat to public safety.	INTRODUCED: 12/04/2006 LAST AMEND: 07/05/2007 LOCATION: Assembly Judiciary Committee STATUS: 07/10/2007 In ASSEMBLY Committee on JUDICIARY: Failed passage. 07/10/2007 In ASSEMBLY Committee on JUDICIARY: Reconsideration granted.	SUPPORT: Chris Norby, Orange County Supervisor OPPOSE: California Redevelopment Association, California State Association of Counties, League of California Cities
ACA 3 (Gaines – R) Expenditure Limits	Proposes an amendment to the Constitution that would limit total state General Fund and special fund expenditures to an annual increase of no more than the increase in the cost of living multiplied by the percentage increase in state population. Allocates any revenues exceeding the expenditure limitation to the State School Fund and to a reserve fund, to rebates for personal income taxpayers, and to fund state and California State University employees' health and dental benefits.	INTRODUCED: 12/04/2006 LAST AMEND: 06/04/2007 LOCATION: Assembly Education Committee STATUS: 01/09/2008 In ASSEMBLY Committee on EDUCATION: Not heard.	SUPPORT: Howard Jarvis Taxpayers Association

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
ACA 4 (Villines – R) Reapportionment	Proposes an amendment to the Constitution to provide for the establishment of the Independent Citizens' Commission on Redistricting to be comprised of registered voters, who would adjust the boundary lines of the Senate, Assembly, congressional and State Board of Equalization districts as required by law. Requires the Secretary of State to implement a random selection process for members of the commission. Provides that certain records of the commission are public records.	INTRODUCED: 12/04/2006 LAST AMEND: 06/20/2007 LOCATION: Assembly Appropriations Committee STATUS: 06/20/2007 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	None Listed
ACA 10 (Feuer – D) Bond Indebtedness: Local Government: Transportation	Amends the State Constitution to create an additional exception to the 1 percent limit on ad valorem tax on real property for a county, or city to pay for bonded indebtedness, incurred to fund specified transportation infrastructure, that is approved by 55 percent of the voters of the county or city. Lowers to 55 percent the voter approval threshold.	INTRODUCED: 01/07/2008 LOCATION: Assembly STATUS: 01/07/2008 INTRODUCED	None Listed
ACA 11 (Blakeslee – R) Budget Process: Strategic Reserve Bank	Proposes a Constitutional Amendment. Creates the Strategic Reserve Bank governed by a board of financial experts appointed by the Governor and legislative leaders to reduce the volatility of the General Fund by moderating swings in revenues and accommodating short-term changes in revenue growth. Creates the Strategic Budget Reserve Fund.	INTRODUCED: 01/08/2008 LOCATION: Assembly STATUS: 01/08/2008 INTRODUCED	None Listed
ACA 12 (Plescia – R) State Mandated Local Programs	Proposes a constitutional amendment requiring the Legislative Analyst to determine and report to the Legislature whether the enacted bill is a balanced state budget; provides that if the Legislative Analyst reports that it is not a balanced state budget, the Legislature is required to pass and send the Governor a bill or bills to balance the state budget within 15 days and the Governor may reduce expenditures in the enacted budget bill as necessary to balance the state budget.	INTRODUCED: 01/15/2008 LOCATION: Assembly STATUS: 01/15/2008 INTRODUCED	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 9 (Lowenthal – D) Trade Corridor Improvement: Transportation Project	Relates to Trade Corridor Improvement Transportation Fund projects. Establishes a process to be administered by the State Transportation Commission for allocation of fund moneys. Establishes the corridors eligible for funding. Establishes criteria for project selection based on improvement of mobility of freight and improvement of air quality. Requires projects to be ready for construction by a specified date. Provides for allocations to projects outside of the trade corridors.	INTRODUCED: 12/04/2006 LAST AMEND: 08/20/2007 LOCATION: Assembly Appropriations Committee STATUS: 08/30/2007 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.	None Listed
SB 19 (Lowenthal – D) Trade Corridor; Projects to Reduce Emissions: Goods	Relates to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. Requires the Air Resources Board to implement the Goods Movement Emission Reduction Program and to adopt guidelines and funding criteria for the program. Creates eligibility requirements for funding pursuant to this program. Creates the Goods Movement Emission Reduction Fund to be funded with bond proceeds.	INTRODUCED: 12/04/2006 LAST AMEND: 07/17/2007 LOCATION: Assembly Appropriations Committee STATUS: 07/17/2007 From ASSEMBLY Committee on APPROPRIATIONS with author's amendments. 07/17/2007 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	SUPPORT: Moller International, Inc.
SB 61 (Runner – R) High-Occupancy Toll Lanes and Toll Roads	Authorizes the Department of Transportation to apply to the State Transportation Commission for the development and operation of a high-occupancy toll land or toll road project sponsored by the department. Deletes the four project limitation and the requirement for the Legislature to approve each project by statute.	INTRODUCED: 01/16/2007 LAST AMEND: 05/01/2007 LOCATION: Assembly Transportation Committee STATUS: 06/07/2007 To ASSEMBLY Committee on TRANSPORTATION.	SUPPORT: Department of Transportation (source), Association of Southern California Government, Department of Finance

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 286 (Dutton – R and Lowenthal – D) Transportation Enhancement Funds: Conservation Corps	Requires, with respect to federal funds made available to the state for transportation enhancement projects, transportation planning agencies, county transportation commissions or authorities, and congestion management agencies to adopt criteria that give priority in project selection to the sponsors of eligible projects that partner with, commit to employ the services of, a community conservation corps, or the state conservation corps to construct or undertake the project.	INTRODUCED: 02/15/2007 LAST AMEND: 01/17/2008 LOCATION: Assembly Appropriations Committee STATUS: 01/17/2008 From ASSEMBLY Committee on APPROPRIATIONS with author's amendments. 01/17/2008 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	None Listed
SB 364 (Simitian – D) Personal Information: Privacy	Amends existing law that requires any agency, and any person or business, that owns or licenses computerized data that includes personal information to disclose in specified ways, any breach of the security of the system or data, following discovery or notification of the security breach, to any resident whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Requires a report to the Office of Information Security and Privacy Protection.	INTRODUCED: 02/20/2007 LAST AMEND: 01/28/2008 LOCATION: Assembly Judiciary Committee STATUS: 05/01/2008 To ASSEMBLY Committee on JUDICIARY.	SUPPORT: Consumers Union, Consumer Federation of California, Electronic Frontier Foundation, Privacy Rights Clearinghouse
SB 445 (Torlakson – D) Greenhouse Gas Mitigation Fee	Authorizes specified regional transportation agencies to impose a greenhouse gas mitigation fee on vehicles subject to registration within the jurisdiction of the agency. Requires the fee to be implemented pursuant to a plan, which would be required to contain an expenditure plan describing specified transportation projects and programs to be funded. Requires that the fee would be subject to approval of the governing board of the implementing agency and of voters of a ballot measure containing the plan.	INTRODUCED: 02/21/2007 LAST AMEND: 05/12/2008 LOCATION: Assembly Transportation Committee STATUS: 05/12/2008 From ASSEMBLY Committee on TRANSPORTATION with author's amendments. 05/12/2008 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 716 (Perata – D) Transit Operators	Relates to appropriations to transportation agencies from the Public Transportation Modernization, Improvement, and Service Enhancement Account for transit capital projects pursuant to a specified formula. Specifies requirements for an eligible project sponsor to receive an allocation of funds appropriated from the account. Requires the Transportation Commission and the Controller to administer these provisions.	INTRODUCED: 02/23/2007 LAST AMEND: 07/11/2007 LOCATION: Assembly Appropriations Committee STATUS: 07/11/2007 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	SUPPORT: Alameda Contra Costa Transit District, American Federation of State, County, and Municipal Employees OPPOSE: LACMTA
SB 947 (Hollingsworth – R) Consultation: Transportation Facilities	Requires notice of at least one scoping meeting to be provided to transportation planning agencies or public agencies required to be consulted concerning a project proposed by a lead agency which requires an environmental impact report under the California Environmental Quality Act. Requires the project's effect on overpasses, on-ramps, and off-ramps to be included in that consultation.	INTRODUCED: 02/23/2007 LAST AMEND: 04/30/2007 LOCATION: Assembly Natural Resources Committee STATUS: 05/24/2007 To ASSEMBLY Committees on NATURAL RESOURCES and TRANSPORTATION.	SUPPORT: Cities of El Cajon, Murrieta, Poway, Temecula, and Victorville, Lakeside Chamber of Commerce, San Diego Regional Chamber of Commerce, San Diego Mayor Jerry Sanders OPPOSE: California Chapter of the American Planning Association, Sierra Club California
SB 1422 (Lowenthal –D) High Speed Rail Authority	Relates to existing law that creates the High Speed Rail Authority and that provides that whenever provisions is made by law for any project that is not under the jurisdiction of specified agencies, the project shall be under the jurisdiction of the Department of Transportation. Provides similar jurisdiction to the Department of Transportation whenever no provisions is made by law for any project that is not under the jurisdiction of the High-Speed Rail Authority.	INTRODUCED: 02/21/2008 LAST AMENDED: 04/07/2008 LOCATION: ASSEMBLY Transportation Committee STATUS: 05/22/2008 To ASSEMBLY Committee on TRANSPORTATION.	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 1429 (Perata – D) State Owned Toll Bridges	Provides that identification of the source of any state matching funds for the toll revenues is to be included in the information reported to the Bay Area Toll Authority by the Department of Transportation and project sponsors, and that the authority may include this reported data in its Annual Report to the San Francisco Bay Area State Legislative Delegation.	INTRODUCED: 02/21/2008 LAST AMEND: 04/23/2008 LOCATION: Assembly Transportation Committee STATUS: 05/22/2008 To ASSEMBLY Committee on TRANSPORTATION.	None Listed
► SB 1557 (Wiggins—D) State Environmental Goals and Policy Report	Amends existing law that requires the Governor to prepare a State Environmental Goals and Policy Report. Includes, as a planning priority, meeting the state's greenhouse gas emission limits and development that reduces vehicle miles traveled. Amends existing law that provides for the State Administrative Manual as a reference source for statewide policies. Requires the chapters regarding capitol outlay to include the state planning priorities in the State Environmental Goals and Policy Report.	INTRODUCED: 02/22/2008 LAST AMEND: 04/22/2008 LOCATION: Assembly Local Government Committee STATUS: 05/28/2008 To ASSEMBLY Committees on LOCAL GOVERNMENT and NATURAL RESOURCES. Hearing: 06/18/2008 1:30 pm	SUPPORT: Environmental Defense Fund Planning and Conservation League OPPOSE: none filed
► SB 1646 (Padilla – D) South Coast Air Quality Management District	Extends the authority of the South Coast Air Quality Management District to impose a specified fee on the renewal of registration of any motor vehicle in the district indefinitely, and would require no more than a specified percentage of funds in the account be used for administrative purposes.	INTRODUCED: 02/22/2008 LOCATION: Assembly Transportation Committee STATUS: 05/08/2008 To ASSEMBLY Committee on TRANSPORTATION. Hearing: 06/09/2008 1:30 pm	(partial listing) SUPPORT South Coast Air Quality Management District (sponsor), Los Angeles Unified School District, Orange County Sanitation District, Sempra Energy, Southern California Edison, Toyota, University of California, Irvine, Advanced Power and Energy Program OPPOSE: Howard Jarvis Taxpayers Association

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► SB 1685 (Kehoe – D) Regional Comprehensive Plan: San Diego County</p>	<p>Relates to the San Diego County Regional Transportation Commission retail transactions and use tax. Revises the purposes for which the tax revenues could be use to provide for implementation of the regional comprehensive plan, water quality improvement, beach sand replenishment projects. Authorizes the transfer of environmental mitigation or conservation to a public agency or nonprofit corporation for management and monitoring. Authorizes related grants. Authorizes an increase in the tax rate.</p>	<p>INTRODUCED: 02/22/2008 LAST AMENDED: 04/22/2008 LOCATION: Assembly Transportation Committee STATUS: 05/08/2008 To ASSEMBLY Committees on TRANSPORTATION and LOCAL GOVERNMENT. Hearing: 06/09/2008 1:30 pm</p>	<p>SUPPORT: San Diego Association of Governments (sponsor), North County Transit District, Nature Conservancy</p>
<p>► SB 1731 (Yee- D) Vehicles: Fees: Congestion Mitigation</p>	<p>Authorizes the Metropolitan Transportation Commission to impose a vehicle registration fee in the counties under its jurisdiction for the purpose of implementing congestion mitigation strategies within the region. Requires the commission to adopt a program of projects that would be funded by the fee revenues.</p>	<p>INTRODUCED: 02/22/2008 LAST AMEND: 04/23/2008 LOCATION: Assembly Transportation Committee STATUS: 05/22/2008 To ASSEMBLY Committee on TRANSPORTATION. Hearing: 06/09/2008 1:30 pm</p>	<p>(partial list) SUPPORT: Metropolitan Transportation Commission (Sponsor) OPPOSE: California Motor Car Dealers Association, Stop Hidden Taxes Coalition, Howard Jarvis Taxpayers Association</p>
<p>► SB 1732 (Romero – D) Local Agencies</p>	<p>Prohibits a majority of members of a legislative body of a local agency from using, outside a meeting authorized the Ralph M Brown Act, a series of communications of any kind, directly through intermediaries to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. Provides that when the members of a local agency are authorized to access a writing of the body there shall be no discrimination as to access of that information.</p>	<p>INTRODUCED: 02/22/2008 LAST AMEND: 04/24/2008 LOCATION: Assembly Government Organization Committee STATUS: 06/04/2008 From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on GOVERNMENTAL ORGANIZATION.</p>	<p>(partial list) SUPPORT: California Newspaper Publishers Association, California Broadcasters Association, Los Angeles Unified School District Board President Monica Garcia, OPPOSE: Association of California School Administrators, California School Boards Association, Community College League of California</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► SB 1760 (Perata – D) Energy: Greenhouse Gas Emissions</p>	<p>Creates the Climate Action Team (CAT) that would be responsible for coordinating the state's overall climate policy. Requires the CAT to prepare, adopt, and present to the Legislature, a strategic research, development, and demonstration plan that establishes priorities and identifies key expenditure categories for research, development, and deployment funds to be expended by the state agencies represented on the CAT.</p>	<p>INTRODUCED: 02/22/2008 LAST AMEND: 05/27/2008 LOCATION: Assembly pending committee assignment STATUS: 05/29/2008 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.</p>	<p>None Listed</p>
<p>SCA 1 (McClintock – R) Eminent Domain: Condemnation Proceedings</p>	<p>Proposes an amendment to the Constitution to provide that private property may be taken or damaged only for a stated public purpose and not without the consent of the owner for purposes of economic development, increasing tax revenue, or any other private use, nor for maintaining the present use by a different owner. Provides that if the property ceases to be used for the public use, the former owner would have the right to reacquire the property at its fair market value. Provides reevaluation procedures.</p>	<p>INTRODUCED: 12/04/2006 LAST AMEND: 02/05/2007 LOCATION: Senate Judiciary Committee STATUS: 02/05/2007 From SENATE Committee on JUDICIARY with author's amendments. 02/05/2007 In SENATE. Read second time and amended. Re-referred to Committee on JUDICIARY.</p>	<p>None Listed</p>
<p>SCA 5 (McClintock – R) State and Local Government Finance: Taxes</p>	<p>Proposes an amendment to the Constitution to establish a constitutional definition of a tax as any monetary exaction imposed by a governmental entity. Recasts the definition of a special tax. Conditions the imposition by the state or local government of a new tax, or a change in a tax, that increases the amount of any tax levied upon the approval of 2/3 membership of the governing body and voter approval. Prohibits new tax without voter approval. Provides exceptions.</p>	<p>INTRODUCED: 01/30/2007 LAST AMEND: 03/21/2007 LOCATION: Senate Revenue and Taxation Committee STATUS: 04/25/2007 In SENATE Committee on REVENUE AND TAXATION: Heard, remains in Committee.</p>	<p>SUPPORT: Howard Jarvis Taxpayers' Association, California Chamber of Commerce, Council for Citizens Against Government Waste, Mid Valley Chamber of Commerce, Milpitas Chamber of Commerce OPPOSE: California Tax Reform Association, East Bay Municipal Utilities District</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► SCA 14 (Denham – R)</p> <p>Governor: State Budget</p>	<p>Proposes a Constitutional amendment. Requires the budget submitted by the Governor to be a balanced budget, pursuant to a determination to be made by the Legislative Analyst. Provides that if, by January 10, the Governor fails to submit a balanced budget, as determined by the Legislative Analyst, the Governor shall forfeit any salary from January 11 until the date a balanced budget is submitted.</p>	<p>INTRODUCED: 01/09/2008 LAST AMEND: 03/25/2008 LOCATION: Senate Budget & Fiscal Review committee</p> <p>STATUS: 05/22/2008 Withdrawn from SENATE Committee on RULES. 05/22/2008 To SENATE Committees on BUDGET AND FISCAL REVIEW and ELECTIONS, REAPPORTIONMENT AND CONSTITUTIONAL AMENDMENTS.</p>	<p>None Listed</p>
<p>SCA 15 (Denham – R)</p> <p>Legislature: Sessions: State Budget</p>	<p>Proposes an amendment to the State Constitution. Requires, if the Legislature fails to pass the Budget Bill by June 15 of any year, that each house of the Legislature meet in session 24 hours a day, and not recess or adjourn, until the Budget Bill is passed and presented to the Governor.</p>	<p>INTRODUCED: 01/09/2008 LAST AMEND: 03/25/2008 LOCATION: Senate Rules Committee</p> <p>STATUS: 03/25/2008 From SENATE Committee on RULES with author's amendments. 03/25/2008 In SENATE. Read second time and amended. Re-referred to Committee on RULES.</p>	<p>None Listed</p>
<p>SCA 16 (Denham – R)</p> <p>Legislature: Compensation</p>	<p>Proposes an amendment to the State Constitution. Provides that, if a Budget Bill is not passed by June 15, Members of the Legislature may not be paid any salary from June 16 to the date a Budget Bill is passed and sent to the Governor. Provides that once a Budget Bill is passed and sent to the Governor, a Member of the Legislature may not be paid any salary due for that period of time.</p>	<p>INTRODUCED: 01/09/2008 LAST AMEND: 03/25/2008 LOCATION: Senate Rules Committee</p> <p>STATUS: 03/25/2008 From SENATE Committee on RULES with author's amendments. 03/25/2008 In SENATE. Read second time and amended. Re-referred to RULES Committee.</p>	<p>None Listed</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SCR 68 (Denham – R) Budget Bill Conference Committee	Adds a provision to the Joint Rules of the Senate and Assembly for the 2007-08 regular session to require that any conference committee on the Budget Bill be comprised of 10 members. Requires the Senate Committee on Rules and the Speaker of the Assembly to appoint three members each and the minority party caucuses in each house to appoint two members each.	INTRODUCED: 01/09/2008 LAST AMEND: 03/25/2008 LOCATION: Senate Rules Committee STATUS: 03/25/2008 From SENATE Committee on RULES with author's amendments. 03/25/2008 In SENATE. Read second time and amended. Re-referred to Committee on RULES.	None Listed
SCR 69 (Denham – R) Budget Bill Votes	Adds a provision to the Joint Rules of the Senate and Assembly for the 2007-08 Regular Session to require that a vote by a committee or subcommittee in either house of the Legislature to take action on the Budget Bill, or a vote by a conference committee to take action on the Budget Bill, be a 2/3 vote.	INTRODUCED: 01/09/2008 LAST AMEND: 03/25/2008 LOCATION: Senate Rules Committee STATUS: 03/25/2008 From SENATE Committee on RULES with author's amendments. 03/25/2008 In SENATE. Read second time and amended. Re-referred to Committee on RULES.	None Listed
SB 5 c (Senate Budget & Fiscal Review Committee) Highway Users Tax Account	Requires transfers of revenues from the Highway Users Tax Account to counties or cities that would otherwise be made during certain months of 2008, to instead be made in September of 2008. Allows counties and cities to make use of any cash balance in any account that is designated for the receipt of state funds allocated for local streets and roads maintenance without the use of this cash being reflected as an expenditure of bond act funds, provided the cash is replaced.	INTRODUCED: 02/07/2008 LAST AMEND: 02/13/2008 LOCATION: Senate Third Reading File STATUS: 02/13/2008 From SENATE Committee on BUDGET AND FISCAL REVIEW: Do pass as amended. 02/13/2008 In SENATE. Read second time and amended. To third reading.	None Listed



MEMO

June 18, 2008

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: **Board Committee Transmittal for Agenda Item**

The following item is being discussed at a Committee meeting which takes place subsequent to distribution of the Board agenda. Therefore, you will be provided a transmittal following that Committee meeting (and prior to the Board meeting) informing you of Committee action taken.

Thank you.



June 19, 2008

To: Legislative and Communication Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Federal Legislative Status Report

Overview

This report provides an update on recent legislative issues in Washington, including the House fiscal year 2009 appropriations markup schedule, the congressional fiscal year 2009 budget resolution, and the signing into law of a transportation technical corrections act..

Recommendation

Receive and file as an information item.

Discussion

Although there has been a great deal of conjecture regarding the congressional desire to complete the fiscal year (FY) 2009 appropriation process prior to the 2008 elections, actions have been taken in the House which would begin the process. The House Appropriations Committee has set its timetable for markup of next year's appropriation bills. The Appropriations Subcommittee on Transportation Housing and Urban Development and Related Agencies (THUD) will markup its bill on June 20, with the full committee markup on June 26. The Senate Appropriations Committee has not yet established dates for consideration of its bill.

One concern for the appropriations committees will be the status of the highway account of the Highway Trust Fund (HTF). Absent any other action, an estimated \$14 billion would need to be cut from the FY 2009 highway appropriation in order to keep the HTF solvent,. This would represent a 32 percent reduction in FY 2009 highway funding. The President's budget proposes to solve this problem by borrowing the needed funding from the transit account of the HTF. The President's budget makes no provision for when or how such a loan would be repaid. The Chair of the House THUD Appropriations Subcommittee, Representative Olver (D-MA), has criticized this

approach as “extremely short-sighted in that it does nothing to address the long-term solvency of the fund and provides no guidance as to how to pay for the urgent future needs of our highway system”

In a related action, both the House and Senate each voted during the week of June 2-9 to approve a non-binding budget blueprint for FY 2009, including proposals to meet the guaranteed funding levels for transportation programs found in the Safe, Affordable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The budget report assumes \$41.2 billion for the federal highway program, which is the same amount called for in SAFETEA-LU. In addition the report accommodates subsequent legislation to fill the projected HTF highway account revenue shortfall. The bill recommends \$10.3 billion for the federal transit program, which is also the SAFETEA-LU guaranteed level.

With regard to authorizing legislation, on June 6, the President signed into law the SAFETEA-LU Technical Corrections Act. This occurred in spite of an April 14 statement of administration policy strongly opposing the bill prior to its consideration in the Senate. The Act had passed both houses by veto-proofed majorities. The final law contains provisions sought by the Orange County Transportation Authority (OCTA) which would designate Anaheim the terminus of the California to Nevada Maglev project, and which would accurately define the Los Angeles San Luis Obispo San Diego (LOSSAN) rail corridor for funding purposes in order to include the section of the corridor within Orange County.

Prior to the Memorial Day recess, the House and Senate also overrode a Presidential veto and passed the multi-year farm authorization bill. OCTA had supported the inclusion in the farm bill of provisions extending the fuel tax credit for liquefied natural gas (LNG) and compressed natural gas (CNG). Unfortunately, these credit extension provisions were removed from that bill prior to its passage. Since the current credit provisions remain in effect until September 30, 2009, there is no immediate impact to the nearly \$3.7 million which OCTA receives annually resulting from these credits. Staff and Washington legislative consultants will continue to urge extension of these tax credits in future legislation as appropriate. Since the underlying credit provisions are a part of SAFETEA-LU, it is possible that Congress will not address them until it begins the transportation reauthorization process.

Summary

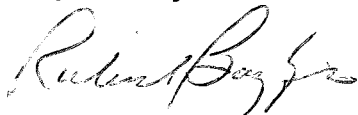
Congress has passed a budget resolution and the House has set a schedule for the markup of the FY 2009 transportation appropriations bills. The President has signed a SAFETEA LU Technical Corrections Act into law. Lastly, the

monthly reports for May from Smith, Dawson and Andrews, and from Potomac Partners are included as Attachments A and B respectively.

Attachments

- A. Monthly report for Smith, Dawson and Andrews
- B. Monthly report for Potomac Partners

Prepared by:



Richard J. Bacigalupo
Manager Federal Relations
(714) 560-5901

May 2008 Report:

ORANGE COUNTY TRANSPORTATION AUTHORITY

From
Smith, Dawson & Andrews

Focus: Federal Transportation programs and Transportation Reauthorization
Field Hearing
May 2008

Highlights

Washington activity has been focused on updating Congressional and DOT staff on a number of programs and legislative provisions that affect OCTA's federal funds: extension of the alternative fuel tax credit; Congestion Mitigation and Air Quality program; and bus discretionary reprogramming activities.

OCTA letters signed by Chairman Norby were finalized to support continuation of the alternative fuel tax credits and delivered to Senate Agriculture Committee Chairman Tom Harkin (IA), Senate Finance Committee Chairman Max Baucus (MT) and Ranking Member Charles Grassley (IA), as well as, House Ways and Means Chairman Charles Rangel (NY) and Ranking Member Jim McCrery (LA) as the farm bill moved through Congress. The extension of these current tax credits, which do not expire until September 31, 2009, were not included in the final farm bill. However, APTA and others transit reps believe the next steps may focus on including the extension of tax credits in a tax bill called "Extenders," which address a myriad of tax provisions. The "Extenders bill", the Energy and Tax Extenders Act of 2008 (H.R. 6049), has completed House action and is awaiting the Senate Committee deliberations to begin. SDA drafted a letter supporting inclusion of the alternative fuel tax credit in the extenders bill for Senators Diane Feinstein and Barbara Boxer. Support from other California transit agencies was discussed in order to strengthen support and garner significant dollars in benefits from the provision.

On May 21, SDA accompanied OCTA and LA Metro officials when they briefed House Speaker Nancy Pelosi's staff about the benefits of the Congestion Mitigation and Air Quality program for Californians. The briefing allowed the transit authorities to urge the Speaker to support the continuation of Congestion Mitigation and Air Quality programs when the next transportation reauthorization bill emerges.

On May 22, SDA accompanied OCTA officials on hill visits that included Kate Riley in Congresswoman Sanchez's office to specifically update them on recent reprogramming of Federal Transit Administration (FTA) bus discretionary monies, which OCTA seeks in order to continue support of ARTIC. Over \$350 million

became available when New York City's congestion pricing pilot stalled because of the New York State's legislature refusal to support it. The strategy is to keep members of Congress informed about how the monies from the Urban Partnership Congestion Initiative are being reprogrammed and to consider taking advantage of this opportunity to contact USDOT Secretary Mary Peters. Secretary Peters recently toured and publicly supported the ARTIC.

The House Subcommittee on Highways and Transit staff tentatively projects that the Subcommittee will hold a reauthorization field hearing in southern California, likely Los Angeles, either Friday June 13 or Monday June 16. This date moved up from tentative days in July. During the April update meeting in SDA offices, it was suggested that OCTA send a written request to testify at the upcoming field hearing. The letter was sent out on May 20th. SDA staff is following up with Chairman Peter DeFazio's staff to seek a response. Written requests for relevant Senate and House transportation staff to tour OCTA facilities and operations have also been sent as an open invitation.

SDA Outreach

Contact on Capitol Hill on behalf of OCTA

- Smith with *Sen. Baucus* and *Congressman Rangel's* offices regarding the tax extenders bill
- Andrews with *House Speaker Pelosi* staff on CMAQ
- Gaines along with Rick Bacigalupo with *Rep. Sanchez's* office regarding FTA reprogramming funds and ARTIC
- Smith and Gaines with *Rep. DeFazio's* office regarding potential visit

Contact with relevant organizations on behalf of OCTA

- Burrell—outreach to APTA to clarify disposition of alternative fuel tax credit provision
- SDA group—outreach to Republican and Democratic leadership regarding activities related to earmark preparations and reauthorization discussions
- SDA group—review of important Congressional hearings and press conferences related to OCTA goals

Miscellaneous

Gaines attended OCTA Legislative Committee meeting

Smith, Dawson, Gaines, Warner, Burrell and Garson hosted meeting with OCTA Federal Relations Manager Rick Bacigalupo and Potomac Partners Rick Alcalde and Dan Feliz

Burrell drafted OCTA written request to testify at upcoming transportation reauthorization field hearing

Garson drafted and followed up OCTA letter suggesting alternative fuel tax credits be included in the Senate tax extenders bill.

Garson created and has updated the legislative matrix, which discusses details of federal legislation germane to OCTA.

***Federal Legislative Status Report
May 2008***

Partners contributing to the work described in this report include: Rick Alcalde, Dr. Lesli McCollum Gooch, Jim Holton, and Dan Feliz.

1. SAFETEA LU Technical Corrections

On June 6, 2008 the President signed the SAFETEA LU Technical Corrections bill into law. After a long and difficult effort, we were successful in securing important language for the Cal-Nevada MAGELV project, which added an important reference to Anaheim that will serve to make a stronger case for the viability of the ARTIC project and ultimately bring this innovative technology to Orange County. Congress had passed the bill on April 30, but it was delayed in being sent to the President until June 3rd. We worked closely with Congressmen Gary Miller, Don Young and John Mica as well as Senators Barbara Boxer and Harry Reid to accomplish this success. We encountered a significant effort to remove the entire provision from the final bill, however, our Congressional allies fought hard for our position.

Favorable language correcting the LOSSAN Corridor language was also included in the final bill. Gary Miller's office was once again very prominent in helping secure this change.

The Senate has also begun work on a second SAFETEA LU Technical Corrections bill that proposes to make additional changes and clarifications to projects in the SAFETEA LU Bill. House leaders are skeptical that the Senate will pass this bill. The House is not currently working on its own second Technical Corrections Bill.

2. FY 09 Appropriations

The slow progress of FY09 budget resolution has impeded action on FY09 appropriations bills. With the FY09 Budget Resolution passed on June 5th, the subcommittees are now expected to begin marking up their appropriations bills the second and third weeks of June. Some of the FY09 appropriations bills are also expected to pass the House before summer recess. The Transportation-HUD Subcommittee is scheduled to mark up its bill on June 20 with Full Committee action scheduled for June 26.

There is speculation that an earmark list may come at one of these stages. Little action is expected in the Senate, which may precipitate another Omnibus or Continuing Resolution dynamic before the October recess.

As was done with the unusual FY08 appropriations process, a package of spending bills could again be combined to serve as the framework for a larger "Omnibus" spending bill.

We will continue to advance the need for the OCTA projects within the OC Delegation and other key Members of Congress. We will also continue to pay special attention to the favorable funding prospects for the SR-91 project, which have been created with Congressman Joe Knollenberg.

3. Department of Transportation and ARTIC

On May 22nd, Potomac Partners DC facilitated a discussion regarding the ARTIC project with the Federal Transit Administration's Deputy Administrator, Sherry Little. The goal of the meeting was to make the case for the Administration to direct funds to the ARTIC project. The funds would come from the Congestion Reduction Demonstration (CRD) program or from the Bus and Bus Facility discretionary monies that FTA planned to make available before the end of this Administration.

Rich Bacigalupo led the discussion on behalf of OCTA and did an excellent job framing the discussion around the benefits of the ARTIC project and raising the profile of the project again with senior DOT officials.

The FTA has focused on its Congestion Initiative and already provided four major metropolitan areas (San Francisco, Miami, Seattle, and Minneapolis/St. Paul) with large grants. On April 25, 2008, the Department announced a \$213 million CRD award to the City of Los Angeles, followed on April 29, 2008 by an announcement to award \$153 million to the City of Chicago. Beyond these six cities, the Deputy Administrator indicated that they are working within the Department of Transportation to find a more equitable split of the FTA grant money and are open to the idea of including projects like ARTIC that would qualify as a multi-modal transit project and would serve as a strong example of a public-private partnership, which (as an additional selling-point) would bear most of the cost.

Following the meeting with the Deputy Administrator we met with House Transportation and Infrastructure staff in Congressman Mica's personal office and discussed the importance of Congressional input in helping include more geographical diversity in the Department of Transportation Congestion Initiative. Rep. Mica was scheduled to join the meeting, but was unexpectedly delayed. During the meeting, emphasis was placed on the added benefit of addressing the donor state issue in a large donor county with a large Republican constituency and with a large public transportation ridership by including the ARTIC project.

Potomac Partners DC also met separately with Department of Transportation's General Counsel, D.J. Gribbin to lay the groundwork for the potential of directing any remaining DOT monies left over from the current slate of CRD projects to ARTIC and convey to him the strong local support for this project. Potomac Partners DC also pointed out to D.J. Gribbin the opportunity for the current Republican Administration to support a project in a large Republican county and reminded him of Secretary Peters' trip to Anaheim.

Despite these efforts, on June 2nd the FTA released a notice in the Federal Register that the remaining \$96.02 million will be spent on 27 projects

around the country and did not include ARTIC. Of the amount allocated, \$9.60 million --or 10 percent of total program availability--was made available to the Chicago Transit Authority for its CRD project. The 26 other projects selected for funding reflect a number of urbanized areas of various sizes as well as several statewide requests for funding to meet State-defined urban and rural bus and bus facility capital needs. No additional funding was directed to California or Florida. The absence of additional funding directed to Florida has not been unnoticed by Rep. Mica who has already expressed concern that the administration has earmarked without any direction from Congress and without Congressional oversight.

Recommendation: We recommend following up with DJ Gribbin, who appears interested in the ARTIC project to gain his advice on how to proceed with the Department on funding this project. While the administration moves into the final months of activity we believe this effort will merit the investment of time to try and secure funding for a project that continues to get greater attention at the highest levels of the Department. We would also recommend briefing certain members of the OC Delegation to create an appropriate response directed to Representatives Mica and Knollenberg on DOT's recent spending decisions.

4. Authorizations and Hearing Schedule

The House Transportation & Infrastructure Committee had tentatively planned a field hearing in Los Angeles on June 16th to address the issue of "Goods Movement" and the impact on transportation infrastructure. This hearing has been cancelled. We are continuing to follow up with the committee on other potential hearings in California or Washington DC relating to goods movement. Prior to the hearing being cancelled the Republican staff told us that Rep. Calvert and Rep. Miller have both expressed interest in participating and were particularly interested in the movement of goods in and out of the ports of Southern California. Rep. Calvert had hoped to use this hearing to discuss aspects of his "On-time Act" that directs DOT to collect a fee based on the fair market value of articles imported into the United States and articles exported from the United States in commerce and to use amounts collected from the fee to make grants for transportation projects in the transportation trade corridors for which the fee is collected. Rep. Calvert's office has also offered to help push for OCTA's involvement in future hearings.

5. Other Actions on Behalf of OCTA

Chairman Oberstar's Chief of Staff has reported to us that they are committed to making a visit to Orange County in the early fall (likely in September). We will coordinate this visit with the OCBC, and we hope to have a more precise date for the visit in the coming weeks. This will be a great

opportunity to showcase important priority projects for Orange County before the T&I Committee begins writing the next Highway bill.

The Ranking Member of the Railroads Subcommittee, Rep. Shuster (R-PA) reported to us that he is planning to visit Orange County to tour projects and the LOSSAN corridor. We are following up on the specific date. The high-speed rail component of the Passenger Rail Investment and Improvement Act of 2008 has been an important issue for Rep. Shuster and Rep. Mica. Rep Shuster is very interested in seeing other important transportation corridors that would be able to take advantage of planned high-speed rail investment. Building the infrastructure around the county will continue to be a priority for Mica and Shuster in this and subsequent sessions of Congress.

6. Congressional Legislation Updates to Matrix

S. 3036 Boxer-Lieberman-Warner Climate Security Act	The Senate on June 6 th fell short of the 60 votes needed to invoke cloture.	The House does not currently have plans to take the bill up unless the Senate is able to pass legislation.
S. 1926 and H.R. 3401 Infrastructure Bank Legislation	Senate held a hearing on the bill in March. The House has a hearing tentatively scheduled for June 10 th on financing infrastructure investments and may touch on the mechanisms specified in the bill	Monitor House hearing in June and report on the sense of committee to push any infrastructure financing legislation. This will continue to be an important topic for Transportation re-authorization
S. 1499 & H.R. 2548 Maritime Vessel Emissions Reduction	Senate EPW marked up the bill May 22. A tentative house T&I hearing is schedule to discuss the Federal Maritime Commission's regulation of international shipping in late June.	Will Monitor T&I hearing in June
H.R. 3621 (Kilpatrick) Surface Transportation Private Contract Requirements	No Hearing have been scheduled	Will continue to Monitor for hearings
H.R. 2485 (Filner) Requires Surface Transportation Projects Inspections	No hearing have been scheduled	Will continue to Monitor for hearings
H.R. 5102 "On Time Act" for Import/Export Fee on goods to be used for Transportation Projects in the corridor	6.16.08 Tentatively field hearing in LA possibly address the need for a dedicated funding stream for transportation projects in important trade corridors	We will continue to seek the opportunity to testify to the impact that the goods movement has on surrounding communities and infrastructure
S. 1125 and H.R. 2116 Freight Rail Infrastructure Capacity Expansion Act of 2007	No hearing are scheduled in the Senate Finance Committee or House Ways and Means	Will continue to Monitor for hearings
S. 953 Railroad Competition & Service Improvement Act of 2007.	S.953 had a hearing on October 23, 2007. No additional hearings are scheduled	Will continue to Monitor for hearings

POTOMAC PARTNERS DC

<p>H.R. 6052 Increase Public Transportation Use</p>	<p>No hearings are scheduled. Bill has bipartisan support from the Chairman and Ranking members of the T&I committee. It is likely the bill will be marked up without a hearing.</p>	<p>The funds authorized are unlikely to be appropriated. The extension of transportation benefits to all federal employees and the van pool pilot program are the sections of great interest for the committee.</p>
<p>H.R. 6003- Passenger Rail Investment and Improvement Act of 2008</p>	<p>Markups were held in subcommittee and full committee. Rep. Mica has been active and has participated in onsite meeting in NYC with principles</p>	<p>This bill has strong bi-partisan support and will likely move to the floor this session of Congress. It will continue to help highlight the need for investment in high speed rail in the US.</p>



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Draft 2008 State Route 91 Implementation Plan

Highways Committee Meeting of June 16, 2008

Present: Directors Dixon, Green, Mansoor, Norby, Pringle, and Rosen
Absent: Directors Amante, Cavecche, and Glaab

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Approve the Draft 2008 State Route 91 Implementation Plan.



June 16, 2008

To: Highways Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Draft 2008 State Route 91 Implementation Plan

Overview

Enabling legislation related to the 91 Express Lanes requires the Orange County Transportation Authority to annually issue a plan and proposed schedule for the Riverside Freeway (State Route 91) improvement projects eligible for funding by potential excess toll revenue. The Draft 2008 State Route 91 Implementation Plan is provided for Board of Directors review and approval.

Recommendation

Approve the Draft 2008 State Route 91 Implementation Plan.

Background

AB 1010 (Chapter 688, Statutes of 2002) requires the Orange County Transportation Authority (OCTA), in consultation with the California Department of Transportation (Caltrans) and the Riverside County Transportation Commission (RCTC), to annually issue a plan and a proposed completion schedule for the Riverside Freeway (State Route 91) improvements from the Ontario Freeway (Interstate 15) to the Costa Mesa Freeway (State Route 55). The intent of the plan is to establish a program of projects eligible for funding by potential excess 91 Express Lanes toll revenue. The Draft 2008 State Route 91 Implementation Plan (Plan) is attached for review and approval.

Discussion

A major update to the Plan occurred in 2006, with Caltrans, RCTC, and corridor cities providing input. The update focused primarily on including and incorporating recommendations from the approved Riverside County-Orange County Major Investment Study (MIS) into the Plan, as well as inclusion of preliminary traffic analysis describing the general benefits of major projects.

The projects for the Plan have been updated based on the RCTC's 10-year Delivery Plan, the state Proposition 1B Corridor Mobility Improvement Account process, and the Orange County voter-approved Renewed Measure M Program. Further, several major projects have been advanced through the project development process and new information has been incorporated into the Plan. OCTA staff collaborated with Caltrans, RCTC, Transportation Corridor Agencies, and corridor cities for the Plan update. OCTA retained an engineering consultant for the update that included convening technical meetings with agencies' staff. The results of this process are included in Attachment A. The Plan describes projects and transportation benefits, anticipated implementation schedules by milestone year, and costs for major projects from now through 2030. The projects are organized by readiness and logical sequencing; however, full funding for all projects has not been secured.

The first set of projects will be completed by 2011 and includes five improvements at a total cost of approximately \$174.7 million. The projects include the Green River Road interchange overcrossing replacement, Metrolink service improvements, express bus improvements, the eastbound State Route 91 (SR-91) lane addition from the Eastern Transportation Corridor (State Route 241) to the Corona Expressway (State Route 71), and the north Main Street Corona Metrolink station parking structure. These projects are either in preliminary engineering, final design, construction, or procurement and implementation phases.

The second set of projects will be completed in the 2015 timeframe and will include five projects, with a total cost of just over \$1.4 billion. The projects include the addition of a fifth general purpose lane in each direction of SR-91 between State Route 55 (SR-55) and State Route 241 (SR-241), State Route 71/SR-91 interchange improvements, adding one general purpose lane in each direction of SR-91 east of SR-241, collector-distributor roads at Interstate 15 (I-15)/SR-91, extension of the 91 Express Lanes to the I-15, a SR-91 westbound lane at Tustin Avenue, and a proposed new interchange at Fairmont Boulevard.

Projects for implementation by 2020 include the SR-241/SR-91 direct high-occupancy vehicle/high-occupancy toll connector, a significant expansion of Metrolink service, and SR-55/SR-91 interchange improvements. OCTA, Caltrans, and RCTC will be initiating preliminary planning activities to define the scope and costs for these projects and to advance readiness when local, state, or federal funding becomes available. Consequently, there may be opportunities to advance these projects if additional funding is made available. Projects for implementation by 2020 are anticipated to cost between \$685 and \$965 million.

Projects for implementation by 2030 focus on longer lead time projects. These three multi-billion dollar potential projects require a significant amount of planning, design, funding, and future policy and public input. As such, all projects may not be implemented as described within this project summary, but annual Plan updates will capture the most current phasing and funding assumptions.

The Plan includes traffic analysis for major SR-91 projects. The results indicate that improvements planned will decrease travel time and improve peak hour travel speeds. While still planning concepts, the introduction of potential new corridors identified in the MIS by 2030 offer the potential capacity to manage future SR-91 demand. Further feasibility studies will determine if one or both concepts move forward in the project development process.

Staff presented the Plan to the State Route 91 Advisory Committee on May 30, 2008, for review and feedback; comments have been incorporated into Attachment A.

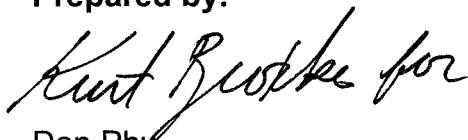
Summary

The Orange County Transportation Authority has completed the Draft 2008 State Route 91 Implementation Plan required by enabling toll road legislation. The Draft 2008 State Route 91 Implementation Plan is presented for review and approval. The final document will be transmitted to appropriate members of the state legislature.

Attachment

- A. Draft 2008 State Route 91 Implementation Plan

Prepared by:



Dan Phu
Section Manager, Project Development
(714) 560-5907

Approved by:

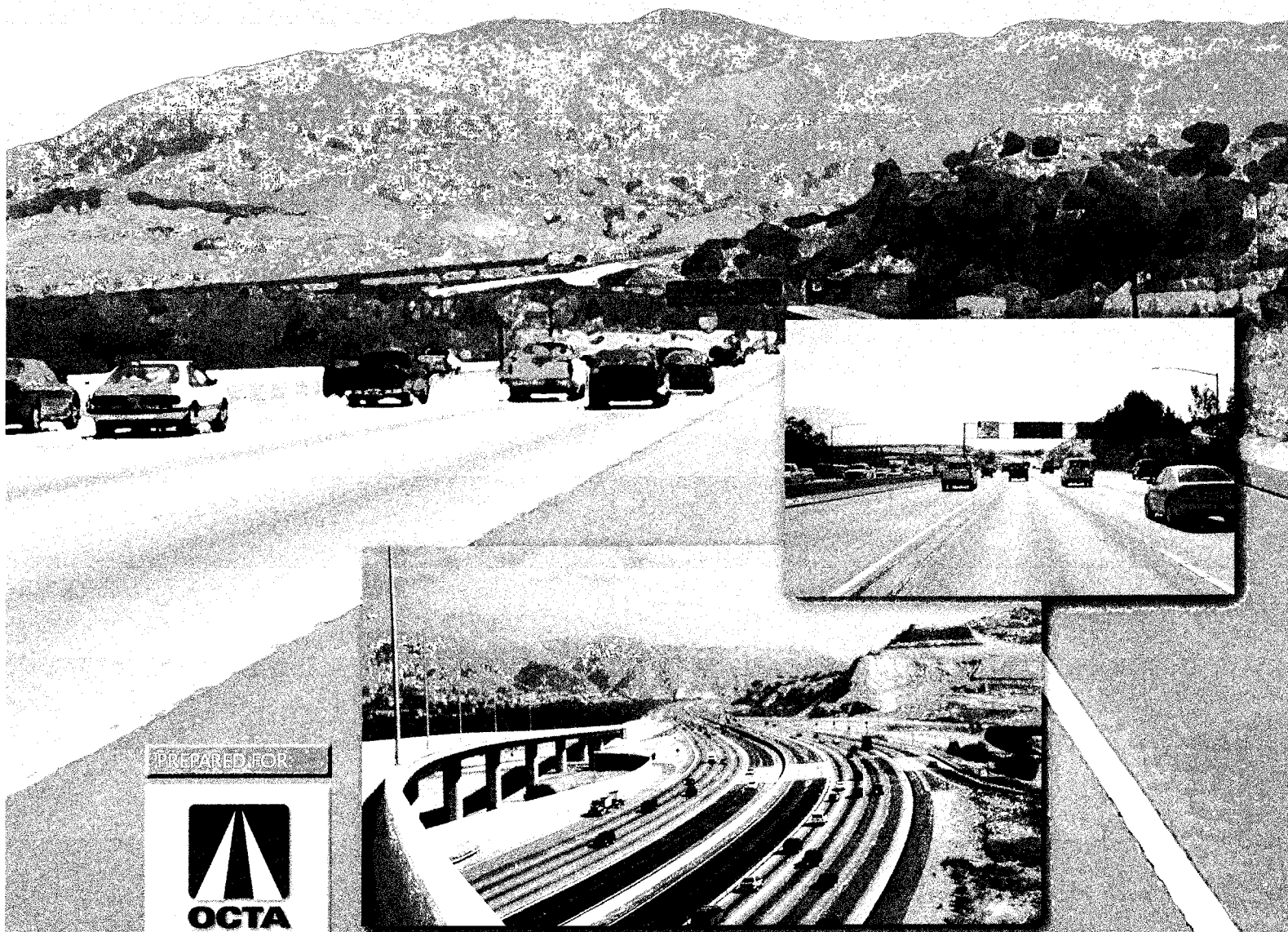


Kia Mortazavi
Executive Director, Development
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2008



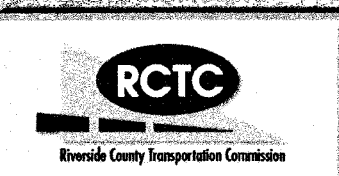
State Route 91 Implementation Plan



PREPARED FOR



IN ASSOCIATION WITH



PREPARED BY



MAY 2008

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SECTION 1: 2008 Status Report and Update

INTRODUCTION

Previous law authorized the California Department of Transportation (Caltrans) to enter into franchise agreements with private companies to construct and operate four demonstration toll road projects in California. This resulted in the development of the 91 Express Lanes facility in Orange County. The four-lane, 10-mile toll road runs along the median of the Riverside Freeway (State Route 91) in northeast Orange County between the Orange/Riverside County Line and the Costa Mesa Freeway (State Route 55). Since the 91 Express Lanes carried its first vehicle on December 27, 1995, the facility has saved users over 32 million hours of commuting time.

While the 91 Express Lanes facility has improved travel time along the State Route 91 (SR-91) corridor, provisions in the franchise agreement between Caltrans and the private franchisee, the California Private Transportation Company (CPTC), prohibited Caltrans and county transportation agencies from adding transportation capacity or operational improvements to the SR-91 corridor from the Ontario Freeway (Interstate 15) in Riverside County to the Orange/Los Angeles Counties border through the year 2030. Consequently, the public agencies were barred from adding new lanes, improving interchanges, and adding other improvements to decrease congestion on the SR-91 freeway.

Recognizing the need to eliminate the non-compete provision of the franchise agreement, Governor Gray Davis signed Assembly Bill 1010 (Lou Correa) into law in September 2002, paving the way for much-needed congestion relief for thousands of drivers who use SR-91 to travel between Riverside and Orange Counties each day. The bill allowed the Orange County Transportation Authority (OCTA) to purchase the 91 Express Lanes franchise and eliminate the existing clause that prohibited any capacity-enhancing improvements from being made to SR-91 until the year 2030. The purchase agreement for the 91 Express Lanes was completed in January 2003, placing the road in public hands at a cost of \$207.5 million. With the elimination of the non-compete provision through AB 1010 and the subsequent 91 Express Lanes

purchase by the OCTA, Orange County and Riverside County public officials and Caltrans Districts 8 and 12 have been coordinating improvement plans for SR-91.

AB 1010 also requires OCTA, in consultation with Caltrans and the Riverside County Transportation Commission (RCTC), to annually issue a plan and a proposed completion schedule for SR-91 improvements from State Route 55 (SR-55) to Interstate 15 (I-15). This plan establishes a program of projects eligible for funding by the use of potential excess toll revenue and other funds.

This 2008 SR-91 Implementation Plan (Plan) is the result of the requirement to provide the State Legislature with an annual Implementation Plan for SR-91 improvements and builds on the 2007 report, which was a major update of the previous annual Implementation Plans. This year's update includes projects identified in the Riverside County – Orange County Major Investment Study (MIS) as well as other project development efforts and funding programs such as the RCTC 10-Year Western County Highway Delivery Plan that outlines a number of projects such as the extension of HOT Lanes from the Orange/Riverside County Line to I-15, the California Transportation Commission (CTC) Corridor Mobility Improvement Account (CMIA) that provides a funding source for transportation projects, the extension of the Measure A program that provides funding for transportation projects in Riverside County, and the Renewed Measure M program that provides funding for transportation projects in Orange County. The 2008 Plan includes an overview, identification of issues and needs, time frames for project packages to improve mobility on SR-91, and are listed based on a logical sequence for implementation. Project descriptions include conceptual lane diagrams (as appropriate), cost estimates (in 2005 or 2008 dollars as noted), and discussion of key considerations that need to be addressed in the planning and development of each project. This plan will provide OCTA, RCTC, and Caltrans with a framework to implement SR-91 and other related improvements. Future annual plan updates will continue to refine the scope, cost, and schedule of each project included in this version of the plan.



SR-91 CORRIDOR CONDITIONS

Project Limits

The project study limits encompass the segment of SR-91 from west of the junction of SR-55 and SR-91 in the City of Anaheim in Orange County to east of the junction of SR-91 and I-15 in the City of Corona in Riverside County. The freeway segment is approximately 17.3 miles long, and includes approximately 9.7 miles within Orange County and approximately 7.6 miles within Riverside County.

Traffic Conditions Summary

A review of traffic conditions in the Corridor indicates that the existing carrying capacity of the facility is inadequate to accommodate current and future peak demand volumes, and that Level of Service (LOS) F prevails in the peak direction during the entire peak period, where LOS F is defined as the worst freeway operating condition and is defined as a density of more than 45 passenger cars/lane/mile. The results also indicate that there are several physical constraints that generate unacceptable traffic queues. The following list summarizes the deficiencies identified along the SR-91 Corridor:

- ❖ Heavy traffic volumes from I-15 (North and South) converge with SR-91. The weaving and merging condition is complicated by the close proximity of the Westbound (WB) Main Street off-ramp.
- ❖ High demand from several on-ramps within the eastern segment exacerbates traffic conditions during rush hours.
- ❖ An eastbound (EB) general purpose (GP) lane is dropped at the Corona Expressway (State Route 71).
- ❖ The second EB High Occupancy Vehicle (HOV) lane becomes a GP lane. Heavy downstream congestion forces traffic to exit at the Green River off-ramp. The backup caused by the off-ramp blocks the right lane of the mainline freeway.
- ❖ High traffic volumes from Gypsum Canyon Road and Santa Ana Canyon Road contribute to congestion on the mainline.
- ❖ The Foothill Transportation Corridor (State Route 241) merges with SR-91 causing additional congestion in the EB direction. Both EB lanes from State Route 241 (SR-241) are dropped prior to State Route 71 (SR-71).

- ❖ Heavy traffic reentering the freeway merges at slow speeds from existing WB and EB truck scales, impacting the general-purpose lanes.
- ❖ SR-55 merges with SR-91. An EB lane on SR-91 is dropped at Lakeview Avenue and a second EB lane is dropped at Imperial Highway creating a severe merge condition.
- ❖ WB SR-91 drops a GP lane and a 91 Express Lane to SB SR-55, which contributes to mainline congestion.
- ❖ High demand from Weir Canyon Road, Imperial Highway and Lakeview Avenue.
- ❖ WB traffic entering SR-91 at Lakeview Avenue weaving through three lanes from WB SR-91 to southbound (SB) SR-55 contributes to mainline congestion.

PROJECT SUMMARY

Many of the projects identified in this 2008 Plan are based on the MIS that was completed in January 2006. The projects are presented based on potential implementation schedules and priorities established in the MIS as well as through subsequent project development. Table 1 summarizes the various projects in the 2008 Plan, and they are outlined below by implementation schedule (see Section 2 for detailed project summaries):

- ❖ The first set of projects is anticipated to be completed by 2011 and includes five improvements at a total cost of approximately \$175 million. The projects include the Green River Road interchange overcrossing replacement, Metrolink service improvements, Express Bus improvements, the EB SR-91 lane addition from SR-241 to SR-71, and construction of a Metrolink parking structure at the North Main Street Corona Metrolink Station. These projects are in the process of preliminary engineering, final design, construction, or procurement and implementation, as noted in the project summaries.
- ❖ The 2015 improvements include five projects, with a total cost of approximately \$1.45 billion. The projects include new travel lanes between SR-55 and SR-241; interchange improvements at SR-71/SR-91; the SR-91 Corridor Improvement Project (CIP) from SR-241 to Pierce Street that will widen SR-91 by one GP lane in each direction east of SR-241, add CD

Roads and Direct Connectors at I-15/SR-91, extend 91 Express Lanes to I-15, and add system interchange improvements; a new WB lane at Tustin Avenue; and a potential new interchange at Fairmont Boulevard.

❖ Three projects for implementation by 2020 include the SR-241/SR-91 HOV/HOT direct connector, a significant expansion of Metrolink service and station improvements, and SR-55/SR-91 interchange improvements. OCTA, RCTC, and Caltrans will be initiating some preliminary planning activities for these projects to ensure readiness when local, state, or federal funding becomes available. Consequently, there may be opportunities to advance these projects if additional funding is made available. Projects for implementation by 2020 would cost approximately \$685 to \$965 million. Some of these projects may become components of 2030 and post-2030 projects.

❖ Projects for implementation by 2030 focus on longer-lead time projects and include: an Elevated 4-Lane Facility (MIS Corridor A) from SR-241 to I-15, a 4-Lane Facility (MIS Corridor B) from SR-241/Laguna Freeway (State Route 133) to I-15/Cajalco Road, and the Anaheim to Ontario International Airport High Speed Rail. These three, multi-billion dollar potential projects require a significant amount of planning, design, and future policy and public input. In some cases, these projects may include previous projects as project components, such that all projects may not be implemented within this project summary.

Table 1 – SR-91 Implementation Plan Projects

Project No.	Project Summary	Cost (\$M)
By Year 2011		
1	Green River Road Overcrossing Replacement	24.3
2	Metrolink Short-Term Expansion Plan	35.4
3	Express Bus Improvements – Orange County to Riverside County	9.5
4	Eastbound Lane Addition from SR-241 to SR-71	80.5
5	North Main Street Corona Metrolink Station Parking Structure	25.0
SUBTOTAL		174.7
By Year 2015		
6	Widen SR-91 between SR-55 and SR-241 by Adding a 5 th GP lane in Each Direction	96
7	SR-71/SR-91 Interchange Improvements	99
8	Widen SR-91 by One GP Lane in Each Direction East of SR-241, CD Roads and Direct Connectors at I-15/SR-91, Extension of Express Lanes to I-15, and System Interchange Improvements	1,100
9	SR-91 WB Lane at Tustin Avenue	91.5
10	New Interchange at Fairmont Boulevard	46 - 70
SUBTOTAL		1,433 - 1,457
By Year 2020		
11	SR-241/SR-91 HOV/HOT Connector	150 - 430
12	Metrolink Service and Station Improvements	335
13	SR-55/SR-91 Interchange Improvements	200
SUBTOTAL		685 - 965
By Year 2030 and Post-2030		
14	Elevated 4-Lane Facility (MIS Corridor A) from SR-241 to I-15	2,720
15	4-Lane Facility (MIS Corridor B) from SR-241/SR-133 to I-15/Cajalco Road	5,960
16	Anaheim to Ontario International Airport High Speed Rail	TBD
SUBTOTAL		8,680+

Traffic Analysis

For the 2008 Plan, the traffic impacts for major SR-91 capacity projects are the same as those analyzed for the 2007 Plan. This analysis used the latest freeway operations software model available from UC Berkeley and 2007 traffic data. This freeway operations model provides a better depiction of actual travel delays experienced by motorists compared to traditional travel demand models. The model can be used to analyze freeway bottlenecks sometimes neglected in traditional

travel demand models. This approach is especially important given high SR-91 traffic volumes and the potential for relatively few vehicles to significantly slow down traffic. For example, a minor freeway merging area can cause many vehicles to slow, cascading delay through the traffic stream, and suddenly both speed and volume rapidly decrease for major segments of the freeway.



The operations analysis quantified travel time savings for EB afternoon and WB morning conditions for the following major projects:

- ❖ Eastbound lane addition from SR-241 to SR-71 by 2011 (Project 4).
- ❖ New lanes in both directions from SR-55 to SR-241 by 2014 (Project 6).
- ❖ New lanes in both directions from SR-241 to I-15 by 2015 (Project 8).
- ❖ New capacity provided by Corridor A and Corridor B by 2030 as suggested by the 2006 MIS (Projects 14 and 15).

The results indicate that improvements planned for 2015 will significantly decrease travel time and increase EB travel speeds in the afternoon. These improvements, plus planned widening of SR-91 between SR-55 and SR-241 by 2015, will help manage the future growth in WB morning travel. However, the WB morning travel time remains nearly the same as today's conditions even with these improvements. The current design of the SR-55/SR-91 interchange limits the ability to move traffic

into north and central Orange County via SR-55, and significant future vehicle delays may result without major interchange improvements and downstream capacity or diversion to other corridors.

The introduction of Corridors A and B by 2030 offers the potential capacity to manage future SR-91 traffic demand in both directions. While both of these corridors are still concepts, they provide substantial relief to EB and WB traffic congestion in the future. Further feasibility studies will determine if one or both concepts move forward in the project development process. The charts below describe the travel time benefits by year including these various project concepts.

Time period "2007 A" in Figure 1-1 represents the inclusion of an EB SR-91 restripe and median barrier reconstruction project that removed the California Highway Patrol (CHP) enforcement area and extended the EB auxiliary lane from SR-71 to the Serfas Club Drive off-ramp. Construction was completed in 2007. Figure 1-2 includes an additional 2004 time period that can be compared with the 2005 travel time, which represents the inclusion of a WB SR-91 restripe project near the County Line.

Figure 1-1 – Mainline Eastbound SR-91 From SR-55 to I-15 P.M. Peak Hour Average Travel Time

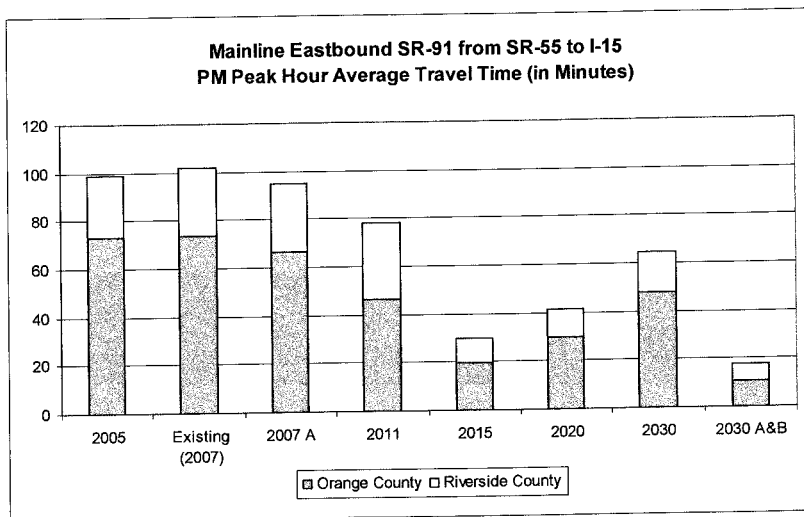
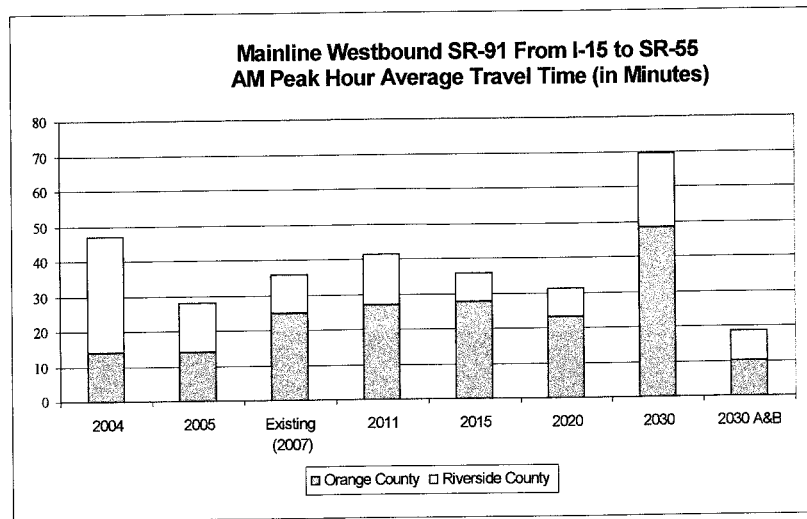


Figure 1-2 – Mainline Westbound SR-91 From I-15 to SR-55 A.M. Peak Hour Average Travel Time



PROJECT ACCOMPLISHMENTS

Much progress has been made since the initial 2003 SR-91 Implementation Plan was approved.

Recently Completed Construction/Improvement Projects

As of May 2008, the following physical improvements have been constructed/implemented:

- ❖ Repaved and sealed pavement surfaces, replaced raised channelizers, and restriped lanes on the 91 Express Lanes.
- ❖ EB SR-91 restripe and median barrier reconstruction project that removed the CHP enforcement area and extended the EB auxiliary lane from SR-71 to the Serfas Club Drive off-ramp.
- ❖ Express Bus improvements are implemented for the Galleria at Tyler to South Coast Metro route.
- ❖ WB auxiliary lane extension between the County Line and SR-241. This project eliminated the lane drop at the 91 Express Lanes and extended the existing auxiliary lane from the County Line to SR-241 in the westbound direction. This improvement minimized the traffic delays at the lane drop area, resulting in improved vehicle progression.
- ❖ WB restripe project extended the auxiliary lane between SR-71 and the County Line resulting in a new continuous auxiliary lane between SR-71 & SR-241.

- ❖ Safety Improvements at the Truck Scales. Existing shoulders were improved, lanes were re-striped, illumination improved, and signage was modified into and out of the EB facilities.

These projects provided enhanced freeway capacity and improved mobility for one of the most congested segments of the freeway.

Recently Completed PSR's and other Reports

In addition to the physical improvements in the corridor, there are several reports and PSR's that are completed or in draft form that identify improvements that will provide improved mobility. The reports and PSR's include:

- ❖ Project Study Report "On Route 91 from State Route 241 in Orange County to Pierce Street in the City of Riverside in Riverside County" (October 2006).
- ❖ Project Report for Eastbound Lane from SR-241 to SR-71 (December 2007).
- ❖ Project Study Report "On State Route 91 Between the SR-91/SR-55 Interchange and the SR-91/SR-241 Interchange in Orange County" (April 2004).
- ❖ Project Study Report for SR-71/SR-91 Interchange (December 2006).
- ❖ RCTC 10-Year Western County Highway Delivery Plan (December 2006).

- ❖ Renewed Measure M Transportation Investment Plan (November 2006).
- ❖ MIS – Final Project Report: Locally Preferred Strategy Report (January 2006).
- ❖ Draft 91 Express Lanes Extension and State Route 241 Connector Feasibility Study (April 2008).
- ❖ SR-91 from SR-57 to SR-55 Feasibility Study (anticipated by June 2009).
- ❖ SR-91/Fairmont Boulevard Feasibility Study (anticipated by June 2009).

Updates from the 2007 SR-91 Implementation Plan

In addition, to the improvements and progress noted above, the following projects that were included in the 2007 SR-91 Implementation Plan have been modified or dropped for the 2008 Plan:

- ❖ The widening of SR-91 from SR-55 to SR-241 by adding a 5th GP lane in each direction (Project #6) has been moved up from 2020 to 2014 since it has received \$22M in CMIA funding.
- ❖ The I-15/SR-91 HOV/HOT direct connector project has been combined with the SR-91 CIP (Project #8) to reflect the planned delivery of these improvements as a single project.
- ❖ The SR-71/SR-91 interchange improvements and EB CD road from Green River Road have been separated from the SR-91 CIP (Project #8) to reflect the planned sequence of project delivery and funding sources for these improvements.
- ❖ The SR-241/SR-91 HOV/HOT connector project (Project #11) has been moved up from 2020 to 2017 because of the accelerated schedules for projects along SR-91 that may impact the project and to potentially reduce throwaway costs from implementation of earlier improvements.
- ❖ RCTC, on behalf of the Riverside Orange Corridor Authority (ROCA), a Joint Powers Agreement (JPA), has received a Special Use Permit from the United States Department of Agriculture (USDA) Forest Service to conduct geotechnical studies within the Cleveland National Forest for the Corridor B (Irvine Corona Expressway) 4-lane facility from SR-241/State Route 133 (SR-133) to I-15/Cajalco Road. RCTC anticipates completing the feasibility study by the end of 2009.



OVERVIEW

The 2008 Plan describes projects, implementation schedules, key consideration, benefits, and costs (in 2008 dollars) for major projects through 2030. Most of the projects identified in this Implementation Plan are based on the MIS that was completed in January 2006. The projects are presented based on potential implementation schedules and priorities established in the MIS. The schedules for implementation of the packages of projects include 2011, 2015, 2020, and 2030. The 2011 and 2015 projects are capable of being implemented through the project development process with minimal to moderate environmental constraints. Some of the longer-range projects for 2020 and 2030 require more significant planning and environmental assessment prior to design.

Each of the project improvements includes an estimate of project schedules. It is important to note that implementing various time saving measures, such as design-build or contractor incentives for early completion, may potentially reduce project schedules. The implementation phases are defined as follows:

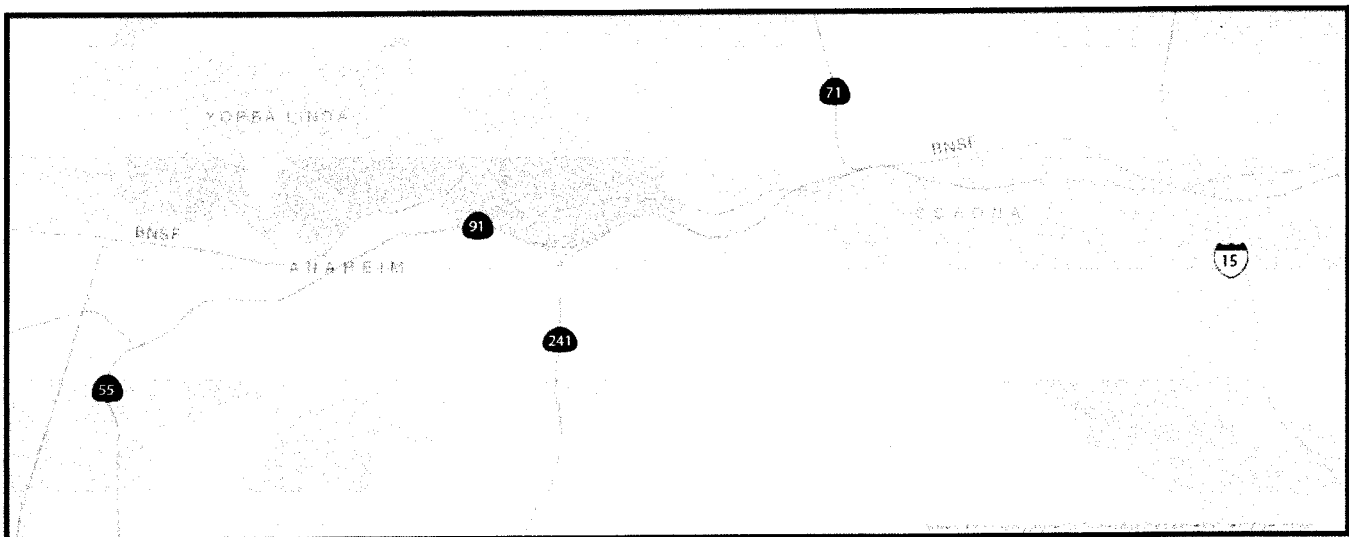
- ❖ **Conceptual Engineering = Pre-Project Study Report (Pre-PSR)** – Conceptual planning and

engineering for project scoping and feasibility prior to initiating the PSR phase.

- ❖ **Preliminary Engineering = Project Study Report (PSR)** – Conceptual planning and engineering phase that allows for programming of funds.
- ❖ **Environmental = Project Report/Environmental Documentation (PR/ED)** – The detailed concept design that provides environmental clearance for the project and programs for final design and right of way acquisition. The duration for this phase is typically 2-3 years.
- ❖ **Design = Plans, Specifications and Estimates (PS&E)** – Provide detailed design to contractors for construction bidding and implementation.
- ❖ **Construction** = The project has completed construction and will provide congestion relief to motorists.

The intent of these implementation plan project packages is to provide an action list for OCTA, RCTC and Caltrans to pursue in the project development process or for initiating further studies.

Figure 2-1 – SR-91 Project Study Area from SR-55 to I-15

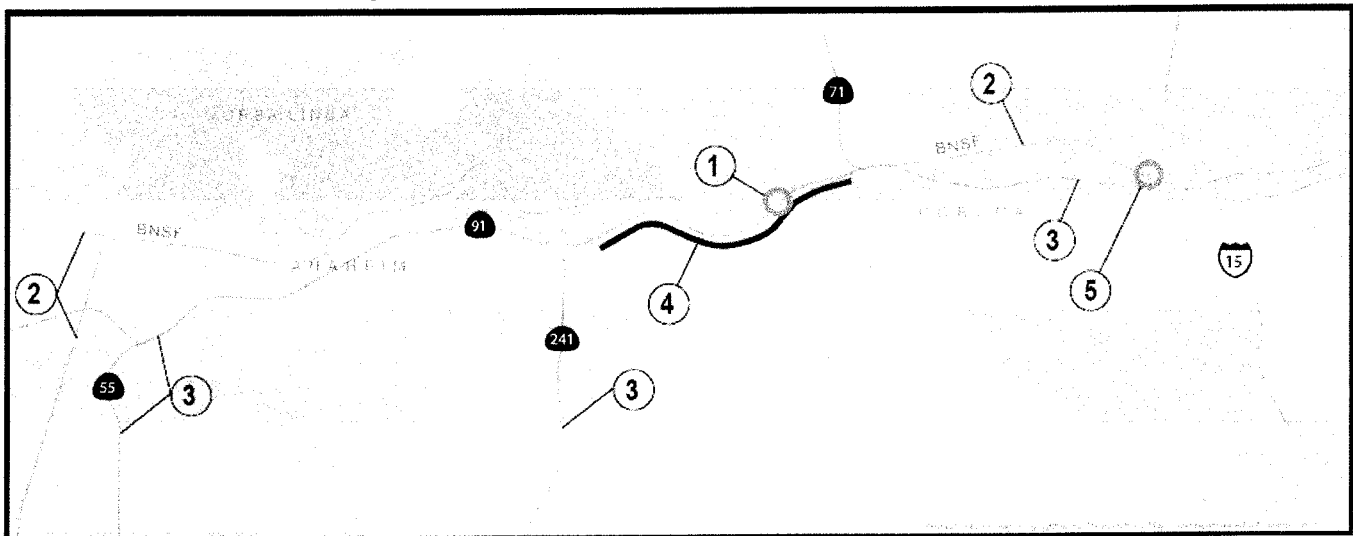


By Year 2011

The first set of projects will be completed by 2011 and include five improvements at a total cost of approximately \$175 million (in 2008 dollars). The projects include the Green River Road interchange overcrossing replacement, Metrolink service improvements, Express Bus improvements, the EB SR-91 lane addition from near SR-241 to SR-71, and a new parking structure at the North Main Street Corona Metrolink Station. Most of these projects are in the process of preliminary engineering, final design, construction, or procurement and implementation. These projects are recommended for the first few years of the Plan and will provide mobility improvements to the corridor when implemented. Most of these near term projects provide immediate operational benefits (with the overcrossing replacement accommodating future SR-91 capacity) with a minimum of effort required relative to environmental documentation and Right-of-Way constraints.

Project No.	Project Summary	Cost (\$M)
1	Green River Road Overcrossing Replacement	24.3
2	Metrolink Short-Term Expansion Plan	35.4
3	Express Bus Improvements – Orange County to Riverside County	9.5
4	Eastbound Lane Addition from SR-241 to SR-71	80.5
5	North Main Street Corona Metrolink Station Parking Structure	25.0
SUBTOTAL		174.7

Figure 2-2 – Summary of Projects for Implementation By 2011



Green River Road Overcrossing Replacement

Project No: 1

Anticipated Completion: 2009

Project Cost Estimate

Capital Cost	\$ 21,000,000
Support Cost	\$ 3,000,000
R/W Cost	\$301,000
Total Project Cost	\$ 24,301,000

Project Schedule

Preliminary Engineering	Completed
Environmental	Completed
Design	Completed
Construction	2007-2009

Project Schedule Caltrans Equivalents:

Preliminary Engineering = PID
 Environmental = PA/ED
 Design = PS&E

Abbreviations:

CD = Collector Distributor Lane
 FTR = Future
 HOV = High Occupancy Vehicle
 SHLD = Shoulder

Project Description

Improvements primarily consist of replacing the existing Green River Road overcrossing with a new six-lane wide, 4-span overcrossing to accommodate future widening of SR-91. The interior spans will accommodate up to eight mainline lanes in each direction including two HOV lanes. The exterior spans can accommodate two lanes, either for auxiliary lanes or collector distributor roads. Entrance and exit ramps will be realigned and widened to accommodate the new bridge, yet the interchange will retain its current configuration. New signals will be installed at the ramp intersections. Ramp and bridge improvements will be constructed within existing right of way.

Key Considerations

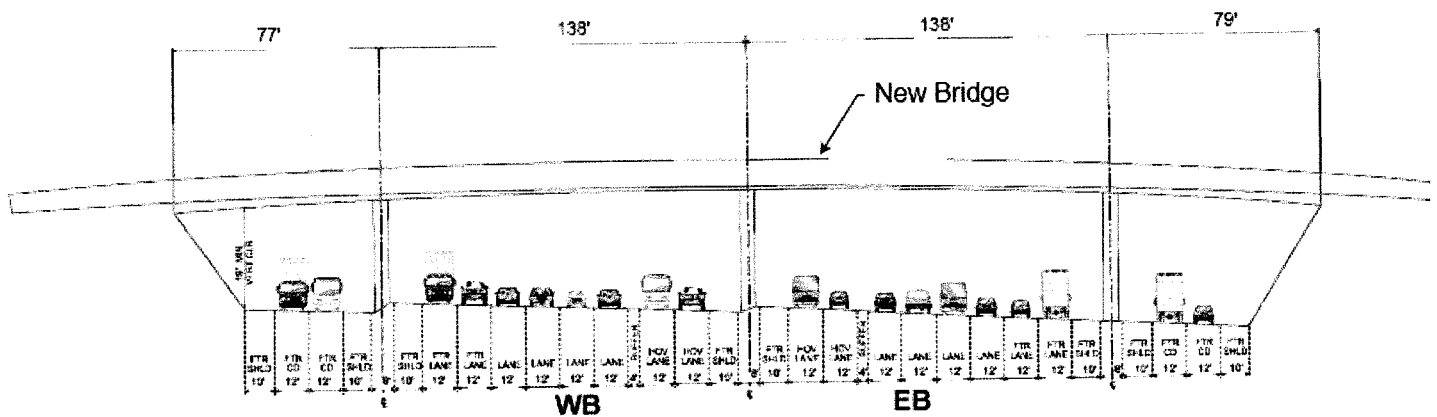
Design interface is required with the Eastbound Lane Addition from SR-241 to SR-71 (Project #4), SR-71/SR-91 Interchange Improvements (Project #7), SR-91 Corridor Improvement Project (Project #8), and SR-241/SR-91 HOV/HOT Connector (Project #11).

Benefits

The project will improve the level of service at ramp and local street intersections at the interchange. Improvements will reduce ramp queues that extend into the freeway's general purpose lanes, thus contributing to congestion relief on SR-91.

Current Status

The project began construction in March 2007 and is anticipated to be completed by March 2009 or sooner.



GREEN RIVER BRIDGE CROSS-SECTION

NOTE: All dimensions are approximate



Metrolink Short-Term Expansion Plan

Project No:	2
Anticipated Completion:	2010
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Project Cost Estimate	
OCTA Project Cost	\$ 35,400,000
Project Schedule	
To be completed by 2010	

Project Description

OCTA, working with the Riverside County Transportation Commission, San Bernardino Associated Governments, and the Southern California Regional Rail Authority (SCRRA), plans a short-term expansion of train service from the Inland Empire to Orange County. More trains are planned on the Inland Empire - Orange County (IEOC) line that currently runs between San Bernardino, Riverside, and Orange Counties as well as the "91 Line" that goes from the Inland Empire to Los Angeles via Orange County, paralleling SR-91.

Currently, 16 trains a day run on the IEOC line and nine trains on the 91 Line for a total of 25 daily trains. The short-term expansion adds two additional IEOC trains and four additional 91 Line trains by 2010 for a total of 31 daily trains, subject to negotiations with BNSF, RCTC, and LACMTA. The planned short-term expansion is necessary to accommodate population and employment growth in the region as well as make the current service more convenient.

Key Considerations

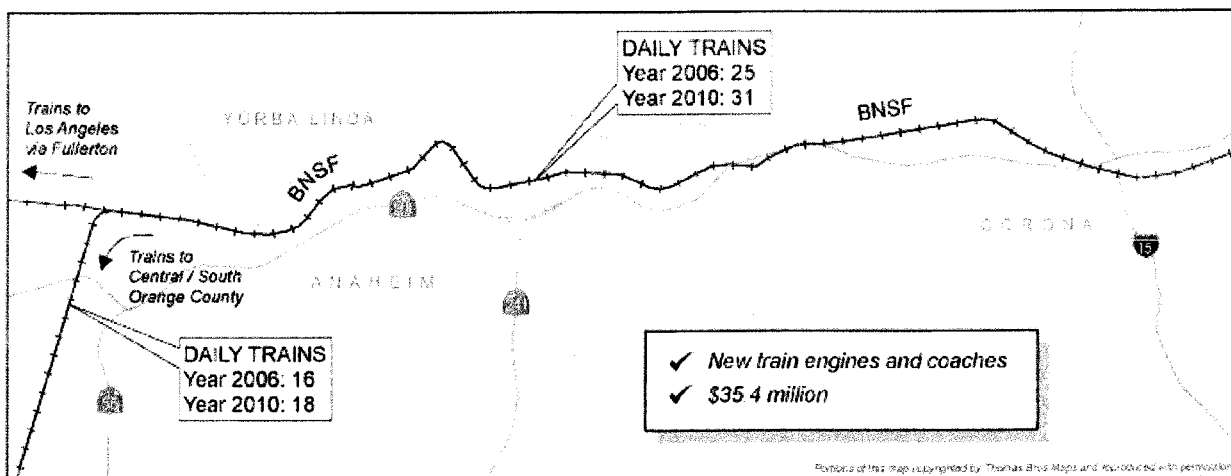
Capital costs necessary for this expansion includes the purchase of engines and coaches to operate the new service. OCTA costs are estimated at \$35.4 million. The long-term plan (by 2020) adds more service and requires a significant capital investment, including an additional station in Placentia (see Project #11 for long-term details). Coordination has been ongoing with the Metrolink extension studies (see also Project #11).

Benefits

Enables development of expanded Metrolink Service, which will contribute to congestion relief on SR-91.

Current Status

SCRRA equipment procurement is underway with Rotem Company for the purchase of trailer and cab cars, and also with MotivePower, Inc. for locomotives.



Express Bus Improvements Orange County to Riverside County

Project No: 3

Anticipated Completion: 2011

Project Cost Estimate

Total Capital Cost \$ 9,500,000
 Total Annual Operating Cost \$ 900,000

Project Schedule

Riverside/Corona to South Coast Metro implemented Fall 2006
 Riverside/Corona to Tyler to Irvine Business Complex/UCI in FY 2010/2011
 Riverside/Corona to North East Anaheim and CSUF in FY 2010/2011
 Riverside/Corona to Anaheim Resort in FY 2010/2011

Project Description

OCTA, working with the Riverside County Transportation Commission, and the Riverside Transit Agency, plans an extensive expansion of express bus service between Riverside and Orange Counties. Commuters lack direct transit connections to many Orange County employment centers, and new express bus service will provide connections to growing employment centers in Anaheim, Costa Mesa, Fullerton, and Irvine.

Four express bus routes are planned from Riverside County to the Northeast Anaheim Canyon Business Center and California State University Fullerton; Anaheim Civic Center, Western Medical Center, and Anaheim Resort; and Irvine Business Complex and UCI. Routes would run every 30 to 45 minutes in the peak period, and service will be tailored to match demand. Implementation began in Fall 2006 with the Riverside County to South Coast Metro route. The other routes are planned for implementation by Fiscal Year 2010/2011 contingent on future budget authority.

Key Considerations

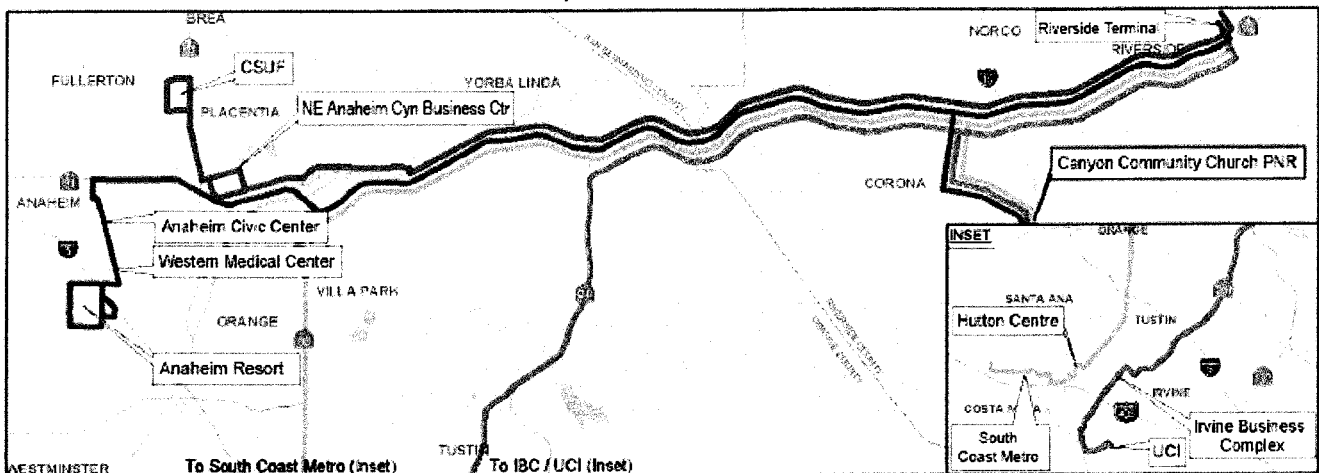
Operating costs are estimated at \$900,000 each year. Costs are shared by Orange and Riverside Counties.

Benefits

Development of Express Bus Services will contribute to congestion relief on SR-91.

Current Status

OCTA is developing a procurement plan to purchase additional vehicles. A cooperative agreement covering the Riverside/Corona to South Coast Metro service with Riverside County has been developed. The Riverside County to South Coast Metro express bus route is currently operating. Expansion of the program is dependent upon future financial commitments with Riverside County.



Eastbound Lane Addition from SR-241 to SR-71

Project No: 4

Anticipated Completion: 2011

Project Cost Estimate

Capital Cost	\$ 65,000,000
Support Cost	\$ 14,300,000
R/W Cost	\$ 1,200,000
Total Project Cost	\$ 80,500,000

Project Schedule

Preliminary Engineering	Completed
Environmental	Completed
Design	2007-2009
Construction	2009-2011

Project Description

The project will provide an additional eastbound (EB) lane from the SR-91/SR-241 interchange to the SR-71/SR-91 interchange and will widen all EB lanes and shoulders to standard widths.

Key Considerations

Coordination with Green River Road Overcrossing Replacement (Project #1) will be required. Staged construction would be required for all ramp reconstruction and freeway widening. Freeway operations would most likely be affected by this project, however, freeway lane closures are not anticipated. An EB concrete shoulder will be constructed with a 12 foot width to provide for future widening as contemplated by Project #8 (SR-91 Corridor Improvement Project).

Benefits

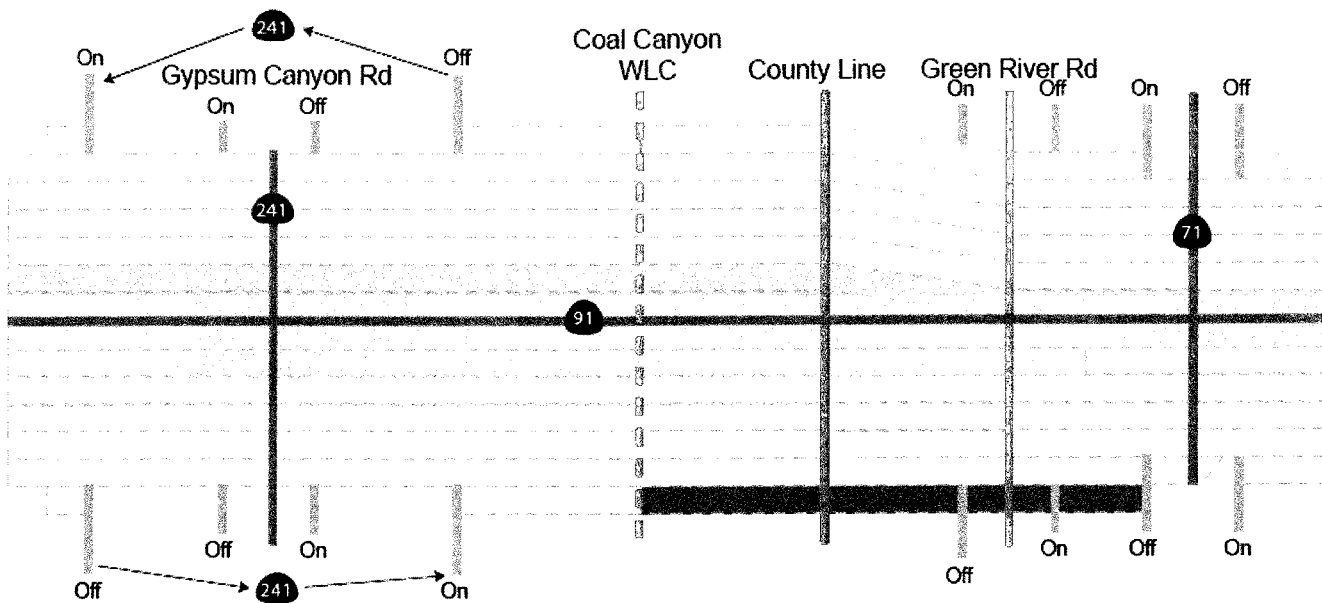
The lane addition would improve weaving between SR-241 and SR-71, as well as remove vehicles from the SR-91 mainline traffic flow that would be exiting at Green River Road and SR-71.

Current Status

The Project Report and Environmental Document were completed in December 2007. The project is currently in the design phase. Funding is from the Corridor Mobility Improvement Account (CMIA) with \$71.44M approved, and the balance of project costs are from other sources. Caltrans will perform design and right-of-way certification by March 2009. Construction is anticipated to begin in September 2009 and be completed by September 2011.

LEGEND

- Existing Highway
- Interchange/Ramp
- County Line
- HOV or HOT Lane
- Existing Lane
- Project Improvement Lane



North Main Street Corona Metrolink Station Parking Structure

Project No: 5

Anticipated Completion: 2009

Project Cost Estimate

Capital Cost	\$ 20,000,000
Support Cost	\$ 5,000,000
R/W Cost	\$0
Total Project Cost	\$ 25,000,000

Project Schedule

Preliminary Engineering	Completed
Environmental	Completed
Design	Completed
Construction	2008-2009

Project Description

The project will provide a six level parking structure with 1,100 parking stalls. The construction is within the existing North Main Street Metrolink station property in Corona.

Key Considerations

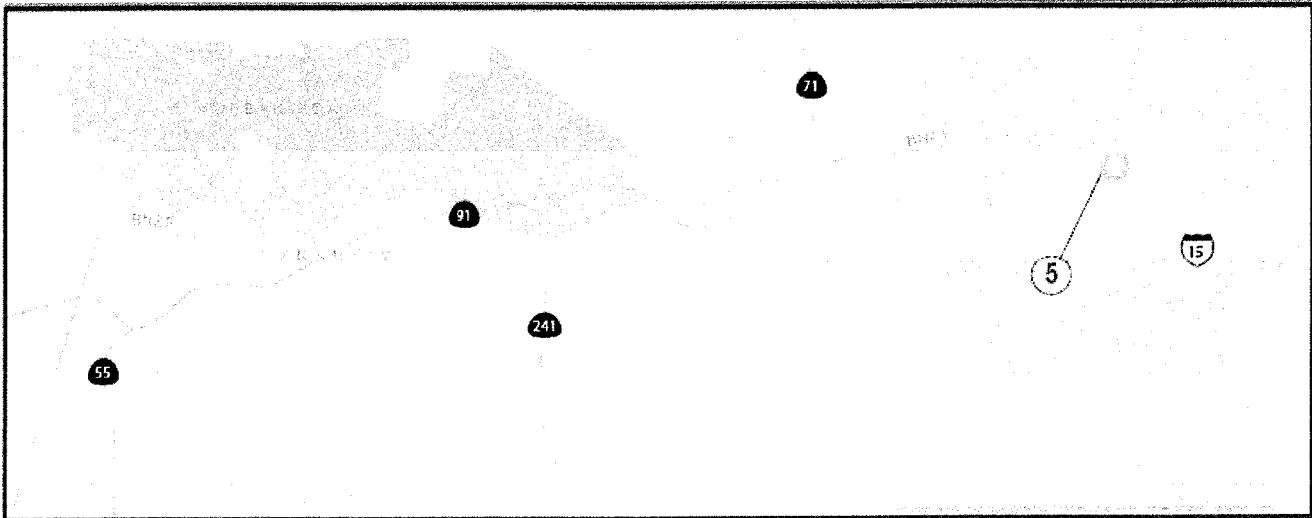
Maintaining parking for passengers temporarily displaced by the new construction is a significant issue. Addressing this issue involves providing additional parking, shuttle service, and encouraging passengers to use adjacent stations during construction. Proposed improvements will be constructed within existing right of way.

Benefits

Demand for parking currently exceeds the capacity at the North Main Street Corona station. New parking capacity will allow Metrolink ridership to increase thereby diverting vehicle trips from SR-91.

Current Status

Construction was initiated in January 2008 and is scheduled to be completed by fall 2009. The project is funded with Federal Congestion Management and Air Quality (CMAQ) funds.

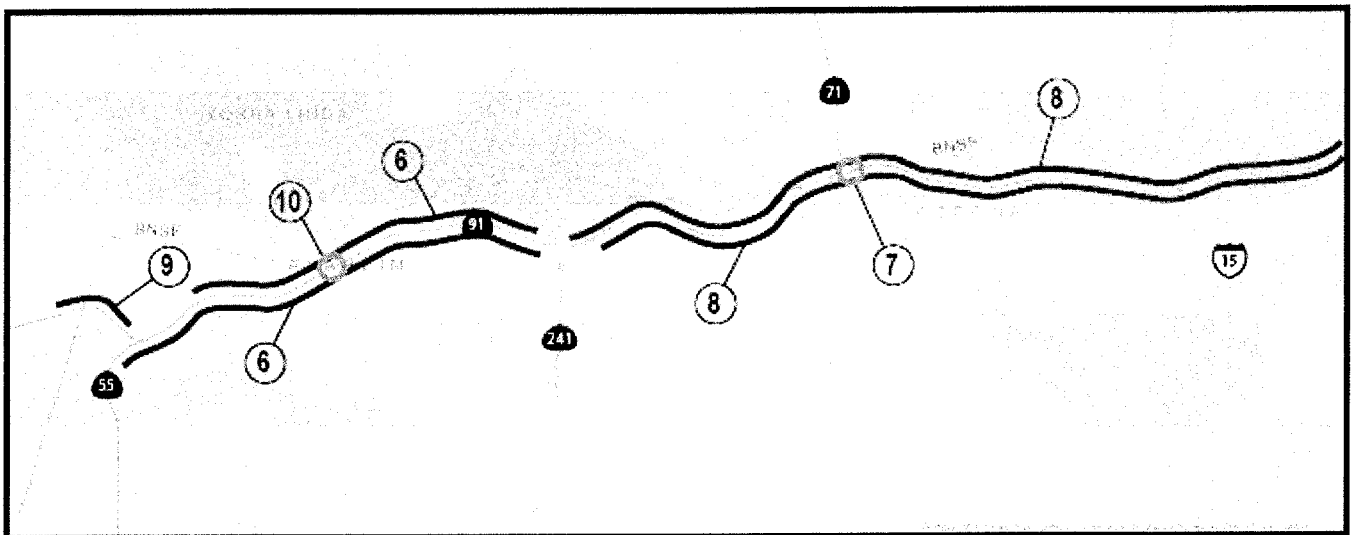


By Year 2015

The next set of improvements includes five projects, which would be implemented by 2015 at a total cost of approximately \$1.45 billion (in 2008 dollars). One of the projects includes SR-91 widening by one general purpose (GP) lane in each direction between SR-55 and SR-241. Another project is the interchange improvements at SR-71/SR-91. The third project is the SR-91 Corridor Improvement Project (CIP) from SR-241 to Pierce Street that will widen SR-91 by one GP lane in each direction east of SR-241, add CD Roads and Direct Connectors at I-15/SR-91, extend 91 Express Lanes to I-15, and add system interchange improvements. The other two projects that will be completed in this time frame include the WB lane at Tustin Avenue, and a potential new interchange at Fairmont Boulevard.

Project No.	Project Summary	Cost (\$M)
6	Widen SR-91 between SR-55 and SR-241 by Adding a 5 th GP lane in Each Direction	96
7	SR-71/SR-91 Interchange Improvements	99
8	Widen SR-91 by One GP Lane in Each Direction East of SR-241, CD Roads and Direct Connectors at I-15/SR-91, Extension of Express Lanes to I-15, and System Interchange Improvements	1,100
9	SR-91 WB Lane at Tustin Avenue	91.5
10	New Interchange at Fairmont Boulevard	46 - 70
SUBTOTAL		1,433 - 1,457

Figure 2-3 – Summary of Projects for Implementation By 2015



Widen SR-91 between SR-55 and SR-241 by Adding a 5th GP Lane in Each Direction

Project No:	6
Anticipated Completion:	2014
<hr/>	
Project Cost Estimate	
Capital Cost	\$ 69,800,000
Support Cost	\$ 22,700,000
R/W Cost	\$ 3,500,000
Total Project Cost	\$ 96,000,000
Project Schedule	
Preliminary Engineering	Completed
Environmental	2007-2009
Design	2009-2011
Construction	2011-2014

Project Description

This project proposes capacity and operational improvements by adding one general purpose (GP) lane on eastbound (EB) SR-91 from the SR-55/SR-91 connector to east of Weir Canyon Road interchange and on westbound (WB) SR-91 from just east of Weir Canyon Road interchange to the Imperial Highway (SR-90) interchange. Additionally, this project would facilitate truck traffic approaching the truck scales in both directions.

Key Considerations

Coordination with the proposed Fairmont Boulevard interchange (Project #10) will be required. R/W constraints need to be considered. Coordination is required for the proposed WB truck acceleration lane project to improve operations at the existing truck scale. Caltrans is not considering relocation of the truck scales at this time.

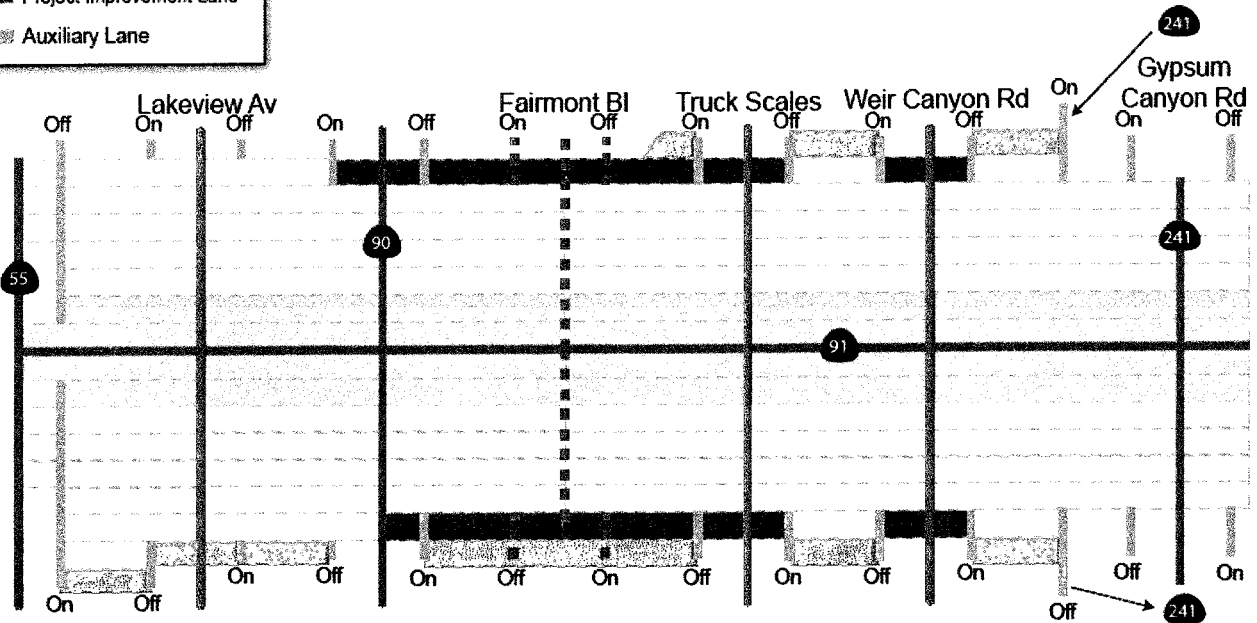
Benefits

Alleviates congestion on WB SR-91 by eliminating the lane drop at the truck scales and providing a continuous GP lane to SR-90. Alleviates congestion on EB SR-91 by eliminating the lane drop for northbound (NB) SR-55 at SR-91 by providing an auxiliary lane to Lakeview Avenue, and at SR-90 by providing a continuous GP lane to Weir Canyon Road.

Current Status

A PSR was completed in April 2004. The PA/ED phase is underway and is anticipated to be completed by July 2009. The project received \$22M of CMIA funding and \$74M of STIP Augmentation funds.

LEGEND	
	Existing Highway
	Interchange/Ramp
	Existing Interchange
	Proposed Interchange
	HOV or HOT Lane
	Existing Lane
	Project Improvement Lane
	Auxiliary Lane



NOTE: FAIRMONT BLVD IS CONTINGENT UPON IMPLEMENTATION OF PROJECT #10

Project No: 7

Anticipated Completion: 2015

Project Cost Estimate*

Total Project Cost \$ 99,000,000

Project Schedule

Preliminary Engineering	Completed
Environmental	2009-2010
Design/Construction	2010-2015

* Costs derived from RCTC 10-Year Delivery Plan

Project Description

The current project is anticipated to include a new two-lane direct connector flyover from eastbound (EB) SR-91 to northbound (NB) SR-71, modifications to the existing south to east SR-71/SR-91 interchange connector ramp, a three-lane EB collector-distributor (CD) road from both Green River Road and EB SR-91 to NB SR-71, and extending the EB and westbound (WB) auxiliary lanes between SR-71/SR-91 and Auto Center Drive-Serfas Club Drive.

Key Considerations

Project #7 improvements need to be coordinated with the following projects: Green River Road Overcrossing Replacement (Project #1), the SR-91 Eastbound Lane Addition (Project #4), the SR-91 Corridor Improvement Project (CIP) (Project #8), and the SR-241/SR-91 HOV/HOT Direct Connector (Project #11). The Green River Road Overcrossing Replacement (Project #1) consists of replacing the existing Green River Road Overcrossing with a new six-lane wide, 4-span overcrossing to accommodate future widening of SR-91 by Projects #4, #8 and #11. Project #1 is currently under construction and is scheduled for completion in the spring of 2009. The SR-91 Eastbound Lane Addition (Project #4) is undergoing final design and is scheduled to start construction in 2009. The SR-91 CIP (Project #8) is in the environmental phase (PA/ED), concurrent with Project #7. A feasibility study for the SR-241/SR-91 HOV/HOT Connector (Project #11) is currently under way, which includes three alternatives for further study and includes one alternative with a third managed lane in each direction to SR-71/SR-91 that would impact the ramp and CD road merge areas with SR-91.

Close coordination with the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and Department of Fish and Game will also be required as the connector crosses the Santa Ana River below the Prado Dam. In addition, implementation of Major Investment Study (MIS) Corridor A (Project #14) within the median of SR-91 will require the need for a three-level crossing of SR-91 and the proposed SR-71 direct flyover connector improvement. Coordination will be required with an at-grade or grade-separated managed lane ingress/egress facility that may be near the County Boundary as part of the SR-91 CIP (Project #8).

Benefits

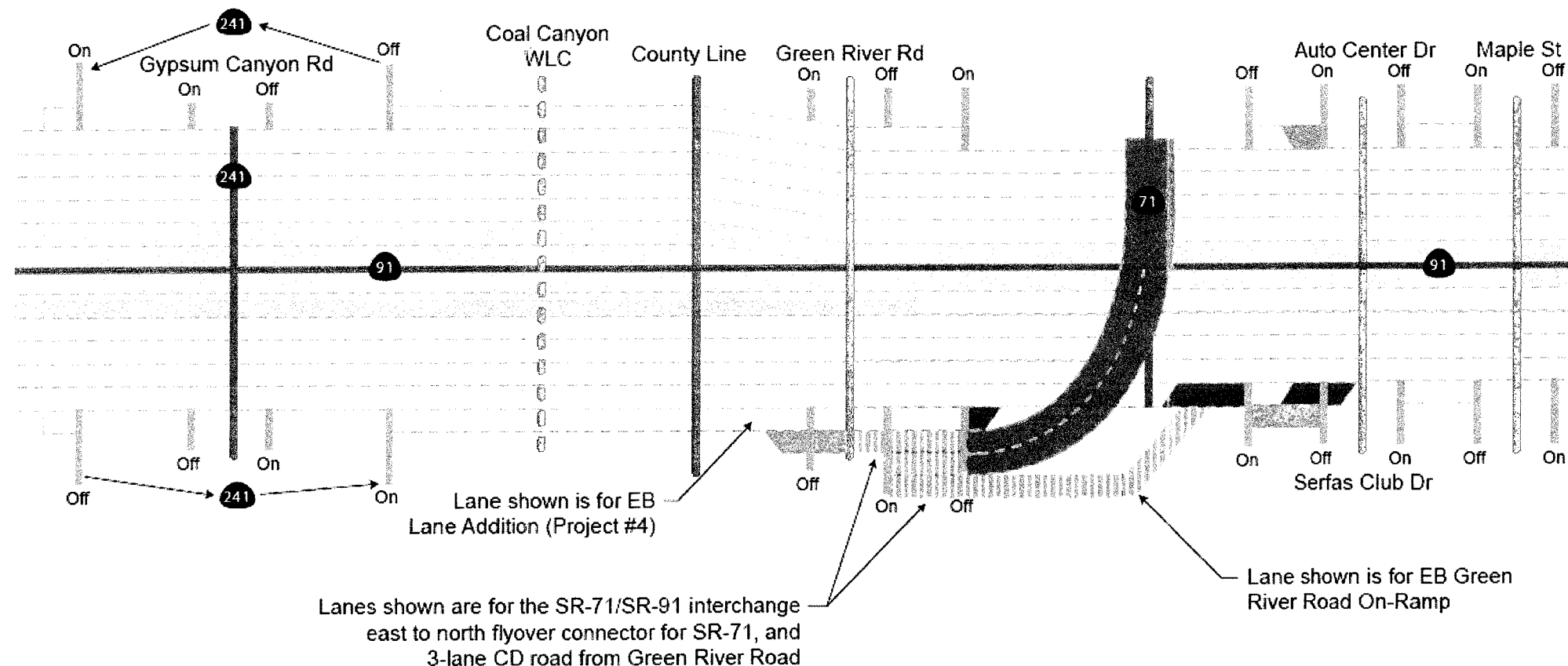
The project will provide a new direct connector improvement from EB SR-91 to NB SR-71, replacing the geometric choke point created by the existing connector. The project will also improve traffic operations and operational efficiency by eliminating or minimizing weaving conflicts through the use of auxiliary lanes and by relocating the lane-drop easterly to Serfas Club Drive. The EB CD road system will reduce mainline SR-91 traffic by diverting traffic bound for SR-71.

Current Status

A PSR (Preliminary Engineering) has been prepared and approved by Caltrans. A Consultant Services Agreement has been authorized by RCTC for the environmental phase (PA/ED), which commenced in February 2008.

LEGEND

- Existing Highway
- Interchange/Ramp
- County Line
- HOV or HOT Lane
- Existing Lane
- Project Improvement Lane
- HOT Lanes Extension
- CD Road
- Auxiliary Lane
- Project #4 Improvements



Widen SR-91 by One GP Lane in Each Direction East of SR-241, CD Roads and Direct Connectors at I-15/SR-91, Extension of Express Lanes to I-15 and System Interchange Improvements

Project No:	8
Anticipated Completion:	2015
<hr/>	
Project Cost Estimate	
Total Project Cost	\$ 1,100,000,000
<hr/>	
Project Schedule	
Preliminary Engineering	Completed
Environmental	2007-2011
Design/Construction	2011-2015

Project Description

The approved Project Study Report (PSR) for SR-91, from SR-241 to Pierce Street, recommended the addition of a 5th lane in each direction, the addition of auxiliary lanes at various locations, and the addition of collector-distributor (CD) lanes at the SR-71/SR-91 interchange (now part of Project #7) and at the I-15/SR-91 interchange. Subsequently, the RCTC 10-Year Delivery Plan recommended the following improvements, in addition to the PSR recommended improvements: the extension of the HOT lanes from the SR-241 to I-15, the construction of SR-91/I-15 HOV/HOT median direct connectors, and the construction of one HOV/HOT lane in each direction from the I-15/SR-91 interchange southerly to I-15/Cajalco Road, and northerly to I-15/Hidden Valley Parkway.

Key Considerations

Coordination among many of the SR-91 freeway projects that overlap in geographical limits is critical to successfully delivering these projects on schedule and for their estimated costs. Accommodating or at least not precluding future project work by the construction of current project work is a recurring theme for each of these projects. Minimizing conflicts in scope between projects requires direct coordination between each project team. Exacerbating this issue is the fact that future projects frequently have multiple alternatives under study, each with differing scope and construction footprints. Specifically, the project #8 improvements need to continue to be coordinated with the Green River Road Overcrossing Replacement (Project #1), the SR-91 Eastbound Lane Addition (Project #4), the SR-71/SR-91 Connector Improvements (Project #7), and the SR-241/SR-91 HOV/HOT Connector (Project #11). In addition, an at-grade or grade-separated managed lane ingress/egress facility may be introduced near the County Line.

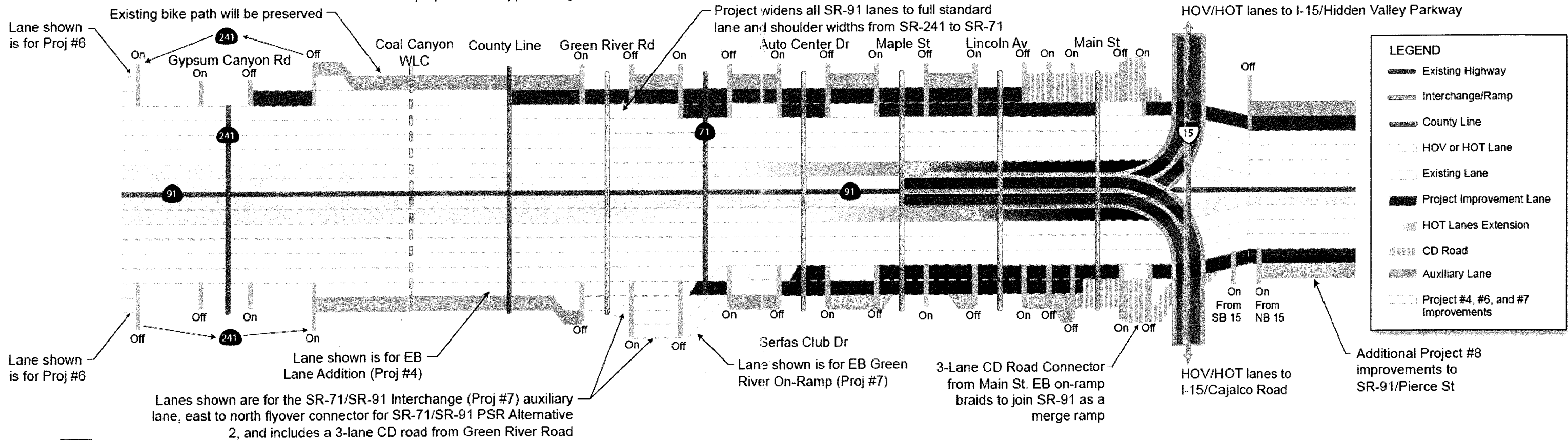
The Green River Road Overcrossing Replacement (Project #1) consists of replacing the existing Green River Road Overcrossing with a new six-lane wide, 4-span overcrossing to accommodate future widening of SR-91, including Projects #4, #7 and #11. The SR-91 Eastbound Lane Addition Project #4 will provide an additional eastbound lane on SR-91 from SR-241 to the SR-71/SR91 Interchange and widen all eastbound lanes and shoulders to standard widths. The SR-91 Eastbound Lane Addition Project #4 is undergoing final design and is scheduled to start construction in 2009. The SR-71/SR-91 Interchange (Project #7) is anticipated to include a new direct connector flyover from EB SR-91 to NB SR-71, modifications to the existing south to east connector, and a CD road from Green River Road and EB SR-91 to EB SR-91 and NB SR-71. The SR-241/SR-91 HOV/HOT Connector (Project #11) will provide a direct HOV/HOT connection between SR-241 and the 91 Express Lanes. A SR-241/SR-91 HOV/HOT Connector Feasibility Study (Project #11) is currently under way, which includes three alternatives for further study that will need to be coordinated with Project #8.

Benefits

The project will reduce congestion and delays by providing additional SR-91 capacity from SR-241 to Pierce Street and along I-15 from SR-91 to Cajalco Road to the south and to Hidden Valley Parkway to the north. Traffic operation will improve by eliminating or reducing weaving conflicts along SR-91 and I-15 by the use of CD roads and auxiliary lanes. The project will provide drivers a choice to use HOT lanes for a fee in exchange for time savings.

Current Status

A PSR has been prepared and approved by Caltrans. A Consultant Services Agreement has been authorized by RCTC for the environmental (PA/ED) phase that commenced in September 2007.



SR-91 WB Lane at Tustin Avenue

Project No:	9
Anticipated Completion:	2015
<hr/>	
Project Cost Estimate*	
Capital Cost	\$ 62,300,000
Support Cost	\$ 29,200,000
R/W Cost**	TBD
Total Project Cost	\$ 91,500,000
Project Schedule*	
Preliminary Engineering	Completed
Environmental	2009-2011
Design	2011-2013
Construction	2013-2015
* Costs and schedule are derived from draft 2008 STIP information	
** R/W cost from the PSR ranges up to \$1,700,000 depending on alternative	

Project Description

The project will add a Westbound (WB) auxiliary lane on SR-91 beginning at the Northbound (NB) SR-55 to WB SR-91 connector through the Tustin Avenue interchange. The project will also reconstruct the Tustin Avenue overcrossing structure.

Key Considerations

The four build-alternatives within the Project Study Report (PSR), *On Westbound (WB) SR-91 Auxiliary Lane from the Northbound (NB) SR-55/WB SR-91 Connector to the Tustin Avenue Interchange*, require additional right-of-way. City of Anaheim utilities are within close proximity of the proposed widening section. Coordination may be required with SR-55/SR-91 interchange improvement (Project #13). Replacement of the Tustin Avenue overcrossing and widening of the Santa Ana River bridge is required for all alternatives.

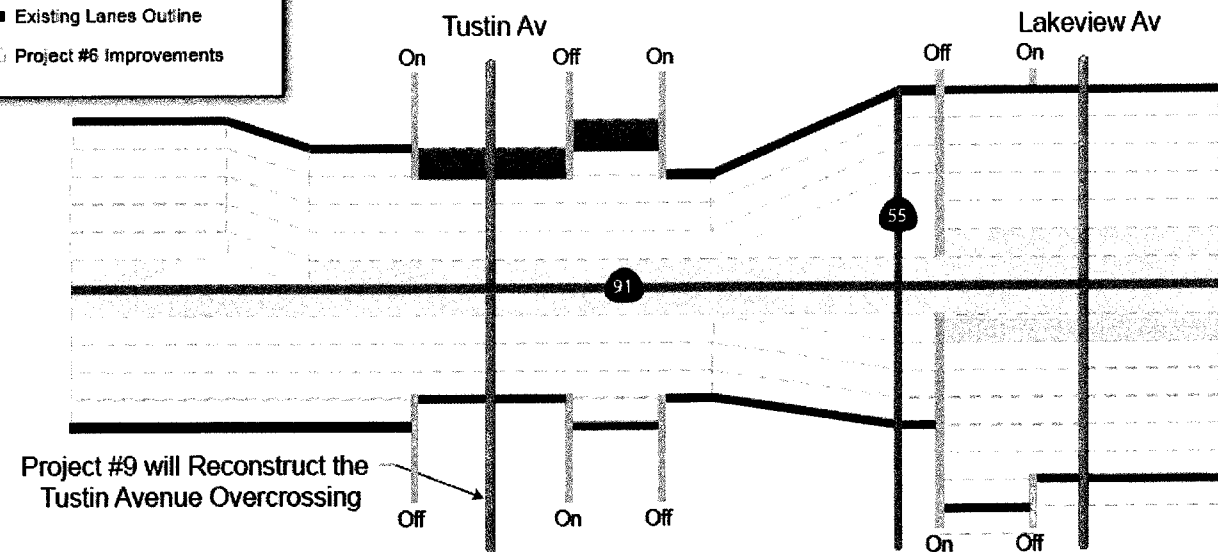
Benefits

The project would reduce or eliminate operational problems and deficiencies on this section of WB SR-91 including weaving and merging maneuvers. This project would also address choke-point conditions, which are caused primarily by extensive weaving between the NB SR-55 to WB SR-91 connector and the WB Tustin Avenue off-ramp.

Current Status

The PSR was completed in July 2004 for Tustin Avenue. The PAVED phase is planned to commence in 2009. Tustin Avenue is a candidate project for 2008 STIP funding. A decision on the STIP and subsequent approval will occur in summer of 2008. A SR-91 Feasibility Study from SR-57 to just east of SR-55 was initiated in 2008 and will evaluate improvements from Lakeview Avenue through to Tustin Avenue.

LEGEND	
	Existing Highway
	Interchange/Ramp
	Existing Interchange
	HOV or HOT Lane
	Existing Lane
	Project Improvement Lane
	Existing Lanes Outline
	Project #6 Improvements



New Interchange at Fairmont Boulevard

Project No: 10
Anticipated Completion: 2015

Project Cost Estimate (Option 1)

Capital Cost \$ 37,000,000
 Support Cost (25%) \$ 9,000,000
 Total Project Cost* \$ 46,000,000

Project Cost Estimate (Option 2)

Capital Cost \$ 56,000,000
 Support Cost (25%) \$ 14,000,000
 Total Project Cost* \$ 70,000,000

Project Schedule

Conceptual Engineering	2008-2009
Preliminary Engineering	2009-2010
Environmental	2010-2012
Design	2012-2013
Construction	2013-2015

*R/W cost is undetermined at this time.
 Cost does not include potential impact to Santa Ana River.

Project Description

The project would provide a new interchange with SR-91 at Fairmont Boulevard. At this time, no connection is proposed southerly into Anaheim. Two options are being considered as follows:

OPTION 1 - A new partial overcrossing at Fairmont Boulevard will provide northerly access for Yorba Linda. On- and off-ramps will connect Fairmont Boulevard to eastbound (EB) and westbound (WB) SR-91.

OPTION 2 - A new partial overcrossing at Fairmont Boulevard will provide northerly access for Yorba Linda from the 91 Express Lanes. Drop ramps on the east side of the overcrossing provide an entrance to the EB 91 Express Lanes and an exit from the WB 91 Express Lanes.

Key Considerations

For Option 2, the following should be considered: toll collection for the drop ramps, traffic impacts to SR-91 Express Lanes, and drop ramps on the west side. Coordination with SR-91 EB and WB widening (Project #6) is recommended as it may need to be constructed first or designed to accommodate the future interchange ramps. Interchange spacing and weaving issues (to SR-55) need to be evaluated for both options. Widening of SR-91 is needed to accommodate Option 2 ramps. A consideration for Option 1 would be to include only WB on- and off-ramps. Proximity of the Santa Ana River may require that the WB ramp junction for Option 1 be located north of the river.

Benefits

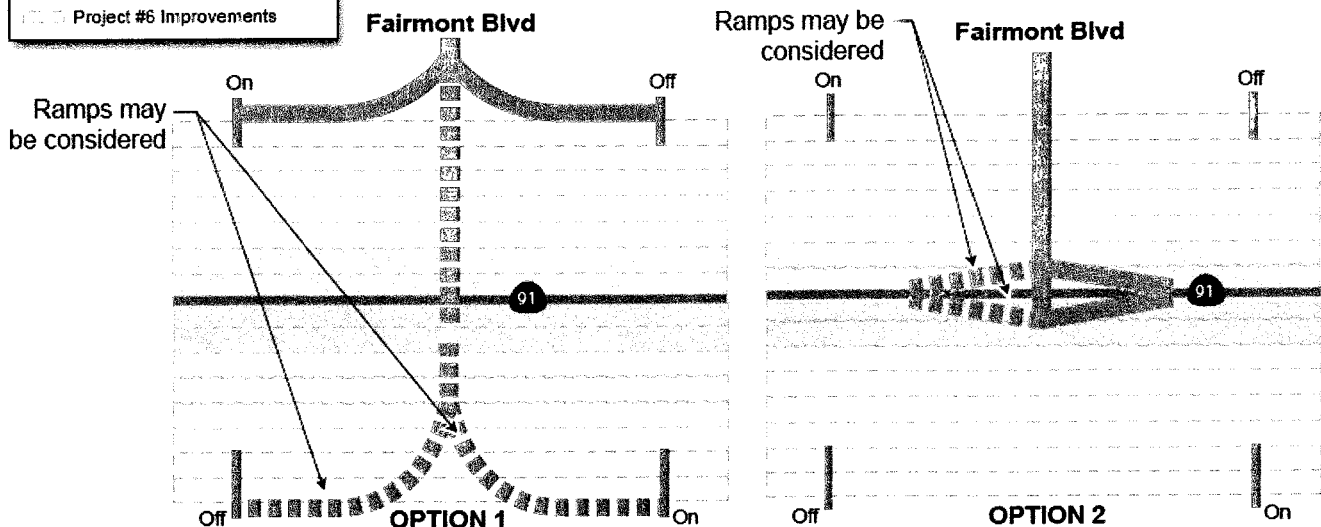
The interchange is expected to relieve congestion at SR-90, Lakeview Avenue, and Weir Canyon Road Interchanges. Additional accessibility with Option 2 is expected to increase utilization of the 91 Express Lanes and reduce congestion in the general purpose lanes. Preliminary traffic modeling shows a 10-15% decrease in volumes at Weir Canyon and Imperial Highway interchanges with the Option 1 interchange alternative.

Current Status

The City of Anaheim released an RFP in February 2008 for a year-long feasibility study that is anticipated to begin in June 2008.

LEGEND

- Existing Highway
- Proposed Interchange Ramp
- Existing Interchange
- HOV or HOT Lane
- Existing Lane
- Proposed Interchange
- Project #6 Improvements

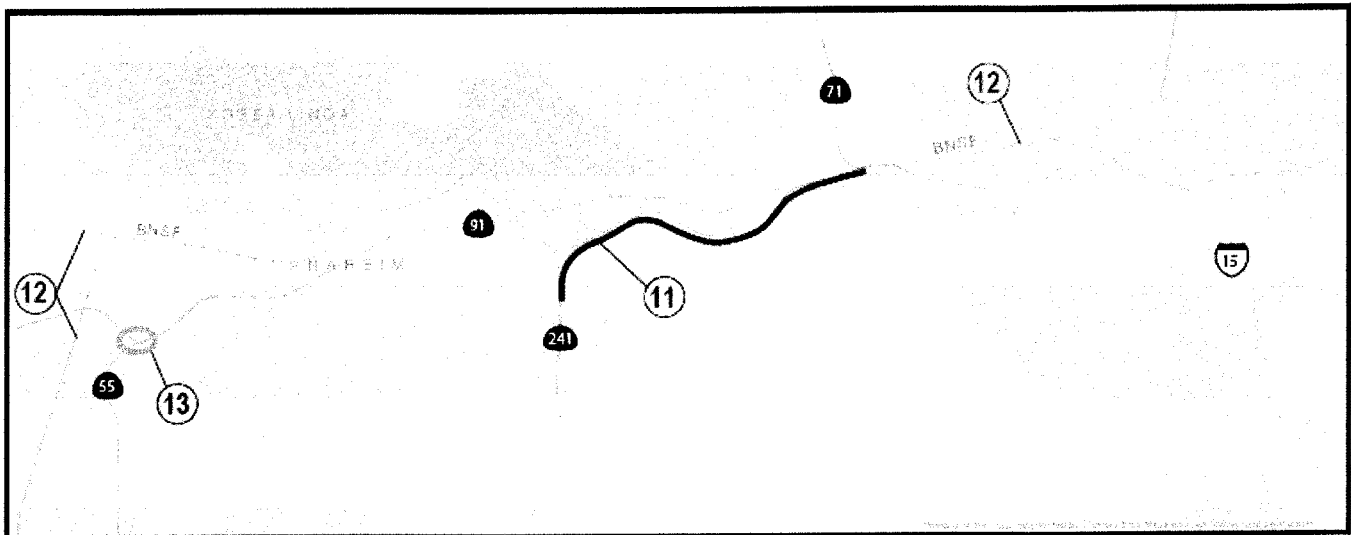


By Year 2020

Projects for implementation by 2020 include the SR-241/SR-91 HOV/HOT connector improvements, a significant expansion of Metrolink service and station improvements, and SR-55/SR-91 interchange enhancements. OCTA, RCTC, and Caltrans will be initiating preliminary planning activities on these projects to ensure readiness when local, state, or federal funding becomes available. Consequently, there may be opportunities to advance these projects if additional funding is made available. Projects for implementation by 2020 are expected to cost approximately \$685 to \$965 million (in 2008 dollars).

Project No.	Project Summary	Cost (\$M)
11	SR-241/SR-91 HOV/HOT Connector	150 - 430
12	Metrolink Service and Station Improvements	335
13	SR-55/SR-91 Interchange Improvements	200
SUBTOTAL		685 - 965

Figure 2-4 – Summary of Projects for Implementation By 2020



SR-241/SR-91 HOV/HOT Connector

Project No:	11
Anticipated Completion:	2017
Project Cost Estimate Range*	
Total Proj. Cost, Low	\$ 150,000,000
Total Proj. Cost, High	\$ 430,000,000
Project Schedule	
Conceptual Engineering	2007-2008
Preliminary Engineering	2010-2011
Environmental	2011-2013
Design	2013-2015
Construction	2015-2017
*Range assumes a 2-lane or 4-lane connector, extending as far as SR-71	

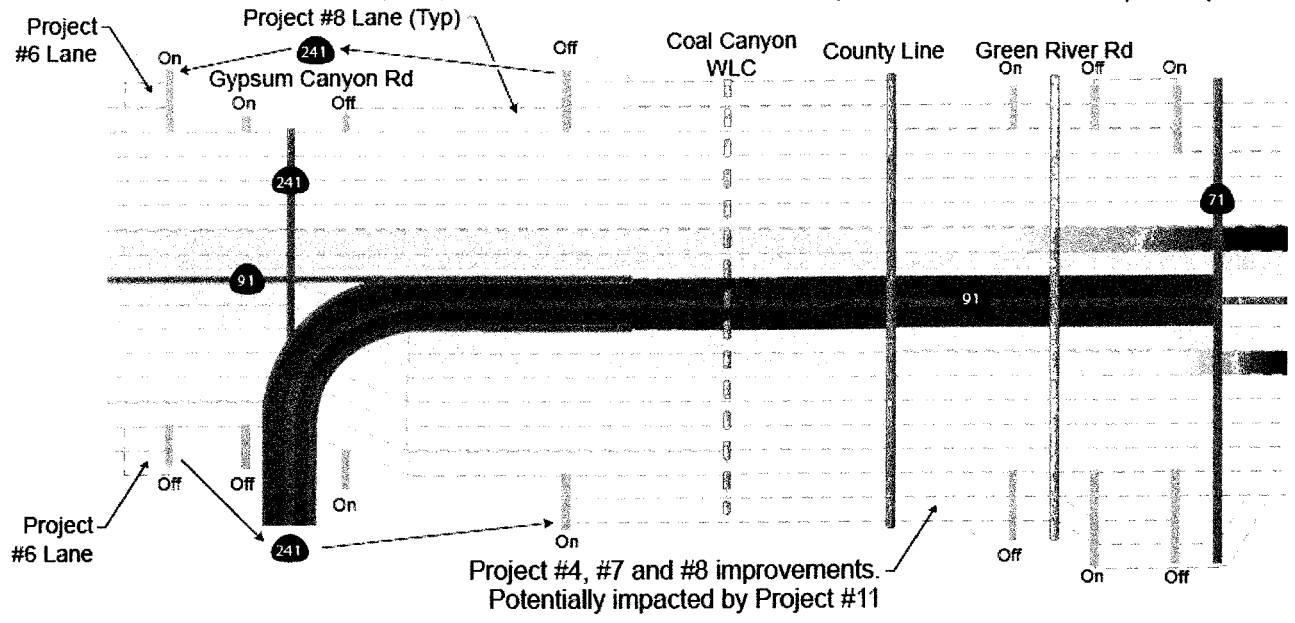
Project Description
 The SR-241/SR-91 HOV/HOT connector will carry northbound (NB) SR-241 traffic to eastbound (EB) SR-91 Express Lanes and carry westbound (WB) 91 Express Lanes traffic to southbound (SB) SR-241. Outside widening would be required mainly on the south side of SR-91 for realignment of EB lanes.

Key Considerations
 Costs may vary significantly depending on the implementation of earlier projects. The HOV/HOT connector merges in the median of SR-91 and requires outside widening of SR-91 and realignment of the Gypsum Canyon interchange. Implementation of MIS Corridor A (Project #14) may supercede the need for the HOV/HOT connector improvements as Project #11 may become the west leg of Corridor A. The connector impact on SR-91 depends upon if the connectors are 4-lanes (toll-to-toll) or 2-lanes (HOV). The impact of the connector on the 91 Express Lanes may require the connector lanes to be extended, possibly to SR-71, which will require further evaluation. Toll collection issues would need to be resolved. Widening to accommodate Project #11 could impact the CD road, retaining walls near the County Line, and the SR-71 connector (Project #7) as well as the lanes added by Project #8, including the potential extension of 91 Express Lanes as currently proposed in RCTC's 10-Year Deliver Plan. Costs range from a 2-lane connector ending near Coal Canyon to a 4-lane connector ending near SR-71. Also, the project could be considered as a component of Project #8, widening from SR-241 to I-15. Realignment of EB SR-91 lanes will be required. In addition, an at-grade or grade-separated managed lane ingress/egress facility may be introduced near the County Line. Nonstandard lane widths may be required at Green River Road (Project #1).

LEGEND	
	Existing Highway
	Interchange/Ramp
	County Line
	HOV or HOT Lane
	Existing Lane
	Project Improvement Lane
	Express Lanes Extension
	Project #4, #6, #7, and #8 Improvements

Benefits
 Improves access to SR-241 and South County for traffic that does not currently utilize 91 Express Lanes, which also improves SR-91 WB by eliminating the need for toll users to weave across four general purpose lanes to use the existing SR-241 connector. Alleviates congestion on NB SR-241 and EB SR-91 by allowing SR-241 toll and/or HOV users to bypass the existing general purpose EB SR-91 direct connector.

Current Status
 Preliminary design concepts for a SR-241/SR-91 direct connector have been developed by TCA and Caltrans. A SR-241/SR-91 Connector Feasibility Study was initiated in July 2007 to evaluate different alternatives as noted above, and is scheduled to be completed by June 2008.



Metrolink Service and Station Improvement:

Project No:	12
Anticipated Completion:	2020
<hr/>	
Project Cost Estimate	
Total Capital Cost	\$ 335,000,000
Project Schedule	
To be completed by 2020	

Project Description

OCTA, working with the Riverside County Transportation Commission, San Bernardino Associated Governments, and the Southern California Regional Rail Authority (SCRRA), plans an extensive expansion of train service from the Inland Empire to Orange County. More trains are planned on the Inland Empire - Orange County (IEOC) line that currently runs between San Bernardino, Riverside, and Orange Counties as well as the "91 Line" that goes from the Inland Empire to Los Angeles via Orange County, paralleling State Route 91.

Currently, 16 trains a day run on the IEOC line and nine trains on the 91 Line. The long-term expansion plan builds on service levels that will be implemented by 2010 (Project #2). The "2010" plan includes four additional IEOC trains and four additional 91 Line trains for a total of 33 trains a day. The long-term plan adds another four IEOC trains and five 91 Line trains for a total of 42 daily trains. This planned expansion is necessary to accommodate population and employment growth in the region as well as make the current service more convenient.

Benefits

Enables development of new Metrolink Services, which will contribute to congestion relief on SR-91.

Current Status

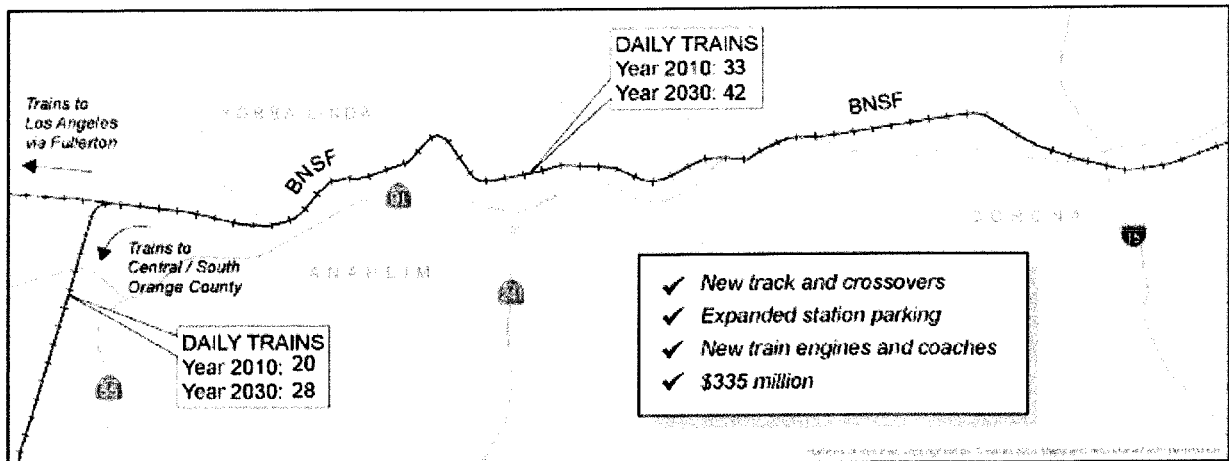
The proposed expansion is included in the Renewed Measure M program.

Capital improvements necessary for this expansion include a third track on sections of the rail line in Orange, Riverside, and San Bernardino; new crossovers at critical locations to allow trains to pass one another; new storage tracks in San Bernardino; parking improvements at key stations; and purchase of engines and coaches to operate the new service.

The City of Placentia is proposing to construct a new Metrolink commuter rail passenger station and parking lot in the City of Placentia. This project is scheduled to be completed in mid-2013.

Key Considerations

The capital program is estimated to cost \$335 million, and costs would be shared by the member agencies of SCRRA and BNSF. Service levels are subject to negotiation with BNSF, RCTC, and LACMTA.



SR-55/SR-91 Interchange Improvements

Project No: 13

Anticipated Completion: 2020

Project Cost Estimate

Capital Cost	\$ 148,000,000
Support Cost (25%)	\$ 37,000,000
R/W Contingency (10%)	\$ 15,000,000
Total Project Cost	\$ 200,000,000

Project Schedule

Conceptual Engineering	2010-2011
Preliminary Engineering	TBD
Environmental	TBD
Design	TBD
Construction	TBD

Note: Project costs derived from the Riverside County - Orange County MIS, January 2006 and are in 2005 dollars

Project Description

Improvements consist of adding SR-91 capacity by reconstructing the interchange, re-striping existing lanes, modifying SR-55 connectors to SR-91, and improving the connector from westbound (WB) SR-91 to southbound (SB) SR-55.

Key Considerations

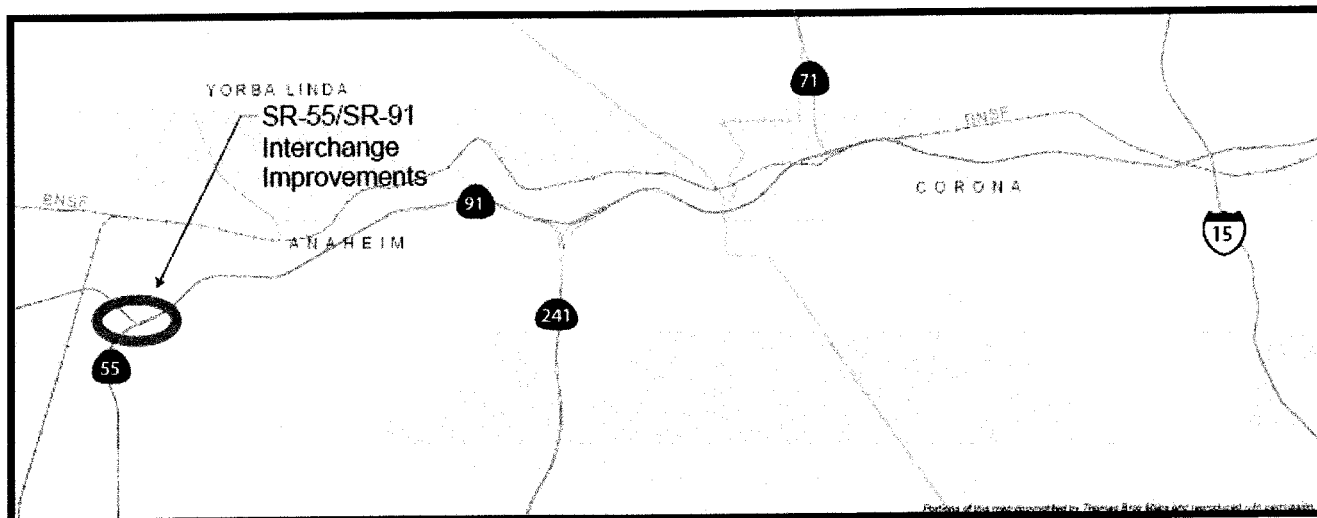
Right-of-way impacts, detailed SR-55/SR-91 interchange improvements, and downstream impacts to SR-55 require further evaluation in a subsequent phase of project development. Conceptual design of SR-55/SR-91 could be coordinated with SR-91 widening from SR-55 to SR-241 (Project #6) and with improvements at SR-91 and Tustin Avenue (Project #9).

Benefits

Interchange improvements are expected to provide congestion relief for WB SR-91 traffic and improve the connection from WB SR-91 to SB SR-55.

Current Status

SR-55/SR-91 project information was derived from the Final Alternatives Evaluation and Refinement Report, December 2005, by the Riverside County - Orange County Major Investment Study (MIS). Initial preliminary planning efforts (pre-PSR) are scheduled for 2010/2011. A SR-91 Feasibility Study from SR-57 to SR-55 (Lakeview Avenue) is currently being conducted, however, it will not analyze significant improvements at SR-55/SR-91. Operational enhancements at Lakeview Avenue may provide some benefit for SR-55/SR-91 by addressing WB SR-91 weaving issues.

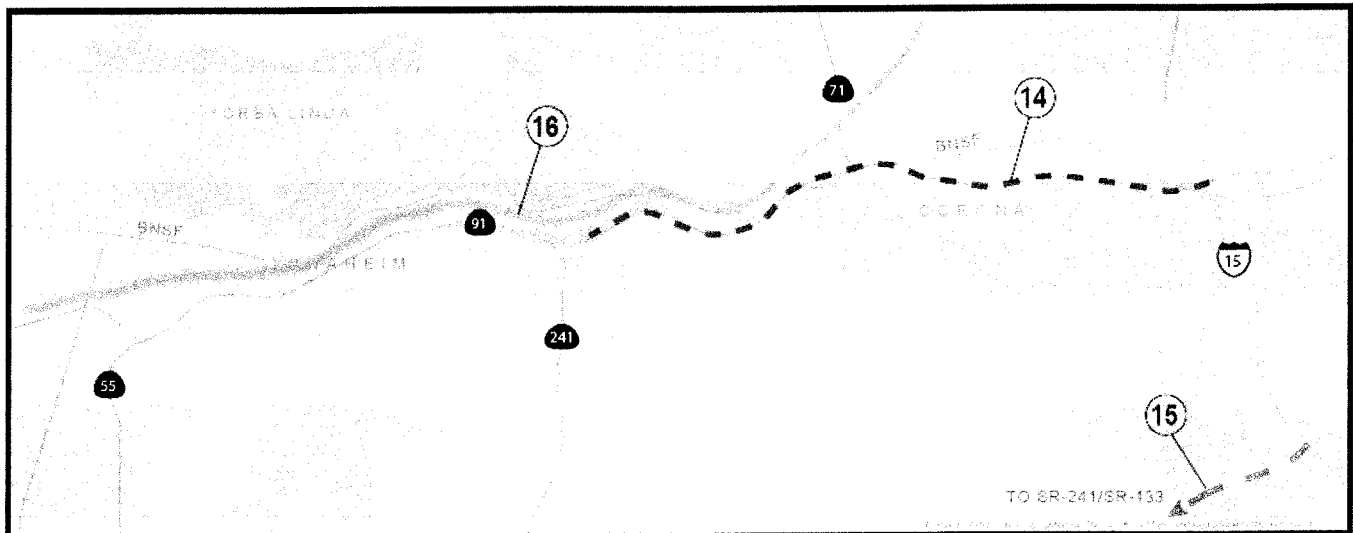


By Year 2030

Projects for implementation by 2030 focus on longer-lead time projects. This multi-billion dollar program (in 2008 dollars) includes three potential projects that require a significant amount of planning, design, and future policy and public input. These 2030 projects are identified as having significant environmental constraints and right of way requirements. The Corridor A project may incorporate projects being developed in the earlier programs to provide significant capacity enhancements; therefore, all of the earlier projects may not be implemented in addition to Corridor A. In addition to the Corridor A project are Corridor B, which was identified in the MIS, and the Anaheim to Ontario International Airport high speed rail project for the 2030 and post-2030 horizon period.

Project No.	Project Summary	Cost (\$M)
14	Elevated 4-Lane Facility (MIS Corridor A) from SR-241 to I-15	2,720
15	4-Lane Facility (MIS Corridor B) from SR-241/SR-133 to I-15/Cajalco Road	5,960
16	Anaheim to Ontario International Airport High Speed Rail	TBD
SUBTOTAL		8,680+

Figure 2-5 – Summary of Projects for Implementation By 2030



Elevated 4-Lane Facility (MIS Corridor A) from SR-241 to I-15

Project No: 14

Anticipated Completion: TBD

Project Cost Estimate**

Capital Cost* \$ 1,488,000,000
 Support Cost (25%) \$ 372,000,000
 R/W Cost \$ 860,000,000
 Total Project Cost \$ 2,720,000,000

Project Schedule

Conceptual Engineering TBD
 Preliminary Engineering TBD
 Environmental TBD
 Design TBD
 Construction TBD

*Capital costs include \$160M for environmental mitigation excluding corresponding support cost, which is included in support cost estimate

**Costs derived from Riverside County - Orange County MIS, January 2006 and are in 2005 dollars

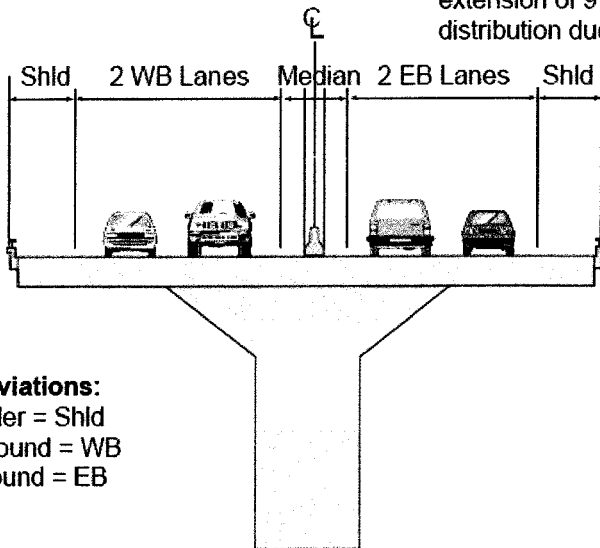
Project Description

The improvements primarily consist of constructing a new 4-lane elevated expressway near or within the Santa Ana Canyon with freeway-to-freeway connectors at SR-241 and I-15. The facility may include managed lanes and potential reversible operations.

Key Considerations

Choice of alignment will be key to determining net capacity increase. Implementation of Corridor A may supercede the need for the direct connector improvement Project #11 (at SR-241/SR-91), depending on the potential extension of the 91 Express Lanes. Extensive right-of-way will be required to implement the improvements if the alignment is not on the SR-91 corridor. If Project #8 is constructed and a 4-lane elevated facility is proposed within the median of SR-91 through Corona, extensive managed lane closures would be required during construction (thus temporarily reducing SR-91 capacity during construction).

Potential considerations for co-locating the Maglev (see Project #16) adjacent to Corridor A (and also SR-91) include providing a two-column structure with a barrier between the trains and vehicles. Concepts for Corridor A and Maglev within the SR-91 median could jeopardize future opportunities for managed lanes within the SR-91 median, such as the extension of 91 Express Lanes. An alternative could be studied for the median Corridor A viaduct along with reduced SR-91 geometric standards to minimize R/W impacts. Also, direct connectors (such as for HOV at I-15/SR-91) to/from the median could be precluded by Maglev columns located within the same median area. Caltrans and Maglev highway R/W, maintenance, safety, and operations considerations would need to be analyzed if shared use with a Maglev facility were pursued. Additional mitigation costs may be required for improvements to SR-241 and SR-133. Corridor A as managed lanes, with potential extension of 91 Express Lanes to I-15 (Project #8), may affect traffic distribution due to "parallel" tolled facilities.



Abbreviations:

Shoulder = Shld
 Westbound = WB
 Eastbound = EB

Benefits

The project would provide significant congestion relief by allowing vehicles to bypass the at-grade freeway lanes and local arterial interchanges between SR-241 and I-15. Connections are provided directly between SR-91, SR-241, and I-15.

Current Status

This project is identified in the Riverside County - Orange County MIS as part of the Locally Preferred Strategy to improve mobility between Riverside County and Orange County. Additional Conceptual engineering is being considered.

Elevated 4-Lane Facility (MIS Corridor A) Cross-Section



4-Lane Facility (MIS Corridor B) from SR-241/SR-133 to I-15/Cajalco Road

Project No:	15
Anticipated Completion: TBD	
<hr/>	
Project Cost Estimate**	
Capital Cost*	\$ 4,544,000,000
Support Cost (25%)	\$ 1,136,000,000
R/W Cost	\$ 280,000,000
Total Project Cost	\$ 5,960,000,000
Project Schedule	
Geotechnical Feasibility	2008-2009
Preliminary Engineering	TBD
Environmental	TBD
Design	TBD
Construction	TBD
<p>*Capital costs include \$280M for environmental mitigation excluding corresponding support cost, which is included in support cost estimate. Costs exclude approximately \$470M for SR-133 improvements.</p> <p>**Costs derived from Riverside County - Orange County MIS, January 2006 and are in 2005 dollars</p>	

Project Description

The improvements primarily consist of constructing a new 4-lane highway facility through the Cleveland National Forest with freeway-to-freeway connectors at SR-241/SR-133 and I-15/Cajalco Road. The facility may include managed lanes. The 4-lane facility would essentially be a continuation of SR-133 on the west end of the corridor, and Mid County Parkway on the east end.

Key Considerations

Choice of facility type (nearly full-length tunnel, or other facility type with less tunneling) will be important to refine the cost of implementation. Determining groundwater levels will be key in determining alignments and allowable depths for the tunnel sections. Costs associated with Major Investment Study (MIS) Corridor B are shown for the nearly full-length tunnel option. Extensive right-of-way will be required to implement the improvements. Toll requirements will need further study.

Benefits

The project would provide significant congestion relief by providing an alternative route between Orange and Riverside Counties and would allow vehicles to bypass SR-91 between SR-241 and I-15. The project would not disrupt SR-91 traffic during construction and would allow for additional route selection for incident management, emergency evacuation, and for continuity of the highway network by linking SR-133 and the Mid County Parkway.

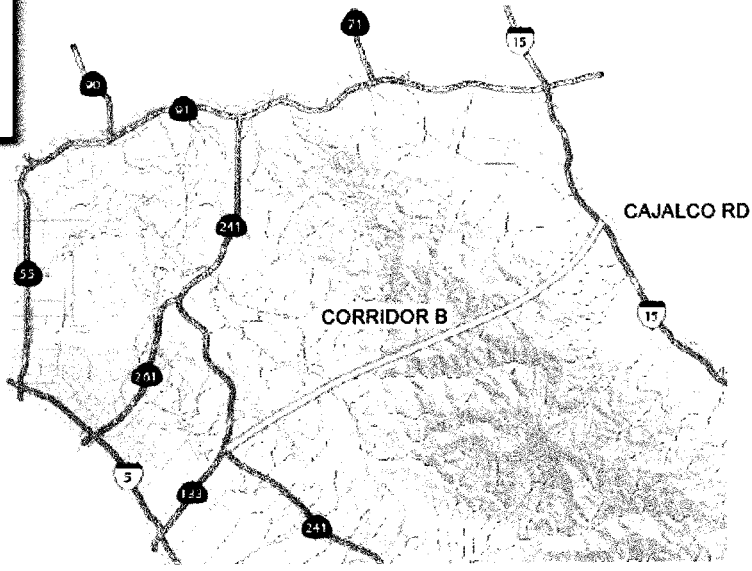
Current Status

The Irvine Corona Expressway (ICE) project is identified in the MIS as part of the Locally Preferred Strategy to improve mobility between Riverside County and Orange County. Geotechnical field investigations were initiated in April 2008, and five sites along the representative alignment will be studied over the next year.

LEGEND

Existing Highway

Corridor B (ICE) Representative Alignment



NOTE: REPRESENTATIVE ALIGNMENT SHOWN FOR ILLUSTRATIVE PURPOSES ONLY

Anaheim to Ontario International Airport High Speed Rail



Project No:	16
Anticipated Completion:	Post-2030
<hr/>	
Project Cost Estimate	
To Be Determined	
Project Schedule	
To Be Determined	

Project Description

Proposals for a new high speed rail corridor from Anaheim to Ontario are included in this project. This project includes an alternative that would use SR-91 right-of-way, or would be aligned adjacent to SR-91 right-of-way, or could potentially be co-located with the Major Investment Study (MIS) Corridor A (Project #14) alignment. Another alignment opportunity is being investigated along SR-57, which is located west of SR-55.

Key Considerations

Alternative alignment impacts to SR-91 right-of-way envelope and/or Santa Ana River are undetermined. The choice of alignment will potentially impact MIS Corridor A (Project #14). Right-of-way will be required to implement the improvements. Potential considerations for co-locating the Maglev adjacent to Corridor A (and also SR-91) include providing a two-column structure with a barrier between the trains and vehicles. Caltrans and Maglev highway R/W, maintenance, safety, and operations considerations would need to be analyzed if shared use with a Maglev facility were pursued. See the MIS Corridor A (Project #14) for additional considerations.

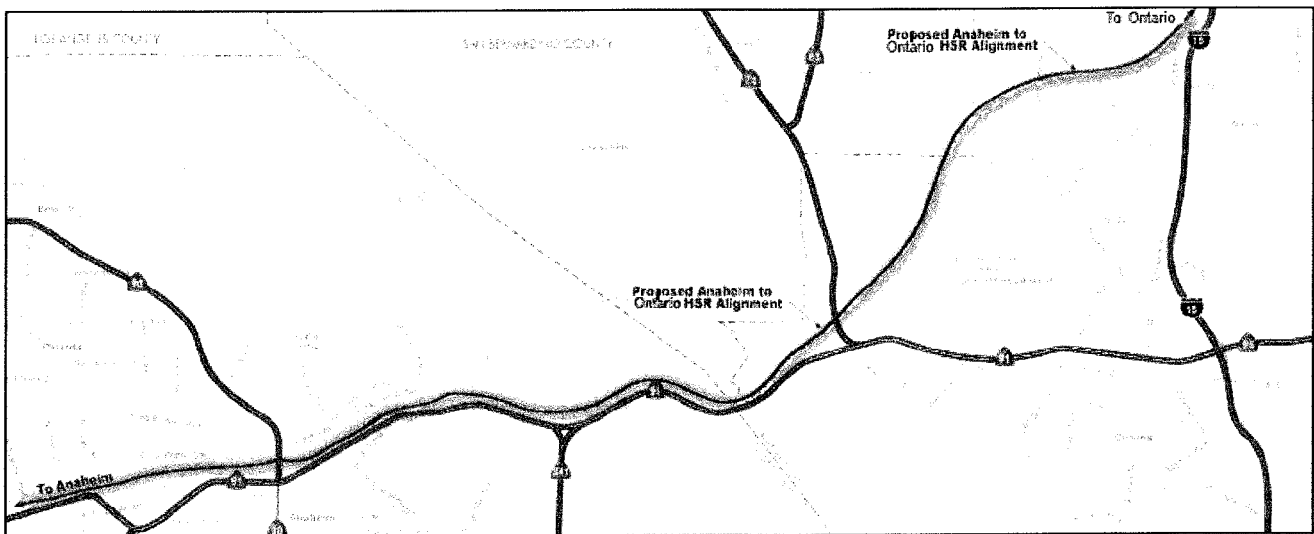
LEGEND	
	Existing Highway
	High Speed Rail Representative Alignment

Benefits

The project would provide congestion relief by providing a direct high-speed/high-capacity connection with Ontario International Airport for Orange County air passengers and business next-day deliveries. Relieves congestion on SR-91 by providing additional capacity in the corridor.

Current Status

Concept studies are currently underway. Congress has approved \$47M for environmental study of the project.



REPRESENTATIVE ALIGNMENT SHOWN FOR ILLUSTRATIVE PURPOSES ONLY

SECTION 3:

REFERENCES

The following documents and resources were used in the development of the 2008 Plan. Data was provided by OCTA, RCTC, Caltrans Districts 8 and 12, TCA, and other agencies.

California Transportation Commission, Corridor Mobility Improvement Account (CMIA), February 2007

Final Plans, Specifications and Estimates for Green River Road Overcrossing, 2006

Project Study Report "On Route 91 from State Route 241 in Orange County to Pierce Street in the City of Riverside in Riverside County", October 2006

Project Study Report "On Route 91 from Green River Road to Serfas Club Drive in the City of Corona in Riverside County", December 2006

Riverside County-Orange County Major Investment Study (MIS) – Final Project Report: Locally Preferred Strategy Report, January 2006

Orange County Transportation Authority Renewed Measure M Transportation Investment Plan, November 2006

Preliminary design plans for Eastbound Lane Addition from SR-241 to SR-71, 2006

SR-91 Choke Point Elimination - City of Corona, Prepared by Parsons, November 19, 2005

Project Study Report "Westbound State Route 91 Auxiliary Lane from the NB SR-55/WB SR-91 Connector to the Tustin Avenue Interchange", July 2004

Project Study Report "On State Route 91 Between the SR-91/SR-55 Interchange and the SR-91/SR-241 Interchange in Orange County", April 2004

California – Nevada Interstate Maglev Project Report, Anaheim-Ontario Segment; California-Nevada Super Speed Train Commission, American Magline Group, August 2003

SR-91 Congestion Relief Alternatives Analysis, Caltrans, January 2003

Draft Technical Memorandum, "High Occupancy Vehicle Access Study at Routes 91 and 241 (Westbound Route 91 Express Lanes to Southbound Route 241 and Northbound Route 241 to Eastbound Route 91 Express Lanes)", Prepared for Foothill/Eastern Transportation Corridor Agency, Prepared by CH2MHill, November 7, 2001

Route Concept Reports for SR-91, Caltrans Districts 8 and 12

Various Preliminary Drawings and Cross Sections, Caltrans Districts 8 and 12





BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: 2007 Combined Transportation Funding Program Call for Projects

Highways Committee Meeting of June 16, 2008

Present: Directors Dixon, Green, Mansoor, Norby, Pringle, and Rosen
Absent: Directors Amante, Cavecche, and Glaab

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

- A. Approve the recommended funding allocations for the 2007 Combined Transportation Funding Program call for projects in the categories of Intersection Improvement Program, Signal Improvement Program, Transportation Demand Management, and Growth Management Area.
- B. Authorize staff to amend the Regional Transportation Improvement Program as necessary to facilitate the programming recommended above.
- C. Authorize the Chief Executive Officer to execute all necessary agreements and amendments with local agencies to facilitate the programming recommended above.



June 16, 2008

To: Highways Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: 2007 Combined Transportation Funding Program Call for Projects

Overview

The Orange County Transportation Authority issued a Combined Transportation Funding Program call for projects in December 2007. This call for projects made funds available for streets and roads projects through four programs. A priority list of projects recommended for funding is presented for Board of Directors review and approval.

Recommendations

- A. Approve the recommended funding allocations for the 2007 Combined Transportation Funding Program call for projects in the categories of Intersection Improvement Program, Signal Improvement Program, Transportation Demand Management, and Growth Management Area.
- B. Authorize staff to amend the Regional Transportation Improvement Program as necessary to facilitate the programming recommended above.
- C. Authorize the Chief Executive Officer to execute all necessary agreements and amendments with local agencies to facilitate the programming recommended above.

Background

The Combined Transportation Funding Program (CTFP) is the mechanism the Orange County Transportation Authority (OCTA) uses to award and administer funding for streets and roads projects throughout the County. The CTFP encompasses the current Measure M streets and roads funding as well as federal sources.

In December 2007, the OCTA Board of Directors (Board) approved updated CTFP guidelines including evaluation criteria and directed staff to issue a call for projects (call). As part of this action, the Board also adopted updated programming guidelines to guide the future programming of funds. These guidelines are summarized in Attachment A. The fund estimate for the call identified \$40.9 million in available funding through four programs: Intersection Improvement Program (IIP), Signal Improvement Program (SIP), Transportation Demand Management (TDM), and Growth Management Area (GMA).

On February 29, 2008, OCTA received 177 project applications from 32 local agencies requesting approximately \$74.8 million in funding. Applications were reviewed for eligibility, consistency, and adherence to guidelines and program objectives consistent with the Board-approved guidelines. Twenty-three applications were found to be ineligible as the project applications did not meet program requirements and/or intent. Programming recommendations were presented to and approved by the Technical Advisory Committee and Technical Steering Committee in May.

Discussion

The fund estimate for the call was prepared consistent with the most current revenue projections and programming allocations at that time (December 2007). Since then, updated revenue projections have been made available and local agencies have requested various changes to existing project allocations through the semi-annual review process. Based on these changes, staff reviewed the available funding capacity for the call. This review resulted in an overall increase in available funding. This overall change is comprised of a net decrease of available funding capacity for one of the programs and an increase for the other three. The updated funding capacity is shown in the table below:

Program	Funding Capacity as of December 2007	Funding Capacity as of May 2008
IIP	\$ 23,513,400	\$ 23,605,772
SIP	\$ 5,530,543	\$ 6,534,244
TDM	\$ 3,266,269	\$ 3,625,664
GMA	\$ 8,639,710	\$ 8,198,561
TOTAL	\$ 40,949,922	\$ 41,964,241

Consistent with the updated funding capacity, staff has developed a recommended priority list of projects for funding. This recommendation includes 121 projects totaling \$40.5 million. The details of this recommendation are

presented in attachments B through E and a brief description of the recommendation for each program is provided below.

Intersection Improvement Program

The IIP will provide funds for improvements to congested intersections in the County. Projects funded through the IIP have an unacceptable level of service today and are required to meet a minimum increment of service level improvement. A 20 percent minimum match is required for this program. Thirty-four eligible project applications requesting \$40.4 million were received for this program. Staff recommends programming \$24 million towards 17 projects. This recommendation represents a slight over programming beyond the current fund estimate. It is anticipated that the over programming will be accommodated by adjustments made through the semi-annual reviews.

Signal Improvement Program

The SIP provides funding for improvements to signal systems including signal coordination, signal timing, and traffic detection. This program promotes improvements that lead to better operation and management of signal systems and traffic congestion relief. The SIP also requires a 20 percent match. Fifty-one eligible project applications requesting \$9.8 million were submitted for consideration. Staff recommends programming 35 projects for a total of \$6.4 million.

Transportation Demand Management

The TDM provides funding for projects that encourage the use of alternative modes of transportation and result in the reduction of vehicle miles traveled and air pollution. Local agencies submitted four eligible project applications requesting approximately \$2 million. Staff recommends programming \$2 million to fund four projects through the TDM Program. The remaining \$1.6 million in programming capacity is recommended to be held in reserve for the next Transportation Enhancements/Transportation Development Act (TDA) call to augment the TDA program capacity. Possible target project categories may include projects emerging from the countywide bike trail master plan and/or Go Local Program proposals to improve pedestrian access to stations.

Growth Management Area

The GMA is a locally managed discretionary program intended to fund multi-jurisdictional projects and is often used as a match source for projects

funded through other programs. GMA elected officials prioritize projects within their jurisdictions prior to OCTA Board approval. Sixty-five eligible applications requesting \$8.1 million were submitted. Staff recommends programming all of the requested projects. Approximately \$8.1 million will be allocated to fund 65 projects through the GMA.

The table below provides an overall summary of the funding recommendations:

2007 CTFP Call for Projects Summary (\$ in millions)

	IIP	SIP	TDM	GMA	Total
Eligible Applications Received	34	51	4	65	154
Eligible Applications Recommended	17	35	4	65	121
Updated Funding Capacity	\$23.6	\$6.5	\$3.6	\$8.2	\$41.9
Amount Requested	\$40.4	\$9.8	\$2	\$8.1	\$74.8
Amount Recommended	\$24	\$6.4	\$2	\$8.1	\$40.5

Next Steps

Once the projects are approved by the Board, existing local agency cooperative agreements with OCTA will be amended to reflect the approved funding levels and years. As necessary, staff will program approved projects in the Regional Transportation Improvement Program.

Summary

Staff has reviewed project applications submitted for the CTFP call and developed a recommended priority list of projects for funding. This recommendation includes funding for approximately 121 projects totaling \$40.5 million in Measure M funds for streets and roads projects throughout the County.

Attachments

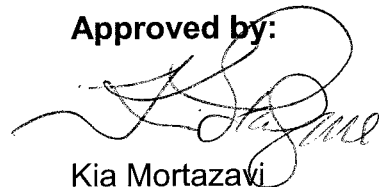
- A. Combined Transportation Funding Program Guidelines (Board of Directors Approved December 2007)
- B. Intersection Improvement Program (IIP) Recommended Funding Allocations - 2007 CTFP Call for Projects
- C. Signal Improvement Program (SIP) Recommended Funding Allocations - 2007 CTFP Call for Projects
- D. Transportation Demand Management (TDM) Recommended Funding Allocations - 2007 CTFP Call for Projects
- E. Growth Management Area (GMA) Recommended Funding Allocations - 2007 CTFP Call for Projects

Prepared by:



Jennifer Bergener
Manager, Capital & Local Programs
(714) 560-5462

Approved by:



Kia Mortazavi
Executive Director, Development
(714) 560-5741

Combined Transportation Funding Program Guidelines
(Board of Directors Approved December 2007)

Any remaining revenues resulting from savings, cancellations, or delays will be utilized to further fund the development activities for the Renewed Measure M (M2) programs (regional capacity and signal synchronization) or to augment the first M2 call for projects.

All Measure M (M1)-funded projects must have contracts awarded against them by March 31, 2011, consistent with the sunset of M1. Projects that are not awarded by this deadline will lose their funding, with no exceptions.

All M1-funded projects must be complete and closed out within three years of the sunset date (by March 31, 2014). Projects that are not complete or closed out will forfeit their funding.

The Growth Management Area (GMA) program will have a \$550,000 set aside to develop a future needs assessment. The assessment includes traffic analysis at all major-to-major intersection of the Master Plan of Arterial Highways, including a forecast of future congestion and potential improvement options for each intersection. The Orange County Transportation Authority will coordinate this effort between the GMAs.

The Signal Improvement Program will have a \$4 million set aside to fund additional demonstration corridors.

**Intersection Improvement Program (IIP) Recommended Funding Allocations
2007 CTFP Call for Projects**

Agency	Application Title	Project Phase	Score	FY08/09	FY09/10	FY10/11	Grand Total	Cumulative
1 Mission Viejo	Crown Valley/Marguerite Intersection Improvement	Construction	82	487,280			487,280	487,280
2 Santa Ana	Bristol St. / Warner Ave. Intersection Widening	Construction	79			660,000	660,000	1,147,280
2 Santa Ana	Bristol St. / Warner Ave. Intersection Widening	Engineering	79	120,000			120,000	1,267,280
2 Santa Ana	Bristol St. / Warner Ave. Intersection Widening	Right of Way	79		2,220,000		2,220,000	3,487,280
3 Santa Ana	Dyer and Grand Intersection Widening	Construction	69.5		721,000		721,000	4,208,280
4 Seal Beach	Seal Beach Blvd/I-405 Interchange Widening (North)	Construction	69		2,307,200		2,307,200	6,515,480
5 Seal Beach	Seal Beach Blvd/I-405 Interchange Widening (South)	Construction	65		2,307,200		2,307,200	8,822,680
6 Costa Mesa	Adams/Fairview Intersection Improvement	Construction	62	82,000			82,000	8,904,680
7 Santa Ana	Bristol St / 17th St Intersection Improvement	Construction	62			1,333,800	1,333,800	10,238,480
7 Santa Ana	Bristol St / 17th St Intersection Improvement	Right of Way	62		1,666,200		1,666,200	11,904,680
8 Costa Mesa	Harbor Boulevard - Adams Avenue Intersection	Engineering	55.5	400,000			400,000	12,304,680
9 Rancho Santa Margarita	Santa Margarita Parkway/ Avenida Empresa	Construction	53.5		366,470		366,470	12,671,150
10 County of Orange	Ortega Highway @ Antonio Parkway Intersection	Construction	53	2,000,000			2,000,000	14,671,150
11 Fountain Valley	Euclid/Slater IIP	Construction	52.5		565,522		565,522	15,236,671
12 La Habra	Whittier Blvd./Harbor Blvd. Intersection Improvement	Construction	52.5			1,419,760	1,419,760	16,656,431
12 La Habra	Whittier Blvd./Harbor Blvd. Intersection Improvement	Engineering	52.5		409,204		409,204	17,065,635
12 La Habra	Whittier Blvd./Harbor Blvd. Intersection Improvement	Right of Way	52.5		501,060		501,060	17,566,695
13 Newport Beach	Jamboree Road Widening at MacArthur Boulevard	Construction	52.5			2,200,476	2,200,476	19,767,172
13 Newport Beach	Jamboree Road Widening at MacArthur Boulevard	Right of Way	52.5		661,672		661,672	20,428,844
14 San Clemente	El Camino Real /Ave Pico Intersection Improvements	Construction	51.5	1,076,875			1,076,875	21,505,719
15 Aliso Viejo	Aliso Creek and Pacific Park Intersection Widening	Construction	50.5	285,000			285,000	21,790,719
16 Garden Grove	Euclid / Garden Grove IIP	Construction	50.5		1,030,042		1,030,042	22,820,761
16 Garden Grove	Euclid / Garden Grove IIP	Engineering	50.5	197,250			197,250	23,018,011
16 Garden Grove	Euclid / Garden Grove IIP	Right of Way	50.5	775,409			775,409	23,793,420
17 La Palma	Orangethorpe/Walker Intersection Improvements	Engineering	50.5	16,000			16,000	23,809,420
17 La Palma	Orangethorpe/Walker Intersection Improvements	Construction	50.5		189,520		189,520	23,998,940
Available Funding = \$23,605,772								
18 Huntington Beach	Beach Boulevard and Warner Avenue Intersection	Engineering	48.5	165,000			165,000	24,163,940
19 Huntington Beach	Brookhurst Street and Adams Avenue Intersection	Engineering	47.5		245,000		245,000	24,408,940
20 Yorba Linda	Bastanchury Rd at Imperial Highway	Construction	47.5	120,000			120,000	24,528,940
21 County of Orange	Oso Parkway @ Antonio Parkway	Engineering	46.5	100,000			100,000	24,628,940
22 Cypress	Cerritos Ave. at Walker St. Intersection Improvement	Construction	46.5	256,620			256,620	24,885,560
23 Garden Grove	Harbor / Garden Grove IIP	Construction	45.5		2,793,970		2,793,970	27,679,530
23 Garden Grove	Harbor / Garden Grove IIP	Engineering	45.5	200,000			200,000	27,879,530
24 Costa Mesa	17th/Irvine Intersection Improvement	Engineering	45	150,000			150,000	28,029,530
25 County of Orange	Moulton Parkway @ Ridge Route Intersection	Construction	42.5	1,900,000			1,900,000	29,929,530
26 Anaheim	Ball Road/Sunkist St Intersection Improvement	Construction	40.5		515,000		515,000	30,444,530
26 Anaheim	Ball Road/Sunkist St Intersection Improvement	Right of Way	40.5	1,175,000			1,175,000	31,619,530
27 La Habra	Whittier Blvd. @ Hacienda Rd. Intersection Improvement	Construction	39.5			798,385	798,385	32,417,914
27 La Habra	Whittier Blvd. @ Hacienda Rd. Intersection Improvement	Engineering	39.5		229,653		229,653	32,647,567
27 La Habra	Whittier Blvd. @ Hacienda Rd. Intersection Improvement	Right of Way	39.5		276,577		276,577	32,924,144
28 Placentia	Rose Drive/Yorba Linda Blvd. Improvements	Construction	39.5		215,297		215,297	33,139,440
28 Placentia	Rose Drive/Yorba Linda Blvd. Improvements	Engineering	39.5		24,640		24,640	33,164,080
28 Placentia	Rose Drive/Yorba Linda Blvd. Improvements	Right of Way	39.5		14,502		14,502	33,178,583
29 Mission Viejo	Los Alisos Blvd. NB dual left-turn lanes	Construction	38			126,558	126,558	33,305,141
29 Mission Viejo	Los Alisos Blvd. NB dual left-turn lanes	Engineering	38	17,894			17,894	33,323,035

**Intersection Improvement Program (IIP) Recommended Funding Allocations
2007 CTFP Call for Projects**

Agency	Application Title	Project Phase	Score	FY08/09	FY09/10	FY10/11	Grand Total	Cumulative
30 Costa Mesa	Hyland Avenue - I-405 NB Onramp/South Coast Drive	Construction	36.5		412,000		412,000	33,735,035
30 Costa Mesa	Hyland Avenue - I-405 NB Onramp/South Coast Drive	Engineering	36.5	50,000			50,000	33,785,035
31 Santa Ana	Grand/Edinger Intersection Widening	Construction	36.5			694,817	694,817	34,479,852
31 Santa Ana	Grand/Edinger Intersection Widening	Engineering	36.5	291,890			291,890	34,771,742
31 Santa Ana	Grand/Edinger Intersection Widening	Right of Way	36.5		2,013,293		2,013,293	36,785,035
32 Mission Viejo	Marguerite Parkway NB dual left-turn lanes	Construction	36			94,606	94,606	36,879,641
32 Mission Viejo	Marguerite Parkway NB dual left-turn lanes	Engineering	36	13,376			13,376	36,893,017
33 Mission Viejo	Felipe Road SB dual left-turn Lanes	Construction	35			346,204	346,204	37,239,220
33 Mission Viejo	Felipe Road SB dual left-turn Lanes	Engineering	35	48,949			48,949	37,288,169
33 Mission Viejo	Felipe Road SB dual left-turn Lanes	Right of Way	35		96,764		96,764	37,384,933
34 Anaheim	State College Blvd./La Palma Ave. Intersection	Construction	28.5		1,700,000		1,700,000	39,084,933
34 Anaheim	State College Blvd./La Palma Ave. Intersection	Engineering	28.5	150,000			150,000	39,234,933
34 Anaheim	State College Blvd./La Palma Ave. Intersection	Right of Way	28.5	1,150,000			1,150,000	40,384,933

**Signal Improvement Program (SIP) Recommended Funding Allocations
2007 CTFP Call for Projects**

Agency	Application Title	Phase	Score	FY08/09	FY09/10	FY10/11	Grand Total	Cumulative
1 Mission Viejo	Alicia Pkwy and Trabuco Rd Signal Upgrades	Construction	79	152,119			152,119	152,119
2 Mission Viejo	Crown Valley and Marguerite Parkway Business Area	Construction	77	153,024			153,024	305,143
3 Fullerton	Harbor Bl. Signal Improvement & Coordination-SIP	Engineering	76			10,250	10,250	315,393
3 Fullerton	Harbor Bl. Signal Improvement & Coordination-SIP	Construction	76			116,434	116,434	431,827
4 Fullerton	Orangethorpe Ave Traffic Signal Coordination-SIP	Engineering	73	17,000			17,000	448,827
4 Fullerton	Orangethorpe Ave Traffic Signal Coordination-SIP	Construction	73	200,150			200,150	648,977
5 Seal Beach	Seal Beach Blvd/I-405 Signal Improvements (North)	Construction	72		250,000		250,000	898,977
6 Newport Beach	Airport Area Traffic Signal Modernization Project	Construction	69		250,000		250,000	1,148,977
7 Buena Park	Valley View Street Signal Timing	Construction	69	48,125			48,125	1,197,102
8 Mission Viejo	Oso Parkway and Felipe Signal Coordination & CCTV	Construction	68	112,712			112,712	1,309,814
9 Buena Park	Knott Avenue Signal Timing	Construction	66	56,875			56,875	1,366,689
10 Mission Viejo	La Paz Rd and Marguerite Pkwy Central Business Area	Construction	64		122,969		122,969	1,489,658
11 La Habra	Multijurisdictional Traffic Signal Timing	Engineering	64		237,000		237,000	1,726,658
12 Anaheim	WEIR CYN ITS (NEW RIVER TO SERRANO)	Engineering	63		50,000		50,000	1,776,658
12 Anaheim	WEIR CYN ITS (NEW RIVER TO SERRANO)	Construction	63		200,000		200,000	1,976,658
13 Orange	Northwest Orange Area Wide Signal Coordination	Construction	62	125,000			125,000	2,101,658
14 Garden Grove	Traffic Management Center Upgrade	Engineering	62	80,000			80,000	2,181,658
14 Garden Grove	Traffic Management Center Upgrade	Construction	62		170,000		170,000	2,351,658
15 Anaheim	KRAEMER BL ITS (LA JOLLA TO FRONTERA)	Construction	61	250,000			250,000	2,601,658
16 Newport Beach	Jamboree Road Corridor Traffic Signal Modernization	Construction	60	249,491			249,491	2,851,149
17 Irvine	MacArthur Signal Coordination	Engineering	60		31,838		31,838	2,882,987
17 Irvine	MacArthur Signal Coordination	Construction	60			211,103	211,103	3,094,090
18 Lake Forest	Traffic Signal Controller Upgrades	Construction	60		250,000		250,000	3,344,090
19 Westminster	Westminster ITS Phase 3	Engineering	60	45,000			45,000	3,389,090
19 Westminster	Westminster ITS Phase 3	Construction	60	205,000			205,000	3,594,090
20 Westminster	Westminster ITS Phase 4	Engineering	60	45,000			45,000	3,639,090
20 Westminster	Westminster ITS Phase 4	Construction	60	205,000			205,000	3,844,090
21 Laguna Hills	Alicia Parkway Signal Improvements	Engineering	59	19,200			19,200	3,863,290
21 Laguna Hills	Alicia Parkway Signal Improvements	Construction	59		163,976		163,976	4,027,266
22 Costa Mesa	Signal / CCTV Upgrade Project	Construction	57		250,000		250,000	4,277,266
23 Cypress	CCTV Installation (Phase 4)	Construction	57	244,585			244,585	4,521,851
24 Garden Grove	Harbor/Valley View/Trask ITS Coordination	Engineering	57	80,000			80,000	4,601,851
25 Irvine	Irvine Center Drive Signal Coordination	Engineering	57			101,582	101,582	4,703,433
26 Laguna Hills	La Paz Road Traffic Signal Improvements	Engineering	57	28,800			28,800	4,732,233
26 Laguna Hills	La Paz Road Traffic Signal Improvements	Construction	57		221,200		221,200	4,953,433
27 Anaheim	Anaheim BI ITS (NCL to SCL)	Engineering	56	50,000			50,000	5,003,433
27 Anaheim	Anaheim BI ITS (NCL to SCL)	Construction	56	200,000			200,000	5,203,433
28 Fountain Valley	Citywide Traffic Signal Timing	Construction	56	158,000			158,000	5,361,433
29 Irvine	Michelson Signal Coordination	Construction	56	244,757			244,757	5,606,190
30 Seal Beach	Seal Beach Blvd/I-405 Signal Improvements (South)	Construction	56		250,000		250,000	5,856,190

**Signal Improvement Program (SIP) Recommended Funding Allocations
2007 CTFP Call for Projects**

Agency	Application Title	Phase	Score	FY08/09	FY09/10	FY10/11	Grand Total	Cumulative
31 Fountain Valley	ITS Signal Technology Upgrade Phase V	Construction	54		250,000		250,000	6,106,190
32 Fullerton	Rosecrans Ave. Signal Improvement & Coordination-SIP	Engineering	54			8,000	8,000	6,114,190
32 Fullerton	Rosecrans Ave. Signal Improvement & Coordination-SIP	Construction	54			55,167	55,167	6,169,357
33 Garden Grove	Brookhurst/Magnolia/Garden Grove TS Coordination	Engineering	53	100,000			100,000	6,269,357
34 Buena Park	La Palma Avenue Signal Timing	Construction	53	48,125			48,125	6,317,482
35 Mission Viejo	Marguerite Pkwy and Los Alisos Blvd Com/School	Construction	53	56,355			56,355	6,373,837
Available Funding = \$6,534,244								
36 Garden Grove	Traffic Management Center Software	Construction	52		250,000		250,000	6,623,837
37 Rancho Santa Margarita	Santa Margarita and Antonio Video Surveillance	Engineering	50	28,700			28,700	6,652,537
37 Rancho Santa Margarita	Santa Margarita and Antonio Video Surveillance	Construction	50		181,229		181,229	6,833,766
38 Santa Ana	Grand Ave ITS Upgrade	Engineering	49		20,000		20,000	6,853,766
38 Santa Ana	Grand Ave ITS Upgrade	Construction	49		230,000		230,000	7,083,766
39 Laguna Hills	Paseo De Valencia / Los Alisos Signal Improvements	Engineering	49	22,400			22,400	7,106,166
39 Laguna Hills	Paseo De Valencia / Los Alisos Signal Improvements	Construction	49		227,600		227,600	7,333,766
40 Anaheim	EAST STREET ITS (SR-91 TO BALL RD)	Engineering	48		50,000		50,000	7,383,766
40 Anaheim	EAST STREET ITS (SR-91 TO BALL RD)	Construction	48		200,000		200,000	7,583,766
41 Westminster	Westminster ITS Phase 5	Engineering	47	20,000			20,000	7,603,766
41 Westminster	Westminster ITS Phase 5	Construction	47	230,000			230,000	7,833,766
42 Tustin	Newport/Sycamore Traffic Signal Upgrade/Interconnect	Construction	45			250,000	250,000	8,083,766
43 Santa Ana	Warner Ave Traffic Management Project	Engineering	45		20,000		20,000	8,103,766
43 Santa Ana	Warner Ave Traffic Management Project	Construction	45		230,000		230,000	8,333,766
44 Laguna Hills	Cabot Rd Signal Improvements/Oso Pkwy Interconnect	Engineering	43	24,000			24,000	8,357,766
44 Laguna Hills	Cabot Rd Signal Improvements/Oso Pkwy Interconnect	Construction	43		226,000		226,000	8,583,766
45 Costa Mesa	Bear Street Signal Improvements	Construction	42			233,614	233,614	8,817,380
46 Anaheim	BROADWAY WEST ITS (WCL TO LOARA)	Engineering	42			50,000	50,000	8,867,380
46 Anaheim	BROADWAY WEST ITS (WCL TO LOARA)	Construction	42			200,000	200,000	9,067,380
47 Stanton	Traffic Signal Interconnect & Synchronization Project	Engineering	42	11,800			11,800	9,079,180
47 Stanton	Traffic Signal Interconnect & Synchronization Project	Construction	42	155,200			155,200	9,234,380
48 La Habra	Lambert Rd Fiberoptic Signal Interconnect	Engineering	40			26,569	26,569	9,260,949
48 La Habra	Lambert Rd Fiberoptic Signal Interconnect	Construction	40			223,431	223,431	9,484,380
49 Irvine	Sand Canyon Signal Coordination	Engineering	40	24,570			24,570	9,508,950
50 Irvine	Irvine Blvd. Signal Coordination	Engineering	36	20,987			20,987	9,529,937
51 La Habra	La Habra Blvd Fiberoptic Signal Interconnect	Engineering	32			26,160	26,160	9,556,097
51 La Habra	La Habra Blvd Fiberoptic Signal Interconnect	Construction	32			223,840	223,840	9,779,937

**Transportation Demand Management (TDM) Recommended Funding Allocations
2007 CTFP Call for Projects**

Agency	Application Title	Project Phase	Score	FY08/09	FY09/10	FY10/11	Grand Total	Cumulative
1 Anaheim	ARTIC to West Anaheim Commuter Shuttle Service	Construction	77	500,000			500,000	500,000
2 Laguna Woods	Santa Maria Avenue Multi-Modal Trail	Construction	65			500,000	500,000	1,000,000
3 Irvine	Jeffrey Off-Street Bikeway	Construction	54			291,279	291,279	1,291,279
3 Irvine	Jeffrey Off-Street Bikeway	Engineering	54		34,953		34,953	1,326,232
3 Irvine	Jeffrey Off-Street Bikeway	Right of Way	54		173,768		173,768	1,500,000
4 Irvine	Irvine Business Complex Sidewalk Improvement	Construction	50			404,750	404,750	1,904,750
4 Irvine	Irvine Business Complex Sidewalk Improvement	Engineering	50		64,760		64,760	1,969,510
4 Irvine	Irvine Business Complex Sidewalk Improvement	Right of Way	50		30,490		30,490	2,000,000

**Growth Management Area (GMA) Recommended Funding Allocations
2007 CTFP Call for Projects**

GMA	Agency	Application Title	Project Phase	FY08/09	FY09/10	FY10/11	Grand Total	
1	Anaheim	Lakeview Ave./Orangethorpe Intersection Imp.	Engineering	158,811			158,811	
			Right of Way	62,800			62,800	
	Brea	Rose Drive Widening	Engineering	300,000			300,000	
	Buena Park	Artesia Boulevard Improvements	Construction	110,000			110,000	
		Beach/Malvern-La Mirada Intersection Improvements	Construction	245,000			245,000	
	Fullerton	Orangethorpe Avenue GMA	Construction	183,000			183,000	
			Engineering	17,000			17,000	
	La Habra	Whittier Blvd/Beach Blvd Intersection Improvement	Engineering	125,000			125,000	
	Placentia	Bastanchury Road Signal System Extension	Construction	180,000			180,000	
Rose Drive Signal Coordination			Construction	40,000			40,000	
Yorba Linda	Rose Drive Improvements	Engineering		100,000		100,000		
1 Total				1,421,611	100,000	-	1,521,611	
2	Anaheim	Brookhurst Street Median Island	Construction	91,600			91,600	
			Engineering	8,400			8,400	
			Engineering	50,000			50,000	
	Buena Park	Beach Boulevard/SR-91 Eastbound Ramp Widening	Construction			90,000	90,000	
			Bus Bays on Beach Boulevard (I-5 to Lincoln)	Construction		45,000		45,000
	Garden Grove	Administration of GMA #2	Engineering			7,000	7,000	
			Traffic Management Center Upgrade	Construction		150,000		150,000
	La Palma	Orangethorpe/Walker Intersection Improvements	Construction		50,000		50,000	
			Pedestrian Signal Upgrades on Walker Street	Construction	80,000			80,000
	Los Alamitos	Intersection Improvements at Ball Rd & Bloomfield	Construction	75,000			75,000	
			Katella Ave at Siboney Intersection	Construction	100,000			100,000
	Santa Ana	Bristol St / 17th St Intersection Improvement	Right of Way	200,000			200,000	
	Seal Beach	Seal Beach and Los Alamitos Blvd Signal Improvements	Construction	45,000			45,000	
			Engineering	5,000			5,000	
Seal Beach Blvd Bridge at I 405 FWY		Construction		225,000		225,000		
Stanton	Traffic Signal Interconnect & Synch. Seg-1	Construction	22,500			22,500		
		Traffic Signal Interconnect & Synch. Seg-2	Construction	22,500			22,500	
2 Total				700,000	470,000	97,000	1,267,000	
3	Anaheim	Ball / Sunkist Intersection Widening	Engineering	50,000			50,000	
			Railroad Crossings Safty Improvements	Construction	200,000			200,000
			WEIR CYN ITS (NEW RIVER TO SERRANO)	Construction		80,000		80,000
	Orange	Batavia/Taft	Construction	80,000			80,000	
			Chapman/Cannon Traffic Signal Upgrade	Construction	43,000			43,000
			Glassell/Palm Traffic Signal	Construction		36,000		36,000
				Engineering	4,000			4,000
			GMA 3 Administration	Engineering	4,000	4,000	4,000	12,000
			Northwest City Wireless Interconnect	Construction	125,000			125,000
	Orange Rail Safety Improvements	Construction		450,000		450,000		
Santa Ana	Bristol St / 17th St Intersection Improvement	Construction			250,000	250,000		
Villa Park	Santiago Blvd./Towne Centre Entrance Modification	Engineering	60,000			60,000		
3 Total				566,000	570,000	254,000	1,390,000	

**Growth Management Area (GMA) Recommended Funding Allocations
2007 CTFP Call for Projects**

GMA	Agency	Application Title	Project Phase	FY08/09	FY09/10	FY10/11	Grand Total
4	Irvine	Jeffrey Road Extension	Engineering	28,000			28,000
4 Total				28,000	-	-	28,000
6	Fountain Valley	ITS Signal Technology Upgrade Phase V	Construction		50,000		50,000
		Talbert/MacArthur Bridge Widening @ Santa Ana River	Engineering		675,000		675,000
	Seal Beach	Seal Beach Blvd Bridge at I 405 FWY	Construction		350,000		350,000
	Westminster	Westminster ITS Phase 2 Shortfall	Construction	160,000			160,000
		Westminster ITS Phase 3	Construction	70,000			70,000
		Westminster ITS Phase 4	Construction	70,000			70,000
		Westminster ITS Phase 5	Construction	50,000			50,000
	Huntington Beach	Brookhurst Street and Adams Avenue Intersection	Engineering		205,000		205,000
		Bushard Street and Adams Avenue Intersection	Engineering	135,000			135,000
Beach Boulevard and Warner Avenue Intersection		Engineering	135,000			135,000	
6 Total			620,000	1,280,000	-	1,900,000	
7	Irvine	Jamboree / I-5 (GMA 7)	Right of Way		44,435		44,435
	Orange	East Orange Signal Improvements	Construction		20,000		20,000
	Santa Ana	Grand Avenue Widening	Engineering	44,435			44,435
	Tustin	Tustin Ranch Rd Extension from Walnut to Valencia	Construction		44,435		44,435
7 Total			44,435	108,870	-	153,305	
8	Costa Mesa	17th / Irvine Intersection Improvement	Engineering	40,000			40,000
		Harbor Boulevard/South Coast Drive	Construction	129,719			129,719
		Hyland - I-405 NB Ramp/South Coast Drive	Engineering	25,000			25,000
	Irvine	Culver (Scottsdale to I-5) Widening Improvement	Engineering	120,000			120,000
		Jamboree / I-5 (GMA 8)	Right of Way		72,240		72,240
	Newport Beach	Jamboree Road Widening at MacArthur Boulevard	Construction			150,000	150,000
			Engineering	267,240			267,240
Santa Ana	Bristol St. / Warner Ave. Intersection Widening	Right of Way		182,240		182,240	
8 Total			581,959	254,480	150,000	986,439	
9	County of Orange	Alton Parkway Ext. - Irvine Blvd. to Commercentre	Engineering		100,534		100,534
	Irvine	Laguna Canyon/I-405 Widening	Construction			130,000	130,000
	Mission Viejo	Oso/Marguerite Intersection Improvement	Construction	100,000			100,000
	Rancho Santa Margarita	Santa Margarita Parkway/ Avenida Empresa	Engineering	50,000			50,000
	San Juan Capistrano	Junipero Serra/Rancho Viejo Road Project	Construction	200,000			200,000
9 Total			350,000	100,534	130,000	580,534	
11	County of Orange	La Pata Avenue between Ortega Hwy & Calle Saluda	Engineering	126,172			126,172
	San Clemente	Ave De La Estrella/Presidio/I-5 SB Traffic Signals	Construction		150,000		150,000
		GMA 11 Administration	Engineering	25,000	5,000	5,000	35,000
11 Total			151,172	155,000	5,000	311,172	
GRAND TOTALS				4,463,177	3,038,884	636,000	\$ 8,138,061



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors

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

Subject: Combined Transportation Funding Program - March 2008
Semi-Annual Review

Highways Committee Meeting of June 16, 2008

Present: Directors Dixon, Green, Pringle, Mansoor, Norby, and Rosen

Absent: Directors Amante, Cavecche, and Glaab

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Approve adjustments to the Combined Transportation Funding Program project allocations as presented.



June 16, 2008

To: Highways Committee
From: Arthur T. Leahy, ^{ML} Chief Executive Officer
Subject: Combined Transportation Funding Program - March 2008 Semi-Annual Review

Overview

The Orange County Transportation Authority recently completed the semi-annual review of projects funded through the Combined Transportation Funding Program. This process reviews the status of grant-funded streets and roads projects and affords an opportunity for updates. The requested changes and recommendations are provided for Board of Directors review and approval.

Recommendation

Approve adjustments to the Combined Transportation Funding Program project allocations as presented.

Background

The Combined Transportation Funding Program (CTFP) is the mechanism the Orange County Transportation Authority (OCTA) uses to administer funding for streets and roads projects throughout Orange County. The CTFP contains a variety of funding programs and sources including Measure M local and regional streets and roads revenues, as well as federal Regional Surface Transportation Program (RSTP) funds. The CTFP provides local agencies with a comprehensive set of guidelines for administration and delivery of various transportation funding grants.

Consistent with the CTFP guidelines, OCTA staff meets with representatives from all local agencies twice each year to review the status of projects and proposed changes. This process is commonly referred to as the semi-annual review (SAR). The goals of the SAR process are to update project cost estimates, to review project status, to determine the continued viability of projects, and to address local agency issues. The SAR generally requires

between five and six months to complete. In response to a request by the Board of Directors (Board), staff was able to shorten the process for the current SAR to only four months.

SAR Activity	March 2007 SAR	March 2008 SAR
OCTA and local agency project meetings and review	March and April	March and April
OCTA analysis and report preparation	May and June	April and May
Technical Steering Committee and Technical Advisory Committee (TAC) input	July	May
Presentation to OCTA Board	August	June

This shortened process is likely to be possible only during the March SAR as the September SAR occurs during the holiday season when there are fewer Board meetings; however, staff will continue to make every effort to abbreviate the schedule.

In an effort to improve timely delivery of Measure M project allocations, the OCTA Board adopted a time extension policy in November 2004 (Attachment A). Since federal RSTP funds are programmed by OCTA and administered through the state, projects funded with RSTP funds are governed by state and federal timely use provisions requiring funds to be obligated within the program year. Therefore, OCTA has very limited flexibility in accommodating delay or advancement requests for these projects.

Since 1991, OCTA has awarded (through a competitive process) more than \$672.7 million in Measure M funds and approximately \$334.8 million of federal RSTP funds to local agencies through the CTFP program. These projects are programmed for fiscal years 1992-93 through 2009-10. The federal programming amount has been adjusted since the last SAR to include all of the rehabilitation projects from 1995 forward. Previous SAR reports included only federally funded allocations from 2005 forward.

Discussion

During the March 2008 SAR, 24 agencies requested 80 various adjustments to Measure M-funded and RSTP-funded projects. Detailed information for requested changes, justifications, and project details are shown in Attachment B.

In summary, requested adjustments to Measure M-funded projects include the following:

- Forty-five project allocations totaling \$36.2 million requested additional time for implementation on various phases. The following provides a breakdown of these requests by delay causes as reported by the agencies. Further breakdown of the 45 delay requests are:
 - Three delay requests to start the construction after the holiday season.
 - Two delay requests for additional time to resolve outstanding right-of-way issues.
 - Two delay requests to allow for re-setting of growth management area (GMA) priorities.
 - One delay request to allow the local agency to secure additional funding.
 - Twenty-nine delay requests to allow local agencies to coordinate the project with other agencies and/or utility companies.
 - Four delay requests for additional time to complete project studies.
 - Four delay requests to allow local agencies to align concurrent projects.
- Eleven project allocations totaling \$7.2 million were requested to be cancelled.
- Nineteen miscellaneous project allocation adjustments totaling \$43.2 million were requested. These include transferring funds between project phases, changes in lead agency status, and minor revisions to project scope.

The requested changes are consistent with CTFP program guidelines and the Board-approved time extension policies; however, the March 2008 SAR delay requests are higher than the March 2007 SAR delay requests. The table below presents historical March SAR data for six years. The increase in delay requests is of particular concern to OCTA staff given the large amount of Measure M programming available over the next three fiscal years. Continued delay requests could grow the programming balance to such a degree that OCTA may consider deferring future programming and the next call for projects. Staff will continue to work with the TAC to identify tactics to improve project delivery.

March SAR	2003	2004	2005	2006	2007	2008
Delay Requests	52	39	57	53	32	45

Staff reviewed each of the requests with the respective local agency and recommends approval of all changes. A summary of delay requests for projects is included in Attachment C.

All delay requests are subject to approval by each jurisdiction's council and the OCTA Board. Several of the adjustment requests are for projects funded through the GMA. All requested changes to GMA-funded projects must be approved by both the GMA elected officials bodies and the OCTA Board. The project adjustments submitted prior to elected officials' approvals are being considered by OCTA, pending approval by the GMA elected officials bodies.

Requested adjustments to federally funded projects include:

- Two RSTP-funded projects with allocations totaling \$1.1 million requested cancellation due to funding constraints.
 - One RSTP-funded Master Plan of Arterial Highways (MPAH) project requested a delay.
- Two RSTP-funded MPAH projects requested a miscellaneous adjustment to swap funds between the currently programmed projects.

Adjustments for federal RSTP-funded projects are governed by state and federal timely use requirements. As previously stated, OCTA has limited ability to grant time extensions to these projects due to the "use it or lose it" provisions of the timely use requirements. As such, time extension requests for RSTP-funded projects have typically been unable to be accommodated to ensure that no funds are lost to Orange County.

Staff has reviewed the requested RSTP-funded project adjustments and does not recommend approval of the project delay request mentioned above. This delay request puts the funds in jeopardy and there is not sufficient capacity to accommodate the request in the programmed fiscal year.

OCTA also received requests from two cities to swap funds between projects located in their respective cities. Staff recommends approval of these two fund swap requests. The first request from the City of Orange includes the exchange of funds between a currently approved RSTP-funded MPAH project and five pavement rehabilitation projects currently funded through its Proposition 1B funds. This is a revenue neutral request that will result in no scope revisions to any of the projects and will facilitate the successful delivery of all six projects involved. The second request from the City of Placentia proposes to exchange funds between two RSTP-funded MPAH projects. This will result in the cancellation of one project to facilitate successful delivery of another. This change will reduce RSTP programming by \$471,931. These funds will be returned to the program in the programmed fiscal year.

During the SAR, the status of all projects are reviewed. Projects may fall into four categories. Current allocations by status are outlined in the table below. Since the last SAR in September 2007, project allocations totaling approximately \$2.9 million have been completed and are included in the total completions.

Status	Definition	Measure M Allocations (millions)	RSTP Allocations (millions)
Completed	Final report filed, approved, and final payment made.	\$ 323.6	\$ 206.8
Pending	Project work has been completed and only final report submittal/approval is pending.	\$ 65.1	\$ 33.0
Started	Project is progressing on schedule and within funding allocation.	\$ 156.2	\$ 55.3
Planned	Projects are planned but have not entered the program year or have experienced delay for a variety of reasons and additional time may be requested.	\$ 127.7	\$ 39.7
	TOTAL PROJECT ALLOCATIONS	\$ 672.6	\$ 334.8

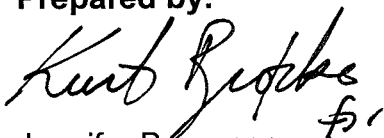
Summary

OCTA has recently completed a semi-annual review of projects funded through the Combined Transportation Funding Program. In total 24 agencies requested 80 project allocation adjustments. The next semi-annual review is scheduled for September 2008.

Attachments

- A. Combined Transportation Funding Program Time Extension Policy (Adopted as of November 2004)
- B. Combined Transportation Funding Program - March 2008 Semi-Annual Review Adjustment Requests
- C. CTFP Delay Request Report – March 2008

Prepared by:



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Approved by:



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**Combined Transportation Funding Program
Time Extension Policy**
(Adopted as of November 2004)

- Agencies may request a one-time delay of up to 24 months. Jurisdictions will be required to justify this request and seek approval of Orange County Transportation Authority (OCTA) staff, Technical Steering Committee (TSC), and the Technical Advisory Committee (TAC) as part of the semi-annual review process.
- A second delay request may only be awarded by obtaining the council-approved revised Capital Improvement Program that indicates the project's revised program year. The second delay request will still require the OCTA staff review and the TSC and TAC approval.
- Any further delay beyond the second delay request would require a direct request for approval from the OCTA Board of Directors (Board). The OCTA Board will have the final approval of the agency's request.

Agency	Project #	Program	Project Title	Phase	Current FY	Months	Proposed FY	Amount	Action Request
Request For Delay									
Buena Park	05-BPRK-GMA-2708	GMA	Valley View Street Widening (Orangethorpe to Lincoln)	C	06/07	12	07/08	\$250,000.00	Delay
Buena Park	95-BPRK-GMA-1030	GMA	Valley View St (Orangethorpe to Lincoln)	C	06/07	12	07/08	\$250,000.00	Delay
Costa Mesa	05-CMSA-GMA-2627	GMA	Fairview Road/ Adams Avenue GMA	E	07/08	12	08/09	\$60,000.00	Delay
County of Orange	05-ORCO-GMA-2084	GMA	Red Hill Avenue	C	08/09	12	09/10	\$240,000.00	Delay
County of Orange	05-ORCO-GMA-2084	GMA	Red Hill Avenue	R	08/09	12	09/10	\$50,000.00	Delay
County of Orange	07-ORCO-GMA-2834	GMA	Oso Parkway/Antonio Parkway	E	07/08	12	08/09	\$280,000.00	Delay
Irvine	03-IRVN-GMA-1116	GMA	Barranca Parkway/Redhill Ave Intersection	C	07/08	12	08/09	\$200,000.00	Delay
Irvine	05-IRVN-GMA-2475	GMA	Jamboree Road Ramps @ Interstate 5	E	07/08	12	08/09	\$150,000.00	Delay
Irvine	99-IRVN-GMA-1100	GMA	Barranca Pkwy/Dyer Intersection & Redhill	C	07/08	12	08/09	\$125,000.00	Delay
Laguna Niguel	97-LNIG-GMA-1104	GMA	Avery Parkway Widening	C	06/07	24	08/09	\$522,000.00	Delay
Orange	05-ORNG-GMA-2730	GMA	Orange Rail Safety Improvements	C	06/07	36	09/10	\$248,000.00	Delay
Orange	05-ORNG-GMA-2566	GMA	East Orange Signal Coordination	C	07/08	24	09/10	\$156,000.00	Delay
Orange	03-ORNG-GMA-1185	GMA	Main Street Widening	R	07/08	12	08/09	\$114,000.00	Delay
Placentia	00-PLAC-GMA-3149	GMA	Bastanchury Road @ Kraemer Blvd	C	07/08	12	08/09	\$50,000.00	Delay
Placentia	05-PLAC-GMA-2550	GMA	Rose Drive Signal Coordination	C	06/07	12	07/08	\$60,000.00	Delay
Placentia	05-PLAC-GMA-2551	GMA	Rose/Alta Vista Intersection Improvement	C	07/08	12	08/09	\$32,000.00	Delay
Placentia	05-PLAC-GMA-2551	GMA	Rose/Alta Vista Intersection Improvement	E	06/07	12	07/08	\$20,000.00	Delay
Santa Ana	02-IRVN-GMA-1004	GMA	Alton/SR-55 Overcrossing	E	06/07	24	08/09	\$200,000.00	Delay
Santa Ana	05-IRVN-GMA-2569	GMA	Alton Parkway/ SR-55	E	06/07	24	08/09	\$255,000.00	Delay
Santa Ana	05-SNTA-GMA-2542	GMA	Alton/SR-55 Overcrossing and HOV Ramp	E	07/08	12	08/09	\$255,000.00	Delay
Santa Ana	05-SNTA-GMA-2797	GMA	First Street Bridge Widening	C	07/08	12	08/09	\$400,000.00	Delay
Tustin	05-TUST-GMA-2525	GMA	Tustin Commuter Rail Station Parking Structure	C	08/09	12	09/10	\$200,000.00	Delay
Yorba Linda	03-YLND-GMA-1235	GMA	Rose Drive Signal Upgrades & Striping	E	07/08	24	09/10	\$100,000.00	Delay
Sub-Total GMA Program Delays (21)								\$4,217,000.00	
Garden Grove	03-GGRV-IIP-1103	IIP	Harbor/Lampson	C	07/08	24	09/10	\$326,930.00	Delay
Irvine	05-IRVN-IIP-2032	IIP	Barranca at Redhill	C	07/08	24	09/10	\$2,500,000.00	Delay
La Habra	05-LHAB-IIP-2431	IIP	Whittier Blvd/Beach Blvd Intersection Improvements	E	07/08	24	09/10	\$78,873.00	Delay
La Habra	05-LHAB-IIP-2431	IIP	Whittier Blvd/Beach Blvd Intersection Improvements	R	07/08	24	09/10	\$295,954.00	Delay
La Habra	05-LHAB-IIP-2431	IIP	Whittier Blvd/Beach Blvd Intersection Improvements	C	08/09	24	10/11	\$765,731.00	Delay
Orange	03-ORNG-IIP-1188	IIP	Katella Avenue Wanda Road Intersection Improvement	C	07/08	12	08/09	\$51,002.00	Delay
Orange	00-ORNG-IIP-3142	IIP	Tustin Avenue & Chapman Avenue	R	07/08	12	08/09	\$595,365.00	Delay
Orange	00-ORNG-IIP-3142	IIP	Tustin Avenue & Chapman Avenue	C	08/09	12	09/10	\$1,904,635.00	Delay
Placentia	03-PLAC-IIP-1193	IIP	Alta Vista Street/Rose Drive	C	07/08	12	08/09	\$291,651.00	Delay
Placentia	03-PLAC-IIP-1194	IIP	Kraemer Blvd/Bastanchury Road	C	07/08	12	08/09	\$205,109.00	Delay
Sub-Total IIP Program Delays (7)								\$7,015,250.00	

**Combined Transportation Funding Program
March 2008 Semi-Annual Review Adjustment Requests**

Agency	Project #	Program	Project Title	Phase	Current FY	Months	Proposed FY	Amount	Action Request	Proposed Amount	Reason
Buena Park	05-BPRK-MPAH-2342	MPAH	Valley View Widening (Orangethorpe to Lincoln)	C	06/07	12	07/08	\$490,000.00	Delay	\$490,000.00	The Valley View Project was awarded to EBS Construction on November 27, 2007. It was in the best interest of the public to not start the construction during the holidays. Therefore, the contractor started work on January 14, 2008. GMA-TAC/E.O. approved 1 year extension to award a contract for construction in Jan. 2008.
County of Orange	03-ORCO-MPAH-1071	MPAH	Alton Parkway	R	07/08	12	08/09	\$654,005.00	Delay	\$654,005.00	Additional time is needed because the County is still negotiating with the Sheriff's department.
Cypress	03-CYPR-MPAH-1079	MPAH	Replacement of Del Amo Bridge	C	07/08	24	09/10	\$105,012.00	Delay	\$105,012.00	Additional time is needed to coordinate project with other cities, La Palma, Lakewood, and Cerritos.
La Habra	05-LHAB-MPAH-2608	MPAH	Imperial Hwy. Smart Street from LA County to Rose	C	06/07	24	08/09	\$1,769,037.00	Delay	\$1,769,037.00	Caltrans changed the "Encroachment Permit" requirements, which led to delays in completion of the design and the right-of-way phases.
Newport Beach	03-NBCH-MPAH-1182	MPAH	Jamboree Road Widening Project	C	07/08	24	09/10	\$951,478.00	Delay	\$951,478.00	Additional time is needed to secure additional funding for construction. The design is complete, and the city is moving forward with right-of-way acquisition. Construction is still unresolved due to funding commitment issues with TCA. The City was anticipating approximately \$4 million dollars from TCA in addition to the \$1 million from OCTA to fund this project. TCA may now not be able to finance this project.
Santa Ana	05-SNTA-MPAH-2204	MPAH	First Street Widening: Susan to Fairview	C	07/08	12	08/09	\$4,496,166.00	Delay	\$4,496,166.00	Funding through HBRP not available in FY 07/08 due to programming error cause by Caltrans.
Seal Beach	97-SBCH-MPAH-1154	MPAH	Seal Beach Blvd Overcrossing Widening @ I-405	C	07/08	24	09/10	\$1,680,000.00	Delay	\$1,680,000.00	This particular project is tied to the I-405 and connector project. The City is following OCTA timeline for the Bridge lengthening and widening project (West County Connector Phase II).
Stanton	03-STAN-MPAH-1221	MPAH	Garden Grove Blvd. Street Improvement Project	C	07/08	24	09/10	\$310,200.00	Delay	\$310,200.00	Additional time is needed to coordinate with Caltrans & Garden Grove. City of Stanton had emergency sewer project, City is trying to redesign a new sewer right now.
Sub-Total MPAH Program Delays (8)								\$10,455,898.00		\$10,455,898.00	
Santa Ana	00-IRVN-RIP-3099	RIP	Alton/SR-55 Overcrossing and HOV Ramp	E	07/08	12	08/09	\$3,360,000.00	Delay	\$3,360,000.00	The City released the RFP in November 2007, OCTA & Caltrans changed the plan for SR-55 project in January 2008. RFP is on hold until further notice.
Sub-Total RIP Program Delays (1)								\$3,360,000.00		\$3,360,000.00	
Buena Park	05-BPRK-SIP-2338	SIP	Lincoln Ave (Valley View to Knott) Interconnect	C	07/08	24	09/10	\$65,000.00	Delay	\$65,000.00	This project was delayed in order to coordinate a major sewer project along Lincoln Avenue between Valley View and Holder. The new sewer main is being constructed for the new multi-residential private development project at the corner of Lincoln and Holder. Also, the intersection of Valley View and Lincoln is being reconstructed in conjunction with the Valley View Widening project (currently underway). Lastly, decision has been made to contract the design work to a consultant originally planned to do it in-house due to the above delays.
Placentia	03-PLAC-SIP-1195	SIP	Rose Drive Signal Coordination	C	06/07	12	07/08	\$250,000.00	Delay	\$250,000.00	Delay due to additional scope of work that was not funded under the original project applications. The additional scope of work includes video detection and controller upgrades at a recently constructed traffic signal along Rose Drive, replacement of two controller cabinets, and additional upgrades at the City's Traffic Management Center. These additional elements are critical to ensure the project is comprehensive and achieves its objectives. The GMA 1 has approved an additional \$40,000 in funding to cover the additional scope of work.
Placentia	05-PLAC-SIP-2546	SIP	Bastanchury/Valencia Signal Extension	C	07/08	12	08/09	\$250,000.00	Delay	\$250,000.00	The Bastanchury/Valencia Signal Extension Project has increased in scope to include a new signal at Bastanchury Road and McCormack Lane. The project also includes new striping. The GMA 1 has approved the project scope increase at their February 26, 2008, meeting. The delay resulted from the need to add this signal into the design plans and secure money.
Santa Ana	03-SNTA-SIP-1208	SIP	Bristol Street Traffic Management	C	07/08	24	09/10	\$234,000.00	Delay	\$234,000.00	City would like to construct this project in conjunction with Bristol street widening project.
Orange	05-ORNG-SIP-2023	SIP	East Chapman Avenue Signal Coordination	E	07/08	12	08/09	\$61,949.00	Delay	\$61,949.00	Funds will be spent as part of East Orange Development (The Irvine Company), which has been delayed until FY 09/10.
Orange	05-ORNG-SIP-2023	SIP	East Chapman Avenue Signal Coordination	C	07/08	24	09/10	\$167,365.00	Delay	\$167,365.00	Funds will be spent as part of East Orange Development (The Irvine Company), which has been delayed until FY 09/10.
Sub-Total SIP Program Delays (5)								\$1,028,314.00		\$1,028,314.00	
County of Orange	97-ORCO-SSP-2009	SSP	Katella Ave (100' e/o Jean to Magnolia)	C	07/08	12	08/09	\$2,992,000.00	Delay	\$2,992,000.00	Additional time is needed to coordinate with other Cities. This is a joint project with City of Stanton. Requested delay is due to additional challenges related to R/W acquisitions and PS&E delivery.
La Habra	97-LHAB-SSP-2012	SSP	Imperial (LAC to HARBOR)	C	06/07	24	08/09	\$6,908,000.00	Delay	\$6,908,000.00	Caltrans changed the Encroachment Permit requirements which led to delays in completion of the design and the right-of-way phases.
Sub-Total SSP Program Delays (2)								\$9,900,000.00		\$9,900,000.00	
Aliso Viejo	05-ALSO-TDM-2330	TDM	Bike Trail in SCE ROW	C	07/08	12	08/09	\$196,914.00	Delay	\$196,914.00	Additional design time is needed to coordinate design requirements and obtain encroachment permit from the Southern California Edison. Design will be completed this fiscal year (June 30, 2008). Advertise, award of contract, and construction will be completed in FY 2008-09.
Sub-Total TDM Program Delays (1)								\$196,914.00		\$196,914.00	
Delays - Total All Measure M Programs (45)								\$36,173,376.00		\$36,173,376.00	
Cancellation											
Brea	00-BREA-GMA-3021	GMA	Brea/SR-57 Transit Corridor Study	E	07/08	n/a	n/a	\$100,000.00	Cancel	\$0.00	City used Go Local Program money for the transit corridor study. Approved by GMA-TAC/E.O.
County of Orange	03-ORCO-GMA-1064	GMA	Edinger Ave Bridge	E	07/08	n/a	n/a	\$75,000.00	Cancel	\$0.00	County would like to cancel the project. This project involved three jurisdictions and other agencies do not have matching funds. Approved by GMA-TAC/E.O.
Irvine	00-IRVN-GMA-3091	GMA	Jamboree/Barranca Intersection Improvement	E	07/08	n/a	n/a	\$125,000.00	Cancel	\$0.00	Traffic analysis report determined that this location was no longer deficient; therefore, the City respectfully requests cancellation of this project. Refer to GMA-TAC/E.O. for approval.
Irvine	05-IRVN-GMA-2107	GMA	Culver Drive (Portola to Scottsdale)	E	06/07	n/a	n/a	\$50,000.00	Cancel	\$0.00	This project was completed through a developer obligated project; therefore, the City respectfully requests cancellation of this project. Approved by GMA-TAC/E.O.
Sub-Total GMA Program Cancel (4)								\$350,000.00		\$0.00	
Irvine	03-IRVN-IIP-1125	IIP	Bake/Jeronimo Intersection	E	07/08	n/a	n/a	\$65,667.00	Cancel	\$0.00	Traffic analysis report determined that this location was no longer deficient; therefore, the City respectfully requests cancellation of this project.
Irvine	03-IRVN-IIP-1125	IIP	Bake/Jeronimo Intersection	R	07/08	n/a	n/a	\$364,571.00	Cancel	\$0.00	Traffic analysis report determined that this location was no longer deficient; therefore, the City respectfully requests cancellation of this project.
Irvine	03-IRVN-IIP-1125	IIP	Bake/Jeronimo Intersection	C	08/09	n/a	n/a	\$469,148.00	Cancel	\$0.00	Traffic analysis report determined that this location was no longer deficient; therefore, the City respectfully requests cancellation of this project.
Santa Ana	99-SNTA-IIP-1174	IIP	Bristol Street / Warner Avenue Widening	E	08/09	n/a	n/a	\$49,100.00	Cancel	\$0.00	Reapplied during 2007 Call for Projects to address money shortfall
Santa Ana	99-SNTA-IIP-1174	IIP	Bristol Street / Warner Avenue Widening	R	08/09	n/a	n/a	\$741,660.00	Cancel	\$0.00	Reapplied during 2007 Call for Projects to address money shortfall
Santa Ana	99-SNTA-IIP-1174	IIP	Bristol Street / Warner Avenue Widening	C	09/10	n/a	n/a	\$409,240.00	Cancel	\$0.00	Reapplied during 2007 Call for Projects to address money shortfall
Sub-Total IIP Program Cancel (2)								\$2,099,386.00		\$0.00	
County of Orange	03-ORCO-MPAH-1072	MPAH	Edinger Ave Bridge	C	09/10	n/a	n/a	\$1,746,669.00	Cancel	\$0.00	County would like to cancel the project. This project involved three jurisdictions, other agencies not have matching funds.
Sub-Total MPAH Program Cancel (1)								\$1,746,669.00		\$0.00	
Fountain Valley	00-FVLY-RIP-3064	RIP	Talbert Ave Overcross @ I-405 Widening	C	07/08	n/a	n/a	\$2,382,974.00	Cancel	\$0.00	City would like to cancel the project. In 2007, the California Transportation Commission denied Caltran's request.
Sub-Total RIP Program Cancel (1)								\$2,382,974.00		\$0.00	

**Combined Transportation Funding Program
March 2008 Semi-Annual Review Adjustment Requests**

Agency	Project #	Program	Project Title	Phase	Current FY	Months	Proposed FY	Amount	Action Request	Proposed Amount	Reason
Huntington Beach	03-HBCH-SIP-1112	SIP	Pacific Coast Highway CCTV Cameras	C	08/09	n/a	n/a	\$188,171.00	Cancel	\$0.00	Federal earmark money was cancelled. The City has no matching funds for this project.
Irvine	05-IRVN-SIP-2003	SIP	Culver Drive (Scottsdale to Portola Pkwy)	C	06/07	n/a	n/a	\$163,340.00	Cancel	\$0.00	This project was completed through a developer-obligated project; therefore, the City respectfully requests cancellation of this project.
Irvine	05-IRVN-SIP-2004	SIP	Culver Drive (Walnut to I-405 Fwy)	E	06/07	n/a	n/a	\$33,776.00	Cancel	\$0.00	This project was completed through a developer-obligated project; therefore, the City respectfully requests cancellation of this project.
Irvine	05-IRVN-SIP-2004	SIP	Culver Drive (Walnut to I-405 Fwy)	C	06/07	n/a	n/a	\$216,224.00	Cancel	\$0.00	This project was completed through a developer-obligated project; therefore, the City respectfully requests cancellation of this project.
Sub-Total SIP Program Cancel (3)								\$601,511.00		\$0.00	
Cancellation - Total All Measure M Programs (11)								\$7,180,540.00		\$0.00	
Misc. Adjustments											
Costa Mesa	02-CMSA-GMA-1002	GMA	Harbor Blvd. @ I-405 Improvements	R	04/05	n/a	n/a	\$51,387.00	Transfer	\$387.00	Transfer \$51,000 from 02-CMSA-GMA-1002 ROW Phase to Construction Phase. Approved by GMA-TAC/E.O.
Costa Mesa	02-CMSA-GMA-1002	GMA	Harbor Blvd. @ I-405 Improvements	C	06/07	n/a	n/a	\$83,221.00	Transfer	\$134,321.00	Transfer \$51,000 from 02-CMSA-GMA-1002 ROW Phase to Construction Phase. Approved by GMA-TAC/E.O.
Costa Mesa	05-CMSA-GMA-2627	GMA	Fairview Road/ Adams Avenue GMA	E	07/08	n/a	n/a	\$60,000.00	Transfer	\$0.00	Transfer \$60,000 from 05-CMSA-GMA-2627 Engineer Phase to Construction Phase. Approved by GMA-TAC/E.O.
Costa Mesa	05-CMSA-GMA-2627	GMA	Fairview Road/ Adams Avenue GMA	C	08/09	n/a	n/a	\$0.00	Transfer	\$60,000.00	Transfer \$60,000 from 05-CMSA-GMA-2627 Engineer Phase to Construction Phase. Approved by GMA-TAC/E.O.
County of Orange	03-ORCO-GMA-1068	GMA	Red Hill Avenue	R	07/08	n/a	n/a	\$100,000.00	Transfer	\$0.00	Transfer \$100,000 to 05-ORCO-GMA-2084. Approved by GMA-TAC/E.O.
County of Orange	05-ORCO-GMA-2084	GMA	Red Hill Avenue	C	08/09	n/a	n/a	\$140,000.00	Transfer	\$240,000.00	Transfer \$100,000 from 03-ORCO-GMA-1068. Approved by GMA-TAC/E.O.
County of Orange	05-ORCO-GMA-2260	GMA	Lincoln Ave Bridge	E	08/09	n/a	n/a	\$200,000.00	Transfer	\$417,000.00	Transfer \$217,000 from 03-ORCO-GMA-1061 Chapman Ave. Refer to GMA-TAC/E.O. for approval.
County of Orange	99-ORCO-GMA-1041	GMA	El Toro Road @ Avenida de la Carlota	R	05/06	n/a	n/a	\$200,000.00	Lead Agency	\$200,000.00	Transfer the lead agency to City of Laguna Hills. Refer to GMA-TAC/E.O. for approval.
County of Orange	99-ORCO-GMA-1041	GMA	El Toro Road @ Avenida de la Carlota	C	09/10	n/a	n/a	\$100,000.00	Lead Agency	\$100,000.00	Transfer the lead agency to City of Laguna Hills. Refer to GMA-TAC/E.O. for approval.
Fullerton	99-LHAB-GMA-1114	GMA	Harbor Blvd. at Lambert Rd. Intersection Widening	C	08/09	n/a	n/a	\$151,000.00	Lead Agency	\$151,000.00	Transfer the lead agency to City of La Habra.
Irvine	00-IRVN-GMA-3095	GMA	San Diego Creek & Culverdale Bike Trail Lighting	C	07/08	n/a	08/09	\$150,000.00	Misc.	\$150,000.00	Technical correction from prior Semi-Annual Review
Sub-Total GMA Program Misc. Adjustments (7)								\$1,235,608.00		\$1,452,708.00	
Buena Park	03-BPRK-IIP-1039	IIP	Beach Boulevard/ Malvern Avenue Improvement	R	06/07	n/a	n/a	\$33,983.28	Transfer	\$16,991.64	Transfer the excess amount (\$16,991.64) from Right-of-Way to Construction phase.
Irvine	03-IRVN-GMA-1124	IIP	Culver/Walnut Intersection	R	07/08	n/a	08/09	\$733,702.00	Misc.	\$733,702.00	Technical correction from prior Semi-Annual Review
La Habra	03-LHAB-IIP-1140	IIP	La Habra Blvd and Idaho St. Intersection Improvements	C	07/08	n/a	n/a	\$164,371.00	Transfer	\$180,570.50	Transfer the excess amount (\$16,199.50) from Right-of-Way to Construction phase.
La Habra	03-LHAB-IIP-1140	IIP	La Habra Blvd and Idaho St. Intersection Improvements	R	05/06	n/a	n/a	\$32,399.00	Transfer	\$16,991.50	Transfer the excess amount (\$16,199.50) from Right-of-Way to Construction phase.
Orange	03-ORNG-IIP-1186	IIP	Tustin Street and Meats Ave	R	08/09	n/a	n/a	\$1,327,818.00	Fund Trasfer	\$664,264.00	The City does not need all the \$1,327,818 IIP funding for the Right-of-Way phase. The City is requesting a transfer \$663,554 to the construction phase to keep the project feasible.
Orange	03-ORNG-IIP-1186	IIP	Tustin Street and Meats Ave	C	08/09	n/a	n/a	\$732,247.00	Fund Trasfer	\$1,395,801.00	The City does not need all the \$1,327,818 IIP funding for the Right-of-Way phase. The City is requesting a transfer \$663,554 to the construction phase to keep the project feasible.
Sub-Total IIP Program Transfer Misc. Adjustments (3)								\$3,024,520.28		\$3,008,320.64	
Anaheim	03-ANAH-RIP-1242	RIP	Gen Autry Way /I-5 Fwy Interchange	C	08/09	n/a	n/a	\$4,270,500.00	Transfer	\$0.00	\$27.6 million of new STIP funding is requested for construction phase in FY 11/12; therefore, transfer construction money to R/W.
Anaheim	03-ANAH-RIP-1242	RIP	Gen Autry Way /I-5 Fwy Interchange	R	04/05	n/a	n/a	\$4,329,500.00	Transfer	\$8,600,000.00	\$27.6 million of new STIP funding is requested for construction phase in FY 11/12; therefore, transfer construction money to R/W.
Sub-Total RIP Program Transfer Misc. Adjustments (1)								\$8,600,000.00		\$8,600,000.00	
Los Alamitos	03-LSAL-SIP-1177	SIP	Signal Interconnect along Los Alamitos Blvd	C	8/09	n/a	n/a	\$190,554.00	Lead Agency	\$0.00	City of Los Alamitos would like to transfer the Lead Agency to City of Seal Beach. approved by both City Councils in April, 2008
Garden Grove	99-GGRV-SIP-1085	SIP	TS Interconnect - Magnolia	C	03/04	n/a	n/a	\$250,000.00	Misc.	\$250,000.00	Revised Scope Change. City would like to add a Dell Laptop, Monitors in the City's Traffic Management Center & CCTV video installed at four intersections.
Seal Beach	03-LSAL-SIP-1177	SIP	Signal Interconnect along Los Alamitos Blvd	C	8/09	n/a	n/a	\$190,554.00	Misc.	\$190,554.00	City of Los Alamitos would like to transfer the Lead Agency to City of Seal Beach. approved by both City Councils in April, 2008
Santa Ana	00-SNTA-SIP-3176	SIP	Harbor Blvd. Traffic Management Project	C	07/08	n/a	n/a	\$193,444.00	Misc.	\$193,444.00	Scope Change. Removal of conduit installation due to bid exceeding budget.
Santa Ana	00-SNTA-SIP-3176	SIP	Harbor Blvd. Traffic Management Project	E	05/06	n/a	n/a	\$40,000.00	Misc.	\$40,000.00	Scope Change. Removal of conduit installation due to bid exceeding budget.
Sub-Total SIP Program Misc. Adjustment (4)								\$864,552.00		\$673,998.00	
Anaheim	97-ANAH-SSP-2004	SSP	Katella Ave (Humor to Jean)	C	08/09	n/a	n/a	\$4,400,000.00	Transfer	\$400,000.00	City would like to transfer \$4 million from Construction to R/W.
Anaheim	97-ANAH-SSP-2004	SSP	Katella Ave (Humor to Jean)	R	06/07	n/a	n/a	\$11,401,444.00	Transfer	\$15,401,444.00	City would like to transfer \$4 million from Construction to R/W.
Anaheim	97-ANAH-SSP-2007	SSP	Katella Ave (Ninth to Humor)	C	07/08	n/a	n/a	\$2,454,000.00	Transfer	\$1,654,000.00	City would like to transfer \$800,000 from Construction to R/W. Previously Approved by the Board
Anaheim	97-ANAH-SSP-2007	SSP	Katella Ave (Ninth to Humor)	R	07/08	n/a	n/a	\$6,459,586.00	Transfer	\$7,259,586.00	City would like to transfer \$800,000 from Construction to R/W. Previously Approved by the Board
Stanton	97-STAN-SSP-2019	SSP	Katella Ave (Beach to Knott)	C	06/07	n/a	n/a	\$2,826,839.00	Misc.	\$2,826,839.00	New revised segment (97-STAN-SSP-2019) Katella Ave (Beach to Stanton Channel).
Stanton	97-STAN-SSP-2020	SSP	Katella Ave (Magnolia to Beach)	C	07/08	n/a	n/a	\$2,779,218.00	Transfer	\$1,606,379.00	County of Orange would like to transfer \$1,172,839 from 97-STAN-SSP-2020 to City of Stanton 07-STAN-SSP-2019. New revised segment (97-STAN-SSP-2019) Katella Ave (Beach to Stanton Channel).
Sub-Total SSP Program Misc. Adjustment (4)								\$30,321,087.00		\$29,148,248.00	
Irvine	00-IRVN-TDM-3108	TDM	San Diego Creek & Culverdale Bike Trail Lighting	C	07/08	n/a	08/09	\$67,003.00	Misc.	\$67,003.00	Technical correction from prior Semi-Annual Review
Sub-Total TDM Program Misc. Adjustment								\$67,003.00		\$67,003.00	
Misc. Adjustment - Total All Measure M Programs (19)								\$44,112,770.28		\$13,802,029.64	

**Combined Transportation Funding Program
March 2008 Semi-Annual Review Adjustment Requests**

Agency	Project #	Program	Project Title	Phase	Current FY	Months	Proposed FY	Amount	Action Request	Proposed Amount	Reason
Federal Funded Projects											
San Juan Capistrano	05-SJCP-MPAH-1202	RSTP	Del Obispo Street Widening	E	07/08	12	08/09	\$16,650.00	Delay	\$16,650.00	Additional time is needed to complete the hydrology study.
Delays Total RSTP Program Delays (1)								\$16,650.00		\$16,650.00	
Placentia	05-PLAC-MPAH-2547	RSTP	Orangethorpe Ave. Widening	R	09/10	n/a	n/a	\$179,906.08	Cancel	\$0.00	City would like to cancel the project.
Placentia	05-PLAC-MPAH-2547	RSTP	Orangethorpe Ave. Widening	C	08/09	n/a	n/a	\$463,204.00	Cancel	\$0.00	City would like to cancel the project.
Cancellation Total RSTP Program (1)								\$643,110.08		\$0.00	
Placentia	05-PLAC-AHRP-2788	AHRP	Placentia Ave Rehabilitation	C	06/07	n/a	n/a	\$481,740.00	Cancel	\$0.00	Delay due to recent Caltrans audit and its potential negative financial impacts on the City. The City would like to cancel this project.
Cancellation Total AHRP Program (1)								\$481,740.00		\$0.00	
Orange	TBD	AHRP	Cambridge Street Rehabilitation from Katella to Taft	C	08/09	n/a	n/a	\$250,076.50	Misc.	\$250,076.50	Fund swap with 05-ORNG-MPAH-2174. No net change on funding or scope.
Orange	TBD	AHRP	Cambridge Street Rehabilitation from Taft to Meats	C	08/09	n/a	n/a	\$384,050.50	Misc.	\$384,050.50	Fund swap with 05-ORNG-MPAH-2174. No net change on funding or scope.
Orange	TBD	AHRP	Cambridge Street Rehabilitation from Walnut to Collins	C	08/09	n/a	n/a	\$229,664.00	Misc.	\$229,664.00	Fund swap with 05-ORNG-MPAH-2174. No net change on funding or scope.
Orange	TBD	AHRP	Glassell Street Rehabilitation from Fletcher to Dunton	C	08/09	n/a	n/a	\$300,500.97	Misc.	\$300,500.97	Fund swap with 05-ORNG-MPAH-2174. No net change on funding or scope.
Orange	TBD	AHRP	Santiago Boulevard Rehabilitation from 255' S/o Brookside to Lincoln	C	08/09	n/a	n/a	\$988,708.00	Misc.	\$988,708.00	Fund swap with 05-ORNG-MPAH-2174. No net change on funding or scope.
Orange	05-ORNG-MPAH-2174	RSTP	Main Street: Culver to 260 n/o Palmyra	C	09/10	n/a	n/a	\$488,000.00	Misc.	\$0.00	Fund Swap
Orange	05-ORNG-MPAH-2174	RSTP	Main Street: Culver to 260 n/o Palmyra	R	07/08	n/a	n/a	\$1,665,000.00	Misc.	\$0.00	Fund Swap
Placentia	05-PLAC-MPAH-2549	RSTP	Richfield Rd. Widening	C	07/08	12	08/09	\$171,023.25	Misc.	\$171,023.25	Fund Swap
Total Misc. Adjustment (7)								\$2,324,023.25		\$171,023.25	

**CTFP Delay Request Report
March 2008**

Agency	Project #	Project Title	Phase	Current FY	Months	Original FY	Proposed FY	Amount	1st Delay	2nd Delay	3rd Delay
March 2008 Delay Request											
Aliso Viejo	05-ALSO-TDM-2330	Bike Trail in SCE ROW	C	07/08	12	07/08	08/09	\$ 196,914.00	Mar-08		
Buena Park	05-BPRK-GMA-2708	Valley View Widening (Orangethorpe to Lincoln)	C	06/07	12	06/07	07/08	\$ 250,000.00	Mar-08		
Buena Park	05-BPRK-MPAH-2342	Valley View Widening (Orangethorpe to Lincoln)	C	05/06	12	05/06	07/08	\$ 490,000.00	Mar-06	Mar-08	
Buena Park	05-BPRK-SIP-2338	Lincoln Ave (Valley View to Knott) Interconnect	C	05/06	24	05/06	09/10	\$ 65,000.00	Mar-06	Mar-08	
Buena Park	95-BPRK-GMA-1030	Valley View St (Orangethorpe to Lincoln)	C	06/07	12	06/07	07/08	\$ 250,000.00	Mar-08		
Costa Mesa	05-CMSA-GMA-2627	Fairview Road/ Adams Avenue GMA	E	07/08	12	07/08	08/09	\$ 60,000.00	Mar-08		
County	03-ORCO-MPAH-1071	Alton Parkway	R	07/08	12	07/08	08/09	\$ 654,005.00	Mar-08		
County	05-ORCO-GMA-2084	Red Hill Avenue	C	08/09	12	08/09	09/10	\$ 257,000.00	Mar-08		
County	05-ORCO-GMA-2084	Red Hill Avenue	R	08/09	12	08/09	09/10	\$ 50,000.00	Mar-08		
County	07-ORCO-GMA-2834	Oso/Antonio Parkway	E	07/08	12	07/08	08/09	\$ 350,000.00	Mar-08		
County	97-ORCO-SSP-2009	Katella Ave (100' e/o Jean to Magnolia)	C	07/08	12	07/08	08/09	\$ 2,992,000.00	Mar-08		
Cypress	03-CYPR-MPAH-1079	Replacement of Del Amo Bridge	C	05/06	24	05/06	09/10	\$ 105,012.14	Mar-06	Mar-08	
Irvine	03-IRVN-GMA-1116	Barranca Parkway/Redhill Ave Intersection	C	07/08	24	07/08	09/10	\$ 200,000.00	Mar-08		
Garden Grove	03-GGRV-IIP-1103	Harbor/Lampson	C	07/08	24	07/08	09/10	\$ 326,930.00	Mar-08		
Irvine	05-IRVN-GMA-2475	Jamboree Ramps/I-5 Ramps	E	07/08	12	07/08	08/09	\$ 150,000.00	Mar-08		
Irvine	05-IRVN-IIP-2032	Barranca at Redhill	C	07/08	24	07/08	09/10	\$ 2,500,000.00	Mar-08		
Irvine	99-IRVN-GMA-1100	Barranca Pkwy/Dyer Intersection & Redhill	C	07/08	24	07/08	09/10	\$ 125,000.00	Mar-08		
La Habra	05-LHAB-IIP-2431	Whittier Blvd/Beach Blvd Intersection Improvements	C	08/09	24	08/09	10/11	\$ 765,731.00	Mar-08		
La Habra	05-LHAB-IIP-2431	Whittier Blvd/Beach Blvd Intersection Improvements	E	07/08	24	07/08	09/10	\$ 78,873.00	Mar-08		
La Habra	05-LHAB-IIP-2431	Whittier Blvd/Beach Blvd Intersection Improvements	R	07/08	24	07/08	09/10	\$ 295,954.00	Mar-08		
La Habra	05-LHAB-MPAH-2608	Imperial Hwy. Smart Street from LA County to Rose	C	06/07	24	06/07	08/09	\$ 1,769,037.00	Mar-08		
La Habra	97-LHAB-SSP-2012	Imperial (LAC to Harbor)	C	05/06	12	00/01	08/09	\$ 6,908,000.00	Mar-06	Mar-08	
Laguna Niguel	97-LNIG-GMA-1104	Avery Parkway Widening	C	04/05	24	00/01	08/09	\$ 522,000.00	Mar-06	Mar-08	
Newport Beach	03-NBCH-MPAH-1182	Jamboree Road Widening Project	C	07/08	24	07/08	09/10	\$ 951,478.00	Mar-08		
Orange	00-ORNG-IIP-3142	Tustin Avenue & Chapman Avenue	C	08/09	12	08/09	09/10	\$ 1,904,635.00	Mar-08		
Orange	00-ORNG-IIP-3142	Tustin Avenue & Chapman Avenue	R	07/08	12	07/08	08/09	\$ 595,365.00	Mar-08		
Orange	03-ORNG-GMA-1185	Main Street Widening (Culver to 260' N/O Palmyra)	R	06/07	12	06/07	08/09	\$ 114,000.00	Mar-08		
Orange	03-ORNG-IIP-1188	Katella Avenue Wanda Road Intersection Improvement	C	07/08	12	07/08	08/09	\$ 51,002.00	Mar-08		
Orange	05-ORNG-GMA-2566	East Orange Signal Coordination	C	07/08	24	07/08	09/10	\$ 156,000.00	Mar-08		
Orange	05-ORNG-GMA-2730	Orange Rail Safety Improvements	C	06/07	24	06/07	08/09	\$ 248,000.00	Mar-08		

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Agency	Project #	Project Title	Phase	Current FY	Months	Original FY	Proposed FY	Amount	1st Delay	2nd Delay	3rd Delay
Orange	05-ORNG-SIP-2023	East Chapman Avenue Signal Coordination	C	07/08	24	07/08	09/10	\$ 167,365.00	Mar-08		
Orange	05-ORNG-SIP-2023	East Chapman Avenue Signal Coordination	E	07/08	12	07/08	08/09	\$ 61,949.00	Mar-08		
Placentia	00-PLAC-GMA-3149	Bastanchury Road @ Kraemer Blvd	C	05/06	24	05/06	08/09	\$ 50,000.00	Mar-06	Mar-08	
Placentia	03-PLAC-IIP-1193	Alta Vista Street/Rose Drive	C	05/06	24	05/06	08/09	\$ 291,650.51	Mar-06	Mar-08	
Placentia	03-PLAC-IIP-1194	Kraemer Blvd/Bastanchury Road	C	07/08	12	07/08	08/09	\$ 205,109.00	Mar-08		
Placentia	05-PLAC-GMA-2550	Rose Drive Signal Coordination	C	06/07	12	06/07	07/08	\$ 60,000.00	Mar-08		
Placentia	05-PLAC-GMA-2551	Rose/Alta Vista Intersection Improvement	C	07/08	12	07/08	08/09	\$ 32,000.00	Mar-08		
Placentia	05-PLAC-GMA-2551	Rose/Alta Vista Intersection Improvement	E	06/07	12	06/07	07/08	\$ 20,000.00	Mar-08		
Placentia	05-PLAC-SIP-1195	Rose Drive Signal Coordination	C	06/07	12	06/07	07/08	\$ 250,000.00	Mar-08		
Placentia	05-PLAC-SIP-2546	Bastanchury/Valencia Signal Extension	C	07/08	12	07/08	08/09	\$ 250,000.00	Mar-08		
Santa Ana	00-IRVN-RIP-3099	Alton/SR-55 Overcrossing and HOV	E	06/07	12	02/03	08/09	\$ 3,360,000.00	Sep-07	Mar-08	
Santa Ana	02-IRVN-GMA-1004	Alton/SR-55 Overcrossing	E	06/07	12	05/06	08/09	\$ 200,000.00	Sep-07	Mar-08	
Santa Ana	03-SNTA-SIP-1208	Bristol Street Traffic Management	C	07/08	24	07/08	09/10	\$ 234,000.00	Mar-08		
Santa Ana	05-IRVN-GMA-2569	Alton Parkway/ SR-55	E	06/07	24	06/07	08/09	\$ 255,000.00	Mar-08		
Santa Ana	05-SNTA-GMA-2542	Alton/SR-55 Overcrossing and HOV Ramp	E	07/08	12	07/08	08/09	\$ 255,000.00	Mar-08		
Santa Ana	05-SNTA-GMA-2797	First Street Bridge Widening	C	07/08	12	07/08	08/09	\$ 400,000.00	Mar-08		
Santa Ana	05-SNTA-MPAH-2204	First Street Widening: Susan to Fairview	C	07/08	12	07/08	08/09	\$ 4,496,166.00	Mar-08		
Seal Beach	97-SBCH-MPAH-1154	Seal Beach Blvd Overcrossing Widening at I-405	C	05/06	24	00/01	09/10	\$ 1,680,000.00	Mar-06	Sep-07	Mar-08
Stanton	03-STAN-MPAH-1221	Garden Grove Blvd. Street Improvement Project	C	05/06	24	03/04	09/10	\$ 310,200.00	Mar-06	Mar-08	
Tustin	05-TUST-GMA-2525	Tustin Commuter Rail Station Parking Structure	C	08/09	12	08/09	09/10	\$ 200,000.00	Mar-08		
Yorba Linda	03-YLND-GMA-1235	Rose Dr. Signal Upgrades & Striping	E	07/08	24	06/07	09/10	\$ 100,000.00	Mar-08		
Prior Delay Request											
Aliso Viejo	03-ALSO-TDM-1008	SR-73 Park-n-ride at Aliso Creek	E	05/06	12	05/06	06/07	\$ 45,000.00	Sep-06		
Anaheim	00-ANAH-GMA-3002	East Street/SR-91 Interchange	C	06/07	24	04/05	08/09	\$ 100,000.00	Sep-06	Mar-07	
Anaheim	00-ANAH-RIP-3008	East Street at SR-91 Freeway	C	06/07	24	04/05	08/09	\$ 817,036.00	Sep-06		
Anaheim	00-ANAH-SIP-3014	Lincoln Ave - West City to Brookhurst St	C	05/06	24	05/06	07/08	\$ 200,000.00	Sep-06		
Anaheim	03-ANAH-GMA-1014	Magnolia Street Signal Improvement	C	06/07	24	06/07	08/09	\$ 60,000.00	Sep-06		

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Anaheim	03-ANAH-IIP-1016	Kraemer Blvd / La Palma Ave Intersection	C	07/08	12	04/05	08/09	\$ 598,181.00	Sep-07		
Anaheim	03-ANAH-MPAH-1019	Brookhurst St. - S/P Ball Rd. to N/O Katella Ave	E	07/08	24	06/07	09/10	\$ 114,400.00	Sep-07		
Anaheim	03-ANAH-MPAH-1019	Brookhurst St. - S/P Ball Rd. to N/O Katella Ave	R	08/09	12	06/07	09/10	\$ 6,722,424.75	Sep-07		
Anaheim	03-ANAH-RIP-1242	Gene Autry Way (West) / I-5 Fwy Interchange	C	06/07	24	03/04	08/09	\$ 4,270,500.00	Sep-06		
Anaheim	03-ANAH-SIP-1024	Magnolia Av ITS SIP - Katella to Woodland	C	06/07	12	05/06	07/08	\$ 231,950.00	Sep-06		
Anaheim	05-ANAH-SIP-2731	Santa Ana Canyon ITS	C	05/06	12	05/06	06/07	\$ 220,000.00	Mar-06		
Anaheim	97-ANAH-SSP-2004	Katella Ave (Humor to Jean)	C	07/08	12	06/07	08/09	\$ 4,400,000.00	Sep-07		
Anaheim	97-ANAH-SSP-2007	Katella Avenue Smart Street (Ninth to Humor)	C	05/06	12	05/06	07/08	\$ 2,454,000.00	Mar-06	Sep-07	
Anaheim	99-ORCO-GMA-1038	Brookhurst/ Katella - Ball	E	07/08	24	04/05	09/10	\$ 250,000.00	Sep-07		
Brea	00-BREA-GMA-3021	Brea/SR-57 Transit Corridor Study	E	05/06	24	05/06	07/08	\$ 100,000.00	Sep-06		
Brea	03-BREA-IIP-1032	Birch & Kraemer	C	06/07	24	06/07	08/09	\$ 932,320.00	Sep-07		
Brea	05-BREA-GMA-2695	Birch Street Signal Coordination	C	05/06	24	05/06	07/08	\$ 310,000.00	Sep-06		
Buena Park	03-BPRK-IIP-1039	Beach Boulevard/ Malvern Avenue Improvement	C	06/07	12	03/04	07/08	\$ 117,488.00	Sep-07		
Buena Park	05-BPRK-GMA-2661	Signal Coordination Malvern/Chapman/LaMirada	C	05/06	24	05/06	07/08	\$ 80,000.00	Mar-06		
Buena Park	05-BPRK-GMA-2739	Beach Blvd/Malvern Ave/La Mirada Improvements Project	C	05/06	24	05/06	07/08	\$ 95,000.00	Mar-06		
Buena Park	05-BPRK-GMA-2750	Bus Bays on Beach Blvd (I-5 to Rosecrans)	C	06/07	12	06/07	08/09	\$ 58,000.00	Mar-07		
Buena Park	05-BPRK-RIP-2656	Beach Blvd/SR 91 Eastbound Ramps Widening	C	06/07	24	06/07	08/09	\$ 530,613.25	Mar-07		
Buena Park	97-BPRK-GMA-1033	Artesia Blvd Improvement @ I-5 FWY	C	06/07	24	04/05	08/09	\$ 240,000.00	Sep-07		
Costa Mesa	05-CMSA-IIP-2093	Newport/19th St Intersection Improvement	C	06/07	24	06/07	08/09	\$ 2,500,000.00	Sep-07		
Costa Mesa	05-CMSA-IIP-2254	Newport/17th St Intersection Improvement	C	06/07	24	06/07	08/09	\$ 1,476,999.88	Sep-07		
Costa Mesa	05-CMSA-RIP-2102	Fairview/I-405 Interchange Improvement	C	06/07	24	06/07	08/09	\$ 2,373,750.00	Sep-07		
Costa Mesa	05-CMSA-SIP-2472	Costa Mesa/Santa Ana Coordination Project	E	06/07	24	05/06	08/09	\$ 120,000.00	Mar-07		
Costa Mesa	06-CMSA-GMA-2819	17th St/Santa Ana Intersection Improvement	C	05/06	24	05/06	07/08	\$ 60,000.00	Mar-06		
Costa Mesa	99-CMSA-GMA-1028	Newport Boulevard 19th to 17th St.	C	06/07	24	07/08	08/09	\$ 920,290.00	Sep-07		
County	03-ORCO-MPAH-1071	Alton Pkwy, Irvine Blvd to Commerce Centre Dr, Ph II	R	05/06	24	03/04	07/08	\$ 654,005.00	Mar-06		
County	05-ORCO-GMA-2086	Alton Pkwy, Irvine Blvd to Commerce Centre Dr, Ph II	E	05/06	24	05/06	07/08	\$ 500,000.00	Mar-06		
County	97-ORCO-SSP-2009	Katella Smart St, 100' e/o Jean to Magnolia	C	05/06	24	05/06	09/10	\$ 2,992,000.00	Mar-06	Sep-07	
County	99-ORCO-GMA-1041	El Toro Road at Ave. Carlota, Ph II	C	05/06	24	03/04	09/10	\$ 100,000.00	Mar-06		
County of Orange	03-ORCO-MPAH-1072	Edinger Ave Bridge @ Santa Ana River	C	07/08	24	07/08	09/10	\$ 1,746,669.00	Sep-07		
Cypress	03-CYPR-MPAH-1079	Replacement of Del Amo Bridge	E	05/06	12	05/06	06/07	\$ 20,650.00	Mar-06		
Dana Point	00-DPNT-GMA-3058	Pacific Coast Highway Improvements	C	06/07	24	02/03	08/09	\$ 125,000.00	Sep-06		
Fullerton	03-FULL-MPAH-1093	Bastanchury Road Widening	C	06/07	24	03/04	08/09	\$ 747,461.00	Mar-07		
Garden Grove	00-GGRV-SIP-3077	CCTV Cameras	C	05/06	12	01/02	07/08	\$ 240,980.00	Sep-06	Sep-07	
Garden Grove	00-GGRV-SIP-3078	Detection Upgrades	C	05/06	12	01/02	07/08	\$ 80,000.00	Sep-06	Sep-07	

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Garden Grove	03-GGRV-IIP-1104	Gairview/Trask	C	07/08	24	06/07	09/10	\$ 512,788.50	Sep-06		
Garden Grove	03-GGRV-IIP-1104	Gairview/Trask	R	06/07	24	06/07	07/08	\$ 1,381,887.00	Sep-06		
Garden Grove	03-GGRV-IIP-1105	Euclid/SR-22 EB On-Ramp	C	07/08	24	07/08	09/10	\$ 353,287.77	Sep-07		
Garden Grove	03-GGRV-IIP-1106	Brookhurst/Garden Grove Blvd	C	07/08	24	06/07	09/10	\$ 537,910.00	Sep-06		
Garden Grove	03-GGRV-IIP-1106	Brookhurst/Garden Grove Blvd	R	06/07	24	06/07	07/08	\$ 960,200.00	Sep-06		
Garden Grove	03-GGRV-IIP-1107	Euclid/Hazard	C	06/07	24	05/06	08/09	\$ 301,663.00	Mar-07		
Garden Grove	05-GGRV-SIP-2197	Lampson Avenue Interconnect	C	05/06	12	05/06	07/08	\$ 248,300.00	Sep-06	Sep-07	
Garden Grove	05-GGRV-SIP-2813	System Detectors for Aries	C	06/07	12	05/06	07/08	\$ 241,000.00	Sep-07		
Huntington Beach	00-HBCH-GMA-3080	Garfield Ave Widening (at Delaware)	C	05/06	12	05/06	06/07	\$ 590,000.00	Mar-06		
Huntington Beach	03-HBCH-SIP-1112	Pacific Coast Highway CCTV Cameras	C	05/06	12	03/04	08/09	\$ 188,171.45	Mar-06	Mar-07	
Huntington Beach	03-HBCH-TDM-1114	Pacific Coast Highway Transit Center	C	05/06	12	05/06	08/09	\$ 150,000.00	Mar-06	Sep-07	
Irvine	00-IRVN-GMA-3091	Jamboree/Barranca Intersection Improvements	E	05/06	24	05/06	07/08	\$ 125,000.00	Mar-06		
Irvine	00-IRVN-GMA-3095	San Diego Creek & Culverdale Bicycle Trail Lighting	C	05/06	12	05/06	07/08	\$ 150,000.00	Sep-06	Sep-07	
Irvine	00-IRVN-TDM-3108	San Diego Creek & Culverdale Bicycle Trail Lighting	C	05/06	12	05/06	07/08	\$ 67,003.00	Sep-06	Sep-07	
Irvine	03-IRVN-IIP-1124	Culver/Walnut Intersection	C	06/07	24	06/07	09/10	\$ 644,144.00	Mar-07		
Irvine	03-IRVN-IIP-1124	Culver/Walnut Intersection	E	05/06	12	06/07	07/08	\$ 90,161.00	Mar-06	Sep-07	
Irvine	03-IRVN-IIP-1124	Culver/Walnut Intersection	R	05/06	12	06/07	07/08	\$ 733,702.00	Mar-06	Sep-07	
Irvine	03-IRVN-IIP-1125	Bake/Jeronimo Intersection	C	06/07	24	05/06	08/09	\$ 469,148.00	Mar-06		
Irvine	03-IRVN-IIP-1125	Bake/Jeronimo Intersection	E	05/06	24	05/06	07/08	\$ 65,667.00	Mar-06		
Irvine	03-IRVN-IIP-1125	Bake/Jeronimo Intersection	R	05/06	24	05/06	07/08	\$ 364,571.00	Mar-06		
Irvine	97-IRVN-SSP-2011	Moulton (Harvard to Lake Forest)	C	05/06	12	05/06	06/07	\$ 160,000.00	Mar-06		
Irvine	97-IRVN-SSP-2011	Moulton (Harvard to Lake Forest)	E	05/06	12	05/06	06/07	\$ 40,000.00	Mar-06		
La Habra	00-LHAB-IIP-3110	Beach Blvd @ Lambert Rd Intersection Improvement	C	05/06	24	01/02	07/08	\$ 260,180.00	Mar-06		
La Habra	00-LHAB-TDM-3115	Coyote Creek Bikeway	C	06/07	24	02/03	08/09	\$ 81,320.00	Sep-07		
La Habra	03-LHAB-IIP-1140	La Habra Blvd and Idaho St Intersection Improvement	C	05/06	24	05/06	07/08	\$ 164,371.28	Mar-06		
La Habra	03-LHAB-IIP-1141	Euclid St and Lambert Rd Intersection Improvements	C	07/08	24	07/08	09/10	\$ 126,396.00	Mar-07		
La Habra	03-LHAB-IIP-1141	Euclid St and Lambert Rd Intersection Improvements	E	07/08	24	07/08	09/10	\$ 10,266.00	Mar-07		
La Habra	05-LHAB-GMA-2632	Harbor Blvd at Lambert Rd Intersection Improvement	C	08/09	12	08/09	09/10	\$ 284,000.00	Mar-07		
La Habra	05-LHAB-IIP-2416	Whittier Blvd/Idaho St. Intersection Improvements	C	08/09	12	08/09	09/10	\$ 329,110.00	Mar-07		
La Habra	05-LHAB-IIP-2416	Whittier Blvd/Idaho St. Intersection Improvements	E	07/08	24	07/08	09/10	\$ 33,899.00	Mar-07		
La Habra	05-LHAB-IIP-2416	Whittier Blvd/Idaho St. Intersection Improvements	R	08/09	12	08/09	09/10	\$ 32,212.00	Mar-07		
La Habra	05-LHAB-IIP-2597	Harbor Blvd at Lambert Rd Intersection Improvement	R	07/08	24	07/08	09/10	\$ 2,022,906.00	Mar-07		
La Habra	05-LHAB-MPAH-2568	Lambert Rd. Widen (West of Harbor)	C	07/08	12	07/08	09/10	\$ 351,103.00	Mar-06	Mar-07	
La Habra	05-LHAB-MPAH-2568	Lambert Rd. Widen (West of Harbor)	R	06/07	24	06/07	09/10	\$ 4,913,662.50	Mar-06	Mar-07	

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La Habra	97-LHAB-SSP-2012	Imperial (LAC to Harbor)	R	04/05	24	00/01	06/07	\$ 1,499,000.00	Mar-06		
La Palma	03-LPMA-MPAH-1149	La Palma Ave/Del Amo Blvd	C	05/06	24	05/06	07/08	\$ 667,959.00	Mar-06		
La Palma	03-LPMA-MPAH-1149	La Palma Ave/Del Amo Blvd	E	05/06	12	05/06	06/07	\$ 131,350.00	Mar-06		
La Palma	03-LPMA-MPH-1148	Walker St. / Marquardt Ave. over Coyote Creek	C	39240	24	06/07	08/09	\$ 469,486.08	Mar-07		
Laguna Beach	05-LBCH-TDM-2206	Broadway (SR-133) Bus Depot Parking Bay	C	05/06	24	05/06	07/08	\$ 144,000.00	Mar-06		
Laguna Hills	03-LHLL-MPAH-1156	La Paz (Cabot Drive to I-5)	C	06/07	24	06/07	08/09	\$ 1,051,647.00	Mar-07		
Laguna Niguel	97-LNIG-SSP-2014	Moulton (Aloma to Sardina)	C	04/05	24	00/01	06/07	\$ 1,096,000.00	Mar-06		
Laguna Woods	00-LWDS-GMA-3125	Moulton Parkway @ El Toro Road	C	06/07	24	01/02	08/09	\$ 500,000.00	Sep-06		
Laguna Woods	03-LWDS-GMA-1164	Aliso Creek Rd/El Toro Rd Intersection	C	05/06	12	03/04	06/07	\$ 132,000.00	Mar-06		
Laguna Woods	03-LWDS-GMA-1165	El Toro Road / Moulton Parkway	C	06/07	24	04/05	08/09	\$ 158,000.00	Sep-06		
Laguna Woods	03-LWDS-MPAH-1166	Aliso Creek Rd/El Toro Rd Intersection	C	05/06	12	04/05	06/07	\$ 389,712.84	Mar-06		
Laguna Woods	05-LWDS-IIP-2810	Moulton Parkway and El Toro Road	C	06/07	24	06/07	08/09	\$ 1,839,775.38	Mar-07		
Lake Forest	00-LFOR-GMA-3128	Trabuco Rd MPAH Completion	E	06/07	12	04/05	07/08	\$ 100,000.00	Mar-07		
Lake Forest	05-LFOR-GMA-2811	Trabuco Road Widening	E	05/06	12	05/06	07/08	\$ 160,000.00	Sep-06	Mar-07	
Los Alamitos	03-LSAL-IIP-1173	Intersection Improvement @ Bloomfield St and Ball	C	06/07	24	06/07	08/09	\$ 100,000.00	Sep-07		
Los Alamitos	03-LSAL-IIP-1175	Intersection Improvements at Ball Rd & Bloomfield	C	05/06	12	03/04	08/09	\$ 268,086.00	Mar-06	Sep-07	
Los Alamitos	03-LSAL-MPAH-1176	Los Alamitos Blvd Improvements Phase 2	C	05/06	12	05/06	08/09	\$ 287,432.00	Mar-06	Mar-07	
Los Alamitos	03-LSAL-SIP-1177	Signal Interconnect Along Los Alamitos Blvd	C	06/07	24	04/05	08/09	\$ 190,553.86	Mar-07		
Los Alamitos	03-LSAL-TDM-2445	Cerritos Ave Bicycle Lanes	C	05/06	12	05/06	08/09	\$ 32,437.00	Mar-06	Sep-06	
Los Alamitos	03-LSAL-TDM-2445	Cerritos Ave Bicycle Lanes	E	05/06	12	05/06	08/09	\$ 8,109.00	Mar-06	Sep-06	
Los Alamitos	05-LSAL-TDM-2570	Farquhar Bicycles Lanes	C	05/06	24	06/07	08/09	\$ 117,975.00	Sep-06		
Los Alamitos	05-LSAL-TDM-2570	Farquhar Bicycles Lanes	E	05/06	24	06/07	08/09	\$ 27,956.00	Sep-06		
Mission Viejo	05-MVJO-GMA-2784	Oso/Marguerite Intersection Improvement	C	06/07	12	05/06	07/08	\$ 516,165.00	Sep-07		
Mission Viejo	05-MVJO-IIP-2668	Oso/Marguerite Intersection Widening	C	06/07	12	06/07	07/08	\$ 1,944,074.75	Sep-07		
Newport Beach	05-NBCH-SIP-2716	Traffic Signal System Upgrade - Project 1	C	06/07	12	06/07	07/08	\$ 227,303.00	Sep-06		
Newport Beach	05-NBCH-SIP-2716	Traffic Signal System Upgrade - Project 1	E	05/06	12	05/06	06/07	\$ 22,697.00	Sep-06		
Newport Beach	05-NBCH-SIP-2728	Talbert Ave Overcross @ I-405 Widening	C	05/06	24	05/06	07/08	\$ 250,000.00	Mar-06		
Orange	00-ORNG-MPAH-3144	Main Street Widening (260' N/O Palmyra to 300 S/O Chapman)	C	07/08	12	05/06	08/09	\$ 351,508.00	Mar-07		
Orange	00-ORNG-MPAH-3144	Main Street Widening (260' N/O Palmyra to 300 S/O Chapman)	R	06/07	12	04/05	07/08	\$ 998,058.00	Mar-07		

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Orange	00-ORNG-TDM-3148	Tustin Branch Trail	C	06/07	24	02/03	08/09	\$ 400,000.00	Mar-07		
Orange	03-ORNG-IIP-1186	Tustin Street and Meats Ave	C	07/08	12	06/07	08/09	\$ 732,247.00	Sep-07		
Orange	03-ORNG-IIP-1186	Tustin Street and Meats Ave	R	06/07	12	06/07	07/08	\$ 1,327,818.00	Mar-07	Sep-07	
Orange	03-ORNG-IIP-1187	Cannon/Santiago Canyon Road	C	06/07	24	06/07	08/09	\$ 1,399,148.00	Mar-07		
Placentia	03-PLAC-IIP-1194	Kraemer Blvd/Bastanchury Rd	C	05/06	24	05/06	07/08	\$ 205,109.19	Mar-06		
San Clemente	03-SCLM-MPAH-1200	Avenida Pico from I-5 to Calle Del Cerro	C	04/05	24	04/05	07/08	\$ 641,493.60	Mar-06	Sep-07	
San Juan Capistrano	00-SJCP-RIP-3160	Interchange 5/Ortega highway (SR 74) Interchange	E	06/07	24	03/04	08/09	\$ 2,500,000.00	Mar-07		
San Juan Capistrano	03-SJCP-SIP-1203	Ortega Highway Signal Timing and Coordination	E	06/07	12	04/05	07/08	\$ 158,000.00	Mar-07		
San Juan Capistrano	05-SJCP-MPAH-2400	La Novia Bridge	C	06/07	24	06/07	08/09	\$ 3,279,826.00	Mar-07		
Santa Ana	00-SNTA-IIP-3167	Bristol Street/First Street Widening	C	06/07	12	03/04	07/08	\$ 773,273.00	Sep-07		
Santa Ana	00-SNTA-SIP-3174	Edinger Traffic Management Project	C	05/06	24	05/06	07/08	\$ 202,000.00	Mar-06		
Santa Ana	00-SNTA-SIP-3176	Harbor Blvd. Traffic Management Project	C	05/06	24	05/06	07/08	\$ 193,444.00	Mar-06		
Santa Ana	00-SNTA-SIP-3181	Seegerstrom/Dyer Traffic Management Project	C	05/06	24	05/06	07/08	\$ 188,842.00	Mar-06		
Santa Ana	03-SNTA-SIP-1209	Bristol Street Traffic Management, Phase 1	C	06/07	12	06/07	07/08	\$ 234,000.00	Mar-07		
Santa Ana	03-SNTA-SIP-1209	Bristol Street Traffic Management, Phase 1	E	06/07	12	06/07	07/08	\$ 16,000.00	Mar-07		
Santa Ana	05-SNTA-SIP-2614	Adaptive Downtown Traffic Signal System, Phase IV	C	05/06	24	05/06	07/08	\$ 170,000.00	Mar-06		
Santa Ana	99-SNTA-IIP-1174	Bristol St/Warner Ave Widening	C	05/06	24	04/05	09/10	\$ 409,240.00	Mar-06	Sep-06	
Santa Ana	99-SNTA-IIP-1174	Bristol Street / Warner Avenue Widening	E	06/07	24	00/01	08/09	\$ 49,100.00	Sep-06		
Santa Ana	99-SNTA-IIP-1174	Bristol Street / Warner Avenue Widening	R	06/07	24	00/01	08/09	\$ 741,660.00	Sep-06		
Seal Beach	05-SBCH-GMA-2800	Lampson Avenue Controller Upgrade	C	05/06	48	05/06	09/10	\$ 33,500.00	Sep-06		
Seal Beach	95-SBCH-GMA-1188	Seal Beach Blvd Bridge at I-405	C	05/06	24	96/97	09/10	\$ 382,250.00	Mar-06	Sep-07	
Seal Beach	96-SBCH-GMA-1048	Seal Beach Blvd. Bridge @ I-405	E	02/03	60	96/97	07/08	\$ 150,000.00	Mar-06		
Stanton	00-STAN-GMA-3187	Beach/Stanford Intersection Improvements	C	05/06	24	03/04	07/08	\$ 60,000.00	Sep-06		
Stanton	03-STAN-IIP-1219	Beach /Stanford Intersection Improvement Project	C	05/06	24	03/04	07/08	\$ 124,080.00	Sep-06		
Westminster	03-WEST-GMA-1227	CCTV Westminster Blvd. Phase I	C	05/06	12	07/08	06/07	\$ 50,000.00	Mar-06		
Westminster	03-WEST-SIP-1232	CCTV Westminster Blvd. Phase I	C	05/06	12	05/06	06/07	\$ 194,569.29	Mar-06		
Westminster	05-WEST-RIP-2738	Beach/Edinger Ramp; I-405 Improvements	C	07/08	24	07/08	09/10	\$ 888,000.00	Mar-07		
Westminster	05-WEST-RIP-2738	Beach/Edinger Ramp; I-405 Improvements	E	06/07	24	06/07	08/09	\$ 200,000.00	Mar-07		
Yorba Linda	05-YLND-GMA-2735	Esperanza Road Bike Lanes	C	06/07	24	06/07	08/09	\$ 35,000.00	Sep-06		



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Guiding Principles for the Renewed Measure M Transit Strategic Plan

Transportation 2020 Committee Meeting of June 16, 2008

Present: Directors Brown, Campbell, Dixon, and Pringle
Absent: Directors Amante, Buffa, and Cavecche

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations (reflects change from staff recommendations)

- A. Approve the amended guiding principles as presented in Transmittal Attachment A.
- B. Direct staff to return with funding guidelines for the competitive transit programs beginning in summer 2008.

Guiding Principles for the Renewed Measure M Strategic Plan

2020 Committee Changes

1. Project selection will be transparent, fair, and consistent with the goals included in the M2 voter pamphlet. The projects emerging from competitive M2 transit programs will be selected based on evaluation criteria reviewed by OCTA and local agencies' staff and approved by the Board. The competitive process (call for projects) for each program will be defined by future funding application guidelines.
2. Funding application guidelines will include evaluation criteria that address (at a minimum): cost-effective congestion relief, level of local match, private participation that reduces public costs, sustainability of long-term operations, integration with existing and future transit services, public acceptability, customer convenience, and total project costs. Incentives for private participation will be included in the competitive Measure M transit programs.
3. Transit projects emerging from the competitive process will be complementary to OCTA bus services and will include costs for Americans with Disabilities Act compliance. Services will be complementary in terms of routes, schedules, fares, information, and other features of the customer experience.
4. M2 funding for operations will be considered only if: fares and/or private funding cover an appropriate share of operating costs and local agencies provide an ongoing financial commitment to operating costs. Traditional OCTA operating funds may be used to support the M2 competitive programs taking into consideration countywide transit needs.
5. To the extent possible, OCTA will seek to leverage state and federal funding sources with M2 transit dollars for transit capital projects. Priorities for state and federal dollars will be reviewed annually with the Board.

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June 16, 2008

To: Transportation 2020 Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Guiding Principles for the Renewed Measure M Transit Strategic Plan

Overview

The Renewed Measure M Early Action Plan includes a recommendation to develop a transit strategic plan to guide the development of the transit program. Guiding principles for the plan and future funding applications are presented for Board of Directors review and approval.

Recommendations

- A. Approve the guiding principles included in the staff report.
- B. Direct staff to return with funding guidelines for the competitive transit programs beginning in summer 2008.

Background

In July 2007, the Orange County Transportation Authority (OCTA) Board of Directors (Board) approved the Renewed Measure M Early Action Plan. That plan included recommendations to develop strategic plans to guide the implementation of the Renewed Measure M (M2) freeway and transit programs. Preparation of a transit strategic plan was among the recommendations included in the July 2007 Board direction to staff. The draft 2008 M2 Transit Strategic Plan (Plan) would address integration of OCTA's transit programs and services, including fixed-route bus, paratransit, Metrolink expansion, Go Local, and the various M2 transit programs. The Plan emphasizes four main policy areas including: 1) fare/service integration; 2) funding of capital and operations costs; 3) criteria for competitive funding awards; and 4) performance measures. Since late fall 2007, staff has received direction from the Transportation 2020 Committee (Committee) on various plan elements.

A review of prior Committee discussion is presented below.

Discussion

On January 21, 2008, staff presented an update to the Committee on Plan progress, objectives, and key policy questions. The objectives discussed with the Committee included: 1) identifying points of interactions between existing and planned programs; 2) articulating “umbrella” policy issues; 3) developing timelines and budgets for each program; and 4) providing periodic updates to the Plan as necessary. The Committee supported these general objectives recognizing that more detail will be added in future updates. For example, timelines and budgets will change as decisions are made regarding local match requirements, project phasing, and funding availability (through bonding and other sources).

Several key policy questions were asked by the Committee in January 2008. These questions included: 1) how extensively should the future family of transit services be coordinated?; 2) what are the appropriate uses of M2 funds for building versus operating the services?; and 3) how should projects be selected for the competitive programs? The Committee highlighted the need for integration of the M2 programs into OCTA’s route system to ensure coordinated transit services. In addition, the Committee suggested clear and concise evaluation criteria for the M2 competitive transit programs to ensure fairness and transparency in the process. The question on using M2 funds for operations was deferred to a future Committee meeting.

On February 18 and continued on February 25, 2008, staff presented an update to the Committee on the Plan progress. The update included draft evaluation criteria for Project T (Convert Metrolink Station[s] to Regional Gateways that Connect Orange County with High-Speed Rail Systems) and Project V (Community Based Transit/Circulators). The Committee supported the approach to the evaluation criteria for Projects T and V as presented at that time. Approval of these criteria will be deferred to the Plan, discussed later in this report.

On April 21, 2008, staff presented to the Committee initial results of financial scenarios. The financial scenarios addressed various policy decisions that could be considered in the future, including using non-M2 (private, local, state, and federal) funds for operations, the impacts of issuing debt, and local match requirements for capital at various rates. The results were ordered by the range of the capital program for projects S (Transit Extensions to Metrolink), T, V, and W (Safe Transit Stops). Overall, the first-pass results indicated a wide difference in the dollar size of the capital program depending

on the specific scenario. This wide dollar range underscored the need for policy direction in major areas asked in question form: 1) should M2 transit funds be used for operations?; and 2) should there be a local match for operations or capital or both? For the first question, the Committee discussed the overall need to consider funding operations with other sources. The Committee suggested that M2 funds could be used for operations with consideration of performance and local/private match incentives. The Committee also expressed an interest in leveraging private and other sources of funding as part of any future M2 transit funding commitment (both capital and operations). Finally, the Committee suggested that policy direction on specific funding scenarios should wait until more specific project information is available.

Draft Guiding Principles for Program Implementation

To date, the Committee has provided input and direction that have shaped key elements of the Plan, in the areas of service integration, principles of competition, evaluation criteria, and funding. A final element of the Plan is a framework for future guidelines for each of the M2 transit competitive programs. Staff is therefore seeking direction on guiding principles for M2 competitive programs. Five guiding principles are presented below related to areas that include: transparency, fairness, and consistency in the competitive process; evaluation criteria that address key policy issues; ensuring planned services are complementary to OCTA bus services; providing incentives for minimizing the use of M2 transit funds for operations; and leveraging state and federal dollars to maximize the M2 investment. Suggested guiding principles are presented below, and these principles would be applied to projects S, T, V, and W in the future funding program guidelines (further discussed later in this report).

1. Project selection will be transparent, fair, and consistent with the goals included in the M2 voter pamphlet. The projects emerging from competitive M2 transit programs will be selected based on evaluation criteria reviewed by OCTA and local agencies' staff and approved by the Board. The competitive process (call for projects) for each program will be defined by future funding application guidelines.
2. Funding application guidelines will include evaluation criteria that address (at a minimum): cost-effective congestion relief, level of local match, private participation that reduces public costs, sustainability of long-term operations, integration with existing and future transit services, public acceptability, customer convenience, and total project costs. Incentives for private participation will be included in the competitive Measure M transit programs.

3. Transit projects emerging from the competitive process will be complementary to OCTA bus services and will include costs for Americans with Disabilities Act compliance. Services will be complementary in terms of routes, schedules, fares, information, and other features of the customer experience.
4. M2 funding for operations will be considered only if: fares cover a reasonable share of operating costs, or private funding covers a reasonable share of operating costs, and local agencies provide an ongoing financial commitment to operating costs. Traditional OCTA operating funds will be used to support the M2 competitive programs only if there are no other unmet transit countywide needs.
5. To the extent possible, OCTA will seek to leverage state and federal funding sources with M2 transit dollars for transit capital projects. Priorities for state and federal dollars will be reviewed annually with the Board.

Contingent on policy input on these principles, staff will start the preparation of funding application guidelines specific to each competitive transit program. Consultant assistance will be necessary for this effort and staff will return to the Committee starting in summer 2008 with these guidelines.

In the interim, staff will also update the Plan with the latest sales tax forecasts from Chapman University, the University of California, Los Angeles, and California State University, Fullerton. The average forecast of all three universities will be available by June 2008. Staff will return to the Committee with the Plan once the updated sales tax forecasts are integrated into the document. This effort will also identify possible funding targets by year that could be included in the funding program guidelines.

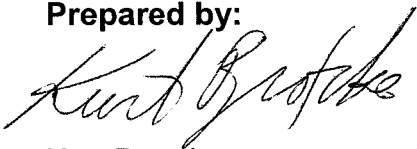
Summary

The Renewed Measure M Early Action Plan included a recommendation to develop a draft 2008 Renewed Measure M Transit Strategic Plan. Guiding principles for that plan and future funding application guidelines are presented. With the Transportation 2020 Committee concurrence, staff will start will start the preparation of funding application guidelines for each competitive program.

Attachment

None.

Prepared by:



Kurt Brotcke
Director, Strategic Planning
(714) 560-5742

Approved by:



Kia Mortazavi
Executive Director, Development
(714) 560-5741



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Cooperative Agreement with California Department of Transportation for the Garden Grove Freeway (State Route 22) Additional Soundwalls Project

Highways Committee Meeting of June 16, 2008

Present: Directors Dixon, Green, Mansoor, Norby, Pringle, and Rosen
Absent: Directors Amante, Cavecche, and Glaab

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Cooperative Agreement No. 8-0882 between the Orange County Transportation Authority and the California Department of Transportation for the preparation of plans, specifications, estimate, and right-of-way certification for the additional soundwalls along the Garden Grove Freeway (State Route 22).



June 16, 2008

To: Highways Committee

From: Arthur T. Leahy, Chief Executive Officer

Subject: Cooperative Agreement with the California Department of Transportation for the Garden Grove Freeway (State Route 22) Additional Soundwalls Project

Overview

The Orange County Transportation Authority proposes to enter into a cooperative agreement with the California Department of Transportation to establish roles and responsibilities for the preparation of plans, specifications, estimate, and right-of-way certification for the additional soundwalls along the Garden Grove Freeway (State Route 22).

Recommendation

Authorize the Chief Executive Officer to execute Cooperative Agreement No. 8-0882 between the Orange County Transportation Authority and the California Department of Transportation for the preparation of plans, specifications, estimate, and right-of-way certification for the additional soundwalls along the Garden Grove Freeway (State Route 22).

Background

On April 10, 2006, the Orange County Transportation Authority (Authority) Board of Directors (Board) approved further studies of sound barriers along the Garden Grove Freeway (State Route 22). Upon study and review, it was determined that added or extended soundwalls were justified at four different locations in order to achieve noise mitigation for regulatory and technical compliance. The approximate locations of the additional soundwalls along State Route 22 are:

- Eastbound Beach Boulevard on-ramp
- The City Drive eastbound off-ramp
- Westbound State Route 22 between Tustin Avenue and Cambridge Street
- Westbound State Route 22 at Devon Road

On September 24, 2007, the need for additional soundwalls was discussed with the Board. The Board was informed that the joint venture of Granite-Myers-Rados, the design-build contractor for State Route 22, would not include this additional work into the existing contract.

On October 22, 2007, the Board approved adding the design work for these four additional soundwalls to the contracts with RMC, Inc., and PBS&J Corporation in order to meet the goal of expedited project delivery. Design is progressing at this time, and the California Department of Transportation (Caltrans) will lead the construction phase. The Authority will provide funding for the right-of-way and construction phase, initially estimated at approximately \$2 to 3 million. The design phase, due to be completed by December 2008, will provide an updated cost estimate.

Discussion

Successful delivery of the additional soundwalls project requires a working partnership between the Authority and Caltrans. A cooperative agreement is needed to define each party's role and responsibilities during the plans, specifications, and estimate phase, and right-of-way certification of the project. The project's construction phase will be executed by Caltrans, subject to a separate agreement.

The following briefly describes the purpose and content of the cooperative agreement and summarizes some of the major responsibilities of both the Authority and Caltrans.

The cooperative agreement requires the Authority to:

- Prepare any required environmental documents
- Develop project plans, specifications, and estimate
- Perform right-of-way engineering
- Obtain any required right-of-way
- Be responsible for funding 100 percent of design, right-of-way engineering and acquisition costs

The cooperative agreement requires Caltrans to:

- Provide, at no cost to the Authority, independent quality assurance reviews and approvals
- Perform quality assurance reviews for all right-of-way activities and approve project's certification
- Serve as lead agency for the processing and approval of any required environmental documents

Fiscal Impact

This project is included in the Authority's Fiscal Year 2007-08 Budget, Account 0010-7519-F7100-KHM, and is funded through Measure M. There will be no fiscal impact; no cost to the Authority related to this cooperative agreement.

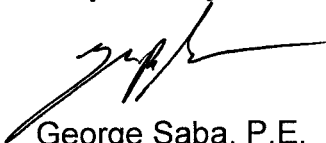
Summary

Staff requests Board of Directors approval to enter into a cooperative agreement between the Orange County Transportation Authority and the California Department of Transportation to establish roles and responsibilities for the preparation of plans, specifications, and estimate, and right-of-way certification for the Garden Grove Freeway (State Route 22) additional soundwalls project.

Attachment

- A. Draft Cooperative Agreement No. 8-0882

Prepared by:



George Saba, P.E.
Senior Civil Engineer, Development
(714) 560-5432

Approved by:



Kia Mortazavi
Executive Director, Development
(714) 560-5741

DRAFT COOPERATIVE AGREEMENT
NO. 8-0882

ATTACHMENT A

12-ORA-22-PM 3.30/12.70
12-0J9601
State Route 22 - Soundwalls
District Agreement No. 12-593
Authority Agreement No. 8-0882

COOPERATIVE AGREEMENT

This AGREEMENT, entered into effective on _____, 2008, is between the STATE OF CALIFORNIA, acting by and through its Department of Transportation, referred to herein as "STATE", and the

ORANGE COUNTY TRANSPORTATION AUTHORITY,
A Public Corporation of the State of California,
referred to herein as "AUTHORITY."

RECITALS

1. STATE and AUTHORITY, together referred to herein as "PARTIES", are authorized pursuant to Streets and Highways Code sections 114 and 130, to enter into a Cooperative Agreement for improvements to the State Highway System (SHS) within the Cities of Westminster, Tustin, and Orange, County of Orange.
2. AUTHORITY desires to make State Highway improvements consisting of adding soundwalls at various locations along the State Route 22 collectively referred to herein as "PROJECT".
3. AUTHORITY desires to be the implementing agency for environmental, design and right of way for said PROJECT.
4. AUTHORITY is willing to fund one hundred percent (100%) of all capital outlay and support costs for PROJECT, except that the costs of STATE's Independent Quality Assurance (IQA) of PROJECT development and STATE's costs incurred as the California Environmental Quality Act (CEQA) Lead Agency in the review and approval, of the PROJECT environmental documentation prepared entirely by AUTHORITY, will be borne by STATE.
5. STATE funds will not be used to finance any of the PROJECT capital and support costs except as set forth in Recital 4 above.
6. PROJECT contract documents, including 100% PS&E submittal review, advertising, award, and construction will be a subject of a separate future agreement.
7. This Agreement will define the roles and responsibilities of the CEQA Lead Agency and CEQA Responsible Agency regarding the environmental documentation, studies, and reports necessary for compliance with CEQA.
8. The PARTIES now define herein below the terms and conditions under which PROJECT is to be developed, designed, and financed.

SECTION I

AUTHORITY AGREES:

1. To be responsible for funding one hundred percent (100%) of all PROJECT development costs, but excluding costs for STATE's IQA, STATE's review, comment, and approval, if appropriate, of the PROJECT environmental documentation for CEQA.
2. To not use STATE funds for any PROJECT capital and support costs.

3. All PROJECT work implemented by AUTHORITY, or performed on AUTHORITY's behalf, shall be performed in accordance with all applicable State and Federal laws, regulations, policies, procedures, manuals, standard plans, and specifications and other standards that STATE would normally follow, hereinafter collectively referred to as "STANDARDS".
4. All PROJECT work, except as set forth in this Agreement, is to be performed by AUTHORITY or its forces. Should AUTHORITY request that STATE perform any portion of PROJECT work, except as otherwise set forth in this Agreement, AUTHORITY shall first agree to reimburse STATE for such work pursuant to an amendment to this Agreement or a separate executed agreement.
5. To have all necessary environmental documentation, and detailed Plans, Specifications and Estimates (PS&E) prepared at no cost to STATE, and to submit each to STATE for STATE's review and concurrence at appropriate stages of development. The final PS&E for PROJECT shall be signed on behalf of AUTHORITY by a Civil Engineer registered in the State of California. The PS&E shall be prepared using U.S. Customary (English) units.
6. Any exceptions to applicable STANDARDS shall first be approved by STATE via the process outlined in STATE's Highway Design Manual and appropriate memorandums and design bulletins published by STATE. In the event STATE requires a change in STANDARDS, implementation of new or revised STANDARDS shall be done as part of the work on PROJECT in accordance with STATE's current Highway Design Manual Section 82.5, "Effective Date for Implementing Revisions to Design Standards". STATE shall consult with AUTHORITY in a timely manner regarding effect of required design changes on PROJECT, specifically including structure geotechnical requirements.
7. To have all necessary right of way maps and documents used to acquire right of way by AUTHORITY prepared by or under the direction of a person authorized to practice land surveying in the State of California. Each right of way map and document shall bear the appropriate professional seal, certificate number, expiration date of registration certification and signature of the licensed person in Responsible Charge of Work.
8. To permit STATE to monitor, participate in, and oversee the selection of personnel who will conduct environmental studies and prepare environmental documentation, prepare the PS&E, prepare right of way engineering services, and perform other right of way activities, including acquisition. AUTHORITY agrees to consider any request by STATE to discontinue the services of any personnel considered by STATE to be unqualified on the basis of credentials, professional expertise, failure to perform in accordance with scope of work, and/or other pertinent criteria.
9. To submit to STATE for review and concurrence all Right of Way Engineering Land-Net Maps and Right of Way Appraisal Maps, Records of Survey, and

Right of Way Record Maps in accordance with STATE's Right of Way Manual, Chapter 6, Right of Way Engineering, STATE's Plans Preparation Manual, STATE's Surveys Manual, applicable State laws, and other pertinent reference materials and examples as provided by STATE.

10. Since PROJECT, construction phase is the subject of a future agreement, AUTHORITY, in administering and contracting to perform the PROJECT, agrees to include a "conflict of interest" requirement in the PROJECT design consultant contracts that prohibits that design consultant from being employed or under contract to the future PROJECT construction contractor to perform PROJECT work.
11. Personnel who prepare the PS&E and environmental documentation, including the investigative studies and technical environmental reports, and other PROJECT related documents and materials shall be made available to STATE, at no cost to STATE, through completion of PROJECT construction to discuss problems which may arise during PS&E, right of way acquisition, construction, and/or to make design revisions for contract change orders.
12. Personnel who prepare right of way maps, documents, and related materials shall be made available to STATE, at no cost to STATE, during and after construction of PROJECT until completion and acceptance by STATE of Right of Way Record Maps, Records of Survey, and title to any property intended to be transferred to STATE.
13. To make written application to STATE for necessary encroachment permits authorizing AUTHORITY forces and/or consultants entry onto SHS right of way to perform surveying and other investigative activities required for preparation of the environmental documentation, PS&E and/or performance of right of way activities.
14. To identify and locate all utility facilities within PROJECT area as part of design responsibility for PROJECT. All utility facilities not relocated or removed in advance of construction shall be identified on the PROJECT PS&E for protection, relocation, or removal.
15. To identify and locate all high and low risk underground facilities and other facilities within the PROJECT area and to protect or otherwise provide for such facilities, all in accordance with STATE's *"Policy on High and Low Risk Underground Facilities Within Highway Rights of Way"*.
16. If any existing utility facilities conflict with the construction of PROJECT or violate STATE's encroachment policy, AUTHORITY shall make all necessary arrangements with the owners of such facilities for their timely accommodation, protection, relocation, or removal.

The costs for the PROJECT's positive identification and location, protection, relocation, or removal of utility facilities whether inside or outside STATE's right of way shall be determined in accordance with Federal and California

laws and regulations, and STATE's STANDARDS and applicable agreements including, but not limited to, Freeway Master Contracts. Full financial responsibility shall be borne by PROJECT as a right of way cost. AUTHORITY agrees to comply with the requirements of existing applicable utility agreements of record to which STATE is a party.

17. To furnish evidence to STATE, in a form acceptable to STATE, that arrangements have been made for the protection, relocation, or removal of all conflicting facilities within SHS right of way and that such work will be completed prior to the award of the contract to construct PROJECT or as covered in the PS&E for said contract. This evidence shall include a reference to all required SHS encroachment permits.
18. To acquire and furnish all right of way, if any, outside of the existing SHS right of way, and to perform all right of way activities, including all eminent domain activities, if necessary, at no cost to STATE and in accordance with STATE STANDARDS. These activities shall comply with all applicable State and Federal laws and regulations, subject to STATE's IQA to ensure that the completed work and title to property acquired for PROJECT is acceptable for incorporation into the SHS right of way.
19. AUTHORITY shall require every utility owner and/or its contractors, performing protection or relocation work within the SHS right of way to obtain a STATE encroachment permit prior to the performance of said relocation work.
20. To utilize the services of a qualified public agency or a qualified consultant, as determined by STATE's District Division Chief of Right of Way, in all matters related to the acquisition of right of way in accordance with STATE's procedures as published in STATE's current Right of Way Manual. Whenever personnel other than personnel of a qualified public agency, or a qualified consultant, are utilized, administration of the personnel contract shall be performed by a qualified Right of Way person employed or retained by AUTHORITY.
21. To certify legal and physical control of right of way ready for construction and that all right of way parcels were acquired in accordance with applicable State and Federal laws and regulations, subject to review and concurrence by STATE prior to the advertisement for bids for the contract to construct PROJECT.
22. To deliver to STATE legal title to the right of way, including access rights, free and clear of all encumbrances detrimental to STATE's present and future uses not later than the date of acceptance by STATE of maintenance and operation of the SHS facility. properties to be incorporated into SHS right of way in a manner acceptable to STATE and free and clear of all encumbrances except as pre-approved by STATE. Acceptance of said title by STATE is subject to a prior review and approval of a Policy of Title

Insurance issued in the name of the State of California to be provided and paid for by AUTHORITY.

23. To be responsible for, and to the STATE's satisfaction, the investigation of potential hazardous material sites within and outside of the existing SHS right of way that could impact PROJECT as part of performing any preliminary engineering work. If AUTHORITY discovers hazardous material or contamination within the PROJECT study area during said investigation, AUTHORITY shall immediately notify STATE
24. If AUTHORITY desires to have STATE advertise, award, and administer the construction contract for PROJECT, AUTHORITY shall provide STATE with acceptable plans prepared by AUTHORITY or its consultants on either 80 min/700mb CDs or DVDs 4.7 GB or 8.5 GB double capacity DVDs using Micro Station Version 08.05.02.47 .dgn files, CaiCE Visual Transportation Version 10. SP5 (CaiCE VT). One copy of the data on CD/DVD, including the Engineers electronic signature and seal, shall be provided to STATE upon completion of the final PROJECT PS&E. STATE reserves the right to modify these CD/DVD requirements and STATE shall provide AUTHORITY advance notice of any such modifications. Files may be submitted on up to five (5) CDs or, if larger, on DVDs. All submittal files shall be compressed and shall be successfully run through AXIOM FILEFIXER software or EDG. Reimbursement to STATE for costs incurred by STATE to review 100% PS&E submittal, advertise, award, and administer the construction contract for PROJECT will be covered in the separate Cooperative Agreement referred to in Article 6 of Recitals of this Agreement.
25. A copy of all original survey documents resulting from surveys performed for PROJECT, including original field notes, adjustment calculations, final results, and appropriate intermediate documents, shall be delivered to STATE and shall become property of STATE. For aerial mapping, all information and materials listed in the document "Materials Needed to Review Consultant Photogrammetric Mapping" shall be delivered to STATE and shall become property of STATE.
26. All original recorded land title documents created by PROJECT shall be delivered to STATE and become property of STATE.
27. To submit to STATE a list of STATE horizontal and vertical control monuments which will be used to control surveying activities for PROJECT.
28. To prepare and implement a QC/QA plan for design and right of way deliverables. AUTHORITY shall submit the QC/QA plan for STATE review and concurrence within thirty (30) days after consultants are directed to proceed with design and right of way work. QC is defined as the operational processes, practices and activities performed by AUTHORITY's forces' or consultants' design team during the PROJECT delivery process to ensure that the product meets the PROJECT purpose and need, and fulfills the established QC plan. QA is defined as those activities performed by

AUTHORITY's forces or consultants during the PROJECT delivery process that will provide the confidence that the PROJECT team is fulfilling established PROJECT QC requirements. The QA PROJECT team will be independent of the PROJECT QC team.

SECTION II

STATE AGREES:

1. At no cost to AUTHORITY, to complete STATE's review as CEQA Lead Agency of the environmental documents prepared and submitted by AUTHORITY and provide IQA of all AUTHORITY or their consultants work necessary for completion of the PS&E for PROJECT including, but not limited to, investigation of potential hazardous material sites and all right of way activities undertaken by AUTHORITY forces or its consultants, and provide prompt reviews and concurrence, as appropriate, and as agreed to by PARTIES, of submittals by AUTHORITY, and to cooperate in timely processing of PROJECT.
2. To work with AUTHORITY to assure that all applicable State and Federal procedures are followed and approvals obtained.
3. To prepare, if required, superseding Freeway Agreements with the local agencies affected by PROJECT.
4. Upon proper application by AUTHORITY forces and/or consultants, to issue at no cost to AUTHORITY forces and/or consultants, the necessary encroachment permits for required work within the SHS right of way as more specifically defined elsewhere in this Agreement.

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 in the Annual State Budget Act and the action of the California Transportation Commission (CTC) allocating resources to STATE for the purposes of fulfilling STATE's obligations herein. STATE, other than as expressly provided herein regarding STATE'S duty to provide IQA for which the resources must be appropriated and then allocated, has no funds obligated or encumbered to pay PROJECT costs.
2. The parties to this Agreement understand and agree that STATE's IQA is defined as providing STATE policy and procedural guidance through to completion of the PROJECT, preliminary engineering, PS&E, and right of

way phases administered by AUTHORITY. This guidance includes prompt reviews by STATE to assure that all work and products delivered or incorporated into the PROJECT by AUTHORITY conform with then existing STATE standards. IQA does not include any PROJECT related work deemed necessary to actually develop and deliver the PROJECT, nor does it involve any validation to verify and recheck any work performed by AUTHORITY and/or its consultants or contractors and no liability will be assignable to STATE, its officers and employees by AUTHORITY under the terms of this Agreement or by third parties by reason of STATE's IQA activities. All work performed by STATE that is not direct IQA shall be chargeable against PROJECT funds as a service for which STATE will invoice its actual costs and AUTHORITY will pay or authorize STATE to reimburse itself from then available PROJECT funds

3. The PSR-PR for PROJECT, approved on _____, is by this reference, made an express part of this Agreement.
4. The basic design features shall comply with those addressed in the approved PSR-PR, unless modified as required for completion of the PROJECT's environmental documentation.
5. The design, right of way acquisition, and preparation of environmental documentation and related investigative studies and technical environmental reports for PROJECT shall be performed in accordance with all applicable Federal and State standards and practices current as of the date of performance. Any exceptions to applicable design standards shall first be considered by STATE for approval via the processes outlined in STATE's Highway Design Manual and appropriate memoranda and design bulletins published by STATE. In the event that STATE proposes and/or requires a change in design standards, implementation of new or revised design standards shall be done as part of the work on PROJECT in accordance with STATE's current Highway Design Manual Section 82.5, "Effective Date for Implementing Revisions to Design Standards." STATE shall consult with AUTHORITY in a timely manner regarding the effect of proposed and/or required changes on PROJECT.
6. STATE will be the CEQA Lead Agency and AUTHORITY will be a CEQA Responsible Agency. AUTHORITY will assess PROJECT impacts on the environment, AUTHORITY will prepare the appropriate level of environmental documentation, and necessary associated supporting investigative studies and technical environmental reports in order to meet the requirements of CEQA. If applicable, AUTHORITY will submit to STATE all investigative studies and technical environmental reports for STATE's review, comment, and approval. The environmental document and/or categorical exemption/exclusion determination, including the administrative draft, draft, administrative final and final environmental documentation, as applicable, will require STATE's review, comment, and approval prior to public availability.

If, during preparation of preliminary engineering, preparation of the PSR-PR, PS&E, performance of right of way activities, or performance of PROJECT construction, new information is obtained which requires the preparation of additional environmental documentation to comply with CEQA and/or NEPA if applicable, this Agreement will be amended to include completion of these additional tasks by AUTHORITY.

7. AUTHORITY agrees to obtain, as a PROJECT cost, all necessary PROJECT permits, agreements and/or approvals from appropriate regulatory agencies, unless the parties agree otherwise in writing. If STATE agrees in writing to obtain said PROJECT permits, agreements, and/or approvals, those said costs shall be paid by AUTHORITY, as a PROJECT cost.
8. AUTHORITY shall be fully responsible for complying with and implementing all environmental commitments set forth in the environmental documentation, permit(s), agreement(s) and/or environmental approvals for PROJECT. The costs of said compliance and implementation shall be a PROJECT cost.
9. If there is a legal challenge to the environmental documentation, including supporting investigative studies and/or technical environmental report(s), permit(s), agreement(s), environmental commitments and/or environmental approval(s) for PROJECT, all legal costs associated with those said legal challenges shall be a PROJECT cost.
10. STATE, as a PROJECT cost, shall be responsible for preparing, submitting, publicizing, and circulating all public notices related to the CEQA environmental process, including, but not limited to, notice(s) of availability of the environmental document and/or determinations and notices of public hearings. Public notices shall comply with all State and Federal laws, regulations, policies and procedures.

STATE, as a PROJECT cost, shall be responsible for planning, scheduling, and holding of all public meetings/hearings related to the CEQA environmental process, including, but not limited to, public meetings/hearings on the environmental document. STATE shall provide AUTHORITY the opportunity to provide comments on any meeting exhibits, handouts or other materials at least ten (10) days prior to any such meetings/hearings. STATE maintains final editorial control of exhibits, handouts or other materials to be used at the public meetings/hearings.

11. In the event AUTHORITY would like to hold separate and/or additional public meetings regarding the PROJECT, AUTHORITY must clarify in any meeting notices, exhibits, handouts, or other material that STATE is the CEQA Lead Agency and AUTHORITY is the CEQA Responsible Agency. Such notices, handouts and other materials shall also specify that public comments gathered at such meetings are not part of the CEQA public review process. AUTHORITY shall provide STATE the opportunity to provide comments on any meeting exhibits, handouts or other materials at least ten (10) days prior to any such meetings/hearings. STATE will maintain final editorial control of

exhibits, handouts or other materials to be used at the public meeting/hearing solely with respect to text or graphics that could lead to public confusion over CEQA related roles and responsibilities.

12. All administrative reports, studies, materials, and documentation, including, but not limited to, all administrative drafts and administrative finals, relied upon, produced, created or utilized for PROJECT will be held in confidence pursuant to Government Code section 6254.5(e). The parties agree that said material will not be distributed, released or shared with any other organization, person or group other than the parties' employees, agents and consultants whose work requires that access without the prior written approval of the party with the authority to authorize said release and except as required or authorized by statute or pursuant to the terms of this Agreement.
13. AUTHORITY's share of all changes in development and construction costs associated with modifications to the basic design features as described above shall be in the same proportion as described in this Agreement, unless mutually agreed to the contrary by STATE and AUTHORITY in a subsequent amendment to this Agreement.
14. Any hazardous material or contamination of an HM-1 category found within existing SHS right of way during PROJECT shall be the responsibility of STATE. Any hazardous material or contamination of an HM-1 category found within local road right of way during PROJECT shall be the responsibility of AUTHORITY. For the purpose of this Agreement, hazardous material of HM-1 category is defined as that level or type of contamination which must be remediated by reason of its mere discovery regardless of whether it is disturbed by PROJECT or not. STATE shall sign the HM-1 manifest and pay all costs for remedy or remedial action within existing SHS right of way, except that if STATE determines, in its sole judgment, that STATE's cost for remedy or remedial action is increased as a result of AUTHORITY's decision to proceed with PROJECT, that additional cost identified by STATE shall be borne by AUTHORITY. AUTHORITY shall sign the HM-1 manifest and pay all costs for required remedy or remedial action within local road right of way or other property. While STATE will exert every reasonable effort to fund the remedy or remedial action for which STATE is responsible, in the event STATE is unable to provide funding, AUTHORITY will have the option to either delay PROJECT until STATE is able to provide that corrective funding or AUTHORITY may proceed with the remedy or remedial action as a PROJECT expense without any subsequent reimbursement by STATE.
15. Any remedy or remedial action with respect to any hazardous material or contamination of an HM-2 category found within existing SHS right of way shall be the responsibility of AUTHORITY who shall sign the HM-2 manifest and management of HM-2 will be a PROJECT cost if the PROJECT proceeds. Any remedy or remedial action with respect to any hazardous material or contamination of an HM-2 category found within AUTHORITY right of way shall be the responsibility of AUTHORITY who shall sign the HM-

2 manifest and management of HM-2 will be at AUTHORITY's cost, if the PROJECT proceeds. For the purpose of this Agreement any hazardous material or contamination of HM-2 category is defined as that level or type of contamination, which said regulatory control agencies would have allowed to remain in place if undisturbed, had PROJECT not proceeded.

16. If hazardous material or contamination of either HM-1 or HM-2 category is found on new right of way acquired by or on account of AUTHORITY for PROJECT, AUTHORITY shall be responsible, at AUTHORITY's expense, for all required remedy or remedial action and/or protection in the absence of a generator or prior property owner willing and prepared to perform that corrective work.
17. Remedial actions proposed by AUTHORITY on SHS right of way shall be pre-approved by STATE and shall be performed in accordance with STATE's standards and practices and those standards and practices mandated by those Federal and State regulatory agencies.
18. A separate Cooperative Agreement will be required to cover responsibilities and funding for the construction phase of PROJECT.
19. Nothing within the provisions of this Agreement is intended to create duties or obligations to or rights in third parties not PARTIES to this Agreement or to affect the legal liability of either of the PARTIES to the Agreement by imposing any standard of care with respect to the development, design, construction, operation and maintenance of the SHS different from the standard of care imposed by law.
20. Neither STATE nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or, omitted to be done by AUTHORITY's forces and consultants under or in connection with any work, authority, or jurisdiction arising under this Agreement. It is understood and agreed that AUTHORITY shall fully defend, indemnify and save harmless STATE and all of its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortuous, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by AUTHORITY's forces and consultants under this Agreement.
21. Neither AUTHORITY nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by STATE, under or in connection with any work, authority, or jurisdiction arising under this Agreement. It is understood and agreed that STATE shall fully defend, indemnify and save harmless the AUTHORITY and all of its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortuous, contractual, inverse condemnation and other

theories or assertions of liability occurring by reason of anything done or omitted to be done by STATE under this Agreement.

22. Prior to the commencement of any work pursuant to this Agreement, either STATE or AUTHORITY may terminate this Agreement by written notice to the other party.
23. No alteration or variation of the terms of this Agreement shall be valid unless made by a formal amendment executed by the parties hereto and no oral understanding or agreement not incorporated herein shall be binding on any of the parties hereto.
24. This Agreement shall terminate upon the satisfactory completion of all post-PROJECT construction obligations of AUTHORITY and the delivery of required PROJECT construction documents, with concurrence of STATE, or on December 31st, 2010, whichever is earlier in time, except that the ownership, operation, maintenance, indemnification, environmental commitments, legal challenges, and claims articles shall remaining effect until terminated or modified, in writing, by mutual agreement. Should any construction related or other claims arising out of PROJECT be asserted against one of the parties, the parties agree to extend the fixed termination date of this Agreement, until such time as the construction related or other claims are settled, dismissed or paid.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

Will Kempton
Director of Transportation

By: _____
Jim Beil
Deputy District Director
Capital Projects Outlay Program

APPROVED AS TO FORM AND PROCEDURE:

By: _____
Attorney
Department of Transportation

CERTIFIED AS TO FUNDS:

By: _____
District Budget Manager

ORANGE COUNTY
TRANSPORTATION
AUTHORITY

By: _____
Arthur T. Leahy
Chief Executive Officer

APPROVED AS TO FORM:

By: _____
Kennard R. Smart, Jr.
AUTHORITY General Counsel

APPROVED:

By: _____
Kia Mortazavi
Executive Director,
Development



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board ^{WK}
Subject: Multi-County Goods Movement Action Plan

Transportation 2020 Committee Meeting of June 16, 2008

Present: Directors Brown, Campbell, Dixon, and Pringle
Absent: Directors Amante, Buffa, and Cavecche

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

- A. Approve the Multi-County Goods Movement Action Plan.
- B. Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement No. C-5-2653 between the Orange County Transportation Authority and the Los Angeles County Metropolitan Transportation Authority, in the amount of \$27,420, for additional services performed by Wilbur Smith Associates for the Multi-County Goods Movement Action Plan.



June 16, 2008

To: Transportation 2020 Committee
From: Arthur T. Leahy, ^{AL} Chief Executive Officer
Subject: Multi-County Goods Movement Action Plan

Overview

In June 2004, the Orange County Transportation Authority entered into a partnership with other regional transportation commissions and authorities to address the goods movement challenges facing Southern California. This effort was critical to Southern California and Orange County's success to receive Trade Corridors Improvement Fund. The Orange County Transportation Authority was awarded \$218 million in Proposition 1B funds. A final report and cooperative agreement amendment are presented for Board of Directors review and approval.

Recommendations

- A. Approve the Multi-County Goods Movement Action Plan.
- B. Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement No. C-5-2653 between the Orange County Transportation Authority and the Los Angeles County Metropolitan Transportation Authority, in the amount of \$27,420, for additional services performed by Wilbur Smith Associates for the Multi-County Goods Movement Action Plan.

Background

The Southern California region has become an important hub for domestic and foreign trade because of its enormous market and its investments in trade transportation infrastructure. The region's three ports, Los Angeles, Long Beach, and Hueneme (Ports), plus its rail yards, rail lines, highways, and distribution centers move an incredible volume of trade, sustaining thousands of jobs in the process. For example, by 2030, container traffic at the Ports is expected to reach an estimated 42.5 million. In addition, by 2030, according to the Los Angeles Economic Development Corporation, trade-related employment is

expected to increase to more than one million jobs, an increase of 318,000 or 44 percent from the 2006 total of 718,000 (there are an estimated 107,000 such jobs currently in Orange County).

The Board of Directors (Board) approved the Orange County Transportation Authority's (OCTA) participation in the preparation of the Multi-County Goods Movement Action Plan (MCGMAP) in September 2004 (Attachment A). At that time, the Board approved a contribution of \$125,000 to the MCGMAP effort. Staff and MCGMAP consultants have updated the Board on its progress at Board meetings, a goods movement workshop, the Highways Committee, and the Transportation 2020 Committee.

Eight stakeholders advisory group meetings and 12 community workshops were held throughout the study area. In January 2008, two workshops were held in Orange County, and had over 70 people in attendance.

Discussion

The MCGMAP, as contained in the executive summary, Attachment B, represents an important partnership between County, regional, and state transportation agencies, which addresses the goods movement challenges faced by the Southern California counties of Los Angeles, Orange, Riverside, San Bernardino, Ventura, San Diego, and Imperial. The MCGMAP is the master plan for goods movement in the region and is intended to be used as a guide in the preparation of state, regional, and local transportation plans (the full action plan can be accessed at <http://www.metro.net/mcgmap>).

The MCGMAP provides an overall framework for improving freight mobility and reducing the environmental and community impacts of that freight. The MCGMAP outlines four core mandates:

- Avoid, reduce and mitigate environmental, community, and health impacts
- Promote the safe and efficient movement of all transportation modes and reduce congestion
- Ensure the economic well-being of the region and the state
- Secure the region's fair share of public and private funds for investment in the freight system

In order to accomplish the mandates, the plan sets out four sets of action:

- Accelerate regional environmental mitigation
- Relieve congestion and increase mobility
- Improve operational efficiencies
- Develop an equitable public/private funding strategy

Also presented in the state's Goods Movement Action Plan, a key theme of MCGMAP is simultaneous and continuous progress for both freight mobility improvement and the mitigation of impacts on the environment and local communities. This theme is also contained in OCTA's goods movement policy (Attachment C). Continuous and simultaneous improvement is defined as the parallel implementation of enhancements in capacity to the goods movement system and the necessary mitigation measures to those enhancements, such as rail grade separations.

The action plan does not make any specific financial commitments on the part of OCTA or other transportation agencies. Rather, MCGMAP, as a precursor to Trade Corridors Improvement Fund (TCIF) funding, is a framework that can be used for guiding more specific actions and commitments for each agency. For example, OCTA was part of the regional effort to secure its fair share of TCIF as part of Proposition 1B funding. In addition, elements of MCGMAP are incorporated in the Southern California Association of Governments (SCAG) Regional Transportation Plan. Lastly, OCTA and other regional agencies are signatories, along with state and federal agencies to the Southern California National Freight Gateway Cooperation Agreement. The purpose of the agreement is to establish a process through which state and federal agencies would share responsibility and work with Southern California transportation agencies to address the infrastructure needs, environmental effects, and community impacts of increasing goods movement through Southern California.

As part of the body of MCGMAP, each county has a chapter profiling the current goods movement challenges it faces, as well as a list of specific actions and projects to help alleviate that condition. Orange County's chapter outlines the unique role it plays as the "goods movement bridge" to the Inland Empire. The chapter lists upwards of 56 goods movement highway projects and 22 grade separation projects valued at an estimated total of \$4.8 billion.

With the completion of MCGMAP, SCAG has recommended a follow-on comprehensive and fully integrated regional goods movement plan with an accompanying implementation strategy. The overall purpose of the plan will be to develop a comprehensive regional goods movement plan that refines the goods movement portion of the 2008 Regional Transportation Plan (RTP) and enhances the performance of the regional goods movement system through the application of new technologies. The project will also incorporate findings and recommendations from MCGMAP.

The original funding agreement, signed in June 2005, was among the San Bernardino Associated Governments (SANBAG) (\$125,000), Riverside County Transportation Commission (RCTC) (\$125,000), SCAG (\$150,000), the

Los Angeles Metropolitan Transportation Authority (MTA) (\$225,000), the California Department of Transportation (Caltrans) (\$500,000), and OCTA (\$125,000), for a total project study amount of \$1.25 million. In 2007, the San Diego Association of Governments (SANDAG) also joined the MCGMAP effort, contributing \$125,000 for a total of \$1.375 million.

Wilbur Smith Associates, the project consultant, has identified \$137,096 in additional services to complete the study. In summary, the additional services are in the areas of project management, community outreach, media relations, and additional study drafts. Based on these additional services, MTA, the contract administrator, approached each partner in the SCAG region, except the Ventura County Transportation Commission, requesting that each contribute a share of the additional costs (Caltrans and SANDAG will not be contributing). As a result, OCTA, RCTC, SANBAG, MTA, and SCAG have been requested to contribute \$27,420 each in supplemental funds, bringing the total for the action plan to \$1.5 million. OCTA's total will be \$152,420.

Fiscal Impact

The additional worked described in Amendment No. 1 to funding Agreement No. C-5-2653 was not included in the OCTA's Fiscal Year 2007-08 Budget. Funds will be transferred from Account 1500-7519/A0001-G43 to Account 1534-7519/A4404-AYR.

Summary

Since 2004, Southern California regional transportation agencies have worked together on the Multi-County Goods Movement Action Plan.

Staff recommends authorizing the Chief Executive Officer to execute Amendment No. 2 to Agreement No. C-5-2653 between the Orange County Transportation Authority and the Los Angeles County Metropolitan Transportation Authority, in the amount of \$27,420, to reflect an increase in the approved contract amount from \$125,000 to an amount not to exceed \$152,420 for additional services performed by Wilbur Smith Associates on the Multi-County Goods Movement Action Plan.

Attachments

- A. Letter to the Los Angeles Metropolitan Transportation Authority confirming OCTA's contribution to the Southern California Regional Goods Movement Strategy Study dated September 24, 2004
- B. Multi-County Goods Movement Action Plan Executive Summary - April 2008
- C. Orange Country Transportation Authority Goods Movement Policy
- D. Los Angeles County Metropolitan Transportation Authority Agreement No. C-5-2653 Fact Sheet

Prepared by:



Barry Engelberg
Manager, Regional Initiatives
(714) 560-5362

Approved by:



Kia Mortazavi
Executive Director, Development
(714) 560-5741



BOARD OF DIRECTORS

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Chuck Green
Governor's
Ex-Officio Member

September 22, 2004

Mr. James de la Loza
Chief Planning Officer
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952

Dear Mr. *Jim* de la Loza:

The purpose of this letter is to confirm that the Orange County Transportation Authority (OCTA) Board of Director's approved \$125,000 in general revenue funds to contribute to the Southern California Regional Goods Movement Strategy Study. The funds are included in OCTA's Fiscal Year 2004-05 budget.

The availability of the funds for the regional effort is contingent upon award of the California Department of Transportation Partnership Planning grant that was submitted in January 2004, requesting \$300,000 for the regional study. It is our understanding that the grant has been approved but Caltrans has not yet issued a formal announcement.

OCTA has enjoyed working with your staff thus far as we pre-position our ideas and individual needs prior to the award of the grant. We look forward to a continued successful working relationship as we address regional goods movement issues.

Sincerely,

Richard J. Bacigalupo
Deputy Chief Executive Officer

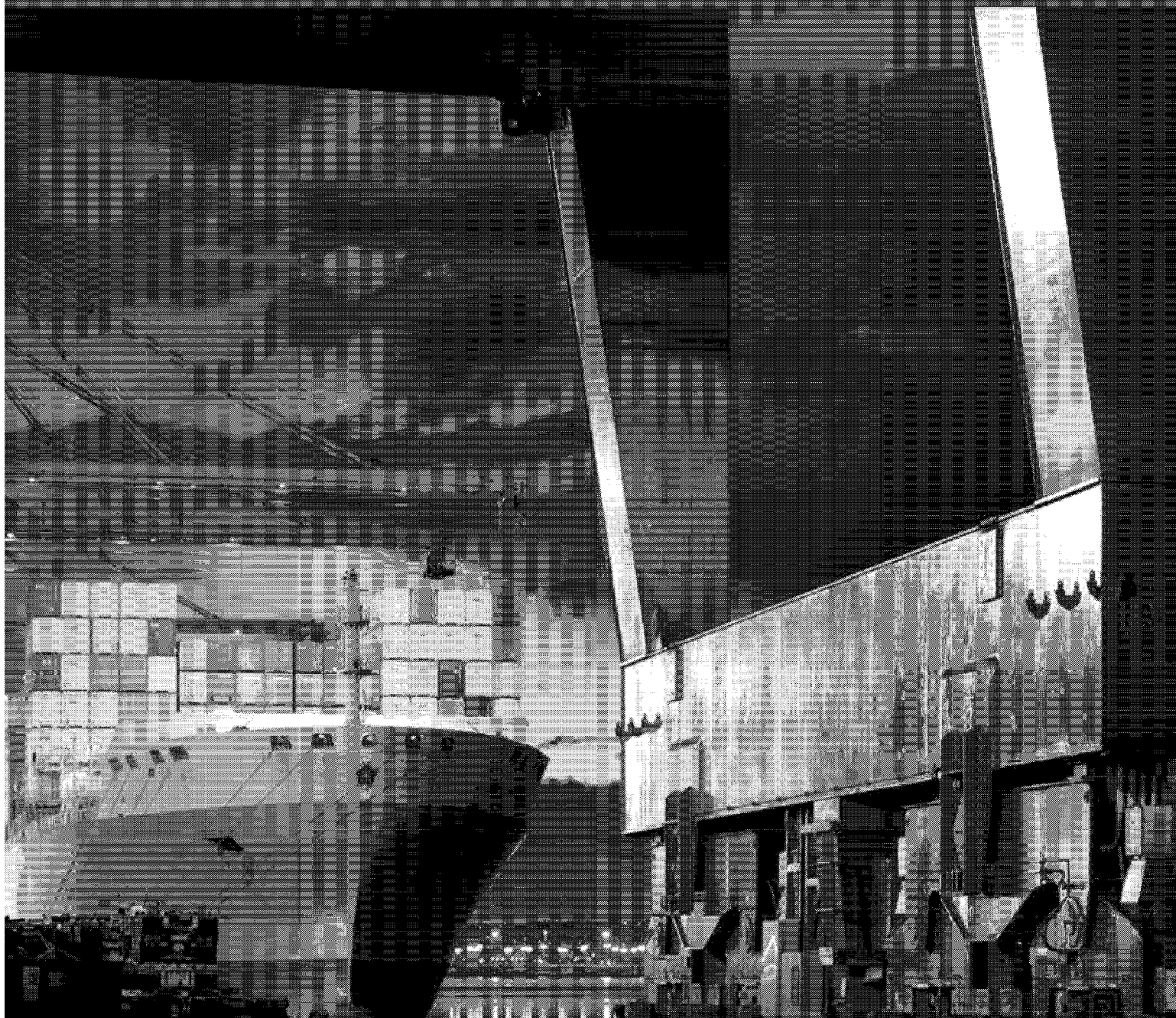
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CHIEF EXECUTIVE OFFICE

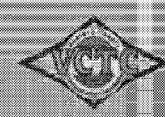
Arthur C. Leahy
Chief Executive Officer

MULTI-COUNTY GOODS MOVEMENT ACTION PLAN

EXECUTIVE SUMMARY
APRIL 2008



Metro



SANDAG

Prepared for:

Los Angeles County Metropolitan Transportation Authority (Metro)

Orange County Transportation Authority (OCTA)

Riverside County Transportation Commission (RCTC)

San Bernardino Associated Governments (SANBAG)

Ventura County Transportation Commission (VCTC)

California Department of Transportation (Caltrans) Districts 7, 8, 11 & 12

San Diego Association of Governments (SANDAG)

Southern California Association of Governments (SCAG)

Prepared by:

Wilbur Smith Associates, Inc.

Arellano Associates

Economics & Politics, Inc.

George R. Fetty & Associates

Gill V. Hicks & Associates, Inc.

Jones & Stokes

The RNO Group

Sharon Greene & Associates

Urban Solutions, LLC

Introduction



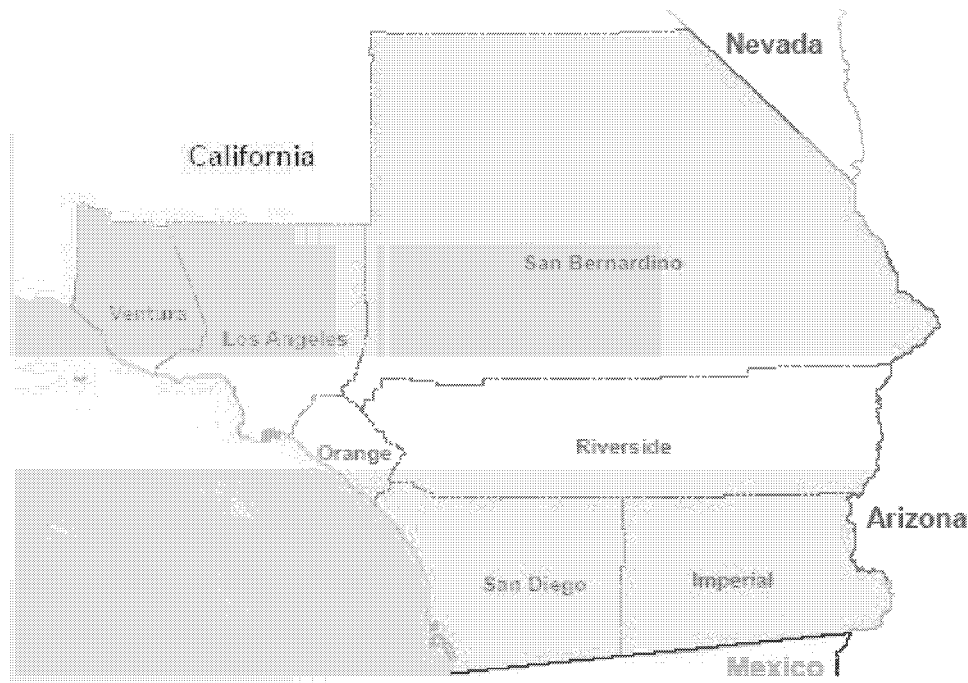
Purpose

The Multi-County Goods Movement Action Plan (MCGMAP or Action Plan) represents an unprecedented partnership between county, regional, and state transportation agencies to address the goods movement challenge faced by the Southern California counties of Los Angeles, Orange, Riverside, San Bernardino, San Diego, Ventura, and Imperial (See Figure 1). Collectively, these counties comprise the United States' premiere international commerce gateway, handling 44 percent of the Nation's containerized imports. This preeminence reflects Southern California's competitive advantage derived from its unique combination of large deep-water ports, the California/Mexico border crossings, the West Coast's largest population concentrations, one of the Nation's largest densities of transloading, consolidation, and distribution warehouses, and intermodal facilities. The region also has unparalleled connectivity by all-weather Interstate freeways and transcontinental rail lines to all points within the United States.

However, the rising tide of goods moving through the region imposes multiple mobility, environmental, and community impacts that degrade the region's quality of life and threaten the continued growth of the Southern California freight movement industry on which most of the nation relies. The MCGMAP identifies actions to be undertaken by the partner agencies, together with state and federal agencies and the private sector, to maintain Southern California's role as a center for international trade, commerce and manufacturing by planning for freight growth while simultaneously and aggressively mitigating environmental and local community impacts. The Action Plan sets forth a way to structure and understand the issues and defines actions that should be taken to address infrastructure needs, environmental concerns, and community impacts within the context of that structure. It incorporates and builds on existing studies and initiatives already in progress, and from them develops an integrated, comprehensive, regional approach.

This Executive Summary provides an overview of the region's goods movement challenges, the MCGMAP vision, principles, plan approach, and recommended actions. Also included are the lists of goods movement projects needed to maintain mobility in the face of forecasted demand. Specific and detailed information is contained within the topical chapters of the Action Plan. Additional information is also provided within the contents of technical appendices and memoranda (Tech Memos) prepared throughout the course of this effort, which are available on the project website (<http://www.metro.net/mcgmap>).

Figure 1: Southern California County Boundary Map



MCGMAP - The Master Plan for Goods Movement in Southern California

The Action Plan is the master plan for goods movement in Southern California and is intended to be used as a guide in preparation of state, regional, and local transportation plans. The objectives of the MCGMAP are to develop strategies that: 1) address the goods movement infrastructure capacity needs of the region; 2) reduce goods movement emissions to help achieve air quality goals; and 3) improve the quality of life and community livability for Southern California residents. The Action Plan is regional in scope, so that the Plan's analyses of potential strategies and investments are at a corridor rather than a local or project-specific level. While detailed project-level analyses were not part of this effort, they are nevertheless critical and will be conducted as part of subsequent project development efforts. The MCGMAP is intended to be a living document that will be revised and updated when major changes occur and if resources are available.

MCGMAP Partner Agency Roles

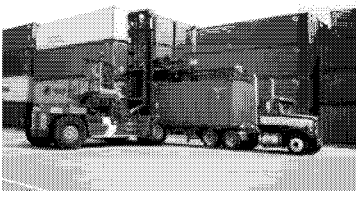
Goods movement is a diverse industry with a broad and disparate group of public and private sector stakeholders, each with its own roles and responsibilities. The MCGMAP partners are the transportation and planning agencies that co-manage the development of the Action Plan: Los Angeles County Metropolitan Transportation Authority, Orange County Transportation Authority, Riverside County Transportation Commission, San Bernardino Associated Governments, San Diego Association of Governments, Southern California Association of Governments, Ventura County Transportation Commission, and Caltrans Districts 7, 8, 11, and 12. The MCGMAP partners plan, fund, maintain, operate, construct and implement multi-modal transportation projects and influence the goods movement system through the regional planning and programming of funds to transportation projects.

Other organizations, such as the Ports of Los Angeles and Long Beach, have authority to plan and construct transportation and facility improvements within the Ports' jurisdiction, while the South Coast Air Quality Management District (AQMD) develops and implements plans to improve the region's air quality. Decisions regarding land use, arterial improvements and the permitting of warehouses and transloading centers are made by local municipalities.

Regional, state, and federal agencies have varying regulatory authorities over the trucking and rail industries, but the MCGMAP partners have little ability to regulate the operations, business practices, or pollutant emissions of the private sector goods movement operators, and no authority to regulate shippers and ocean carriers. As a result, the MCGMAP partners have focused primarily on goods movement infrastructure while acknowledging the essential roles to be played by the regulatory agencies, the Ports Clean Air Action Plan (CAAP), and public or private technology initiatives.

Given their defined roles and responsibilities, the MCGMAP partners cannot fully implement many of the plan's recommended strategies on their own. Therefore, to fully realize the benefits of this plan, continued collaboration and consensus building among the MCGMAP partners and other public and private sector stakeholders will be critical.





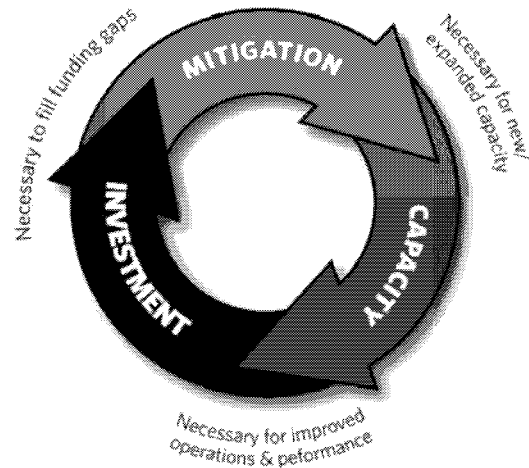
MCGMAP - The Master Plan for Goods Movement in Southern California

"THE ACTION PLAN IS THE MASTER PLAN FOR GOODS MOVEMENT IN SOUTHERN CALIFORNIA AND IS INTENDED TO BE USED AS A GUIDE IN PREPARATION OF STATE, REGIONAL, AND LOCAL TRANSPORTATION PLANS."

Simultaneous and Continuous Improvement - An Overarching Strategy

The vision of the Action Plan - a cleaner and healthier environment, alternative mobility strategies, and fair-share investment approaches - must be implemented through simultaneous and continuous improvement of the environment and infrastructure. Figure 2 depicts the concept and importance of a simultaneous and continuous approach. Environmental mitigation, including significant cleanup of emissions from ships, trains, and trucks, is critical to reduce the impact of existing and increased freight flows and to reach the region's air quality attainment targets. Expanded marine terminals, and inter-modal, rail, and highway infrastructure are needed to accommodate the growing freight volume. The freight growth that is accommodated through these actions provides the economic base for public and private investment in infrastructure and the environmental cleanup. The vision of the MCGMAP is to implement these elements in parallel - capacity, investment, and mitigation - each of which is necessary for the other to succeed.

Figure 2: MCGMAP Simultaneous and Continuous Approach



Core Mandates and Implementation Principles



The project partners developed four core mandates and six implementation principles to provide the guiding framework for the development of the MCGMAP.

CORE MANDATES

ENVIRONMENT: Avoid, Reduce, and Mitigate Environmental, Community, and Health Impacts

Environmental and community impacts must receive equal attention in the implementation of solutions.

MOBILITY: Promote the Safe and Efficient Movement of All Transportation Modes and Reduce Congestion

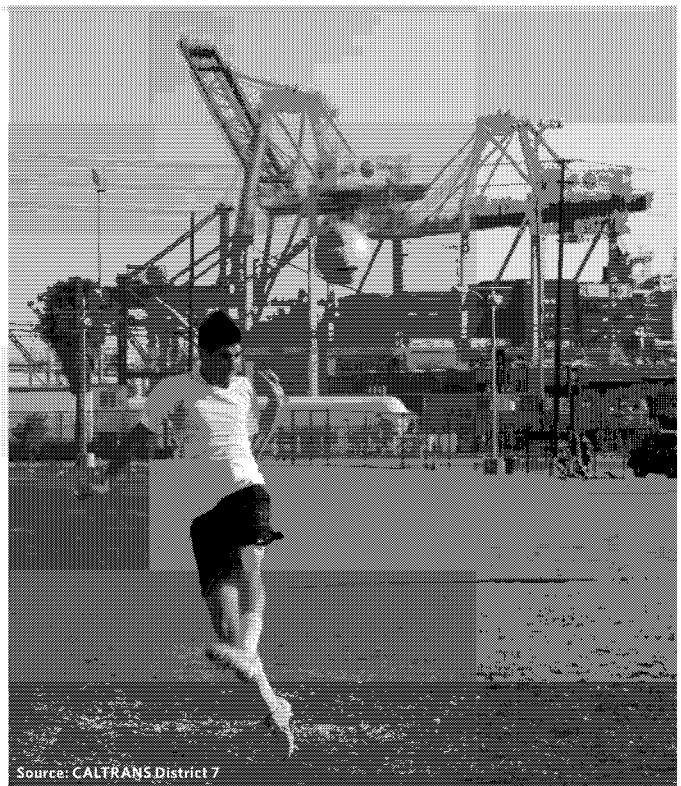
Existing and projected traffic growth will result in the significant deterioration of the region's highway and rail system's performance capabilities. The region's transportation system presents significant safety concerns for the public, particularly at-grade crossings and truck accidents, and increasing truck traffic in neighborhoods.

ECONOMY: Ensure the Economic Well-Being of the Region and the State

Goods movement is an important segment of the MCGMAP region and the U.S. trade economy. Goods movement and the associated industries (e.g., logistics) provide direct and indirect benefits to the region's economy. Each new logistics job supports two new jobs in the economy.

FUNDING: Secure the Region's Fair Share of Public and Private Funds for Investment in the Freight Transportation System

Although the region's goods movement system serves markets within and outside of California, these markets and associated system users are not paying their fair share to offset the costs of regional freight congestion and related health impacts. While still advocating for dedicated federal and state funding sources, user-based public-private funding arrangements must be a major component of the financing for critical projects.





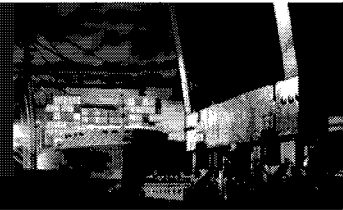
Core Mandates and Implementation Principles



IMPLEMENTATION PRINCIPLES

The MCGMAP builds upon the principles set forth in the Statewide Goods Movement Action Plan (January 2007). The following represent implementation principles specific to MCGMAP:

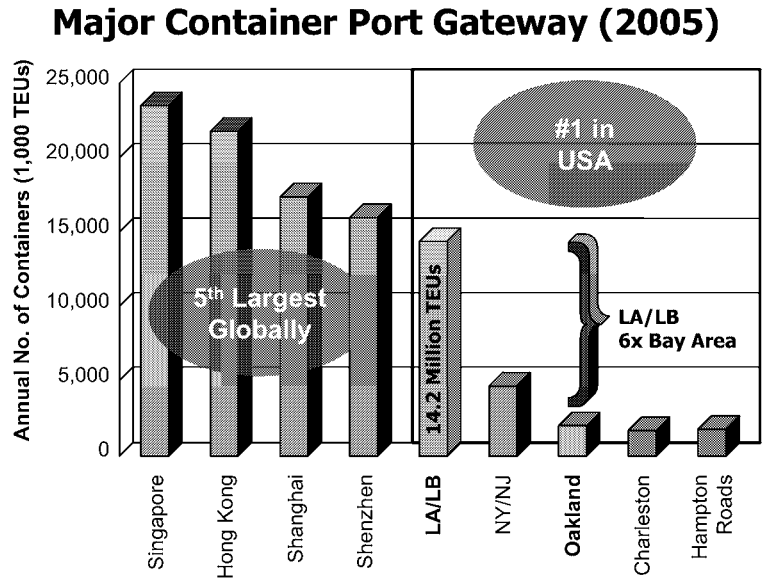
- 1. Guideline:** The Action Plan is the master plan for goods movement in Southern California and is intended to be used as guidance in the preparation of state, regional, and local transportation plans. The Action Plan can also be a tool for local jurisdictions to make informed land use decisions.
- 2. Investment:** Investments in goods movement infrastructure will be implemented on a simultaneous and continuous basis with investments in environmental/community mitigation.
- 3. Cost Distribution:** A fair share of the cost of the impacts of goods movement on transportation infrastructure, environment, and communities must be borne by those benefiting from it.
- 4. Management:** The need for institutional mechanisms for financing or implementing projects, will be defined as such needs are clearly identified.
- 5. Public Benefit:** Projects supported by public/private partnerships and private projects supported by public funding should demonstrate a clear public benefit.
- 6. Land Use Compatibility:** Partner agencies shall encourage land use decisions that will result in buffers – both open and developed – that separate goods movement infrastructure and sensitive receptors such as residential areas, schools, and hospitals.



CHALLENGES FOR THE NATIONAL TRADE GATEWAY

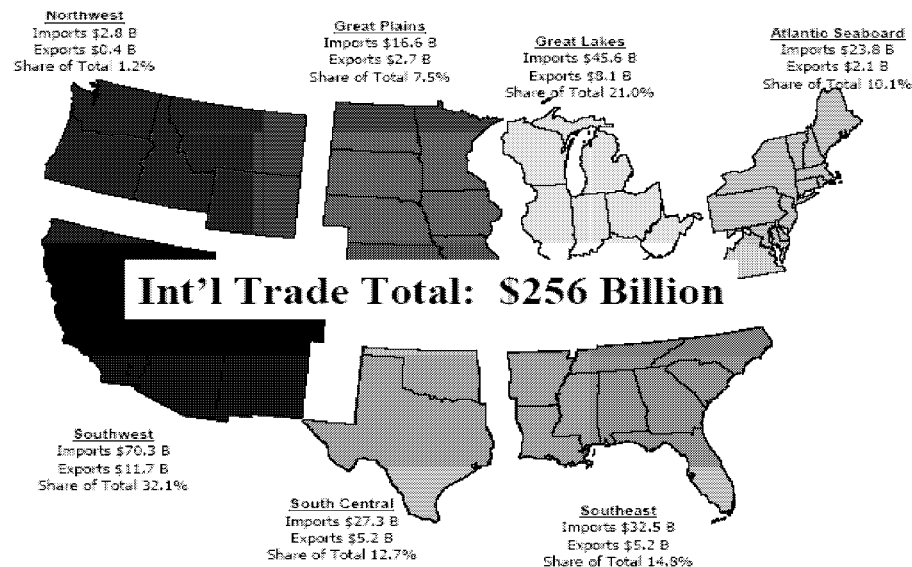
Currently, the Ports of Long Beach and Los Angeles (San Pedro Bay ports) accommodate more than 40 percent of all international containerized cargo into and out of the U.S. and were ranked 5th in the world in 2005 (see Figure 3). All indications point to a future demand in international freight flows that will exceed even the most aggressive efforts by the ports, railroads, and transportation agencies to accommodate it. Container volumes through the San Pedro Bay ports are projected to nearly triple from 15.7 million TEUs (twenty-foot equivalent units) in 2006 to 42.5 million TEUs by 2030. These forecasts are constrained by anticipated port capacity at a level significantly below the TEU demand projected for the ports in federally sponsored analyses. A large portion of this trade is simply "through-traffic," degrading air quality and impacting the region's quality of life, while providing limited economic benefit to the region. Approximately 77% of the container-based goods handled by the San Pedro Bay ports are consumed outside the Southern California region. Only 23% are consumed within the region. Freight flowing through the Ports of Los Angeles and Long Beach, which totaled \$256 billion in 2005, reaches every state in the continental U.S. as shown in Figure 4.

Figure 3: Major Container Port Gateways



Trucks traversing the California/Mexico border crossing area utilize three primary ports of entry (POE) – Otay Mesa, Tecate, and Calexico East. Mexico is California's number one export market and the fastest expanding component of the San Diego regional economy. The Otay Mesa-Mesa de Otay Port of Entry is the busiest commercial border crossing between California and Mexico, handling more than 1.4 million trucks and \$28.6 billion worth of goods in both directions in 2006. This trade represents the third highest dollar value of trade among all land border crossings between the United States and Mexico. Another \$1.2 billion in merchandise and more than 140,000 trucks crossed at the Tecate-Tecate POE. For Imperial County, the Calexico East/Calexico II POE processed \$11.3 billion in goods and 614,000 trucks in 2006. Nearly 80% of these truck trips stay within the state.

Figure 4: Total Value of Containerized Trade Moving through the Ports of Los Angeles and Long Beach, 2005



Source: Port of Los Angeles, Port of Long Beach, and Alameda Corridor Transportation Authority

The Crisis

The region is faced with multiple mobility, environmental, community impact, funding, and economic challenges:

Mobility Challenge - The study area's ports, airports, rail lines and inter-modal terminals have existing capacity constraints that undermine the efficiency and productivity of the system as a whole. Furthermore, the existing roadway and rail networks are reaching capacity. As a result, the system today is susceptible to disruptions to the movement of goods, causing delays that reduce the quality of services and increase costs to consumers. The mobility challenge is further exacerbated by the fact that the roadways, and rail networks that accommodate the movement of goods are often the same as those utilized by motorists and passengers for the movement of people.

Modeling for the SCAG region (defined as Los Angeles, Orange, San Bernardino, Ventura, Riverside, and Imperial Counties) forecasts that truck vehicle miles of travel (VMT) will increase by over 110% by 2030, growing from a level of 22.4 million VMT in 2000 to 48.4 million VMT by 2030. Some freeways in the region currently handle up to 40,000 trucks per day, and it is projected that these freeways may have to handle up to 80,000 trucks per day by 2025. As a result of the growth in passenger and truck traffic, the highway system's performance will deteriorate significantly. In fact, average speeds will drop from 35.9 mph in 2005 to 31.9 mph in 2030, resulting an average of 5.4 million hours of delay daily for all traffic. Furthermore, freight rail volume is projected to increase from 112 trains per day in 2000 to 250 trains per day in 2025 along the BNSF and Union Pacific mainline rail network. The current and future mobility challenges for the region are daunting and require immediate action as well as proactive steps to address future needs.

Environmental and Community Challenges - The goods movement system directly affects quality of life. This includes traffic congestion, truck intrusion into neighborhoods, safety, land use incompatibility, poor air quality and related health impacts, restricted mobility and delay at rail crossings, noise and vibration impacts, and visual impacts.

The dimensions of these impacts are staggering when viewed within the context of Southern California's designation as a non-attainment region for air quality. The use of bunker and diesel fuels, predominantly for the transport of freight by ocean going vessels, is a large contributor to the deterioration of the region's air quality. Furthermore, new health studies are drawing ever stronger conclusions about the association of air pollution with public health effects such as asthma, reduced lung function, and cancer risk that target the most vulnerable in the port communities and around other logistics centers - children. Implications of these findings are reflected in the estimated public health impacts summarized by California Air Resource Board (CARB) in Table 1.

Solving the challenge of moving freight is greatly complicated by the knowledge that failure to convert large proportions of the railroad engines and truck fleet to low-emitting or zero-emitting engines in the near future will result in missing the regional emission reduction targets needed by 2014 to meet the federal annual PM 2.5 standard, and by 2019 to meet the federal 24-hour PM 2.5 standard. Failure to meet the budget for the State Implementation Plan for air quality could result in a cessation of the flow of federal funds for highway projects. Thus, mobility and environmental challenges are heavily intertwined.



Source: CALTRANS District 7

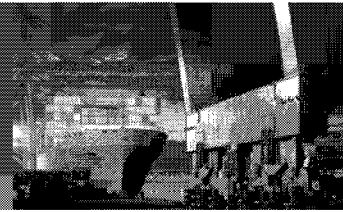
Table 1: CARB Annual (2005) Health Effects of PM and Ozone Pollution

Annual (2005) Health Effects of PM and Ozone Pollution from Freight Transport in California		
Health Outcome ^A	Cases per Year	2005 Valuation (\$ Millions)
Premature Death ^B	2,400	19,000
Hospital Admissions (respiratory causes)	2,000	67
Hospital Admissions (cardiovascular causes)	830	34
Asthma and Other Lower Respiratory Symptoms	62,000	1.1
Acute Bronchitis	5,100	2.2
Work Loss Days	360,000	65
Minor Restricted Activity days	3,900,000	230
School Absence	1,100,000	100
Total	NA	19,499

Source: California Air Resources Board, March 2006

^A Does not include the contributions from particle sulfate reformed from SO_x emissions, which is being addressed with several ongoing emissions, measurement, and modeling studies.

^B Includes cardiopulmonary- and lung cancer-related deaths.

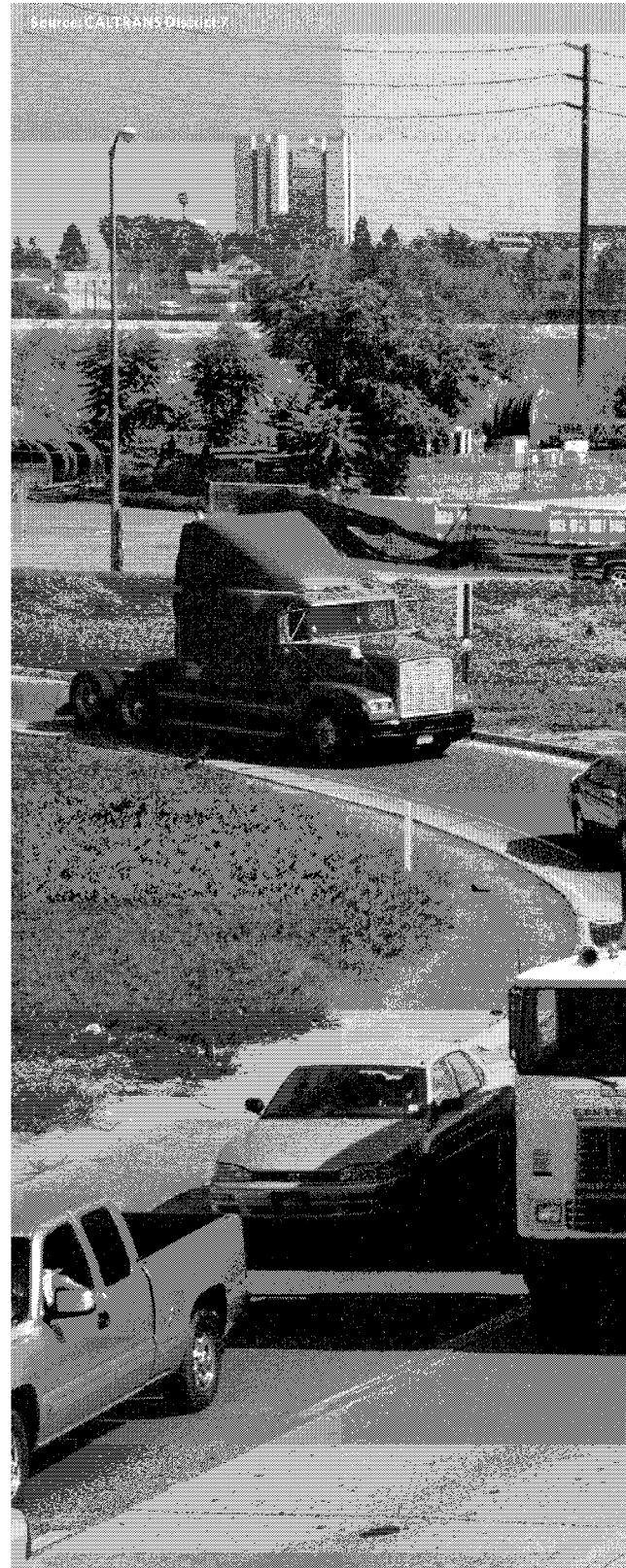


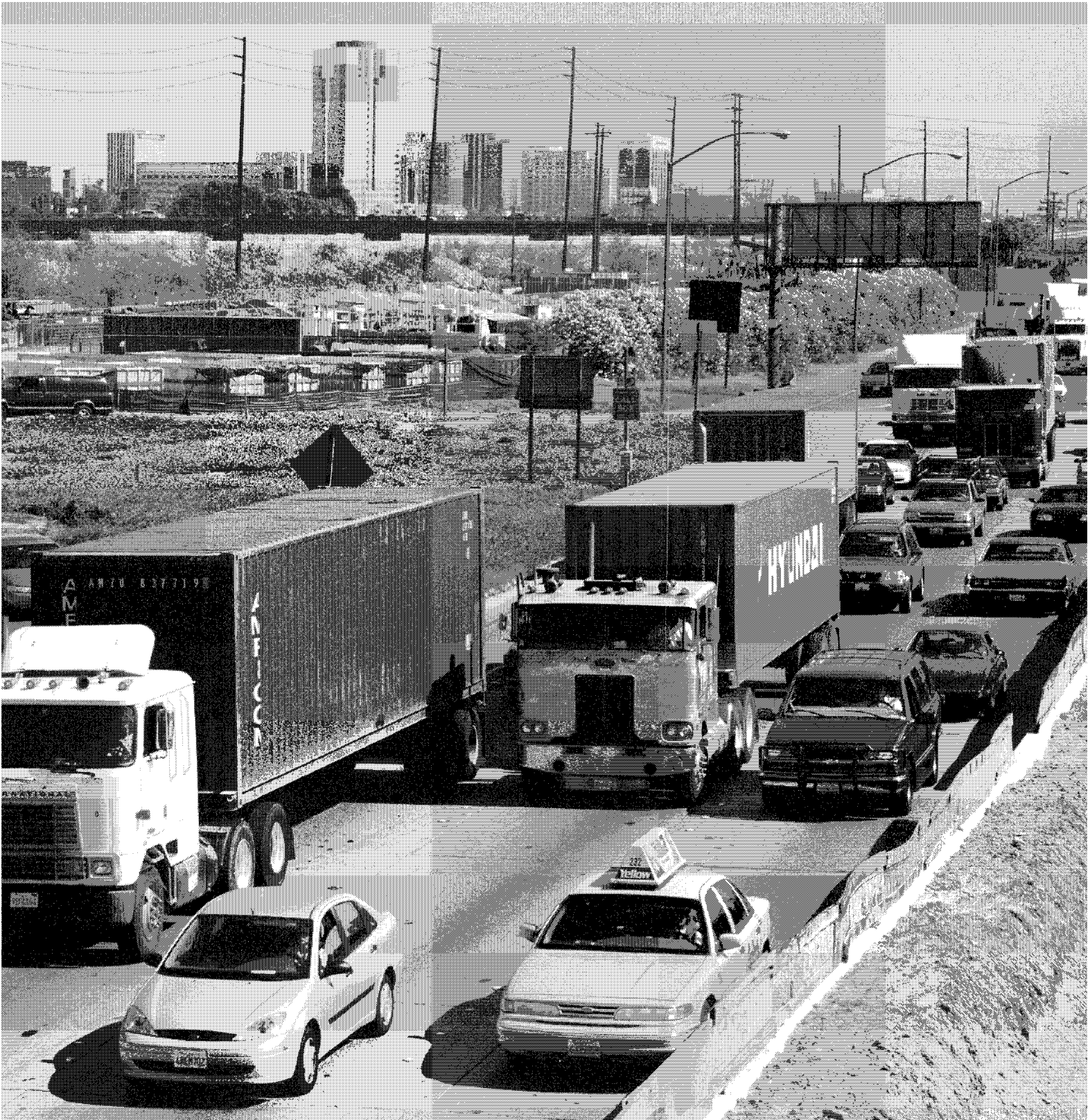
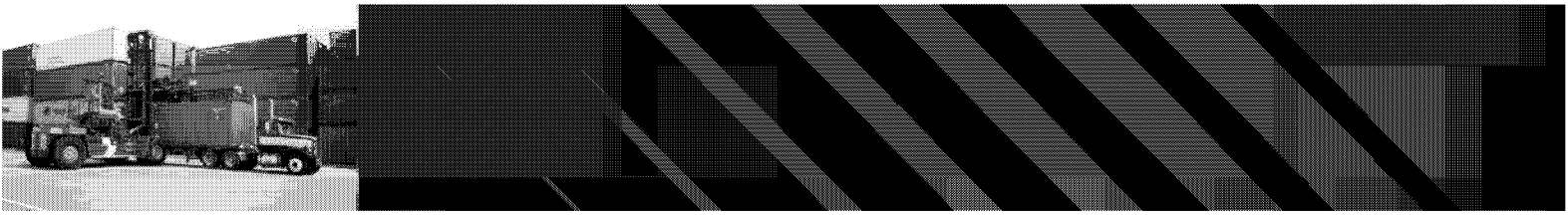
Funding Challenges- The goods movement system is significantly underfunded. Projects and programs identified in this Action Plan show funding needs on the order of \$50 billion over the next 25 years. Despite accommodating most of the nation's international trade volumes, Southern California has received a disproportionately low share of federal and state funding for goods movement. Moreover, the private sector's role in funding regional and nationally significant goods movement projects to date has been limited.

Economic Challenges - Despite its impacts, international trade provides significant benefits to the region. The logistics industry provides both direct and indirect benefits to the region's economy. Economic studies show that logistics activity is responsible for \$90.7 billion, or 6.6%, of the nearly \$1.4 trillion in economic activity annually in Southern California. The indirect or induced impact represents another \$170 billion or 12.4%. Each logistics job supports 2.2 new jobs in the economy. This contribution to the economy is significant and is important to achieving the MCGMAP vision.

Conversely, the economic benefits of goods movement can be negatively impacted by delays and congestion. At the Otay Mesa and Tecate international border crossings, inadequate and aging infrastructure and more stringent security requirements caused the U.S. and Mexico binational economy to lose \$3.9 billion and about 21,900 jobs during 2007. The border delays in freight movement result in increased transportation costs and interruptions in manufacturing and delivery cycles.

In order to maintain the economic vitality of the region, the economic benefits of goods movement must be leveraged and expanded. One of the challenges for the region is to translate a portion of these economic benefits into a stream of funding that addresses the infrastructure improvements made necessary by the increased movement of goods within and through Southern California. In addition, the economic growth attainable through increased logistics activity is needed to finance the cleanup of environmental problems that have been allowed to accumulate.





Understanding Freight Flows



Source: CALTRANS District 7

Currently, goods passing through the Southern California seaports and land ports of entry with Mexico belong to one of three modal “market segments”: 1) On-dock and off-dock/near-dock; 2) distribution/delivery; and 3) transload. By identifying the modes of travel for goods, a market segmented approach can be developed that will allow for the region to better target improvements and funding sources for goods movement projects and associated environmental and community impact mitigation measures.

Understanding the Market Segments

Figure 5 depicts the three primary market segments. Note that the specific percentages listed may vary on a daily basis and do not account for domestic goods movement, which represents a significant share of truck VMT in Southern California.

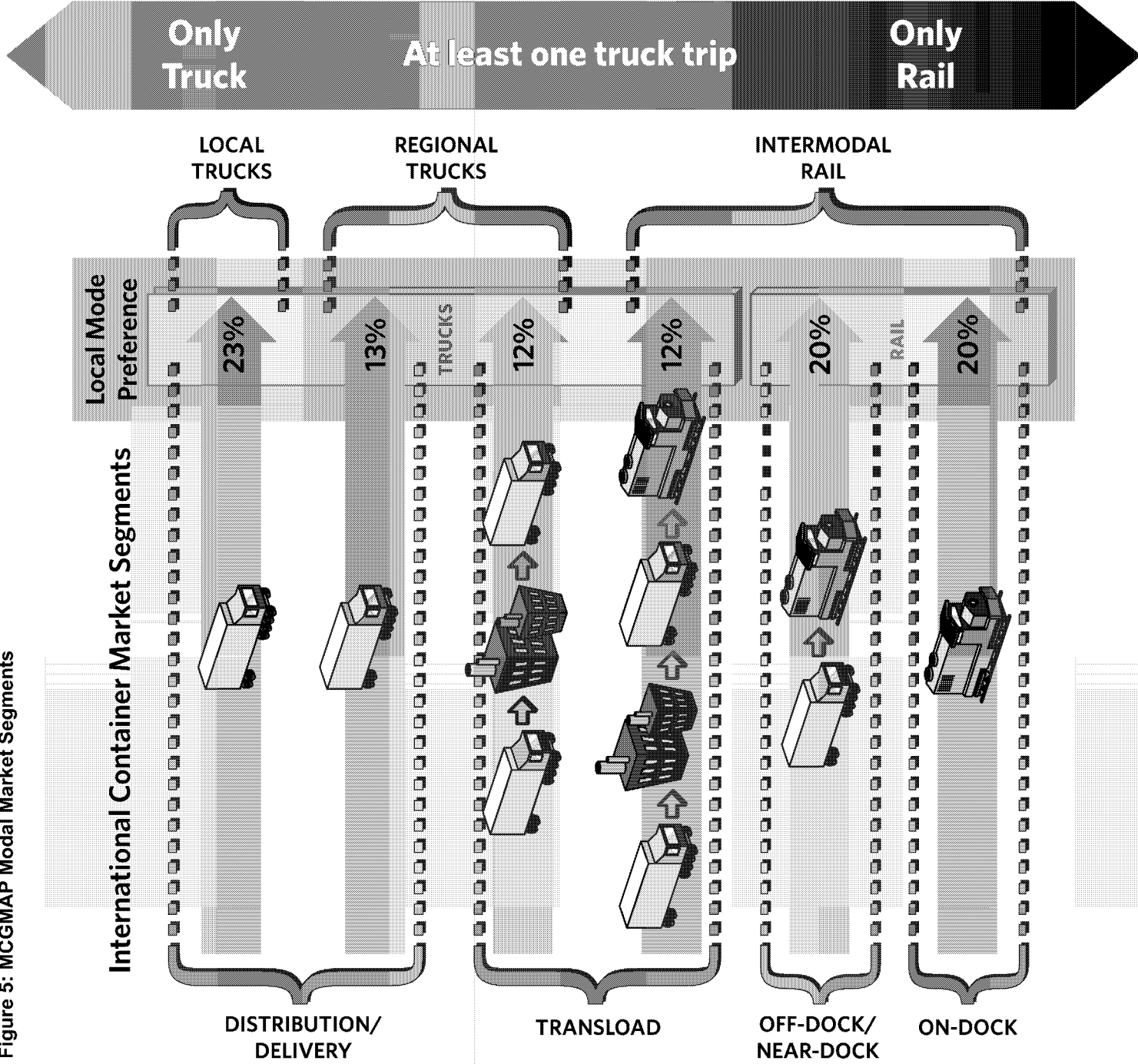
- **Direct Shipment from on-dock and off-dock/near-dock** - Approximately 40% of containers passing through the Ports of Los Angeles/Long Beach leave the region by rail utilizing either on-dock rail at the marine terminals or off-dock/near-dock rail inter-modal facilities. These goods are destined for areas outside the MCGMAP region, including the central and eastern United States. As a result, funding sources for goods movement can be better targeted since the direct benefits to shippers and the nation can be clearly shown. This includes additional state and federal goods movement funding, as well as container fees levied on shippers who receive direct benefits from improved efficiency of the goods movement system.

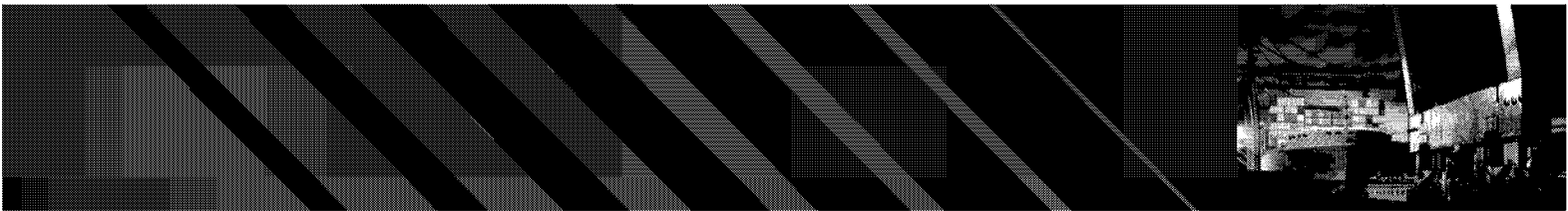
- **Transload** - Approximately 37% of containers passing through the Ports of Los Angeles/Long Beach are either trucked directly out of the region or leave the region after an intermediate stop at a warehouse or distribution center. These goods may arrive at the ports as a single container, be transported to an inland distribution center by truck, be broken down into smaller units while at a warehouse or distribution center, then loaded onto either truck or rail to be moved to their final destinations. Such goods use more specific routes through the MCGMAP region and provide better opportunities for targeting of specific routes, users, or impacts relative to local distribution/delivery. This includes truck replacement/retrofit programs, the development of separated corridors that move between clustered warehouse and distribution centers, and concepts such as inland ports and virtual container yards (yard operations to reduce the number of unproductive container truck trips).

- **Distribution/Delivery** - Approximately 23% of containers passing through the Ports of Los Angeles/Long Beach stay within the Southern California region, with the associated benefits and impacts. Because the origins and destinations for these goods are as dispersed as the people and communities that rely on them, the trucks transporting these goods use various roadways and routes for travel and blend into all other vehicular traffic within the region. Domestic goods movement, such as local delivery, construction, manufacturing, and service/utility trucking exhibit similar travel patterns. Because the users and shippers of this modal market are so widely varied, it is difficult to target individual users for funding without ignoring other users. Traditional funding sources for roadway improvements and alternative funding approaches for roadway tolling or congestion pricing will be needed to address this market segment.

Understanding Freight Flows


Figure 5: MCGMAP Modal Market Segments







Action Plan Framework



The MCGMAP is structured around four sets of actions, each of which is related to a component or segment of the goods movement market. Pages 10 and 11 discuss the concept of market segmentation of the goods movement flows within and through Southern California. It is a concept for structuring the problem in a way that lends itself to more targeted and cost-effective solutions. The three basic market segments of freight flows are:

- Direct intermodal rail shipment from on-dock and off-dock/near-dock to locations outside the region
- Transload (regional trips with an intermediate stopping point)
- Local distribution/delivery by trucks

The MCGMAP strategy distributes four “action sets” across the three basic market segments. This represents the basic structure upon which MCGMAP is built. The four action sets include:

1. Accelerate regional environmental mitigation
2. Relieve congestion and improve mobility
3. Improve operational efficiency
4. Develop equitable public/private funding strategy




Table 2 illustrates the core elements of the MCGMAP strategy by identifying the types of actions appropriate to address the needs of each market segment. In some cases, such as the environmental strategies, similar actions cut across all the market segments, but the appropriate source of funding from which to draw resources may vary.

Action Plan Framework



Table 2: Example Actions Targeted by Market Segment

FREIGHT MODAL MARKET SEGMENTS	ACTION 1 - Accelerate Regional Environmental Mitigation
<p>Freight moves destined outside of Southern California (~52%) - No Stops within Region - "Intermodal Rail"</p> <p>Freight loaded onto trains at the dock (~20%)</p> <p>Freight transported to near dock facility then onto a train (~20%)</p> <p>Freight transported directly out of the region by truck (~12%)</p>	<ul style="list-style-type: none"> ▪ Accelerate emission reduction measures in CAAP, AQMD, and state plans ▪ Use clean technology shuttle to intermodal facilities ▪ Use low emission train engines or electrification ▪ Construct grade separations in ACE corridor
<p>Freight moves destined outside of Southern California (~25%) - With at Least One Stop within Region - "Regional Trucks"</p> <p>Freight trucked to a warehouse, an intermodal facility and then loaded onto a train (12%)</p> <p>Freight trucked to warehouse, then trucked to a final destination outside of the region (13%)</p>	<ul style="list-style-type: none"> ▪ Accelerate emission reduction measures in CAAP, AQMD, and state plans ▪ Use clean technology shuttle to inland ports ▪ Use low emission train engines or electrification ▪ Coordinate community impact mitigation and land use planning ▪ Adopt incentive programs for turnover of truck fleet to clean technology
<p>Local freight moves within Southern California (~23%) - Multiple Stops within Region - "Local Trucks"</p> <p>Freight trucked to numerous locations within the region</p>	<ul style="list-style-type: none"> ▪ Accelerate emission reduction measures in CAAP, AQMD, and state plans ▪ Continue project-specific impact analysis and mitigation measures



Action Plan Framework

ACTION 2 - Relieve Congestion and Increase Mobility

- Construct rail mainline capacity improvements
- Construct Colton Crossing
- Use clean technology shuttle to intermodal facilities

ACTION 3 - Improve Operational Efficiency

- Increase on-dock loading
- Expand hours of port operation (PIER-PASS) and intermodal terminals operation

ACTION 4 - Develop Equitable Public/Private Funding Strategy

- Railroad (private) funding and public funding proportional to benefit
- User fees (e.g., container fees)
- Increase federal participation

- Construct highway capacity improvements
- Study feasibility of dedicated freight guideway(s)
- Use clean technology shuttle to inland ports

- Adopt flexible hours of operation (warehouse/ distribution centers)
- Study feasibility of virtual container yards
- Expand use and integration of Intelligent Transportation Systems for highways and vehicles

- Railroad funding and public funding proportional to benefit
- Traditional highway funding
- Possible truck tolling on dedicated facilities
- Container fees
- Increase federal and state participation
- Conditions of approval and development fees for community mitigation

- Construct highway capacity improvements
- Study dedicated freight guideway(s) on freeways and roadways

- Adopt flexible hours of operation (delivery)
- Expand use and integration of Intelligent Transportation Systems for highways and vehicles
- Alleviate physical factors and conditions that may constrain operations of trucks (ie. lane widths, vertical and horizontal constraints and curvature, shoulders, pavement)

- Traditional highway funding
- Possible truck tolling on dedicated facilities
- Conditions of approval and development fees for community mitigation



Goods movement imposes significant costs on community livability and the environment. Therefore, the MCGMAP partners consider air quality improvements and regional environmental mitigation an intrinsic part of a regional goods movement system.

The Action Plan recognizes that a regional approach is necessary, with the focus on cleaning up emissions at the source (i.e. the powertrains of ships, locomotives, trucks, and harbor equipment) not one based simply on project-by-project mitigation. The simultaneous and continuous implementation of environmental mitigation strategies is a leading imperative for this Action Plan and will require action at two levels: 1) Region-wide approaches; and 2) project-specific mitigation measures.

Region-wide Approaches

A systems approach is required to reduce the air quality, community and environmental impacts of goods movement flowing into and through the region. This approach has three components – acceleration of the funding and implementation of air quality plans already prepared, strengthening of fuel and engine standards, and institutional policies.

- **Acceleration of funding and implementation of air quality plans** - Some of the nation's most aggressive clean air improvement plans are now in place in Southern California: the San Pedro Bay Ports Clean Air Action Plan (CAAP), the 2007 South Coast Air Quality Management Plan (AQMP), and the California Air Resources Board (CARB) Emission Reduction Plan. The MCGMAP supports these plans and proposes to accelerate the implementation of the strategies in those plans. Accelerating the environmental cleanup from goods movement sources is one of the principle themes of the environmental actions in the MCGMAP.
- **Strengthening of fuel and engine standards** - Regulations that promote the use of clean fuels and engine standards/technologies should be strengthened beyond those currently proposed. This will need to be supported by accelerated research and development of cleaner technologies by private industry, and by implementation assistance from state and federal regulatory agencies. These actions by private industry and regulatory agencies will allow regional and local strategies and incentive programs in the CAAP and AQMD to have greater effect.
- **Institutional policies** - Cooperative and coordinated institutional and development policies enacted by local jurisdictions and the development industry could result in environmental and community benefits. Such policies could include: 1) Designating quiet zones for rail corridors; 2) amending zoning and land use regulations to better avoid non-compatible land uses (separating goods movement activities from residential areas; buffering); and 3) establishing mitigation banking and/or development of pooled funds for mitigation (e.g., land use changes, purchasing green space along freight corridors, diesel truck retrofits, funds for health clinics, etc.). The partner agencies have embarked on a collaborative effort with community stakeholders and the private sector to develop such guidelines (see first bullet under specific actions).

Project Specific Mitigation Measures.

While the proposed broader regional strategies will result in significant reductions in emissions for the study area as a whole, project specific mitigation measures are often most effective at the local level, resulting in more tangible benefits for local neighborhoods and communities. Therefore, the Action Plan supports the use of project-specific revenue mechanisms to help fund mitigation efforts. Examples include:

- Use of best available technology and best practices for project construction and operational impacts.
- Compliance with natural resource statutes (e.g., federal and state Endangered Species Acts and Clean Water Acts, Migratory Bird Treaty Act)
- Inclusion of “smart” design and good planning principles, such as landscaped buffering, noise barriers, exterior light shielding and positioning, separation of incompatible land uses, and wetlands protection.

SPECIFIC ACTIONS

- Develop guidelines for local jurisdictions to use in siting and designing goods movement related land uses and transportation facilities. (Consultant activity is underway)
- Encourage federal participation in developing guidelines and international agreements that regulate vessels (and other stationary sources of diesel emissions) used for transporting goods to and through U.S. ports.
- Support clean lease arrangements made by the ports for reducing ship emissions.
- Initiate a follow-on effort to identify more aggressive goods movement initiatives to achieve regional air quality attainment, including the identification of sources of funding to accelerate the environmental cleanup.



ACTION SET 2 | Relieve Congestion and Improve Mobility

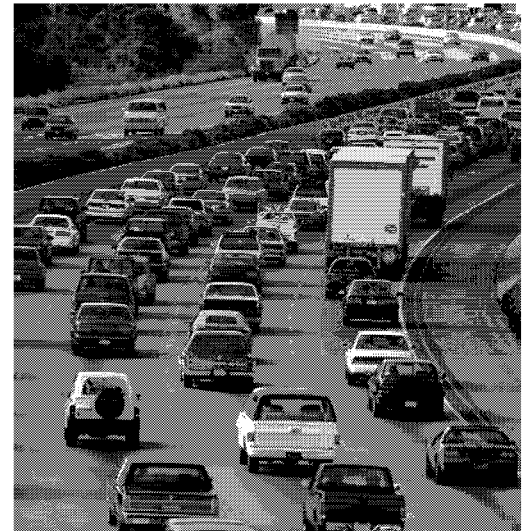
Region-wide congestion relief and increased mobility cannot be achieved without significant investment in infrastructure, coupled with improvements in efficiency and productivity. Utilizing the market segmentation approach, various crucial capital improvements were identified for each of the modes involved in the movement of goods.

Increased Intermodal and Mainline Rail Capacity

Increases in mainline rail capacity and on-dock rail improvements at the ports are critical to the efficient transport of intermodal freight bound for destinations outside the region. The Action Plan recommends implementation of rail improvements in accordance with the San Pedro Bay Ports Master Plans as well as triple tracking the BNSF mainline from Los Angeles to San Bernardino and double tracking the two Union Pacific corridors. These improvements must be done in concert with the grade separations and safety improvements outlined in the multi-county Alameda Corridor East (ACE) Trade Corridor program. Implementing the mainline rail capacity enhancements together with the grade separation of railroad crossings can maximize efficiency and cost-effectiveness while also providing an opportunity to maximize funding from federal and state sources and accelerate the delivery of the needed improvements. Grade separation of the rail-to-rail Colton crossing as well as other rail-roadway grade separations near the the Ports of Los Angeles, Long Beach, Hueneme, and San Diego, and at other key Los Angeles County locations are also critical.

Improved Highways/Roadways

The Plan recommends three tiers of highway actions. The **Tier one** includes major improvements on roadways and bridges in proximity to the ports/border crossings and other major freight activity centers (examples include the Gerald Desmond Bridge replacement project, the SR-47 Expressway, I-110 connectors, High Desert Corridor, SR-78 Brawley Bypass, and the San Diego Border Corridors). **Tier two** is comprised of corridor-level investigation of alternative technologies, separated mass flow applications (e.g., the I-710 Corridor Improvements) as well as dedicated freight guideways/truck lanes with the use of clean engine trucks and/or clean Long Combination Vehicles (LCVs), if such vehicles could be authorized to operate on dedicated facilities in California safely with minimal impacts on surrounding communities. Further consideration of LCVs will require a detailed analysis of potential capital and operational impacts. This tier focuses on new technologies as well as new application of methods not widely used in California. Consequently, these projects will require additional detailed analysis before they can proceed. **Tier three** projects encompass capital and operational improvements that in addition to assisting with the efficient movement of goods, are also beneficial to mixed flow traffic. Such improvements include modification of key freeway-to-freeway interchanges to alleviate operational and geometric bottlenecks, addition of auxiliary lanes, shoulder improvements and other safety and operational improvements on roadways heavily used by trucks.



SPECIFIC ACTIONS

- Complete the ACE Trade Corridor railroad grade crossing improvement program in Los Angeles, Orange, Riverside, and San Bernardino Counties.
- Continue with analysis and planning of I-710 dedicated freight guideway facility.
- Further investigate the feasibility of inland port / concentrate inland warehouse and distribution locations.
- Increase border trade capacity and efficiency.
- Implement key projects listed in the regional and county-specific Tables 5 and 6.
- Participate with the railroads in eliminating key bottlenecks and increasing capacity along the mainline rail system as outlined in the Los Angeles-Inland Empire Railroad Mainline Advanced Planning Study.
- Develop the appropriate institutional arrangements and negotiating framework to provide simultaneous and continuous improvement to mainline track improvements, the Colton Crossing grade separation, highway-rail grade separations, locomotive emission reductions, and other rail corridor related mitigations.
- Initiate a Regionally Significant Transportation Investment Study (RSTIS) to evaluate the feasibility of implementing a Dedicated Freight Guideway System/Regional Truck Lanes (I-710 From Port of Long Beach to SR-60; East-West Corridor between the I-710 and to I-15; and I-15 to Victorville) inclusive of potential non-freeway implementation.



Any comprehensive strategy to address mobility, improve predictability and enhance safety needs to address system and corridor capacity. This includes improvements to the operational efficiency of the region's goods movement system. The operational efficiency of various segments of the goods movement system can be improved based on specific modal market segments.

Improve Marine Terminal Productivity, Truck Turn Times, and Intermodal Operations

In order to meet the future demand, the Ports of Los Angeles and Long Beach will increase their operational productivity from the existing level of 4,700 TEUs per acre per year to almost 11,000 TEUs per acre per year. The current focus is on increasing on-dock rail use and extending hours of operation to off-peak time periods (PIERPASS). Additional strategies include the transport of unsorted containers from the ports to inland railyards separated from residential areas for the creation of destination trains, as well as introducing new technologies such as optical character recognition (OCR) and radio frequency identification tags (RFID), and the evaluation of the feasibility of a virtual container yard to reduce the number of unproductive empty container truck trips.

Improve Highway Operations

Increased implementation of Intelligent Transportation Systems (ITS), weigh-in-motion (WIM) systems, highway pricing such as Open Road Tolling (ORT) collection systems, improved incident management, and enforcement of driver and operating restrictions can improve highway operations. ITS solutions allow for truck routing, traffic control during construction or maintenance, as well as the shifting of truck movement to off-peak times. WIM bypass systems are an effective means of traffic management in the proximity of weigh stations. The system helps maintain normal traffic flow and prevents traffic backup onto the mainline freeway resulting from commercial vehicles entering and exiting weigh stations. Open Road Tolling allows users to travel at highway speeds on the mainline while their tolls are collected electronically overhead, reducing congestion and travel times for passenger and commercial vehicles. California has established a statewide standard for use at all toll roads and bridges utilizing the "FasTrak" device.



SPECIFIC ACTIONS:

- Implement efficiency improvements contained in the San Pedro Bay Ports Master Plans that reduce impacts from trucks and containers on the transportation system and community.
- Improve terminal productivity, truck turn times, and inter-modal operations.
- Implement the highway operational improvements listed in Table 6.
- Develop partnerships between public and private entities to research and develop advances in goods movement transportation technologies.



ACTION SET 4 | Develop Equitable Public/Private Funding Strategy

Funding and implementation of the recommended actions, projects, and programs and their associated mitigations will require a coordinated effort by the private sector and public sector at all levels of government. It is critical that all beneficiaries of goods movement participate in funding infrastructure improvements as well as environmental mitigation. Beyond its value to the regional economy, the existing border crossings and commercial trade with Mexico are also critical to the regional and bi-national economies. Cross-border goods have origins and destinations to California/regional retail markets and manufacturers to shipping beyond California through the San Pedro Bay Ports and the Inland Empire Rail/Intermodal distribution centers.

To illustrate the shortfall in public funding, the Alameda Corridor-East Trade Corridor, which would provide much needed grade-separation projects to reduce congestion and emissions throughout the region, has an 83% funding shortfall - \$3.8 billion out of the \$4.4 billion total.

Maximize the Study Area's Fair Share of State and Federal Funds

Federal assistance is essential to compensate for the disproportionate local and regional costs for the goods movement infrastructure (and associated regional environmental and community impacts and necessary mitigations) provided to the rest of the nation. The next national transportation funding reauthorization legislation must recognize the importance of funding a national goods movement system, establish appropriate levels of federal funding support, and provide further opportunity for flexibility in the use of federal funds. The four freight-related programs of key relevance are 1) Projects of National and Regional Significance, 2) National Corridor Infrastructure Improvement Program, 3) Freight Intermodal Distribution Pilot Program, and 4) Truck Parking Facilities Program. Though state and federal funds are needed, any funding for private infrastructure to increase capacity and facilitate the throughput of goods must ensure that public dollars are used in return for public benefits, not merely for benefits to the private logistics system. The development of public-private benefit assessments among the private beneficiaries and public agencies is one method to address this issue.

Private Sector Contribution

Recognizing funding shortfalls for infrastructure projects and the fact that private industry benefits from an improved goods movement system, the MCGMAP recommends efforts to secure private revenue sources including user fees. This could be done through pending legislative efforts or by other means such as ongoing efforts by the San Pedro Bay ports to negotiate cargo fees for infrastructure and environmental mitigation projects. The types of user fees that should be considered include congestion pricing, port-assessed cargo or container fees, industry-supported programs similar to PIERPASS, and VMT-based taxes or gas taxes for trucks. The Action Plan addresses the need to convert the value of improvements to the study area's goods movement system into revenue for improving infrastructure and mitigating impacts. Federal and state funds require local/private matching funds, thus private sector contributions will add strength to applications for leveraging federal and state funds.

Stakeholders in San Diego and Baja California, Mexico are investigating the potential for use of public funds together with private financing and toll fees for a new border crossing, highways, and federal inspection staffing at Otay Mesa East, California / Mesa de Otay II, Baja California. Similar pursuits for new border crossings or expansions are also projected along the Imperial County, California / Mexicali, Baja California border.

SPECIFIC ACTIONS

- Maximize Southern California's fair share of state and federal funds through ongoing and coordinated legislative efforts.
- Provide input to legislation focused on user fees and to any ongoing efforts to negotiate user fees with industry that can be included in a specific plan of finance for goods movement and air quality improvements.
- Pursue public-private funding arrangements for specific facilities, where appropriate .
- Implement the Cooperation Agreement among regional, state, and federal agencies to facilitate the actions contained in the MCGMAP.
- Develop structure for managing user fees and revenues for goods movement infrastructure and community/environmental mitigation projects.

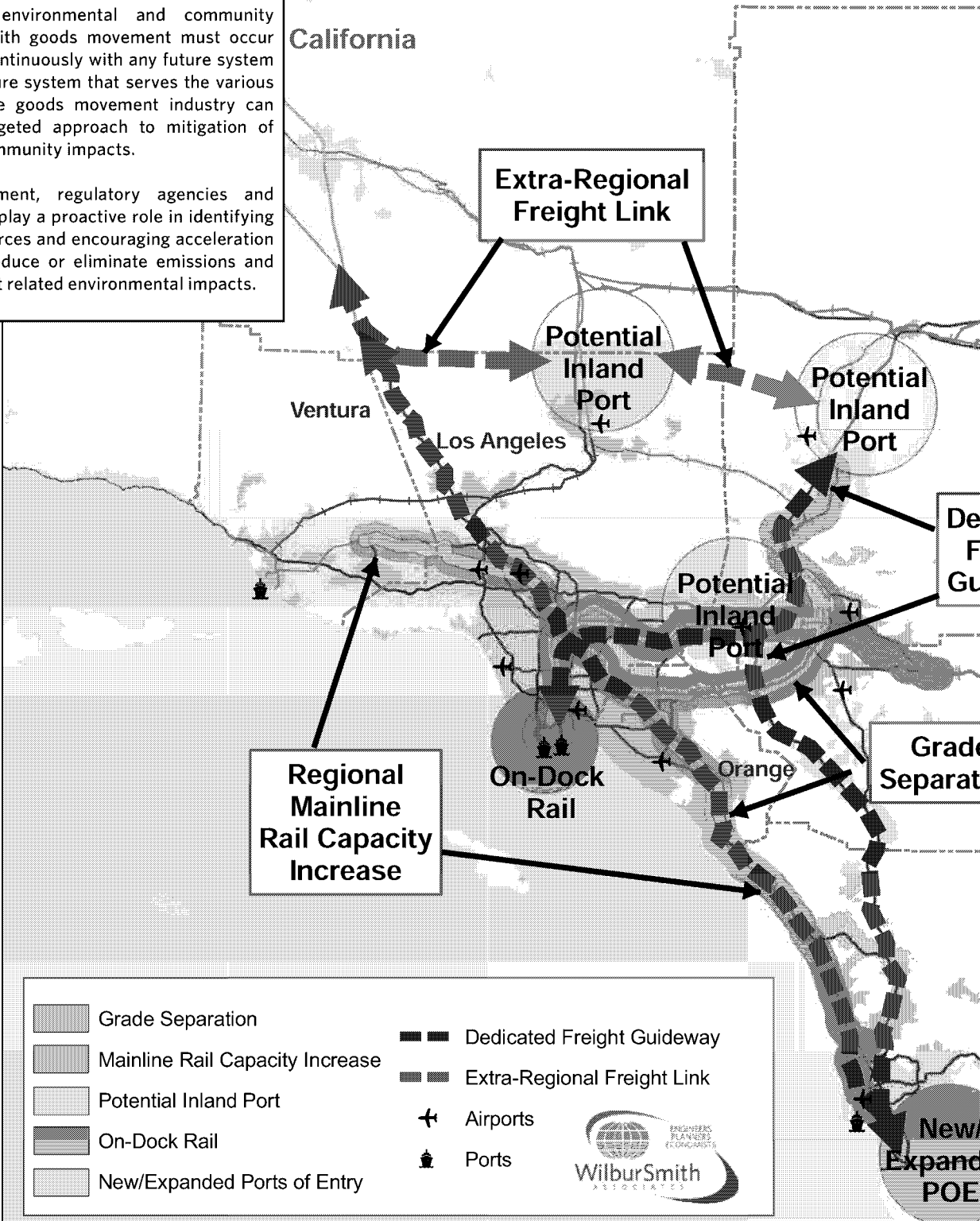
Potential Future System



Figure 6: Map of Potential Future System

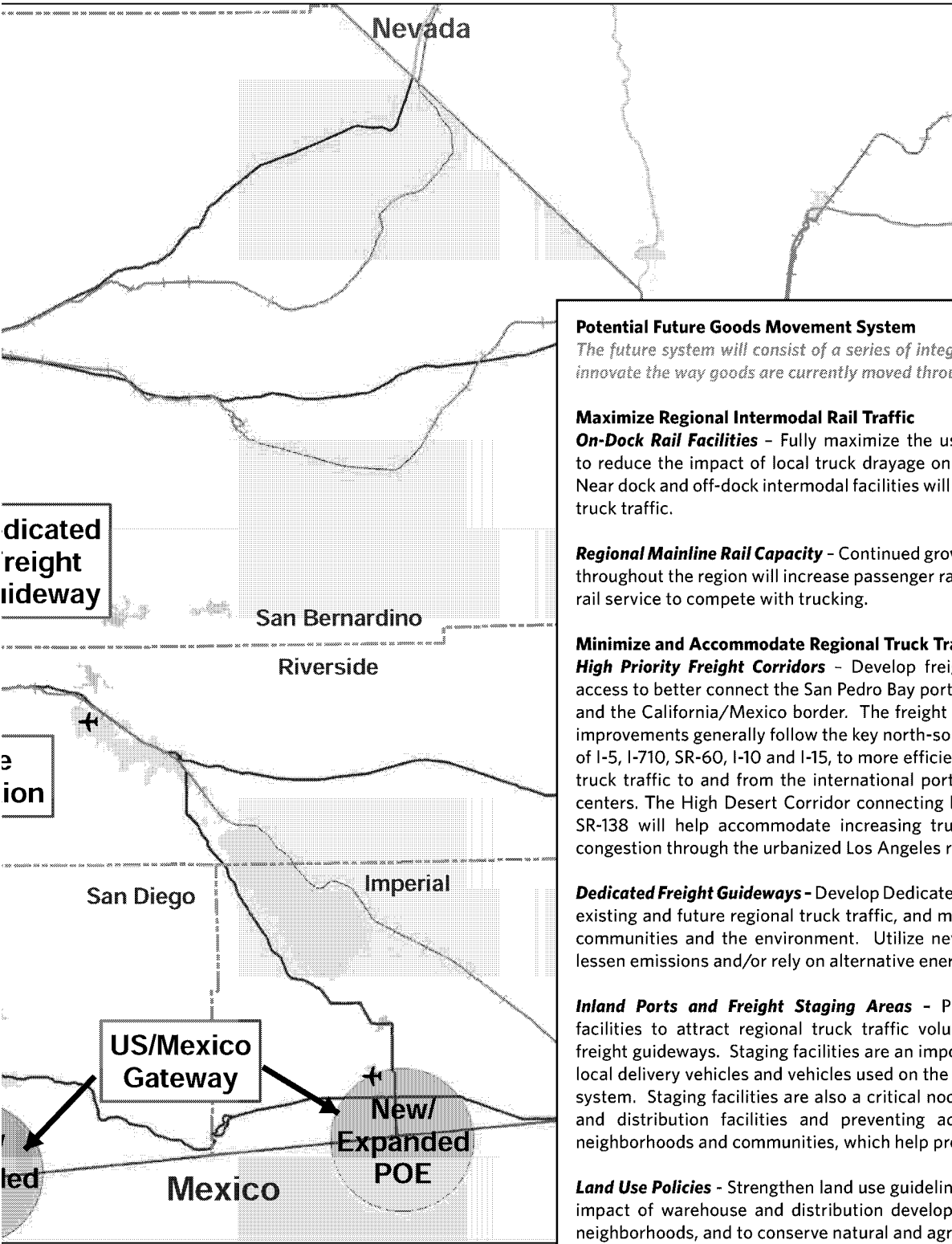
The mitigation of environmental and community impacts associated with goods movement must occur simultaneously and continuously with any future system improvements. A future system that serves the various modal markets of the goods movement industry can provide a more targeted approach to mitigation of environmental and community impacts.

The federal government, regulatory agencies and private industry must play a proactive role in identifying dedicated funding sources and encouraging acceleration of innovations that reduce or eliminate emissions and other goods movement related environmental impacts.





Potential Future System



Potential Future Goods Movement System

The future system will consist of a series of integral components designed to innovate the way goods are currently moved through the region.

Maximize Regional Intermodal Rail Traffic

On-Dock Rail Facilities - Fully maximize the use of on-dock rail facilities to reduce the impact of local truck drayage on congestion and emissions. Near dock and off-dock intermodal facilities will also be expanded to reduce truck traffic.

Regional Mainline Rail Capacity - Continued growth in mainline rail capacity throughout the region will increase passenger rail services as well as freight rail service to compete with trucking.

Minimize and Accommodate Regional Truck Traffic

High Priority Freight Corridors - Develop freight corridors and improve access to better connect the San Pedro Bay ports, the Inland Empire region, and the California/Mexico border. The freight corridor and border access improvements generally follow the key north-south and east-west corridors of I-5, I-710, SR-60, I-10 and I-15, to more efficiently accommodate regional truck traffic to and from the international ports of entry and distribution centers. The High Desert Corridor connecting I-5 and I-15 generally along SR-138 will help accommodate increasing truck traffic by avoiding the congestion through the urbanized Los Angeles region.

Dedicated Freight Guideways - Develop Dedicated facilities to accommodate existing and future regional truck traffic, and minimize the impact on local communities and the environment. Utilize new modes that eliminate or lessen emissions and/or rely on alternative energy sources.

Inland Ports and Freight Staging Areas - Promote dedicated staging facilities to attract regional truck traffic volumes to use the dedicated freight guideways. Staging facilities are an important interchange between local delivery vehicles and vehicles used on the dedicated freight guideway system. Staging facilities are also a critical node for attracting warehouse and distribution facilities and preventing ad-hoc location throughout neighborhoods and communities, which help prevent land use conflicts.

Land Use Policies - Strengthen land use guidelines and policies to minimize impact of warehouse and distribution development on communities and neighborhoods, and to conserve natural and agricultural lands.

Stakeholder Outreach

This section summarizes the stakeholder outreach efforts of the MCGMAP project, which occurred throughout the development of the Action Plan. The purpose of these outreach activities was to gather comments and input on the Draft Action Plan. Written and oral comments/questions about the Draft Action Plan along with topical responses are included in Appendix C of the Final Action Plan.



Stakeholder participation was an essential component throughout the development of the MCGMAP. In doing so, the project partners attempted to reach as broad a cross-section of stakeholders as possible through the following outreach mediums:

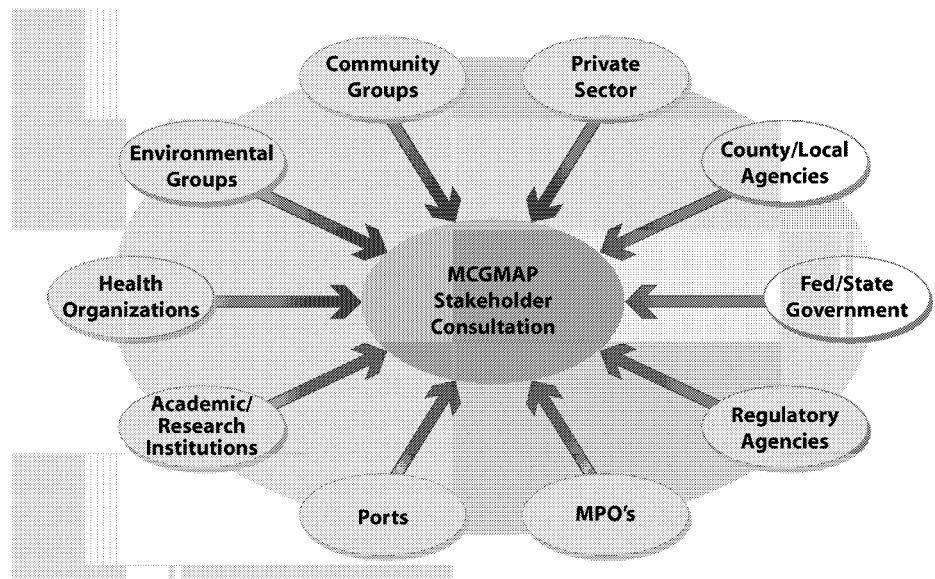
- Project Website;
- Seven (7) Stakeholder Advisory Group (SAG) Meetings;
- Two (2) Public Surveys;
- Presentations to boards, committees and organizations; and
- Twelve (12) Public workshops.

Two survey instruments were utilized and a project website (<http://www.metro.net/mcgmap>) was established to inform and engage stakeholders. Meetings and workshops were convened to gather input and share findings. The Stakeholder Advisory Group meetings were an important mechanism through which key stakeholders across region were informed and had an opportunity to vocalize concerns to the MCGMAP planners. Representatives from community advocacy and health organizations, air quality regulatory agencies, the ports, the trucking and railroad industries and other transportation agencies at all levels of government were invited to participate in the Stakeholder Advisory Group (SAG) meetings. Additionally, smaller one-on-one meetings were held with many of these groups to confirm data and obtain their individual perspectives on issues related to goods movement. Stakeholder Advisory Group meetings and county workshops provided a forum for stakeholders to comment on the content of the action plan and to express concerns about the impact on local communities, air quality, the environment and the transportation system.

In general, the stakeholders support a coordinated effort among the agencies and stakeholders to solve goods movement challenges facing the region. Stakeholders expressed the following specific concerns:

- Having more aggressive environmental mitigation strategies to reduce current levels of goods movement impacts before any new infrastructure projects are built;
- Dedicating new private/public funding sources to reduce health and environmental impacts of goods movement in the region;
- Providing for more aggressive use of alternative fuels and alternative technologies to address goods movement impacts;
- Questioning whether we need to meet unlimited goods movement demand - all costs and benefits should be studied first; and
- Considering placement of limits on trade growth and diverting it to other ports and instead investing in clean industries as a more cost-effective approach.

Some stakeholders indicated that regional environmental and community impacts must be addressed and mitigated to a level beyond existing air quality attainment goals. However, the authority to increase air quality attainment goals rests with regulatory agencies such as the SCAQMD and CARB, not the MCGMAP partner agencies. For more information, please see Chapter 2 - Stakeholder Outreach in the Action Plan.





Analysis Approach

This section briefly describes the approach to evaluating goods movement projects and strategies. This approach included an analysis of three Port of Los Angeles/Long Beach container volume growth and two levels of infrastructure investment scenarios, a qualitative evaluation of goods movement projects/strategies, and a detailed analysis of twelve bundles of projects, including regional truck lanes.

Analysis of growth scenarios

Four scenarios encompassing three levels of Port of Los Angeles/Long Beach container volume growth and two levels of infrastructure investment were analyzed to determine their economic impact. Table 3 provides a summary of the employment impacts of each scenario. In addition, an attempt was made to estimate the regional mobility impacts of the four scenarios; however, due to data limitations, the regional transportation demand model does not adequately project the linkage between regional truck trips and port container volumes. Consequently, the model could only be used for scenarios 1 and 4.

Table 3: MCGMAP Freight Growth Scenarios

Scenario	Assumptions	2030 Employment impact (number of jobs)	Change relative to Scenario 1
1	San Pedro Bay port growth of 42.5 million TEUs by 2030; SCAG 2004 Regional Transportation Plan baseline implementation	1,601,476	-
2	San Pedro Bay port growth of 24 million TEUs by 2030; SCAG 2004 Regional Transportation Plan baseline implementation	1,013,101	-36.7%
3	San Pedro Bay port growth of 33 million TEUs by 2030; SCAG 2004 Regional Transportation Plan baseline implementation	1,303,490	-18.6%
4	San Pedro Bay port growth of 42.5 million TEUs by 2030; SCAG 2004 Regional Transportation Plan baseline implementation supplemented by additional projects and private investment sources and fees	1,601,476	0.0%

Evaluation of goods movement strategies

A qualitative evaluation of goods movement projects/strategies was also conducted. This analysis grouped a comprehensive list of 249 projects/strategies (the complete list is included in the Action Plan) into 15 categories of projects ranging from increased highway and rail capacity to changes in operational and institutional practices. The 15 categories of projects were then qualitatively evaluated using 26 evaluation criteria. For more detailed information on this analysis, please refer to Technical Memorandum 6A. In addition, 12 bundles of potential freight improvements including nine dedicated truck lane bundles (bundles 2 through 9) and one dedicated freight guideway were modeled using the SCAG Travel Demand Forecasting model. The model was used to quantify truck volumes using the region's highway network and estimate the number of daily hours of delay reduced for both autos and trucks. Furthermore, for each bundle the potential cost (which was kept at a constant per mile basis), the number of warehouse acres in proximity to each corridor, the number of schools within 1/3 mile of each bundle, and the number of residential acres within 1/2 mile of each bundle was calculated. Results from this analysis are summarized in Table 4.

When interpreting the analysis in Table 4, please note the following:

- Due to the limitations of the analytical tools available, all bundles were modeled using a container forecast volume of 42.5 million TEUs by 2030.
- All analyses were completed from a regional perspective. Analyses were completed with the understanding that further future detailed corridor-specific analyses would be required prior to project implementation. Future detailed analysis should quantify factors not included as part of this effort, such as design, right-of-way considerations including number of displaced properties, impact on commercial properties adjacent to corridors, etc.
- The macro-level analysis of dedicated truck lane systems, advanced technology and other bundles rendered preliminary information that also warrants further investigation and outreach to affected communities to be conclusive.

Further information about the scenarios, project bundles and other model criteria and findings can be found in Chapter 6 of the Action Plan and the technical appendices.

Analysis Approach

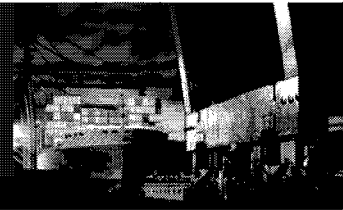


Table 4: MCGMAP Bundle Analysis Results

Bundle	Description	Distance (mi)	Reduction of Daily Hours of Delay (vs. 2030 Baseline)		Schools*	Residential* (Acres)	Warehouse* (Acres)
			Autos	Trucks			
1	Operational and safety improvements	N/A	-42,000	-1,000	N/A	N/A	N/A
2	I-710 to SR-60 to I-15	101.5	203,000	78,000	35	9,933	6,290
3	I-710 to I-10 to I-15	98.7	289,000	83,000	60	11,329	3,135
4	I-710 to SR-91 to I-15	87.5	192,000	87,000	48	8,684	4,716
5	I-710 to I-10 (WB) / SR-60 (EB) to I-15	100.1	252,000	81,000	77	16,702	6,767
6	I-710 to SR-91 to SR-57 to SR-60 to I-15	110	207,000	76,000	41	10,533	5,057
7	I-710 to SR-91 to I-605 to I-10 to I-15	96.1	273,000	83,000	57	11,177	2,691
8	I-5 (I-710 to Kern County)	74.6	347,000	89,000	31	4,979	579
9	I-5 (U.S./Mexico Border to Kern County)	204.6	112,000	122,000	78	12,806	3,054
10	Mixed-flow toll expressways: I-710 > SR-60 > I-15	101.5	225,000	32,000	35	9,933	6,290
11	Alternative technologies (e.g. Shuttle Trains, Maglev) between POLA/POLB and inland destinations	N/A	98,000	23,000	N/A	N/A	N/A
12	I-15 (U.S./Mexico Border to Victorville)	161.7	185,000	76,000	23	5,500	3,151

Note: *Data does not include San Diego County information.





Project Descriptions and Lists

Project Identification Process

In support of the actions and vision, and market segmentation approach, the partner agencies identified a regional and county specific list of projects or strategies, presented in **Tables 5 and 6**. Many of these projects can be implemented in the short-term while others require additional planning and project development. The projects on these lists are considered essential; neither list should be viewed as taking precedence over the other but rather as complementary efforts to address the effects of goods movement in the region. Given the multi-county nature of this study, the majority of the regional and county Goods Movement Projects/Strategies will require coordination among the multi-county partners and stakeholders.

Table 5, the “Regional Goods Movement Projects/Strategies” represents a short-term to long-term vision for improving the system with primary focus on region-wide projects that provide environmental mitigation or ground access (rail, highway, and intermodal) improvements to and from the international gateways and the multi-county goods movement distribution centers and corridors (existing and proposed) within the Southern California region, (i.e., the San Pedro Bay Ports, the Port of Hueneme, Inland Empire Rail/Intermodal Facilities, the Alameda Corridor and the California/Mexico Ports of Entry). This system is also graphically depicted and further described in Pages 18 and 19.

Table 6, the “County-Specific Goods Movement System Projects/Strategies” includes improvements that are located within a single county and connect with the regional goods movement system of corridors and distribution centers and the statewide goods movement system as identified by Caltrans. Table 6 comprises a list of efforts that: 1) Support the regional projects in Table 5; 2) mitigate environmental and/or community impacts in a shorter horizon; 3) correct short-term system deficiencies; and 4) are recommended in advance or in conjunction with the regional projects based on local needs and project readiness. The County-Specific list, in essence, fills critical gaps in the goods movement network.

As can be seen in the two project lists, an investment of over \$50 Billion over the next 25 years is necessary to accommodate the projected growth of freight within the region and to mitigate related impacts. This will require funding commitments from all levels of government as well as the private sector. In addition to this list, a series of actions focused on reducing congestion and environmental impacts are identified in the Action Plan. Each of the County chapters also contains additional projects, strategies and vision for localized improvements identified for future implementation.



Project Descriptions and Lists



Table 5: MCGMAP Preliminary Regional Goods Movement Projects/Strategies

(REGIONAL AND COUNTY-SPECIFIC LISTS ARE BOTH CONSIDERED TO BE OF EQUAL PRIORITY IN MCGMAP. MODES AND PROJECTS ARE NOT LISTED IN PRIORITY ORDER. ALL PROJECTS WILL REQUIRE FURTHER STUDY PRIOR TO IMPLEMENTATION UNLESS ALREADY COMPLETED.)

Environmental mitigation or Mode/System	Description	2007 Cost ¹ (in millions)	Committed Funds	Time-frame ²
Regional and project specific mitigation and emissions reduction	• Implementation of Goods Movement Infrastructure Projects Could Require Mitigation of Project Specific Impacts	TBD	TBD	S, M, L
	• San Pedro Bay Ports Clean Air Action Plan	\$2,067	\$464	S
	• Other Goods Movement Emission Reduction Plans and Identified Needs	TBD	TBD	S, M
RAIL				
Grade Separations	• Alameda Corridor East (ACE) Grade Separations and Grade Crossings Improvements <i>ACE County subtotals:</i>	\$4,510	\$961	S, M
	• Los Angeles County – San Gabriel Valley	\$1,891	\$343	S, M
	• Orange County	\$731	\$115	S, M
	• Riverside County	\$1,048	\$257	S, M
	• San Bernardino County	\$840	\$168	S, M
	• Gateway Cities BNSF Mainline Grade Separations (on ACE list)	\$196	\$78	S, M
Mainline capacity enhancements	• Rail Capacity Improvements (e.g., double and triple tracking; Colton Crossing) ³	\$2,200	\$0	S, M
Regional Freight Links	• Reconnect Santa Paula Branch Rail Line	\$450	\$0	M
INTERMODAL GROUND ACCESS				
On Dock Rail	• San Pedro Bay Ports Rail Systems	\$631	TBD	S, M
Intermodal Yards/Facilities	• Ports of Los Angeles/Long Beach Union Pacific Intermodal Container Transfer Facility Modernization ⁴	\$300	\$0	S
	• BNSF Port of Los Angeles/Long Beach Near Dock Facility (Southern California International Gateway – SCIG) ⁴	\$300	\$0	S
Inland port	• Further investigation of Inland Port Strategy	TBD	\$0	M
ALTERNATIVE TECHNOLOGY				
Truck Lanes/Dedicated Freight Guideway System	• Dedicated Freight Guideway System/Regional Truck Lanes (I-710 From Port of Long Beach to SR-60; East-West Corridor between the I-710 and I-15; and I-15 to Victorville) inclusive of non-freeway corridors	\$18,268	\$35	M, L
FREEWAY/HIGHWAY				
Freight Corridor Capacity Enhancement and Operational Improvements	• High Desert Corridor ⁵ (SR-14 to I-15)	\$5,600	\$0	M, L
	• Alameda Corridor SR-47 Expressway	\$662	\$265	S
	• SR-60/I-10 Truck Climbing Lane	\$55.3	\$0	S
	• Replace/Reconstruct Gerald Desmond Bridge	\$800	\$337	S
	• I-710 Early Action Projects - City of Long Beach (3 Projects)	\$500	\$12	S
	• I-5 Truck Lanes Projects - North Los Angeles County (2 Projects)	\$392	\$12	S, M
	• SR-86 NAFTA Corridor Interchange Construction	\$150	\$0	M
Border Crossing Improvements	• SR-58 Corridor Widening Projects (2 Projects)	\$301	\$0	M, M
	• Access- Improvements to the California/Mexico Ports of Entry at Otay Mesa, Otay Mesa East, and Calexico East Projects (3 Projects)	\$1,699	\$524	S
		Total	\$39,081.3	\$2,610

Notes: 1. All figures include environmental mitigation costs.
2. S=Short-term (2007-2015); M=Mid-term (2015-2025); L=Long-term (post 2025).

3. Project must demonstrate regional public benefit to qualify for public funds.
4. Private sector fund sources.

5. Require further analysis west of US-395, private sector primary fund source, with possible exception of short-term project to construct section between Phantom East and I-15 (\$350 million)

Project Descriptions and Lists

Table 6: MCGMAP Preliminary County Goods Movement System Improvements

(REGIONAL AND COUNTY-SPECIFIC LISTS ARE BOTH CONSIDERED TO BE OF EQUAL PRIORITY IN MCGMAP. MODES AND PROJECTS ARE NOT LISTED IN PRIORITY ORDER. ALL PROJECTS WILL REQUIRE FURTHER STUDY PRIOR TO IMPLEMENTATION UNLESS ALREADY COMPLETED.)

Mode/System	County	Description	2007 Cost ¹ (in millions)	Time-frame ²
RAIL				
Grade Separations	VEN	• Construct Rice Avenue/UP Grade Separation	\$45	TBD
	VEN	• Construct Rose Avenue/UP Grade Separation	\$45	TBD
	VEN	• SR-118/Coast Line - Construct Grade Separation	TBD	TBD
	LA	• Nogales Street (LA Subdivision) grade separation project	\$29	S
	OR	• LOSSAN Corridor Grade Separations	\$655	L
	Mainline Capacity Enhancement	LA	• Relief siding (2 projects) and upgrade sidings (1 project) on the Antelope Valley Line	\$15
SD		• Construct Coastal Rail Corridor	\$1,350	S,M
SD		• Construct South Line Rail/Trolley	\$328	S,M
INTERMODAL GROUND ACCESS				
Intermodal Yards/ Facilities	SBD	• Build New BNSF Intermodal Yard in Victorville	TBD	TBD
Maritime	LA	• Shuttle Train Intermodal Service to Inland Empire; Inland Terminal	\$60	TBD
	SD	• San Diego Port District Marine Terminal Ground Access	\$822	S, M
ALTERNATIVE TECHNOLOGY				
ITS Applications	LA	• San Pedro ATSAC System in City of Los Angeles	\$6	TBD
	LA	• Wilmington ATSAC System in City of Los Angeles	\$7	TBD
	LA	• Transportation Management, Information and Security System	\$10	TBD
FREEWAY/HIGHWAY				
Freight Corridor Capacity Enhancement and Operational Improvements	VEN	• Reconstruct US 101/Rice Avenue IC	\$75	M
	LA	• Key Goods Movement Arterial Improvements	TBD	TBD
	LA	• Reconstruct SR-91/I-605 interchange	\$240	S
	LA	• Reconstruct I-605/SR-60 interchange	\$1,000	S
	LA	• Reconstruct I-605/I-10 interchange	\$1,000	S
	LA	• Reconstruct SR-60/SR-57 interchange	\$550	S
	LA	• I-110 8th/9th Street Interchange - Add Auxiliary Lanes and Modify/Reconstruct Ramps (Two Projects)	\$39	TBD
	LA	• Washington Blvd. Widening and Reconstruction project	\$14	S
	LA	• Alameda Street Widening and Reconstruction in Los Angeles (101 Freeway to 7th Street; I-10 to 7th Street)	\$29	TBD
	LA	• Seaside Avenue/Ocean Blvd (SR-47) and Navy Way Interchange	\$43	TBD
	LA	• I-110 Connector Improvement Program (4 Projects)	\$134	TBD
	OR	• I-5 From the I-5/SR-22/SR-57 Interchange to SR-91 add a general purpose lane in each direction	\$430	M
	OR	• I-5 Reconstruct El Toro Road Interchange	\$120	S
	OR	• I-5 between SR-55 and the SR-133 (near El Toro "Y") add one general purpose lane in each direction and improve interchanges in the vicinity	\$319.2	M
	OR	• I-5 between the vicinity of El Toro "Y" to near SR-73 add new lanes in each direction	\$315	M

Notes: 1. All figures include environmental mitigation costs.

2. S=Short-term (2007-2015); M=Mid-term (2015-2025); L=Long-term (post 2025).

Project Descriptions and Lists

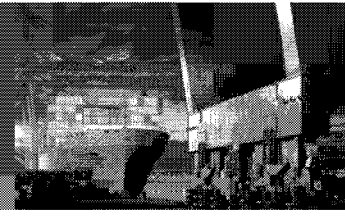


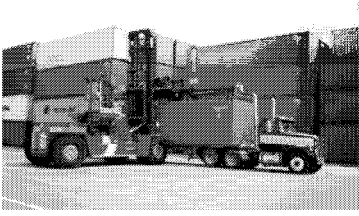
Table 6: MCGMAP Preliminary County Goods Movement System Improvements (Continued)

(REGIONAL AND COUNTY-SPECIFIC LISTS ARE BOTH CONSIDERED TO BE OF EQUAL PRIORITY IN MCGMAP. MODES AND PROJECTS ARE NOT LISTED IN PRIORITY ORDER. ALL PROJECTS WILL REQUIRE FURTHER STUDY PRIOR TO IMPLEMENTATION UNLESS ALREADY COMPLETED.)

Mode/System	County	Description	2007 Cost ¹ (in millions)	Time- frame ²
FREEWAY/HIGHWAY (Continued)				
Freight Corridor Capacity Enhancement and Operational Improvements (cont.)	OR	• I-5 Northbound Extend Existing Truck Bypass Lane From Crown Valley to El Toro Road. Add Auxiliary lane where needed.	\$240	L
	OR	• I-5 Southbound From Alicia Parkway to the Crown Valley Interchange add a Lane	\$411	M
	OR	• I-5 Construct new interchange at Crown Valley (Saddleback) and reconstruct interchange at Avery Parkway with collector distributor road between Crown Valley and Avery	\$260	L
	OR	• SR-57 Northbound From Lambert Road to Tonner Canyon (LA County Line) interchange add truck climbing lane	\$157	M
	OR	• SR-57 Northbound From Orangethorpe to Lambert Road, Add Auxiliary Lane & 5th through lane	\$140	S
	OR	• SR-57 in the Northbound Direction Extend General Purpose Lane #5 Between Orangewood and SR-91 and Add Auxiliary Lane	\$190.8	S
	OR	• SR-91 Westbound From SR-57 to I-5 - Add General Purpose Lane & Auxiliary Lane	\$152	S
	OR	• SR-91 Westbound - Provide a General Purpose Lane from SR-55 to SR-57 and add auxiliary lane	\$120	M
	OR	• SR-91 Eastbound Add a Lane Between SR-55 (Lakeview and SR-241 and Westbound From SR-241 to Imperial Highway).	\$96	S
	OR	• I-405 from the I-5 to SR-55 add 1 general purpose lane in each direction	\$328.9	L
	RIV	• SR-60 Construct Truck Climbing Lane through Badlands to I-10	\$114	L
	RIV	• March Inland Cargo Port Airport I-215/Van Buren Blvd. Ground Access Improvement Project	\$97.6	S
	RIV	• I-10/SR-60 New Interchange Construction	\$100	L
	RIV	• I-215 Widening to SBD County Line	\$1,400	S,M
	SBD	• I-15 Widening and Devore Interchange (at I-215) Reconstruction	\$200	S
	SBD	• Interstate 10 Widening and Interchange Improvements (LA Co. Line to I-215)	\$700	S
	SD	• I-5 Widen/Managed Lanes (From La Jolla Village Dr. to Vandergrift)	\$962	S
	SD	• I-15 Widen/Managed Lanes & Operational Improvements (From SR-163 to SR-78)	\$608	S
	SD	• I-805 Widen/Managed Lanes (From SR-905 to I-5)	\$1,801	S
	SD	• San Diego International Airport Truck Access to I-5 (Truck route/ Interchange improvements)	\$32	M
	SD	• Pipeline Truck Access (Petroleum Terminal) to I-15 (Truck route/ Interchange improvements)	\$32	M
			Total	\$15,822.5

Notes: 1. All figures include environmental mitigation costs.

2. S=Short-term (2007-2015); M=Mid-term (2015-2025); L=Long-term (post 2025).



Next Steps

The MCGMAP is not an end point. Rather, it is the beginning of a more comprehensive regional approach to keep freight moving within and through the region and to reduce the environmental and community impacts caused by the movement of that freight. Going forward, stakeholders will play an integral role in the next steps in the areas of partnership and advocacy, environmental and community impacts, mobility and funding. Based on feedback from stakeholders and Action Plan recommendations, the MCGMAP project partners are committed to taking the following next steps:

Partnership and Advocacy

- Implement the Southern California National Freight Gateway (SCNFG) Cooperation Agreement among federal, state, regional, and other implementing agencies to maintain dialogue to address the challenges outlined in MCGMAP.
- Request the incorporation of MCGMAP strategies and actions into other state, regional and local plans.
- Continue to convene multi-county meetings to monitor the progress on the Action Plan and provide annual reports to the CEOs and to the boards of the partner agencies.
- Support and propose legislation that: 1) Provides funding mechanisms for goods movement projects/strategies; and 2) improves mobility and facilitates regional multi-county goods movement goals without undermining local community priorities and quality of life.
- Support groups such as Mobility 21 and the Coalition for America's Gateways and Trade Corridors in developing dedicated federal and state goods movement funding sources.
- Continue to work closely with all stakeholders including the Councils of Governments, community groups, environmental regulatory agencies and academia.
- Seek goods movement and logistics industry involvement throughout planning and project development phases.

Environmental and Community Impacts

- Through the SCNFG Cooperation Agreement and other related activities, develop a specific set of feasible actions to accelerate implementation of the strategies contained in the various air quality and emission reduction plans that are within the scope of responsibility of the project partners.
- In partnership with CARB, air districts, the logistics industry, and local governments, initiate an activity to generate public and/or private funds to accelerate implementation of air quality improvement strategies being undertaken by these and other entities. Examples may include: Container fees that provide a revenue stream to fund emissions reduction projects, impact fees paid by entities contributing to the goods-related air quality problem, supplemental transportation infrastructure project mitigation (to add to an air quality funding pool), mitigation banking, market-based strategies, and other vehicle-based fees commensurate with the impacts attributed to those vehicles.
- Continue and Complete the Environmental Justice Analysis and Outreach for the MCGMAP in Fall 2007. This effort will develop a guidebook for local jurisdictions and the private sector to use in avoiding, minimizing, and mitigating the effects of goods movement infrastructure and to assist local jurisdictions make informed land use decisions.

Mobility

- Initiate a study to investigate the linkage between industry supply chain trends and port and trade related transportation patterns and movements.
- Continue project development efforts, including planning, design, funding, and implementation, of the regional and county-specific projects listed in the Action Plan, including the mitigation of the impacts of those projects.
- Initiate a Regionally Significant Transportation Investment Study (RSTIS) to evaluate the feasibility of implementing a Dedicated Freight Guideway System/Regional Truck Lanes (I-710 From Port of Long Beach to SR-60; East-West Corridor between I-710 and I-15; and I-15 to Victorville) inclusive of potential non-freeway implementation.
- Initiate localized studies, as appropriate.

Funding

- Pursue new avenues of goods movement funding for projects, including the region's fair share of state appropriations, federal funds, and private sector contributions consistent with the impacts of the benefits they derive from the use of the transportation system.
- Continue fair share and user fee discussions with private sector stakeholders to seek their support in addressing goods movement impacts and filling funding gaps. Develop a clear and concise message on this subject and communicate this to the public, policy and funding decision makers at all levels of government.
- Establish structures to manage user fees and revenue that are acceptable to both public and private sector stakeholders.



Orange County Transportation Authority Goods Movement Policy

General

- The need for expediting goods movement through Southern California is an outcome of increasing international trade and of U.S. trade policies and practices.
- The benefit of this growing trade is national and promotes economic growth and consumer consumption in states across the country.
- The benefit of this trade, while national in scope, has had a severe negative impact on the local communities in Southern California because of its impact on road and rail capacity in the region.
- While the need to expand road and rail capacity in light of the expected increase in trade is recognized, these enhancements must be linked to mitigating the resultant impacts on the local communities and transportation systems.
- Given the national and statewide benefit of goods movement trade, the national and state governments have a responsibility to share the costs of transportation system capacity expansion and the mitigation of the enhancements on local communities.

Projects

- Identify, pursue, and support those projects that improve and mitigate the community impacts of goods movement corridors in the country and region. Place priority on those projects, which can be implemented and mitigated simultaneously.
- Work with other plan partners to finalize the Multi-County Goods Movement Action Plan for Board of Directors consideration.

Funding

- Work with national and regional goods movement stakeholders to create a stable, dedicated, and secure federal funding source such as a federal goods movement trust fund for the implementation and mitigation of goods movement projects.
- The ports and shippers gain economic benefit from international economic trade activity and should share the costs of transportation system capacity expansion and mitigation of the enhancements on local communities.
- Work with regional stakeholders to develop a fee on the transfer of containers through the region with proceeds deposited in a regional "mitigation bank" for distribution to Southern California counties to be used only for the mitigation of goods movement projects.
- Transportation funds (whether state, federal, or local), which are available to address local transportation programs and projects, should not be used to address national and international goods movement-related transportation projects in the region.

- Those goods movement projects that are a result of regional multi-agency coalitions and public/private partnerships should be given priority for funding by the federal government.
- Build relationship with Alameda Corridor East (ACE) cities and Orangethorpe corridor cities (ACE-south) to advocate for common benefits.
- Pursue, identify, and secure the appropriate public/private partnerships. These partnerships should have clearly defined “firewalls” regarding the appropriate use of funds.

Outreach

- Working with regional stakeholders, pursue the implementation of the Southern California National Freight Gateway Strategy Memorandum of Understanding, which calls for a partnership with the state and federal government in the development of a strategy to address environmental and community issues relating to goods movement.
- Develop a dialogue with the Orange County congressional and state delegations regarding a better understanding of the deteriorating state of our county’s transportation infrastructure because of the increase of goods movement traffic through our ports.
- Work with the Orange County congressional delegation regarding the establishment of a federal goods movement trust fund in the future transportation reauthorization legislation.
- Work with the Orange County state and federal delegations regarding the establishment of a container fee at the San Pedro Bay ports with proceeds deposited in a regional “mitigation bank,” equitably distributing those funds to within Southern California counties for the mitigation of goods movement projects impacts.
- Coordinate with cities in the County to identify truck route and grade separation plans that ensure continuity across jurisdictions.

Los Angeles County Metropolitan Transportation Authority
Agreement No. C-5-2653 Fact Sheet

1. September 2004, Agreement No. C-5-2653, \$125,000, approved by Board of Directors.
 - Executed agreement with Los Angeles Metropolitan Transportation Authority for the Multi-County Goods Movement Action Plan.
2. November 30, 2006, Amendment No. 1 to Agreement No. C-5-2653, \$0, approved by staff.
 - Amendment to exercise first option year for other Multi-County Goods Movement Action Plan agencies, which did not the Orange County Transportation Authority contributing to the Multi-County Goods Movement Action Plan.
3. June 23, 2008, Amendment No. 2 to Agreement No. C-5-2653, \$27,419.20, pending approval by the Board of Directors.

Total committed to the Los Angeles County Metropolitan Transportation Authority, after approval of Amendment No. 2 to Agreement No. C-5-2653 will be \$152,419.20.



MEMO

June 18, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: **Board Committee Transmittal for Agenda Item**

The following item is being discussed at a Committee meeting which takes place subsequent to distribution of the Board agenda. Therefore, you will be provided a transmittal following that Committee meeting (and prior to the Board meeting) informing you of Committee action taken.

Thank you.



June 19, 2008

To: Legislative and Communications Committee
From: ^{ATH by eB} Arthur T. Leahy, Chief Executive Officer
Subject: Agreement with *Orange County Register* for Transportation Curriculum Program for Youth

Overview

Staff is requesting authorization to enter into a sole source agreement with the *Orange County Register* to provide a transportation curriculum for students and teachers for the upcoming 2008-2009 school year.

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-8-0949 between the Orange County Transportation Authority and the *Orange County Register*, in the amount of \$50,000, for the period from July 1, 2008 to June 30, 2009, for the Newspaper in Education Program, which includes a transportation curriculum specifically designed for Orange County Transportation Authority.

Background

During fall 2004, the Orange County Transportation Authority (OCTA) Board of Directors (Board) approved the addition of two full-time employees to help promote OCTA services to targeted audiences including senior and youth markets. As a result, OCTA launched the youth outreach program, *youthNmotion*.

The *youthNmotion* program is designed to educate and train students, teachers, and parents in the use, convenience, and benefits of using mass transit. The overarching goal is to increase the awareness and ridership of OCTA bus service. To achieve this goal, integrated marketing outreach efforts have focused on reaching out to youth between the ages of 11-18. This includes conducting outreach at schools and participation at youth events.

Currently, the program consists of in-school transportation presentations that help teach youth the basics of using and riding OCTA's fixed route bus system. Presentations are tailored to meet the needs of each classroom and help communicate the message that the bus is a safe, clean, and reliable way to get around. Through these presentations, youth are empowered with a sense of independence by learning the skills necessary to travel around Orange County. In 2007, 63 presentations were conducted, reaching more than 2,400 students. Year to date, 54 presentations have been conducted reaching more than 2,900 students.

In addition to the in-school presentations, staff participated in key youth events around the County and worked closely with youth organizations and after school programs. With a decrease in school field trip budgets, staff has helped several schools and youth organizations throughout the County plan trips to destinations that were easily accessible and affordable via OCTA fixed-route bus service.

To help meet the Chairman's goal of increasing bus system marketing and communication efforts to youth, staff recommends the addition of the *Orange County Register's* (OCR) Newspaper in Education Program designed specifically for the youth market.

The Newspaper in Education Program reaches some of OCTA's most important target audiences (educators, students, and parents) and allows OCTA to reach a greater number of youth and expose youth to the numerous transportation options. By including the Newspaper in Education Program as one of the youth outreach tactics, the message that the OCTA bus system is safe, reliable, and easy-to-use will be further reinforced.

Discussion

The OCR Newspaper in Education Program consists of a 16-page student curriculum, along with a teacher's guide that is used in conjunction with the newspaper to teach students about transportation. It is an eight to 12-week curriculum that integrates California State Standards for Education, making it appealing to teachers and valuable for students.

The program will provide educators with an in-classroom tool that will help teach youth about OCTA and its transportation services. The program also will help OCTA staff coordinate outreach efforts with participating educators to increase student engagement outside the classroom. OCTA will provide program participants with opportunities for guest speakers, field trips using

fixed-route bus service, and information about OCTA special events and programs.

OCR has an extensive distribution channel that includes over 2,000 educators. The program is available at no cost to all 29 school districts in the County. The procurement includes the creation, design, printing, and distribution of the OCTA-specific transportation curriculum to be used during the 2008-2009 school year and also includes 10,000 copies of the curriculum and over 300 teacher's guides.

This contract must be handled as a sole source agreement because the *Orange County Register* is the only provider of the Newspaper in Education Program in the County. The program will reach targeted audiences of students and educators easily and effectively with detailed transit curriculum created and designed specifically for OCTA.

Fiscal Impact

Funding for the program is in the OCTA's Fiscal Year 2007-2008 Budget, External Affairs/Marketing, Account No. 1837-7631-A0001-BF6, and is funded through the Orange County Transit District Fund 30.

Summary

Staff is recommending Board approval of sole source Agreement C-8-0949 between the *Orange County Register* and the Orange County Transportation Authority, in an amount not to exceed \$50,000, for the purchase of a yearlong transportation curriculum specifically created for the youth outreach program.

Attachment

None.

Prepared by:



Stella Lin
Manager, Marketing
(714) 560-5342

Approved by:



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



MEMO

June 18, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: **Board Committee Transmittal for Agenda Item**

The following item is being discussed at a Committee meeting which takes place subsequent to distribution of the Board agenda. Therefore, you will be provided a transmittal following that Committee meeting (and prior to the Board meeting) informing you of Committee action taken.

Thank you.



June 19, 2008

To: Legislative and Communications Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Citizens Advisory Committee Update

Overview

The Orange County Transportation Authority's Citizens Advisory Committee has been meeting monthly for the past year. A summary of the Citizens Advisory Committee's activities and the status of committee appointments are provided with this report.

Recommendations

- A. Receive and file the Citizens Advisory Committee status report.
- B. Adopt resolutions of appreciation 2008-45 through 2008-49 for members of the 2007-2008 Citizens Advisory Committee who will be leaving the committee.

Background

In its role as the County transportation commission, the Public Utilities Code (PUC) 130105 requires the Orange County Transportation Authority (OCTA) to appoint a Citizens Advisory Committee (CAC) to provide input on the OCTA's transportation projects, programs, and services. PUC 130105 states that the commission shall "appoint...a citizens advisory committee, which membership shall reflect a broad spectrum of interests and all geographic areas of the county."

The CAC is structured such that each OCTA Board Member appoints two citizens to serve on the CAC, creating a 34-member committee representing diverse interests and geographic areas of Orange County.

Discussion

The CAC has met monthly for the past year to review and provide input on a variety of OCTA programs and topics, including:

- Measure M and Renewed Measure M (M2) projects
- South Orange County Major Investment Study
- Costa Mesa Freeway (State Route 55) Access Study
- Garden Grove Freeway (State Route 22) Project completion
- Bus rapid transit branding options
- Bus rapid transit implementation
- Go Local Program
- Multi-County Goods Movement Action Plan
- Metrolink station signage
- OCTA Web site update
- Fixed-route service changes

CAC members have been engaged and enthusiastic in their participation on the committee. Members' comments and suggestions have been of great value in helping shape OCTA's services and communications to be as responsive and user-friendly for the public as possible. The wide range of viewpoints and interests represented by the membership also provides OCTA with an added sounding board for prospective programs and initiatives. Director Greg Winterbottom has attended meetings on a regular basis, providing guidance and sharing insights with the committee.

CAC input is communicated to the Board of Directors in a variety of ways. Members' feedback on different projects and initiatives is incorporated as programs develop, which is often noted in project staff reports. CAC input is also reflected in the Chief Executive Officer's Weekly Update. Director Winterbottom relays CAC feedback to the Board of Directors as appropriate. In addition, the CAC Chairman is invited to share the committee's activities and recommendations with the Board of Directors annually. Some of the milestone efforts conducted by the CAC include:

1. Recommended support of and attendance at the California Coastal Commission Hearing for the completion of the Foothill-South Toll Road
2. Recommended support of projects related to goods movement from the ports of Los Angeles and Long Beach for the Trade Corridors Improvement Fund
3. Conducted a South Orange County Major Investment Study workshop to provide comments on study alternatives
4. Updated the bylaws for the CAC as requested by the Board of Directors

5. Provided comments for the redesigned OCTA Web site
6. Provided comments for updating the annual Bus Customer Survey and route change notification processes

In addition, the CAC voted to select a committee member to serve on the Go Local Phase One Project Selection Panel to review applications. By June 30, 2008, over 40 project applications are expected to be scored and evaluated.

In addition to the agenda items at the regular monthly meetings, an ad hoc bicycle committee provides input on the update to the Commuter Bikeways Strategic Plan (CBSP). To date, the ad hoc committee has met five times to discuss the 2008 CBSP and determine goals and guiding principles. Alta Planning and Design was hired as a consultant and will be using the ad hoc committee's input and recommendations in the development of the 2008 CBSP.

In July, the new CAC will be seated and an election for committee chair and vice chair will take place. The committee will then work with staff to determine priorities for future involvement. The committee's ongoing responsibilities include:

- Commenting on significant transportation issues, suggesting possible solutions and making recommendations to the OCTA Board of Directors
- Identifying opportunities for community input
- Recommending mechanisms and methodologies for obtaining public opinion on specific transportation issues
- Serving as a public liaison for OCTA

Terms of Service

CAC members serve staggered two-year terms from July through June, so every year each Board Member has one CAC member whose term expires. The opportunity to reappoint interested members for an additional term was presented to each OCTA Board Member along with resignations. Twelve CAC members interested in continuing were reappointed. Five new members have been appointed to fill expired terms. A roster of 2008-2009 CAC members is included as Attachment A.

To show OCTA's appreciation to members whose terms have expired, resolutions of appreciation have been prepared to thank the members for their contributions over the past year. Resolutions of appreciation are included as Attachment B.

Summary

The OCTA CAC plays a vital role in OCTA's efforts to incorporate public feedback into the agency's transportation decision-making process. Citizens Advisory Committee members have contributed substantially to the work of OCTA in the past year. Of the 34-member committee, five members are not continuing for another two-year term. To thank members who are not continuing on the committee, resolutions of appreciation have been prepared.

Attachments

- A. Citizens Advisory Committee Roster 2008-2009
- B. Resolutions of Appreciation

Prepared by:

Ellen Burton
for Tami Warren

Tami Warren
Community Relations Officer
(714) 560-5590

Approved by:

Ellen S. Burton

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



CITIZENS' ADVISORY COMMITTEE ROSTER 2008-2009

Director	Appointment	Affiliation	Term
Jerry Amante 3 rd District	Larry Larsen <i>Yorba Linda</i>	Yorba Linda Traffic Commission	09
	James Hillquist <i>Yorba Linda</i>	Society of Logistic Engineers	10
Pat Bates 5 th District	Linda Lindholm <i>Laguna Niguel</i>	Laguna Niguel City Council	09
	Derek McGregor <i>Rancho Santa Margarita</i>	Trabuco Canyon Advisory Committee	10
Art Brown 4 th District	Leonard Lahtinen <i>Anaheim</i>	North Orange County Community College District Board of Trustees	09
	Bob Niccum <i>Buena Park</i>	Los Angeles Unified School District	10
Peter Buffa Public Member	Michael Brandman <i>Orange</i>	Building Industry Association Orange County Business Council	09
	Hamid Bahadori <i>Mission Viejo</i>	Automobile Club of Southern California	10
Bill Campbell 3 rd District	Michael McNally <i>Irvine</i>	UC Irvine	09
	Jack Mallinckrodt <i>Santa Ana</i>	Drivers for Highway Safety	10
Carolyn Cavecche 3 rd District	Jeff R. Thompson <i>Tustin</i>	Tustin Planning Commission Building Industry Association	09
	Roy Shahbazian <i>Orange</i>	Bus Rider, Transit Advocate of Orange County	10

Richard Dixon 5 th District	Neil Blais <i>Rancho Santa Margarita</i>	Rancho Santa Margarita City Council	09
	John Frankel <i>Rancho Santa Margarita</i>	Architectural Review Committee	10
Paul Glaab 5 th District	John Tengdin <i>San Clemente</i>	Engineering Consultant	09
	Phil Bettencourt <i>San Clemente</i>	Real Estate / Development Planner	10
Cathy Green 2 nd District	Joanne Rasmussen <i>Huntington Beach</i>	Monorail Society	09
	Ralph Bauer <i>Huntington Beach</i>	Council on Aging, City of Huntington Beach	10
Allan Mansoor 2 nd District	Gil Coerper <i>Huntington Beach</i>	Huntington Beach City Council	09
	Judith Berry <i>Costa Mesa</i>	Orange County Taxpayers Association	10
John Moorlach 2 nd District	David Mootchnik <i>Huntington Beach</i>	Southern California Commuters Forum	09
	Mark McCurdy <i>Fountain Valley</i>	Fountain Valley Traffic and Housing Committees	10
Janet Nguyen 1 st District	Jerry Margolin <i>Garden Grove</i>	Garden Grove Resident	09
	In Progress		10
Chris Norby 4 th District	Vince Buck <i>Fullerton</i>	Cal State Fullerton	09
	Jane Reifer <i>Fullerton</i>	Transit Advocates of Orange County	10
Curt Pringle 4 th District	Nahla Kayali <i>Anaheim</i>	Anaheim Resident	09
	Pat Pepper <i>Anaheim</i>	Anaheim Resident	10

Miguel Pulido 1 st District	Brian Bist <i>Santa Ana</i>	Santa Ana Environmental and Transportation Committee (ETAC)	09
	Gordon Bricken <i>Santa Ana</i>	Santa Ana Resident	10
Mark Rosen 1 st District	Robin Marcario <i>Garden Grove</i>	Central Garden Grove Neighborhood Association	09
	Deborah Vasquez <i>Santa Ana</i>	Santa Ana Housing and Redevelopment Commission	10
Greg Winterbottom Public Member	Lyle Overby <i>Laguna Niguel</i>	Building Industry Association (BIA)	09
	John Nielsen <i>Tustin</i>	Tustin Planning Commission Tustin Chamber of Commerce	10

Connie Jones

WHEREAS, the Orange County Transportation Authority Board of Directors recognizes and commends the valuable contribution of Connie Jones to the Authority's public outreach process; and

WHEREAS, be it known that Connie Jones has served on the Citizens' Advisory Committee providing advice and recommendations to the Authority on reaching public consensus concerning Orange County transportation matters; and

WHEREAS, Ms. Connie Jones has assisted the Authority in identifying significant transportation issues and suggested possible solutions; and

WHEREAS, representing the residents of Orange County, Ms. Connie Jones provided a keen perception and understanding of transportation issues to her constituencies, and helped submit recommendations from those constituencies to the Authority regarding its programs and services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors does hereby acknowledge the dedicated efforts of Ms. Connie Jones and her willingness to volunteer personal time to provide advice on public outreach activities and act as a liaison between the public and the Authority.

Dated: June 19, 2008

**Chris Norby, Chairman
Orange County Transportation Authority**

OCTA Resolution No. 2008- 45

Gail Reavis

WHEREAS, the Orange County Transportation Authority Board of Directors recognizes and commends the valuable contribution of Gail Reavis to the Authority's public outreach process; and

WHEREAS, be it known that Gail Reavis has served on the Citizens' Advisory Committee providing advice and recommendations to the Authority on reaching public consensus concerning Orange County transportation matters; and

WHEREAS, Ms. Gail Reavis has assisted the Authority in identifying significant transportation issues and suggested possible solutions; and

WHEREAS, representing the residents of Orange County, Ms. Gail Reavis provided a keen perception and understanding of transportation issues to her constituencies, and helped submit recommendations from those constituencies to the Authority regarding its programs and services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors does hereby acknowledge the dedicated efforts of Ms. Gail Reavis and her willingness to volunteer personal time to provide advice on public outreach activities and act as a liaison between the public and the Authority.

Dated: June 19, 2008

**Chris Norby, Chairman
Orange County Transportation Authority**

OCTA Resolution No. 2008- 46

Phil Bacerra

WHEREAS, the Orange County Transportation Authority Board of Directors recognizes and commends the valuable contribution of Phil Bacerra to the Authority's public outreach process; and

WHEREAS, be it known that Phil Bacerra has served on the Citizens' Advisory Committee providing advice and recommendations to the Authority on reaching public consensus concerning Orange County transportation matters; and

WHEREAS, Mr. Phil Bacerra has assisted the Authority in identifying significant transportation issues and suggested possible solutions; and

WHEREAS, representing the residents of Orange County, Mr. Phil Bacerra provided a keen perception and understanding of transportation issues to his constituencies, and helped submit recommendations from those constituencies to the Authority regarding its programs and services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors does hereby acknowledge the dedicated efforts of Mr. Phil Bacerra and his willingness to volunteer personal time to provide advice on public outreach activities and act as a liaison between the public and the Authority.

Dated: June 19, 2008

**Chris Norby, Chairman
Orange County Transportation Authority**

OCTA Resolution No. 2008- 47

Sheldon Singer

WHEREAS, the Orange County Transportation Authority Board of Directors recognizes and commends the valuable contribution of Sheldon Singer to the Authority's public outreach process; and

WHEREAS, be it known that Sheldon Singer has served on the Citizens' Advisory Committee providing advice and recommendations to the Authority on reaching public consensus concerning Orange County transportation matters; and

WHEREAS, Mr. Sheldon Singer has assisted the Authority in identifying significant transportation issues and suggested possible solutions; and

WHEREAS, representing the residents of Orange County, Mr. Sheldon Singer provided a keen perception and understanding of transportation issues to his constituencies, and helped submit recommendations from those constituencies to the Authority regarding its programs and services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors does hereby acknowledge the dedicated efforts of Mr. Sheldon Singer and his willingness to volunteer personal time to provide advice on public outreach activities and act as a liaison between the public and the Authority.

Dated: June 19, 2008

**Chris Norby, Chairman
Orange County Transportation Authority**

OCTA Resolution No. 2008- 48

Donald Godfrey

WHEREAS, the Orange County Transportation Authority Board of Directors recognizes and commends the valuable contribution of Donald Godfrey to the Authority's public outreach process; and

WHEREAS, be it known that Donald Godfrey has served on the Citizens' Advisory Committee providing advice and recommendations to the Authority on reaching public consensus concerning Orange County transportation matters; and

WHEREAS, Mr. Donald Godfrey has assisted the Authority in identifying significant transportation issues and suggested possible solutions; and

WHEREAS, representing the residents of Orange County, Mr. Donald Godfrey provided a keen perception and understanding of transportation issues to his constituencies, and helped submit recommendations from those constituencies to the Authority regarding its programs and services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors does hereby acknowledge the dedicated efforts of Mr. Donald Godfrey and his willingness to volunteer personal time to provide advice on public outreach activities and act as a liaison between the public and the Authority.

Dated: June 19, 2008

**Chris Norby, Chairman
Orange County Transportation Authority**

OCTA Resolution No. 2008- 49



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
WK

From: Wendy Knowles, Clerk of the Board

Subject: Agreement for Upgrade of Nortel Telecommunications Systems

Finance and Administration Committee meeting of June 11, 2008

Present: Directors Amante, Brown, Buffa, Campbell, Green, and Moorlach

Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-8-0685 between the Orange County Transportation Authority and Integrated Technology, whose offer best meets the Orange County Transportation Authority's requirements, in an amount not to exceed \$271,034, for upgrades of Nortel Telecommunications Systems.



June 11, 2008

To: Finance and Administration Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Agreement for Upgrade of Nortel Telecommunications Systems

Overview

As part of the fiscal year 2007-08 budget, the Board approved the purchase and installation of upgrades to the Orange County Transportation Authority's Nortel Telecommunications Systems. Proposals were received in accordance with the Orange County Transportation Authority's fixed assets procurement procedures.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-8-0685 between the Orange County Transportation Authority and Integrated Technology, whose offer best meets the Orange County Transportation Authority's requirements, in an amount not to exceed \$271,034, for upgrades of Nortel Telecommunications Systems.

Background

The Orange County Transportation Authority's (OCTA) telecommunications systems are centralized in the administrative offices in Orange and networked to each of the bus operation locations in Anaheim, Garden Grove, Irvine and Santa Ana, as well as the Orange County Taxi Administration Program also in Garden Grove. Telephones located at Orange County ARC for OCTA's Lost and Found Services and the Santa Ana Transit Terminal are also supported via this network. In fiscal year 2007-08, the OCTA network was expanded to include the two 91 Express Lanes sites in Corona and Anaheim, and moved several of the paratransit functions to the Construction Circle site in Irvine. OCTA utilizes Nortel Systems (Nortel) to provide communications to each of these locations. Along with Post Branch Exchange at each site, which provide dial-tone and programming on telephone sets, OCTA's systems include CallPilot voicemail and unified messaging, a symposium contact center for the various call centers take calls and provide information and services to the public, a conference bridge, and various networking and administrative

components. At the present time, many of these systems and components need to be either replaced or upgraded.

Upgrades are needed to ensure the availability of security updates and patches used to block unauthorized access by hackers and toll theft attempts. When support for a system becomes unavailable, security updates are discontinued, leaving these systems vulnerable to the potential of someone accessing the OCTA network and data via this path or unauthorized use of OCTA's telephone network. This type of unauthorized usage has cost some businesses thousands of dollars per month in long distance and toll charges.

Discussion

This procurement was handled in accordance with OCTA's procedures for fixed assets, which permits the use of competitive negotiated procurement depending on the technical requirements of the item being procured.

Due to sophisticated technical requirements, the purchase of this hardware and software was handled as a competitive negotiated procurement and award is recommended to the firm which most closely meets OCTA's technical requirements at the most competitive cost. The requirement was advertised on April 21, 2008, and April 24, 2008, in a newspaper of general circulation, and on CAMM NET. An electronic notice was sent to 2,436 firms registered on CAMM NET. A pre-proposal meeting was held on April 16, 2008, and was attended by four firms.

On May 15, 2008, five offers were received. An evaluation committee composed of staff from Technical Services, Telecommunications, and Contract Administration and Materials Management departments was established to review all offers submitted. The offers were evaluated based on the following criteria:

- Qualifications of the Firm 25 percent
- Staffing and Project Organization 30 percent
- Work Plan 25 percent
- Cost and Price 20 percent

The customary scoring factor for each criteria is 25 percent, however, due to the technical requirements associated with this procurement, the staffing and project organization criteria was increased to 30 percent for its importance. The technical expertise and experience of staffing, and the proposed approach to the project can mean the success or failure of a technology project. OCTA's Nortel

telecommunications systems interface with not only each other, but multiple applications and hardware systems as well, creating the critical need for a high degree of technical expertise and experience in both staffing and project organization. As a result, the cost and price criteria was reduced to 20 percent to accommodate the increase in the staffing and organization. Integrated Technology's proposal was the leader in scoring for this project.

Firm and Location

Integrated Technology
Orange, California

Scottel Voice and Data, Inc.
Thousand Oaks, California

NetVersant
Orange, California

Based on these findings, the evaluation committee recommends Integrated Technology to the Finance and Administration Committee for consideration of an award for their technical expertise and experience.

Following is a discussion of the four evaluation criteria categories:

Qualifications of Firm

Over the past 17 years, Integrated Technology has provided communications solutions for businesses throughout Southern California. Integrated Technology a Nortel Elite Advantage Partner, the highest partnership level available, and as a result, are authorized to resell, install, and maintain Nortel telecommunications voice and data product lines. Integrated Technology has designed and implemented Nortel systems for many local governmental agencies including the City of Anaheim and Saddleback Valley Unified School District in Mission Viejo, as well as corporate business firms such as Pacific Life. Integrated Technology recently provided and installed a complete replacement of all telecommunications systems for the 91 Express Lanes.

Staffing and Project Organization

The evaluation committee highly rated the proposal from Integrated Technology for its key personnel's collective technical and project experience with similar projects. Integrated Technology has the ability to fulfill all elements

of the work plan without the use of subcontractors. The proposed personnel for this project have extensive experience with the systems and requirements OCTA has for the planned upgrades. All key personnel members proposed for this contract will be available for the duration of the project and the company's current client commitment is at an acceptable level.

Work Plan

The work plan proposed by Integrated Technology demonstrated that Integrated Technology can meet the business requirements as well as the technical requirements of OCTA's scope of work, including solutions for the particular challenges of this project. The company provided the best technical proposal and the best solution for minimizing system downtime. Integrated Technology also provided clearly identifiable milestones for each project deliverable with realistic project task schedules and a timeframe for completion that meets OCTA's needs.

Cost and Price

Integrated Technology provided a cost-effective and reasonable price proposal that met all the requirements of the request for proposals. Its allocation and competitive cost for labor resources for the various project tasks, including project management, were in accordance with OCTA's scope of work and are feasible. The proposed prices for hardware and software were also reasonable and result in the technical solution desired by OCTA. As a result, the overall proposed project cost was very competitive with the other proposing firms. Out of the three firms interviewed, Integrated Technology's proposal was \$37,830 lower than the highest cost proposed. The firm proposing the lowest cost did not include all the upgrades requested in OCTA's scope of work.

Fiscal Impact

The project was approved in OCTA's Fiscal Year 2007-08 Budget, Finance, Administration and Human Resources/Information Systems Account 9027 and is funded through Local Transportation Fund.

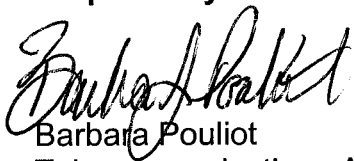
Summary

The evaluation committee recommends approval of Agreement No. C-8-0685, in the amount of \$271,034, with Integrated Technology, the offer which most closely meets Orange County Transportation Authority's technical requirements.

Attachments

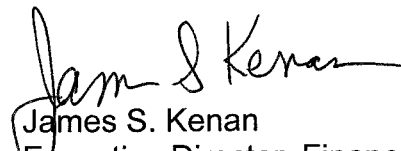
- A. RFP 8-0685 Upgrade Nortel Telecommunication System Proposal Evaluation Criteria Matrix
- B. RFP 8-0685 Upgrade Nortel Telecommunications Systems Project Review of Proposals

Prepared by:



Barbara Pouliot
Telecommunications Administrator
Information Systems
(714) 560-5534

Approved by:



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

RFP 8-0685

Upgrade Nortel Telecommunication System
 Proposal Evaluation Criteria Matrix

Firm: Integrated Technologies						Weights	Criteria Score
Evaluation Number	1	2	3	4			
Qualifications of Firm	4.50	4.00	5.00	5.00	5		23.13
Staffing/Project Organization	4.00	4.00	4.00	4.00	6		24.00
Work Plan	4.00	4.00	5.00	4.00	5		21.25
Cost and Price	3.00	3.00	3.00	3.00	4		12.00
Overall Score	78.50	76.00	86.00	81.00			80.38
FIRM: Scottel, Inc						Weights	Criteria Score
Evaluation Number	1	2	3	4			
Qualification of Firm	4.00	4.00	5.00	4.00	5		21.25
Staffing/Project Organization	4.00	3.50	4.00	4.00	6		23.25
Work Plan	4.00	4.00	5.00	4.00	5		21.25
Cost and Price	2.00	2.00	2.00	2.00	4		8.00
Overall Score	72.00	69.00	82.00	72.00			73.75
FIRM: NetVersant						Weights	Criteria Score
Evaluation Number	1	2	3	4			
Qualifications of Firm	3.00	4.00	5.00	4.00	5		20.00
Staffing/Project Organization	2.50	3.00	4.00	3.00	6		18.75
Work Plan	3.00	3.00	3.00	3.00	5		15.00
Cost and Price	5.00	5.00	5.00	5.00	4		20.00
Overall Score	65.00	73.00	84.00	73.00			73.75

RFP 8-0685 Upgrade Nortel Telecommunications Systems Project

Review of Proposals

PRESENTED TO THE FINANCE AND ADMINISTRATION COMMITTEE - June 11, 2008

5 proposals were received, 3 firms interviewed and 1 firm recommended for award

Overall Ranking	Proposal Score	Firm and Location	Sub-Contractors	Evaluation Committee Comments	Proposal Amount
1	80.38	Integrated Technology Orange, California	None	Excellent proposal, complete and comprehensive Work plan and technical approach exceeds all scope of work requirements Excellent technical approach and project schedule Experienced project team Presented a good technical interview and project team presented well Prior and current Orange County Transportation Authority experience with the 91 Express Lanes	\$271,033.49
2	73.75	Scottel Voice and Data Inc. Thousand Oaks, California	None	Very good proposal meets Orange County Transportation Authority's requirements Provided a comprehensive work plan Experienced project team Presented a good technical interview and a knowledgeable project team Proposed highest cost	\$308,864.20
3	73.75	Netversant Orange, California	None	Good proposal Work plan did not address all scope of work requirements. Good project team Project team did not present a uniform interview Presented the lowest price	\$224,313.00

<u>Evaluation Panel</u>	<u>Proposal Criteria</u>	<u>Weight Factors</u>
Technical Services (2)	Qualification of the Firm	25%
Telecommunications	Staffing and Project Organizat	30%
Contract Administration	Work Plan	25%
and Material Management	Cost and Price	20%



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Request for Proposals for Armored Vehicles and Fare Collection Counting Services

Finance and Administration Committee meeting of June 11, 2008

Present: Directors Amante, Brown, Buffa, Campbell, Green, and Moorlach
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

- A. Approve the proposed evaluation criteria and weightings
- B. Approve the release of the Request for Proposals 8-0921 for Armored Vehicle and Fare Collection Counting Services



June 11, 2008

To: Finance and Administration Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Request for Proposals for Armored Vehicle and Fare Collection Counting Services

Overview

Staff has developed a scope of work and a request for proposals for armored vehicle and fare collection counting services. The total cost of a five-year contract is anticipated to be around \$5 million.

Recommendations

- A. Approve the proposed evaluation criteria and weightings.
- B. Approve the release of the Request for Proposals 8-0921 for Armored Vehicle and Fare Collection Counting Services.

Background

The Orange County Transportation Authority (OCTA) currently has two separate contracts with Los Angeles Federal Armored Services, Inc. The first contract provides armored vehicle services of fare collections and other miscellaneous bank deposits. The second contract provides coin and currency counting services. The contractor counts vehicle collections that exceed the capacity of internal resources.

The primary need for armored vehicle services is to transfer vehicle collections between OCTA bus bases and a counting facility. Fare collections exceed \$36 million per year. As buses are serviced at the end of each shift, fare collections are transferred from the farebox on the bus to receiver vaults located on the service island of each bus base. There are 20 vaults spread across three bus bases. Inside the vaults are large steel money bins. Each bin weighs up to 2,000 pounds and has the capacity to hold up to \$10,000 in currency and \$10,000 in coins. Six days per week, full money bins are exchanged with empty money bins. The full money bins are transported by

armored vehicles from the bus bases to a counting facility for processing. Due to the size of the money bins, a specialized armored truck that is large enough to transport the full bins in a single trip is required.

Additionally, armored vehicle services are needed to pickup and deliver miscellaneous deposits between various OCTA locations, the fare collection counting facilities, and the banks. Deposits are transferred Monday through Friday, except holidays. Coins from the fareboxes are deposited at the Brinks cash vault in Los Angeles and currency is deposited at the Wells Fargo cash vault in Los Angeles. All other miscellaneous deposits are transported from OCTA locations to a Bank of the West branch office.

OCTA began outsourcing part of the coin and currency counting function in 1997. Over the years, more of the counting function has been outsourced as internal staff resigned and positions were eliminated. The collective bargaining agreement with the Transportation Communications International Union only allows the elimination of the revenue counting positions through attrition. Today, three internal staff members process approximately 25 percent of the fares collected with the balance being processed by the contractor. The fees for this service are charged based on a negotiated rate per hundred dollars of coins or currency.

Discussion

Historically, OCTA has received few bids when the armored vehicle and fare collection counting contracts were procured independently. The incumbent has had the armored service contract since 1991 and the counting service contract since 2005. At one point, OCTA surveyed the armored service firms in Southern California and received feedback indicating that the armored vehicle contract by itself was too small to justify the capital investment in the specialized armored truck. To encourage competition, the two services are being combined into a single contract resulting in a larger contract amount.

Due to the capital investment required for a specialized armored truck to transport money bins, the combined contract will be awarded for a term of five-years.

On April 23, 2007, OCTA's Board of Directors (Board) approved procurement procedures and policies requiring the Board to approve all requests for proposals (RFP) over \$1 million, as well as approve the evaluation criteria and weightings. Staff is hereby submitting for Board approval the attached RFP and evaluation criteria and weights, which will be used to evaluate proposals

received in response to the RFP. The evaluation criteria and weights are as follows:

- Qualifications of Firm 25 percent
- Staffing and Organization 15 percent
- Work Plan 30 percent
- Cost and Price 30 percent

Since the contractor will have possession of large amounts of cash, security will be a key factor in awarding this contract. Security will be evaluated as a component of the work plan. To reflect the importance of security, the work plan weight has been increased to 30 percent.

Given the term and significant cost of the service, the weight for cost has also been increased to 30 percent.

The weight assigned to staffing and project organization has been decreased to 15 percent. The services being sought are primarily provided by skilled labor as opposed to professional staff. Consequently, there is less dependence on key technical personnel. Additionally, much of the counting function is automated with equipment used to count the coins and currency.

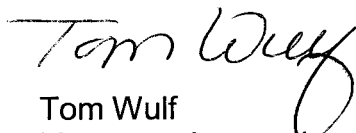
Summary

Staff recommends approval to release the Request for Proposals 8-0921 for armored vehicle and fare collection counting services.

Attachment

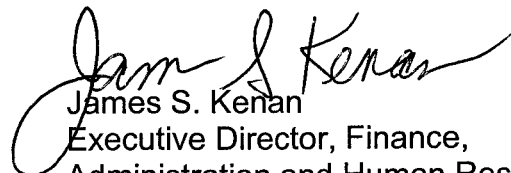
- A. Draft Request for Proposals (RFP) 8-0921 – Armored Vehicle and Fare Collection Counting Services

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

DRAFT

REQUEST FOR PROPOSALS (RFP) 8-0921

**ARMORED VEHICLE AND FARE
COLLECTION COUNTING SERVICES**



**ORANGE COUNTY TRANSPORTATION AUTHORITY
550 South Main Street
P.O. Box 14184
Orange, CA 92863-1584
(714) 560-6282**

Key RFP Dates

Issued:	June 26, 2008
Pre-proposal Conference:	July 15, 2008
Written Questions:	July 16, 2008
Submit Offer:	July 29, 2008
Interview Date:	August 13, 2008

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June 26, 2008

BOARD OF DIRECTORS

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Director

Cindy Quon
Governor's
Ex-Officio Member

**SUBJECT: NOTICE OF REQUEST FOR PROPOSALS
RFP 8-0921: ARMORED VEHICLE & FARE COLLECTION
COUNTING SERVICES**

Gentlemen/Ladies:

The Orange County Transportation Authority invites proposals from qualified contractors to provide armored transport services and fare collection counting services.

Proposals must be received in the Orange County Transportation Authority's office at or before 2:00 p.m. on July 29, 2008.

Proposals delivered in person or by a means other than the U.S. Postal Service shall be submitted to the following:

**Orange County Transportation Authority
Contracts Administration and Materials Management
600 South Main Street, 4th Floor
Orange, California 92868
Attention: Edna Ruperto, Contract Administrator**

Or proposals delivered using the U.S. Postal Service shall be addressed as follows:

**Orange County Transportation Authority
Contracts Administration and Materials Management
P.O. Box 14184
Orange, California 92863-1584
Attention: Edna Ruperto, Contract Administrator**

Proposals and amendments to proposals received after the date and time specified above will be returned to the Offerors unopened.

CHIEF EXECUTIVE OFFICE

Arthur T. Leahy
Chief Executive Officer

Firms interested in obtaining a copy of this Request For Proposals (RFP) 8-0921 may do so by faxing their request to (714) 560-5792, or e-mail your request to *rfp_ifb_Requests@octa.net* or calling (714) 560-5922. Please include the following information:

- Name of Firm
- Address
- Contact Person
- Telephone and Facsimile Number
- Request For Proposal (RFP) 8-0921

All firms interested in doing business with the Authority are required to register their business on-line at CAMMNet, the Authority's interactive website. The website can be found at *www.octa.net*. From the site menu, click on CAMMNet to register.

To receive all further information regarding this RFP 8-0921, firms must be registered on CAMMNet with at least one of the following commodity codes for this solicitation selected as part of the vendor's on-line registration profile:

Commodities for this solicitation are:

Category(s):

Services (General)

Commodity(s):

Armored Service
Currency Processing Service

A pre-proposal conference will be held on July 15, 2008, at 9:00 a.m. at the Authority's Santa Ana Base, 4301 MacArthur Blvd., Santa Ana, California, in the Maintenance Department Training Room 215. All prospective Offerors are encouraged to attend the pre-proposal conference.

The Authority has established August 13, 2008 as the date to conduct interviews. All prospective Offeror's will be asked to keep this date available.

Offerors are encouraged to subcontract with small businesses to the maximum extent possible.

The Offeror will be required to comply with all applicable equal opportunity laws and regulations.

The award of this contract is subject to receipt of federal, state and/or local funds adequate to carry out the provisions of the proposed agreement including the identified Scope of Work.

Sincerely,

Edna Ruperto
Contract Administrator
Contracts Administration and Materials Management

SECTION I
INSTRUCTIONS TO OFFERORS

SECTION I. INSTRUCTIONS TO OFFERORS**A. PRE-PROPOSAL CONFERENCE**

A pre-proposal conference will be held on July 15, 2008, at 9:00 a.m. at the Authority's Santa Ana Base, 4301 MacArthur Blvd., Santa Ana, California, in the Maintenance Department Training Room 215. All prospective Offerors are encouraged to attend the pre-proposal conference.

B. EXAMINATION OF PROPOSAL DOCUMENTS

By submitting a proposal, Offeror represents that it has thoroughly examined and become familiar with the work required under this RFP and that it is capable of performing quality work to achieve the Authority's objectives.

C. ADDENDA

Any Authority changes to the requirements will be made by written addendum to this RFP. Any written addenda issued pertaining to this RFP shall be incorporated into the terms and conditions of any resulting Agreement. The Authority will not be bound to any modifications to or deviations from the requirements set forth in this RFP as the result of oral instructions. Offerors shall acknowledge receipt of addenda in their proposals.

D. AUTHORITY CONTACT

All questions and/or contacts with OCTA staff regarding this RFP are to be directed to the following Contract Administrator:

Edna Ruperto
Contracts Administration and Materials Management Department
550 South Main Street
P.O. Box 14184
Orange, CA 92863-1584
Phone: 714.560.5652, Fax: 714.560.5792

E. CLARIFICATIONS**1. Examination of Documents**

Should an Offeror require clarifications of this RFP, the Offeror shall notify the Authority in writing in accordance with Section E.2. below. Should it be found that the point in question is not clearly and fully set forth, the Authority will issue a written addendum clarifying the matter which will be sent to all firms registered on CAMMNet under the commodity codes specified in this RFP.

2. Submitting Requests

- a. All questions, including questions that could not be specifically answered at the pre-proposal conference must be put in writing and must be received by the Authority no later than 5:00 p.m., on July 16, 2008.
- b. Requests for clarifications, questions and comments must be clearly labeled, "Written Questions". The Authority is not responsible for failure to respond to a request that has not been labeled as such.
- c. Any of the following methods of delivering written questions are acceptable as long as the questions are received no later than the date and time specified above:
 - (1) U.S. Mail: Orange County Transportation Authority, 550 South Main Street, P.O. Box 4184, Orange, California 92863-1584.
 - (2) Personal Courier: Contracts Administration and Materials Management Department, 600 South Main Street, 4th Floor, Orange, California 92868.
 - (3) Facsimile: The Authority's fax number is (714) 560-5792.
 - (4) E-Mail: Edna Ruperto, Contract Administrator e-mail address is *eruperto@octa.net*.

3. Authority Responses

Responses from the Authority will be posted on CAMMNet, the Authority's interactive website, no later than July 22, 2008. Offerors may download responses from CAMMNet at www.octa.net/cammnet, or request responses be sent via U.S. Mail by e-mailing or faxing the request to Edna Ruperto, Contract Administrator.

To receive e-mail notification of Authority responses when they are posted on CAMMNet, firms must be registered on CAMMNet with at least one of the following commodity codes for this solicitation selected as part of the vendor's on-line registration profile:

Commodities for this solicitation are:

Category(s):

Services (General)

Commodity(s):

Armored Service
Currency Processing Service

Inquiries received after July 16, 2008, will not be responded to.

F. SUBMISSION OF PROPOSALS

1. Date and Time

Proposals must be received in the Orange County Transportation Authority's office at or before 2:00 p.m. on July 29, 2008.

Proposals received after the above-specified date and time will be returned to Offerors unopened.

2. Address

Proposals delivered in person or by a means other than the U.S. Postal Service shall be submitted to the following:

**Orange County Transportation Authority
Contracts Administration and Materials Management
600 South Main Street, 4th Floor
Orange, California 92868
Attention: Edna Ruperto, Contract Administrator**

Or proposals delivered using the U.S. Postal Services shall be addressed as follows:

**Orange County Transportation Authority
Contracts Administration and Materials Management
P.O. Box 14184
Orange, California 92863-1584
Attention: Edna Ruperto, Contract Administrator**

Firms are encouraged to obtain a visitor badge from the receptionist in the lobby of the 600 Building.

3. Identification of Proposals

Offeror shall submit an **original and five (5) copies** of its proposal in a sealed package, addressed as shown above, bearing the Offeror's name and address and clearly marked as follows:

"RFP 8-0921: ARMORED VEHICLE & FARE COLLECTION COUNTING SERVICES"

4. Acceptance of Proposals

- a. The Authority reserves the right to accept or reject any and all proposals, or any item or part thereof, or to waive any informalities or irregularities in proposals.
- b. The Authority reserves the right to withdraw or cancel this RFP at any time without prior notice and the Authority makes no representations that any contract will be awarded to any Offeror responding to this RFP.
- c. The Authority reserves the right to postpone proposal openings for its own convenience.
- d. Proposals received by Authority are public information and must be made available to any person upon request.
- e. Submitted proposals are not to be copyrighted.

G. PRE-CONTRACTUAL EXPENSES

The Authority shall not, in any event, be liable for any pre-contractual expenses incurred by Offeror in the preparation of its proposal. Offeror shall not include any such expenses as part of its proposal.

Pre-contractual expenses are defined as expenses incurred by Offeror in:

1. Preparing its proposal in response to this RFP;
2. Submitting that proposal to the Authority;
3. Negotiating with the Authority any matter related to this proposal; or
4. Any other expenses incurred by Offeror prior to date of award, if any, of the Agreement.

H. JOINT OFFERS

Where two or more firms desire to submit a single proposal in response to this RFP, they should do so on a prime-subcontractor basis rather than as a joint venture. The Authority intends to contract with a single firm and not with multiple firms doing business as a joint venture.

I. TAXES

Offerors' proposals are subject to State and Local sales taxes. However, the Authority is exempt from the payment of Federal Excise and Transportation Taxes.

J. PROTEST PROCEDURES

The Authority has on file a set of written protest procedures applicable to this solicitation that may be obtained by contacting the Contract Administrator responsible for this procurement. Any protests filed by an Offeror in connection with this RFP must be submitted in accordance with the Authority's written procedures.

K. CONTRACT TYPE

It is anticipated that the Agreement resulting from this solicitation, if awarded, will be a time and expense contract specifying firm-fixed rates for services specified in the Scope of Work, included in this RFP as Exhibit A. The term of the Agreement will be five (5) years.

SECTION II
PROPOSAL CONTENT

SECTION II. PROPOSAL CONTENT

A. PROPOSAL FORMAT AND CONTENT

1. Format

Proposals should be typed with a standard 12 point font, double-spaced and submitted on 8 1/2" x 11" size paper, using a single method of fastening. Charts and schedules may be included in 11"x17" format. Offers should not include any unnecessarily elaborate or promotional material. Lengthy narrative is discouraged and presentations should be brief and concise. Proposals should not exceed fifty (50) pages in length, excluding any appendices.

2. Letter of Transmittal

The Letter of Transmittal shall be addressed to Edna Ruperto, Contract Administrator and must, at a minimum, contain the following:

- a. Identification of Offeror that will have contractual responsibility with the Authority. Identification shall include legal name of company, corporate address, telephone and fax number. Include name, title, address, and telephone number of the contract person identified during period of proposal evaluation.
- b. Identification of all proposed subcontractors including legal name of company, contact persons name and address, phone number and fax number. Relationship between Offeror and subcontractors, if applicable.
- c. Acknowledgement of receipt of all RFP addenda, if any.
- d. A statement to the effect that the proposal shall remain valid for a period of not less than 180 days from the date of submittal.
- e. Signature of a person authorized to bind Offeror to the terms of the proposal.
- f. Signed statement attesting that all information submitted with the proposal is true and correct.

3. Technical Proposal

a. Qualifications, Related Experience and References of Offeror

This section of the proposal should establish the ability of Offeror to satisfactorily perform the required work by reasons of: experience in performing work of a similar nature; demonstrated competence in the services to be provided; strength and stability of the firm; staffing capability; work load; record of meeting schedules on similar projects; and supportive client references. Equal weighting will be given to firms for past experience performing work of a similar nature whether with the Authority or elsewhere,

Offeror to:

- (1) Provide a brief profile of the firm, including the types of services offered; the year founded; form of the organization (corporation, partnership, sole proprietorship); number, size and location of offices; and number of employees.
- (2) Provide a general description of the firm's financial condition and identify any conditions (e.g., bankruptcy, pending litigation, planned office closures, impending merger) that may impede Offeror's ability to complete the project.
- (3) Describe the firm's experience in performing work of a similar nature to that solicited in this RFP, and highlight the participation in such work by the key personnel proposed for assignment to this project. Describe experience in working with the various government agencies identified in this RFP.
- (4) Identify subcontractors by company name, address, contact person, telephone number and project function. Describe Offeror's experience working with each subcontractor.
- (5) Provide as a minimum three (3) references for the projects cited as related experience, and furnish the name, title, address and telephone number of the person(s) at the client organization who is most knowledgeable about the work performed. Offeror may also supply references from other work not cited in this section as related experience.
- (6) Provide a list of all work performed for the Authority, either as a prime or subcontractor during the last 3 years contracted directly with the Authority.

b. Proposed Staffing and Project Organization

This section of the proposal should establish the method, which will be used by the Offeror to manage the project as well as identify key personnel assigned.

Offeror to:

- (1) Provide education, experience, and applicable professional credentials of project staff.
- (2) Furnish brief resumes (not more than two [2] pages each) for the proposed Project Manager and other key personnel.
- (3) Indicate adequacy of labor resources utilizing a table projecting the labor-hour allocation to the project by individual task.
- (4) Identify key personnel proposed to perform the work in the specified tasks and include major areas of subcontract work. include the person's name, current location, proposed position for this project, current assignment, level of commitment to that assignment, availability for this assignment and how long each person has been with the firm.
- (5) Include a project organization chart, which clearly delineates communication/reporting relationships among the project staff.
- (6) Include a statement that key personnel will be available to the extent proposed for the duration of the project acknowledging that no person designated as "key" to the project shall be removed or replaced without the prior written concurrence of the Authority.

c. Work Plan

Offeror should provide a narrative, which addresses the Scope of Work, and shows Offeror's understanding of Authority's needs and requirements.

Offeror to:

- (1) Describe the approach to completing the tasks specified in the Scope of Work.
- (2) Outline sequentially the activities that would be undertaken in completing the tasks and specify who would perform them.

- (3) Furnish a schedule for completing the tasks in terms of elapsed weeks from the project commencement date.
- (4) Identify methods that Offeror will use to ensure quality control as well as budget and schedule control for the project.
- (5) Describe security measures to be taken.
- (6) Describe the equipment which will be used to count the currency/coins, as well as how many armored vehicles and description of vehicles.
- (7) Discuss your reporting process, as per Exhibit A, Scope of Work. How soon will the money be credited to the Authority's account?
- (8) Identify any special issues or problems that are likely to be encountered in this project and how the Offeror would propose to address them.
- (9) Offeror is encouraged to propose enhancements or procedural or technical innovations to the Scope of Work that do not materially deviate from the objectives or required content of the project.

d. Exceptions/Deviations

State any exceptions to or deviations from the requirements of this RFP, segregating "technical" exceptions from "contractual" exceptions. Where Offeror wishes to propose alternative approaches to meeting the Authority's technical or contractual requirements, these should be thoroughly explained. If no contractual exceptions are noted, Offeror will be deemed to have accepted the contract requirements as set forth in Exhibit C.

4. Cost and Price Proposal

As part of the cost and price proposal, the Offeror shall submit proposed pricing to provide the services described in Exhibit A, Scope of Work.

The Offeror shall complete the "Price Summary Sheet" form included with this RFP (Exhibit B), and furnish any narrative required to explain the prices quoted in the schedules. As noted earlier in these instructions, time-and-expense (T&E) is the preferred method of pricing. proposals received.

5. Appendices

Information considered by Offeror to be pertinent to this project and which has not been specifically solicited in any of the aforementioned sections may be placed in a separate appendix section. Offerors are cautioned, however, that this does not constitute an invitation to submit large amounts of extraneous materials. Appendices should be relevant and brief.

B. CAMPAIGN CONTRIBUTION FORMS

Party and Participant Disclosure Forms

In conformance with the statutory requirements of the State of California Government Code Section 84308, part of the Political Reform Act and Title 2, California Code of Regulations 18438 through 18438.8, regarding campaign contributions to members of appointed Boards of Directors, Offeror is required to complete and sign the Party and Participant Disclosure Forms provided in Exhibit D of this RFP and submit as part of the proposal. Offeror is required to submit only **one** copy of the completed form(s) as part of its proposal and it should be included in only the **original** proposal. The prime contractor and subcontractors must complete the form entitled "Party Disclosure Form". Lobbyists or agents representing the prime contractor in this procurement must complete the form entitled "Participant Disclosure Form". Reporting of campaign contributions is a requirement from the proposed submittal date up and until the Authority's Board of Directors take action, which is anticipated to be October 10, 2008.

C. STATUS OF PAST AND PRESENT CONTRACTS

Status of Past and Present Contract Forms

On Exhibit E, entitled "Status of Past and Present Contracts" Offerors shall list the status of past and present contracts where the firm has either provided services as a prime contractor or subcontractor during the past five (5) years and the contract has ended or will end in a termination, settlement or in litigation. A separate form must be completed for each contract. Offeror shall provide an accurate contact name and telephone number for each contract and indicate the term of the contract and the original contract value. If the contract was terminated, list any litigation, claims or settlement agreements related to any of the contracts. Each form must be signed by the Offeror confirming that information is true and accurate.

SECTION III
EVALUATION AND AWARD

SECTION III. EVALUATION AND AWARD

A. EVALUATION CRITERIA

The Authority will evaluate the offers received based on the following criteria:

1. Qualifications of the Firm 25%

Technical experience in performing work of a closely similar nature; experience working with public agencies; strength and stability of the firm; strength, stability, experience and technical competence of subcontractors; assessment by client references.

2. Staffing and Project Organization 15%

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

3. Work Plan 30%

Depth of Offeror's understanding of Authority's requirements and overall quality of work plan; logic, clarity and specificity of work plan; appropriateness of labor distribution among the tasks; ability to meet the project deadline; reasonableness of proposed schedule; security procedures; description of vehicles and equipment.

4. Cost and Price 30%

Reasonableness of the total price and competitiveness of this amount with other offers received; adequacy of data in support of figures quoted; reasonableness of individual service costs; basis on which prices are quoted (FFP, CPMF, T&E).

B. EVALUATION PROCEDURE

The committee is comprised of Authority staff and may include outside personnel. The committee members will evaluate the written proposals using criteria identified in Section III A. A list of top ranked proposals, firms within a competitive range, will be developed based upon the totals of each committee members' score for each proposal.

During the evaluation period, the Authority will interview some or all of the proposing firms. The Authority has established August 13, 2008 as the date to conduct interviews. All prospective Offerors will be asked to keep this date

available. No other interview dates will be provided, therefore, if an Offeror is unable to attend the interview on this date, its proposal may be eliminated from further discussion. The interview may consist of a short presentation by the Offeror after which the evaluation committee will ask questions related to the firm's proposal and qualifications.

At the conclusion of the proposal evaluations, Offerors remaining within the competitive range may be asked to submit a Best and Final Offer (BAFO). In the BAFO request, the firms may be asked to provide additional information, confirm or clarify issues and submit a final cost/price offer. A deadline for submission will be stipulated.

At the conclusion of the evaluation process, the evaluation committee may recommend to the appropriate Board Committee, an Offeror with the highest final ranking or a short list of top ranked firms within the competitive range whose proposal(s) is most advantageous to the Authority. The Board Committee will review the evaluation committee's recommendation and forward its decision to the full Board of Directors for final action.

C. AWARD

The Authority will evaluate the proposals received and will submit, with approval of the Finance and Administration Committee, the proposal considered to be the most competitive to the Authority's Board of Directors, for consideration and selection. The Authority may also negotiate contract terms with the selected Offeror prior to award, and expressly reserves the right to negotiate with several Offerors simultaneously and, thereafter, to award a contract to the Offeror offering the most favorable terms to the Authority.

The Authority reserves the right to award its total requirements to one Offeror or to apportion those requirements among several Offerors as the Authority may deem to be in its best interest. In addition, negotiations may or may not be conducted with Offerors; therefore, the proposal submitted should contain Offeror's most favorable terms and conditions, since the selection and award may be made without discussion with any Offeror.

D. NOTIFICATION OF AWARD AND DEBRIEFING

Offerors who submit a proposal in response to this RFP shall be notified by electronic mail regarding the firm who was awarded the contract. Such notification shall be made within three (3) days of the date the contract is awarded.

Offerors who were not awarded the contract may obtain a prompt explanation concerning the strengths and weaknesses of their proposal. Unsuccessful Offerors, who wish to be debriefed, must request the debriefing in writing or electronic mail and the Authority must receive it within three (3) days of notification of the contract award.

EXHIBIT A
SCOPE OF WORK

Scope of Work

1. Overview

OCTA is a multi-modal transportation agency serving Orange County. We keep Orange County moving with countywide bus and paratransit services, Metrolink commuter rail service, the 91 Express Lanes toll facility, freeway, street and road improvement projects, motorist aid services, and by regulating taxi operations.

OCTA operates a fleet of over 550 buses throughout Orange County, collecting over \$36 million in cash bus fares annually. Cash collections are recorded using the GFI Genfare Farebox Collection System that validates and counts fares as they are deposited into a farebox. On a nightly basis, collection information is downloaded from the farebox on a bus into the farebox collection system. At the same time, proceeds are transferred from the farebox to large cash bins that are housed inside steel vaults. There are six vaults at the Anaheim and Garden Grove bases. There are eight vaults at the Santa Ana base. Six days per week, cash bins are removed from the vaults at the three bases and transported to a counting facility. Currently fourteen of the twenty cash bins are transported six days per week.

OCTA also requires armored service to transport deposits between the counting facilities as well as daily transport of deposits between OCTA offices and the bank.

OCTA operates a counting facility at its Santa Ana bus base. The three full time employees are able to process \$7 – 8 million in collections annually. The contractor will be expected to count all collections that exceed OCTA's internal capacity to count. Total cash collections for the first year of the contract are anticipated to be at least \$36,000,000.

OCTA is seeking a contractor to provide armored transport services and fare collection counting services.

2. Armored Vehicle Services – Money Bins

- a. The contractor shall provide transportation of at least fourteen money bins per day, six days per week. The bins are spread out between three bus bases – Anaheim, Santa Ana and Garden Grove.
- b. Full money bins will be replaced with empty money bins in vaults located on the service islands of the OCTA bus bases. Full money bins will be transported from the bases to a designated counting facility on the same day.

- c. There are two counting facilities. OCTA's facility at the Santa Ana base and the contractor's counting facility. Bins will be transported from the bus bases to the OCTA counting facility at the Santa Ana base one day per week and to the contractor's counting facility five days per week.
- d. Money bin exchanges must begin no earlier than 5:00 a.m. and must be completed before 7:30 a.m.
- e. Transportation of money bins between OCTA bases and designated counting facilities is required Monday through Saturday, including holidays.
- f. The contractor shall immediately notify designated OCTA staff of any incident that occurs at any OCTA facility. Incidents include security issues, lack of access to service island vaults, equipment failures or any other event that is out of the ordinary. The contractor shall provide a written incident report to OCTA within twenty-four hours of the verbal notification.
- g. OCTA reserves the right to change the transport schedules at no additional cost to accommodate operational needs. OCTA shall provide written notification of any schedule change no less than seven days prior to the change.

3. Armored Vehicle Services – Deposits

- a. The contractor shall transport deposits from the counting facilities to designated depositories Monday through Friday, excluding bank holidays. Deposits shall be picked-up and transported two times per week from OCTA's counting facility. Deposits shall be transported from the contractor's counting facility five days per week excluding bank holidays.
- b. The contractor shall transport deposits from the OCTA store located at 550 S Main Street in Orange to the OCTA Administration building located next door at 600 S Main Street in Orange, Monday thru Friday, excluding OCTA holidays.
- c. The contractor shall pick-up a deposit at the OCTA Administration building located at 600 S Main Street in Orange, Monday through Friday, excluding OCTA holidays. The daily pick-up shall be between 1:00 p.m. and 3:00 p.m. The deposits shall be transported to a designated depository on the same day.

- d. The contractor shall pick-up deposits at the both 91 Express Lanes offices, Monday through Friday, excluding OCTA and bank holidays. The daily pick-ups shall be between 9:30 a.m. and 2:00 p.m. The deposits shall be transferred to a designated depository on the same day.
- e. Every Monday, the contractor shall transport a change order from a designated depository to the OCTA Store located at 550 S Main Street in Orange. If Monday is a Bank or OCTA holiday, the transport shall occur on the next business day.
- f. The contractor shall pick-up a weekly deposit at Alta Resources located at 975 West Imperial Highway in Brea. The daily pick-up shall be between 9:00 a.m. and 2:00 p.m. on Monday. If Monday is an OCTA holiday, the pickup shall be on Tuesday. The deposits shall be transported to the OCTA Administration building located at 600 S Main Street in Orange on the same day.
- g. OCTA reserves the right to change the transport schedules at no additional charge to accommodate operational needs. OCTA shall provide written notification of any schedule change no less than seven days prior to the change.

4. Armored Vehicle Staff

- a. The contractor's employees providing armored vehicle services for OCTA must be armed and in the contractor's standard uniform for armed guards.
- b. The contractor's employees providing armored vehicle services for OCTA must carry security guard cards and weapon permits.
- c. The contractor's employees providing armored vehicle services for OCTA must have satisfactory criminal background checks and driving records.
- d. The contractor shall provide a current list of employees authorized to perform services for OCTA. The list shall include specimen signatures and current photographs of the individuals. The list must be updated for new employees prior to that person providing service to OCTA. The list shall be delivered to the OCTA Revenue Section located in the Administration Building OCTA Administration building at 600 S Main Street in Orange.

- e. Any employee of the contractor that is providing armored vehicle services for OCTA shall be required to submit to a criminal background check by the Orange County Sheriff's Department at the discretion of OCTA.
- f. The contractor shall assume total responsibility and liability for its staff while providing armored vehicle services.

5. Armored Vehicle

- a. Armored vehicles used to transport OCTA funds must conform to standard requirements for armored vehicles in the State of California.
- b. Armored vehicle(s) used to transport money bins must have the capacity to transport no less than fourteen bins each day. Each bin is approximately 30 inches wide, 37 inches deep and 31 inches tall. An empty bin weighs 460 pounds; a full bin weighs approximately 1,200 pounds. Weight is distributed on four swivel wheels.
- c. Each vehicle used to transport money bins requires a hydraulic lift with safety rails. A minimum 5,000-pound capacity is required. The lift gate shall be equipped with anchor pins and safety chains compatible in size and rating to the lift gate's maximum lifting capacity.
- d. To load and unload vaults at the Santa Ana base, the armored truck must back into a secured loading garage. The garage door opening is 12 feet wide and 13 feet tall. The distance from the dock to the door is 40 feet. The garage door is closed before vaults are unloaded.
- e. The dock height is 4 feet from the floor. There is an adjustable ramp to accommodate trucks from 3 feet 2 inches above ground level up to 4 feet 10 inches above ground level. If the truck is below 4 feet, the vault will have to be rolled up the ramp manually.
- f. The contractor is responsible for all damages to the money bins incurred in the pickup and transport of the bins. This includes, but is not limited to, the electronic components and metal materials incorporated into the construction of the money bin. The contractor shall be responsible for the cost of repair or replacement should the vault be damaged beyond repair. The approximate replacement cost of a money bin is \$11,400.

6. Coin and Currency Counting Service

- a. The contractor shall be responsible for counting all collections that exceed the capacity of OCTA's internal staff.
- b. The contractor shall be responsible for counting collections, preparing deposits and reporting summary information back to OCTA.
- c. Farebox collections shall be delivered to the contractor's counting facility in steel money bins via armored vehicle.
- d. Contractor shall empty the money bins so that empty money bins may be returned to the OCTA bus bases the next day.
- e. The contents of each bin must be segregated with the contents identified by bin number, location number and date of pickup.
- f. At all times, coin and currency must be under dual custodianship and under video surveillance.
- g. Contractor must provide a secure facility at which the fare collections will be counted. Proposal should detail the components of security that will be provided at the counting facility. Offers should be prepared to provide OCTA staff with a tour of their counting facility.
- h. Contractor will count and prepare the money for deposit in accordance with requirements of the designated depository.
- i. Deposit slips shall be prepared and submitted with each deposit taken to the designated depository. A copy of the deposit slip shall be submitted to OCTA within 24 hours of the actual deposit.
- j. A supplementary deposit worksheet (Excel worksheet) shall also be created for each deposit that details by denomination, the amount counted for each cash bin. The deposit worksheet shall be submitted to OCTA within 24 hours of the actual deposit.
- k. Coins and currency must be deposited no later than the depository's cutoff time on the second business day following the day the money bin was delivered for counting.

- I. Contractor will provide their own deposit supplies (plastic bags, wrappers, rubber bands, etc.) except for deposit slips.

7. Collection Information

- a. OCTA anticipates collecting at least \$36 million per year from bus fares. The breakdown by denomination is as follows:
 - i. Currency \$1 73.59%
 - ii. Currency \$2 0.08%
 - iii. Currency \$5 3.79%
 - iv. Currency \$10 0.15%
 - v. Coin 22.39%
- b. OCTA's internal staff expects to count \$7-8 million per year, with the balance being counted by the contractor.

8. Locations

- a. OCTA Administration Building
6000 S Main St
Orange, CA 92868
- b. OCTA Store
550 S Main St
Orange, CA 92868
- c. Garden Grove Base
11800 Woodbury Road
Garden Grove, CA 92843
- d. Anaheim Base
1717 E Via Burton
Anaheim, CA 92806
- e. Santa Ana Base (includes OCTA counting facility)
4301 W MacArthur Blvd
Santa Ana, CA 82704
- f. 91 Express Lanes Administration
180 N Riverview Drive
Anaheim, CA 92808

- g. 91 Express Lanes Customer Service Center
2275 Sampson
Corona, CA 92879
- h. Alta Resources
975 W Imperial Highway
Brea, CA 92821
- i. Wells Fargo – Fare Collection Deposits (currency)
Los Angeles Cash Vault
333 S Hope St
Los Angeles, CA 90071
- j. Brinks – Fare Collection Deposits (coin)
1120 W Venice Blvd
Los Angeles, CA 90015
- k. Bank of the West – 91 Express Lane Deposits and other Misc. Deposits
Various branch locations

9. OCTA Holidays

- a. New Year's Day
- b. Memorial Day
- c. Independence Day
- d. Labor Day
- e. Thanksgiving Day
- f. Day after Thanksgiving
- g. Christmas

EXHIBIT B
COST AND PRICE FORMS

PRICE SUMMARY SHEET
REQUEST FOR PROPOSALS (RFP) 8-0921

Enter the proposed price for the service described in the Scope of Work, Exhibit A. Prices shall include direct costs, indirect costs, and profits. The Authority's intention is to award a time and expense contract for five years. Please denote the basis on which the prices are quoted.

List fuel price at time of proposal preparation \$ _____/Gallon

The above prices are quoted on the following basis (check one):

Firm-Fixed Price _____ Cost-Plus-Fixed-Fee _____ Time and Expense _____

1. I acknowledge receipt of RFP 8-0921 and Addenda No.(s) _____
2. This offer shall remain firm for _____ days from the date of proposal
(Minimum 180)

COMPANY NAME _____

ADDRESS _____

TELEPHONE _____

SIGNATURE OF PERSON
AUTHORIZED TO BIND OFFEROR _____

SIGNATURE'S NAME AND TITLE _____

DATE SIGNED _____

**PRICE SCHEDULE
ARMORED VEHICLE AND FARE COLLECTION COUNTING SERVICES**

Line Item	Description	12/1/08 – 11/30/09	12/1/09 – 11/30/10	12/1/10 - 11/30/11	12/1/11 - 11/30/12	12/1/12 - 11/30/13
Armored Vehicle Services – Monthly Rates:						
1.	Transport money bins between bases and counting facilities	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
2.	Transport deposits from counting facilities to depositories	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
3.	Transport deposit from OCTA store to Administration building	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
4.	Transport deposits from OCTA Administration building to bank	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
5.	Transport deposits for 91 Express Lane office to bank	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
6.	Transport change order from bank to OCTA store	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
7.	Transport deposit from Alta Resources to OCTA Administration building	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

Line Item	Description	12/1/08 – 11/30/09	12/1/09 – 11/30/10	12/1/10 - 11/30/11	12/1/11- 11/30/12	12/1/12 - 11/30/13
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Fare Counting Services – Rate per Hundred:

8.	Coin Counting Services	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
9.	Currency Counting Services	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

EXHIBIT C
PROPOSED AGREEMENT

1 **PROPOSED AGREEMENT NO. C-8-0921**

2 **BETWEEN**

3 **ORANGE COUNTY TRANSPORTATION AUTHORITY**

4 **AND**

5 _____

6 **THIS AGREEMENT** is made and entered into this ____ day of _____,
7 2008, by and between the Orange County Transportation Authority, 550 South Main Street, P.O.
8 Box 14184, Orange, California 92863-1584, a public corporation of the state of California
9 (hereinafter referred to as "AUTHORITY"), and _____,
10 _____, (hereinafter referred to as "CONTRACTOR").

11 **WITNESSETH:**

12 **WHEREAS**, AUTHORITY requires assistance from CONTRACTOR to provide armored
13 vehicle and fare collection counting services; and

14 **WHEREAS**, said work cannot be performed by the regular employees of AUTHORITY; and

15 **WHEREAS**, CONTRACTOR has represented that it has the requisite personnel and
16 experience, and is capable of performing such services; and

17 **WHEREAS**, CONTRACTOR wishes to perform these services;

18 **WHEREAS**, AUTHORITY'S Board of Directors has reviewed and approved the selection of
19 CONTRACTOR on _____;

20 **NOW, THEREFORE**, it is mutually understood and agreed by AUTHORITY and
21 CONTRACTOR as follows:

22 **ARTICLE 1. COMPLETE AGREEMENT**

23 A. This Agreement, including all exhibits and documents incorporated herein and made
24 applicable by reference, constitutes the complete and exclusive statement of the term(s) and
25 condition(s) of the agreement between AUTHORITY and CONTRACTOR and it supersedes all prior
26 /

1 representations, understandings and communications. The invalidity in whole or in part of any term
2 or condition of this Agreement shall not affect the validity of other term(s) or condition(s).

3 B. AUTHORITY's failure to insist in any one or more instances upon CONTRACTOR's
4 performance of any term(s) or condition(s) of this Agreement shall not be construed as a waiver or
5 relinquishment of AUTHORITY's right to such performance or to future performance of such term(s)
6 or condition(s) and CONTRACTOR's obligation in respect thereto shall continue in full force and
7 effect. Changes to any portion of this Agreement shall not be binding upon AUTHORITY except
8 when specifically confirmed in writing by an authorized representative of AUTHORITY by way of a
9 written amendment to this Agreement and issued in accordance with the provisions of this
10 Agreement.

11 **ARTICLE 2. AUTHORITY DESIGNEE**

12 The Chief Executive Officer of AUTHORITY, or designee, shall have the authority to act for
13 and exercise any of the rights of AUTHORITY as set forth in this Agreement.

14 **ARTICLE 3. SCOPE OF WORK**

15 A. CONTRACTOR shall perform the work necessary to complete in a manner
16 satisfactory to AUTHORITY the services set forth in Exhibit A, entitled "Scope of Work," attached to
17 and, by this reference, incorporated in and made a part of this Agreement. All services shall be
18 provided at the times and places designated by AUTHORITY.

19 B. CONTRACTOR shall provide the personnel listed below to perform the
20 above-specified services, which persons are hereby designated as key personnel under this
21 Agreement.

22 **Names**

Functions

23 _____
24 _____
25 _____
26 _____

1 C. No person named in paragraph B of this Article, or his/her successor approved by
2 AUTHORITY, shall be removed or replaced by CONTRACTOR, nor shall his/her agreed-upon
3 function or level of commitment hereunder be changed, without the prior written consent of
4 AUTHORITY. Should the services of any key person become no longer available to
5 CONTRACTOR, the resume and qualifications of the proposed replacement shall be submitted to
6 AUTHORITY for approval as soon as possible, but in no event later than seven (7) calendar days
7 prior to the departure of the incumbent key person, unless CONTRACTOR is not provided with such
8 notice by the departing employee. AUTHORITY shall respond to CONTRACTOR within seven (7)
9 calendar days following receipt of these qualifications concerning acceptance of the candidate for
10 replacement.

11 **ARTICLE 4. TERM OF AGREEMENT**

12 This Agreement shall commence upon execution by both parties, and shall continue in full
13 force and effect through November 30, 2013, unless earlier terminated or extended as provided in
14 this Agreement.

15 **ARTICLE 5. PAYMENT**

16 A. For CONTRACTOR's full and complete performance of its obligations under this
17 Agreement and subject to the maximum cumulative payment obligation provisions set forth in
18 Article 6, AUTHORITY shall pay CONTRACTOR in accordance with the following provisions.

19 B. The attached Exhibit B, entitled "Price Summary" shall establish the firm fixed
20 payment to CONTRACTOR by AUTHORITY for services set forth in the Scope of Work forth in the
21 Scope of Work.

22 C. CONTRACTOR shall invoice AUTHORITY on a monthly basis for payments
23 corresponding to the work actually completed by CONTRACTOR. CONTRACTOR shall also furnish
24 such other information as may be requested by AUTHORITY to substantiate the validity of an
25 invoice. At its sole discretion, AUTHORITY may decline to make full payment for any service listed
26 in paragraph B of this Article until such time as CONTRACTOR has documented to AUTHORITY's

1 satisfaction, that CONTRACTOR has fully completed all work required under the task.
2 AUTHORITY's payment in full for any task completed shall not constitute AUTHORITY's final
3 acceptance of CONTRACTOR's work.

4 D. Invoices shall be submitted by CONTRACTOR on a monthly basis and shall be
5 submitted in duplicate to AUTHORITY's Accounts Payable office. AUTHORITY shall remit payment
6 within thirty (30) calendar days of the receipt and approval of each invoice. Each invoice shall
7 include the following information:

- 8 1. Agreement No. C-8-0921;
- 9 2. Specify the task number for which payment is being requested;
- 10 3. The time period covered by the invoice;
- 11 4. Total monthly invoice (including project-to-date cumulative invoice amount);
- 12 5. Monthly Progress Report;
- 13 6. Certification signed by the CONTRACTOR or his/her designated alternate that

14 a) The invoice is a true, complete and correct statement of reimbursable costs and progress; b) The
15 invoice is a true, complete and correct statement of reimbursable costs; c) The backup information
16 included with the invoice is true, complete and correct in all material respects; d) All payments due
17 and owing to subcontractors and suppliers have been made; e) Timely payments will be made to
18 subcontractors and suppliers from the proceeds of the payments covered by the certification and;
19 f) The invoice does not include any amount which CONTRACTOR intends to withhold or retain from
20 a subcontractor or supplier unless so identified on the invoice.

21 7. Any other information as agreed or requested by AUTHORITY to substantiate
22 the validity of an invoice.

23 **ARTICLE 6. MAXIMUM OBLIGATION**

24 Notwithstanding any provisions of this Agreement to the contrary, AUTHORITY and
25 CONSULTANT mutually agree that AUTHORITY's maximum cumulative payment obligation (including
26 obligation for CONSULTANT's profit) shall be _____ Dollars

1 (\$_____00) which shall include all amounts payable to CONSULTANT for its subcontracts,
2 leases, materials and costs arising from, or due to termination of, this Agreement.

3 **ARTICLE 7. NOTICES**

4 All notices hereunder and communications regarding the interpretation of the terms of this
5 Agreement, or changes thereto, shall be effected by delivery of said notices in person or by
6 depositing said notices in the U.S. mail, registered or certified mail, returned receipt requested,
7 postage prepaid and addressed as follows:

8 To CONSULTANT:

9 _____
10 _____
11 _____

12 ATTENTION: _____
13 (____/____)

To AUTHORITY:

Orange County Transportation Authority
550 South Main Street
P. O. Box 14184

Orange, CA 92863-1584

ATTENTION: Edna Ruperto

Contract Administrator

(714/560-5652)

16 **ARTICLE 8. INDEPENDENT CONTRACTOR**

17 CONTRACTOR's relationship to AUTHORITY in the performance of this Agreement is that of
18 an independent contractor. CONTRACTOR's personnel performing services under this Agreement
19 shall at all times be under CONTRACTOR's exclusive direction and control and shall be employees
20 of CONTRACTOR and not employees of AUTHORITY. CONTRACTOR shall pay all wages,
21 salaries and other amounts due its employees in connection with this Agreement and shall be
22 responsible for all reports and obligations respecting them, such as social security, income tax
23 withholding, unemployment compensation, workers' compensation and similar matters.

24 /

25 /

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1 **ARTICLE 9. INSURANCE**

2 A. CONTRACTOR shall procure and maintain insurance coverage during the entire term
3 of this Agreement. Coverage shall be full coverage and not subject to self-insurance provisions.
4 CONTRACTOR shall provide the following insurance coverage:

5 1. Commercial General Liability, to include Products/Completed Operations,
6 Independent Contractors', Contractual Liability, and Personal Injury Liability with a minimum limit of
7 \$1,000,000.00 per occurrence and \$2,000,000.00 general aggregate.

8 2. Automobile Liability Insurance to include owned, hired and non-owned autos
9 with a combined single limit of \$1,000,000.00 each accident;

10 3. Workers' Compensation with limits as required by the State of California
11 including a waiver of subrogation in favor of AUTHORITY, its officers, directors, employees or
12 agents;

13 4. Employers' Liability with minimum limits of \$1,000,000.00; and

14 5. Professional Liability with minimum limits of \$1,000,000.00 per claim.

15 B. Proof of such coverage, in the form of an insurance company issued policy
16 endorsement and a broker-issued insurance certificate, must be received by AUTHORITY prior to
17 commencement of any work. Proof of insurance coverage must be received by AUTHORITY within
18 ten (10) calendar days from the effective date of this Agreement with the AUTHORITY, its officers,
19 directors, employees and agents designated as additional insured on the general and automobile
20 liability. Such insurance shall be primary and non-contributive to any insurance or self-insurance
21 maintained by the AUTHORITY.

22 C. CONTRACTOR shall include on the face of the Certificate of Insurance the
23 Agreement Number C-8-0921; and, the Contract Administrator's Name, Edna Ruperto.

24 D. CONTRACTOR shall also include in each subcontract the stipulation that
25 subcontractors shall maintain insurance coverage in the amounts required from CONTRACTOR as
26 provided in this Agreement.

1 **ARTICLE 10. FIDELITY BOND/COMPREHENSIVE CRIME COVERAGE**

2 A. As part of its obligations under this Agreement, CONTRACTOR, at its sole expense,
3 shall secure, for the sole benefit of the AUTHORITY, and with AUTHORITY named as co-obligee, a
4 bond which shall pay to AUTHORITY in the amount of \$200,000.00 for losses caused to, or
5 sustained by the AUTHORITY through the acts or omissions of any of the CONTRACTOR's
6 employees and/or officers, whether acting alone or in collusion with others, during the term of this
7 Agreement .

8 B. This Bond shall include Comprehensive Crime Coverage covering robbery, theft,
9 disappearance and destruction of money.

10 C. CONTRACTOR shall furnish the AUTHORITY with a certificate of such bond not later
11 than five (5) days subsequent to notification of intent to award which may be verbal, written, and/or
12 otherwise. Such bond shall be exclusive to this Agreement.

13 **ARTICLE 11. ORDER OF PRECEDENCE**

14 Conflicting provisions hereof, if any, shall prevail in the following descending order of
15 precedence: (1) the provisions of this Agreement, including all exhibits; (2) the provisions of
16 RFP 8-0921; (3) CONTRACTOR's proposal dated _____; (4) all other documents, if
17 any, cited herein or incorporated by reference.

18 **ARTICLE 12. CHANGES**

19 By written notice or order, AUTHORITY may, from time to time, order work suspension
20 and/or make changes in the general scope of this Agreement, including, but not limited to, the
21 services furnished to AUTHORITY by CONTRACTOR as described in the Scope of Work. If any
22 such work suspension or change causes an increase or decrease in the price of this Agreement, or
23 in the time required for its performance, CONTRACTOR shall promptly notify AUTHORITY thereof
24 and assert its claim for adjustment within ten (10) calendar days after the change or work
25 suspension is ordered, and an equitable adjustment shall be negotiated. However, nothing in this
26 clause shall excuse CONTRACTOR from proceeding immediately with the agreement as changed.

1 **ARTICLE 13. DISPUTES**

2 A. Except as otherwise provided in this Agreement, any dispute concerning a question
3 of fact arising under this Agreement which is not disposed of by supplemental agreement shall be
4 decided by AUTHORITY's Director, Contracts Administration and Materials Management (CAMM),
5 who shall reduce the decision to writing and mail or otherwise furnish a copy thereof to
6 CONTRACTOR. The decision of the Director, CAMM shall be final and conclusive.

7 B. The provisions of this Article shall not be pleaded in any suit involving a question of
8 fact arising under this Agreement as limiting judicial review of any such decision to cases where
9 fraud by such official or his representative or board is alleged, provided, however, that any such
10 decision shall be final and conclusive unless the same is fraudulent or capricious or arbitrary or so
11 grossly erroneous as necessarily to imply bad faith or is not supported by substantial evidence. In
12 connection with any appeal proceeding under this Article, CONTRACTOR shall be afforded an
13 opportunity to be heard and to offer evidence in support of its appeal.

14 C. Pending final decision of a dispute hereunder, CONTRACTOR shall proceed
15 diligently with the performance of this Agreement and in accordance with the decision of
16 AUTHORITY's Director, CAMM. This Disputes clause does not preclude consideration of questions
17 of law in connection with decisions provided for above. Nothing in this Agreement, however, shall
18 be construed as making final the decision of any AUTHORITY official or representative on a
19 question of law, which questions shall be settled in accordance with the laws of the state of
20 California.

21 **ARTICLE 14. TERMINATION**

22 A. AUTHORITY may terminate this Agreement for its convenience at any time, in whole
23 or part, by giving CONTRACTOR written notice thereof. Upon said notice, AUTHORITY shall pay
24 CONTRACTOR its allowable costs incurred to date of termination and those allowable costs
25 determined by AUTHORITY to be reasonably necessary to effect such termination. Thereafter,
26 CONTRACTOR shall have no further claims against AUTHORITY under this Agreement.

1 B. AUTHORITY may terminate this Agreement for CONTRACTOR's default if a federal
2 or state proceeding for the relief of debtors is undertaken by or against CONTRACTOR, or if
3 CONTRACTOR makes an assignment for the benefit of creditors, or if CONTRACTOR breaches
4 any term(s) or violates any provision(s) of this Agreement and does not cure such breach or violation
5 within ten (10) calendar days after written notice thereof by AUTHORITY. CONTRACTOR shall be
6 liable for any and all reasonable costs incurred by AUTHORITY as a result of such default including,
7 but not limited to, reprocurement costs of the same or similar services defaulted by CONTRACTOR
8 under this Agreement.

9 **ARTICLE 15. INDEMNIFICATION**

10 CONTRACTOR shall indemnify, defend and hold harmless AUTHORITY, its officers,
11 directors, employees and agents from and against any and all claims (including attorneys' fees and
12 reasonable expenses for litigation or settlement) for any loss or damages, bodily injuries, including
13 death, damage to or loss of use of property caused by the negligent acts, omissions or willful
14 misconduct by CONTRACTOR, its officers, directors, employees, agents, subcontractors or
15 suppliers in connection with or arising out of the performance of this Agreement.

16 **ARTICLE 16. ASSIGNMENTS AND SUBCONTRACTS**

17 A. Neither this Agreement nor any interest herein nor claim hereunder may be assigned
18 by CONTRACTOR either voluntarily or by operation of law, nor may all or any part of this Agreement
19 be subcontracted by CONTRACTOR, without the prior written consent of AUTHORITY. Consent by
20 AUTHORITY shall not be deemed to relieve CONTRACTOR of its obligations to comply fully with all
21 terms and conditions of this Agreement.

22 B. AUTHORITY hereby consents to CONTRACTOR's subcontracting portions of the
23 Scope of Work to the parties identified below for the functions described in CONTRACTOR's
24 proposal. CONTRACTOR shall include in the subcontract agreement the stipulation that
25 CONTRACTOR, not AUTHORITY, is solely responsible for payment to the subcontractor for the

26 /

amounts owing and that the subcontractor shall have no claim, and shall take no action, against AUTHORITY, its officers, directors, employees or sureties for nonpayment by CONTRACTOR.

Subcontractor Name/Addresses

Subcontractor Amounts

\$ _____
\$ _____

ARTICLE 17. AUDIT AND INSPECTION OF RECORDS

CONTRACTOR shall provide AUTHORITY, or other agents of AUTHORITY, such access to CONTRACTOR's accounting books, records, payroll documents and facilities as AUTHORITY deems necessary. CONTRACTOR shall maintain such books, records, data and documents in accordance with generally accepted accounting principles and shall clearly identify and make such items readily accessible to such parties during CONTRACTOR's performance hereunder and for a period of four (4) years from the date of final payment by AUTHORITY. AUTHORITY's right to audit books and records directly related to this Agreement shall also extend to all first-tier subcontractors identified in Article 16 of this Agreement. CONTRACTOR shall permit any of the foregoing parties to reproduce documents by any means whatsoever or to copy excerpts and transcriptions as reasonably necessary.

ARTICLE 18. FEDERAL, STATE AND LOCAL LAWS

CONTRACTOR warrants that in the performance of this Agreement, it shall comply with all applicable federal, state and local laws, statutes and ordinances and all lawful orders, rules and regulations promulgated thereunder.

ARTICLE 19. EQUAL EMPLOYMENT OPPORTUNITY

In connection with its performance under this Agreement, CONTRACTOR shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, age or national origin. CONTRACTOR shall take affirmative action to ensure that applicants are employed, and that employees are treated during their employment, without regard to their race, religion, color, sex, age or national origin. Such actions shall include, but not be limited to, the

1 following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff
2 or termination; rates of pay or other forms of compensation; and selection for training, including
3 apprenticeship.

4 **ARTICLE 20. PROHIBITED INTERESTS**

5 CONTRACTOR covenants that, for the term of this Agreement, no director, member, officer
6 or employee of AUTHORITY during his/her tenure in office or for one (1) year thereafter shall have
7 any interest, direct or indirect, in this Agreement or the proceeds thereof.

8 **ARTICLE 21. OWNERSHIP OF REPORTS AND DOCUMENTS**

9 A. The originals of all letters, documents, reports and other products and data produced
10 under this Agreement shall be delivered to, and become the property of AUTHORITY. Copies may
11 be made for CONTRACTOR's records but shall not be furnished to others without written
12 authorization from AUTHORITY. Such deliverables shall be deemed works made for hire and all
13 rights in copyright therein shall be retained by AUTHORITY.

14 B. All ideas, memoranda, specifications, plans, manufacturing, procedures, drawings,
15 descriptions, and all other written information submitted to CONTRACTOR in connection with the
16 performance of this Agreement shall not, without prior written approval of AUTHORITY, be used for
17 any purposes other than the performance under this Agreement, nor be disclosed to an entity not
18 connected with the performance of the project. CONTRACTOR shall comply with AUTHORITY's
19 policies regarding such material. Nothing furnished to CONTRACTOR which is otherwise known to
20 CONTRACTOR or is or becomes generally known to the related industry shall be deemed
21 confidential. CONTRACTOR shall not use AUTHORITY's name, photographs of the project, or any
22 other publicity pertaining to the project in any professional publication, magazine, trade paper,
23 newspaper, seminar or other medium without the express written consent of AUTHORITY.

24 /

25 /

26 /

1 C. No copies, sketches, computer graphics or graphs, including graphic artwork, are to
 2 be released by CONTRACTOR to any other person or agency except after prior written approval by
 3 AUTHORITY, except as necessary for the performance of services under this Agreement. All press
 4 releases, including graphic display information to be published in newspapers, magazines, etc., are
 5 to be handled only by AUTHORITY unless otherwise agreed to by CONTRACTOR and
 6 AUTHORITY.

7 **ARTICLE 22. PATENT AND COPYRIGHT INFRINGEMENT**

8 A. In lieu of any other warranty by AUTHORITY or CONTRACTOR against patent or
 9 copyright infringement, statutory or otherwise, it is agreed that CONTRACTOR shall defend at its
 10 expense any claim or suit against AUTHORITY on account of any allegation that any item furnished
 11 under this Agreement or the normal use or sale thereof arising out of the performance of this
 12 Agreement, infringes upon any presently existing U. S. letters patent or copyright and
 13 CONTRACTOR shall pay all costs and damages finally awarded in any such suit or claim, provided
 14 that CONTRACTOR is promptly notified in writing of the suit or claim and given authority, information
 15 and assistance at CONTRACTOR's expense for the defense of same. However, CONTRACTOR
 16 will not indemnify AUTHORITY if the suit or claim results from: (1) AUTHORITY's alteration of a
 17 deliverable, such that said deliverable in its altered form infringes upon any presently existing U.S.
 18 letters patent or copyright; or (2) the use of a deliverable in combination with other material not
 19 provided by CONTRACTOR when such use in combination infringes upon an existing U.S. letters
 20 patent or copyright.

21 B. CONTRACTOR shall have sole control of the defense of any such claim or suit and
 22 all negotiations for settlement thereof. CONTRACTOR shall not be obligated to indemnify
 23 AUTHORITY under any settlement made without CONTRACTOR's consent or in the event
 24 AUTHORITY fails to cooperate fully in the defense of any suit or claim, provided, however, that said
 25 defense shall be at CONTRACTOR's expense. If the use or sale of said item is enjoined as a result
 26 of such suit or claim, CONTRACTOR, at no expense to AUTHORITY, shall obtain for AUTHORITY

1 the right to use and sell said item, or shall substitute an equivalent item acceptable to AUTHORITY
 2 and extend this patent and copyright indemnity thereto.

3 **ARTICLE 23. FINISHED AND PRELIMINARY DATA**

4 A. All of CONTRACTOR's finished technical data, including but not limited to
 5 illustrations, photographs, tapes, software, software design documents, including without limitation
 6 source code, binary code, all media, technical documentation and user documentation, photoprints
 7 and other graphic information required to be furnished under this Agreement, shall be AUTHORITY's
 8 property upon payment and shall be furnished with unlimited rights and, as such, shall be free from
 9 proprietary restriction except as elsewhere authorized in this Agreement. CONTRACTOR further
 10 agrees that it shall have no interest or claim to such finished, AUTHORITY-owned, technical data;
 11 furthermore, said data is subject to the provisions of the Freedom of Information Act, 5 USC 552.

12 B. It is expressly understood that any title to preliminary technical data is not passed to
 13 AUTHORITY but is retained by CONTRACTOR. Preliminary data includes roughs, visualizations,
 14 software design documents, layouts and comprehensives prepared by CONTRACTOR solely for the
 15 purpose of demonstrating an idea or message for AUTHORITY's acceptance before approval is given
 16 for preparation of finished artwork. Preliminary data title and right thereto shall be made available to
 17 AUTHORITY if CONTRACTOR causes AUTHORITY to exercise Article 12, and a price shall be
 18 negotiated for all preliminary data.

19 **ARTICLE 24. ALCOHOL AND DRUG POLICY**

20 AUTHORITY and CONTRACTOR shall provide under this Agreement, a safe and healthy
 21 work environment free from the influence of alcohol and drugs. Failure to comply with this Article
 22 may result in nonpayment or termination of this Agreement.

23 **ARTICLE 25. FORCE MAJEURE**

24 Either party shall be excused from performing its obligations under this Agreement during the
 25 time and to the extent that it is prevented from performing by an unforeseeable cause beyond its
 26 control, including but not limited to: any incidence of fire, flood; acts of God; commandeering of

1 material, products, plants or facilities by the federal, state or local government; national fuel
2 shortage; or a material act or omission by the other party; when satisfactory evidence of such cause
3 is presented to the other party, and provided further that such nonperformance is unforeseeable,
4 beyond the control and is not due to the fault or negligence of the party not performing.

5 This Agreement shall be made effective upon execution by both parties.

6 **IN WITNESS WHEREOF**, the parties hereto have caused this Agreement No. C-8-0921 to
7 be executed on the date first above written.

8 **CONTRACTOR**

ORANGE COUNTY TRANSPORTATION AUTHORITY

9
10 By _____

By _____
Arthur T. Leahy
Chief Executive Officer

11
12 APPROVED AS TO FORM:

13
14 By _____
Kennard R. Smart, Jr.
General Counsel

15
16 APPROVED

17
18 By _____
James S. Kenan
Executive Director, Finance Administration and
Human Resources

19
20
21 Date: _____

EXHIBIT D

PARTY AND PARTICIPANT DISCLOSURE FORMS

PARTY DISCLOSURE FORM

**Information Sheet
ORANGE COUNTY TRANSPORTATION AUTHORITY
AND AFFILIATED AGENCIES**

The attached Party Disclosure Form must be completed by applicants for, or persons who are the subject of, any proceeding involving a license, permit, or other entitlement for use pending before the Board of Directors of the Orange County Transportation Authority or any of its affiliated agencies. (Please see next page for definitions of these terms.)

IMPORTANT NOTICE

Basic Provisions of Government Code Section 84308

- A. If you are an applicant for, or the subject of, any proceeding involving a license, permit, or other entitlement for use, you are prohibited from making a campaign contribution of more than \$250 to any board member or his or her alternate. This prohibition begins on the date your application is filed or the proceeding is otherwise initiated, and the prohibition ends three months after a final decision is rendered by the Board of Directors. In addition, no board member or alternate may solicit or accept a campaign contribution of more than \$250 from you during this period.
- B. These prohibitions also apply to your agents, and, if you are a closely held corporation, to your majority shareholder as well. These prohibitions also apply to your subcontractor(s), joint venturer(s), and partner(s) in this proceeding. Also included are parent companies and subsidiary companies directed and controlled by you, and political action committees directed and controlled by you.
- C. You must file the attached disclosure form and disclose whether you or your agent(s) have in the aggregate contributed more than \$250 to any board member or his or her alternate during the 12-month period preceding the filing of the application or the initiation of the proceeding.
- D. If you or your agent have in the aggregate contributed more than \$250 to any individual board member or his/or her alternate during the 12 months preceding the decision on the application or proceeding, that board member or alternate must disqualify himself or herself from the decision. However, disqualification is not required if the board member or alternate returns the campaign contribution within 30 days from the time the director knows, or should have known, about both the contribution and the fact that you are a party in the proceeding. The Party Disclosure Form should be completed and filed with your proposal, or with the first written document you file or submit after the proceeding commences.

1. A proceeding involving "a license, permit, or other entitlement for use" includes all business, professional, trade and land use licenses and permits, and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor or personal employment contracts), and all franchises.
2. Your "agent" is someone who represents you in connection with a proceeding involving a license, permit or other entitlement for use. If an individual acting as an agent is also acting in his or her capacity as an employee or member of a law, architectural, engineering, consulting firm, or similar business entity, both the business entity and the individual are "agents."
3. To determine whether a campaign contribution of more than \$250 has been made by you, campaign contributions made by you within the preceding 12 months must be aggregated with those made by your agent within the preceding 12 months or the period of the agency, whichever is shorter. Contributions made by your majority shareholder (if a closely held corporation), your subcontractor(s), your joint venturer(s), and your partner(s) in this proceeding must also be included as part of the aggregation. Campaign contributions made to different directors or their alternates are not aggregated.
4. A list of the members and alternates of the Board of Directors is attached.

This notice summarizes the major requirements of Government Code Section 84308 of the Political Reform Act and 2 Cal. Adm. Code Sections 18438-18438.8.

ORANGE COUNTY TRANSPORTATION AUTHORITY
AND ITS AFFILIATED AGENCIES

To be completed only if campaign contributions have been made in the preceding 12 months.

Party's Name: _____

Party's Address: _____

Street

City

State

Zip

Phone

Application or Proceeding

Title and Number: _____

Board Member(s) or Alternate(s) to whom you and/or your agent made campaign contributions and dates of contribution(s) in the preceding 12 months:

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Date: _____

Signature of Party and/or Agent

**ORANGE COUNTY TRANSPORTATION AUTHORITY
AND AFFILIATED AGENCIES**

Board of Directors

Chris Norby, Chairman

Peter Buffa, Vice Chairman

Jerry Amante, Director

Patricia Bates, Director

Art Brown, Director

Bill Campbell, Director

Carolyn V. Cavecche, Director

Richard Dixon, Director

Paul Glaab, Director

Cathy Green, Director

Allan Mansoor, Director

John Moorlach, Director

Janet Nguyen, Director

Curt Pringle, Director

Miguel A. Pulido, Director

Mark Rosen, Director

Gregory T. Winterbottom, Director

PARTICIPANT DISCLOSURE FORM

Information Sheet

**ORANGE COUNTY TRANSPORTATION AUTHORITY
AND AFFILIATED AGENCIES**

The attached Participant Disclosure Form must be completed by participants in a proceeding involving a license, permit, or other entitlement for use. (Please see next page for definitions of these terms.)

IMPORTANT NOTICE

Basic Provisions of Government Code Section 84308

- A. If you are a participant in a proceeding involving a license, permit, or other entitlement for use, you are prohibited from making a campaign contribution of more than \$250 to any board member or his or her alternate. This prohibition begins on the date you begin to actively support or oppose an application for license, permit, or other entitlement for use pending before the Orange County Transportation Authority or any of its affiliated agencies, and continues until three months after a final decision is rendered on the application or proceeding by the Board of Directors.

No board member or alternate may solicit or accept a campaign contribution of more than \$250 from you and/or your agency during this period if the board member or alternate knows or has reason to know that you are a participant.

- B. The attached disclosure form must be filed if you or your agent have contributed more than \$250 to any board member or alternate for the Orange County Transportation Authority or any of its affiliated agencies during the 12-month period preceding the beginning of your active support or opposition. (The disclosure form will assist the board members in complying with the law.)
- C. If you or your agent have made a contribution of more than \$250 to any board member or alternate during the 12 months preceding the decision in the proceeding, that board member or alternate must disqualify himself or herself from the decision. However, disqualification is not required if the member or alternate returns the campaign contribution within 30 days from the time the director knows, or should have known, about both the contribution and the fact that you are a participant in the proceeding.

The Participant Disclosure Form should be completed and filed with the proposal submitted by a party, or should be completed and filed the first time that you lobby in person, testify in person before, or otherwise directly act to influence the vote of the board members of the Orange County Transportation Authority or any of its affiliated agencies.

1. An individual or entity is a "participant" in a proceeding involving an application for a license, permit or other entitlement for use if:
 - a. The individual or entity is not an actual party to the proceeding, but does have a significant financial interest in the Orange County Transportation Authority's or one of its affiliated agencies' decision in the proceeding.

AND

- b. The individual or entity, directly or through an agent, does any of the following:
 - (2) Communicates directly, either in person or in writing, with a board member or alternate of the Orange County Transportation Authority or any of its affiliated agencies for the purpose of influencing the member's vote on the proposal;
 - (3) Communicates with an employee of the Orange County Transportation Authority or any of its affiliated agencies for the purpose of influencing a member's vote on the proposal; or
 - (4) Testifies or makes an oral statement before the Board of Directors of the Orange County Transportation Authority or any of its affiliated agencies.
2. A proceeding involving "a license, permit, or other entitlement for use" includes all business, professional, trade and land use licenses and permits, and all other entitlements for use, including all entitlements for land use; all contracts (other than competitively bid, labor, or personal employment contracts) and all franchises.
3. Your "agent" is someone who represents you in connection with a proceeding involving a license, permit, or other entitlement for use. If an agent acting as an employee or member of a law, architectural, engineering, or consulting firm, or a similar business entity or corporation, both the business entity or corporation and the individual are agents.

4. To determine whether a campaign contribution of more than \$250 has been made by a participant or his or her agent, contributions made by the participant within the preceding 12 months shall be aggregated with those made by the agent within the preceding 12 months or the period of the agency, whichever is shorter. Campaign contributions made to different members or alternates are not aggregated.
5. A list of the members and alternates of the Board of Directors is attached.

This notice summarizes the major requirements of Government Code Section 84308 and 2 Cal. Adm. Code Sections 18438-18438.8.

ORANGE COUNTY TRANSPORTATION AUTHORITY
AND ITS AFFILIATED AGENCIES

To be completed only if campaign contributions have been made in the preceding 12 months.

Party's Name: _____

Party's Address: _____

Street

City

State

Zip

Phone

Application or Proceeding
Title and Number: _____

Board Member(s) or Alternate(s) to whom you and/or your agent made campaign contributions and dates of contribution(s) in the preceding 12 months:

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Date: _____

Signature of Party and/or Agent

**ORANGE COUNTY TRANSPORTATION AUTHORITY
AND AFFILIATED AGENCIES**

Board of Directors

Chris Norby, Chairman

Peter Buffa, Vice Chairman

Jerry Amante, Director

Patricia Bates, Director

Art Brown, Director

Bill Campbell, Director

Carolyn V. Cavecche, Director

Richard Dixon, Director

Paul Glaab, Director

Cathy Green, Director

Allan Mansoor, Director

John Moorlach, Director

Janet Nguyen, Director

Curt Pringle, Director

Miguel A. Pulido, Director

Mark Rosen, Director

Gregory T. Winterbottom, Director

EXHIBIT E

STATUS OF PAST AND PRESENT CONTRACTS

STATUS OF PAST AND PRESENT CONTRACTS

On the form provided below, Offeror shall list the status of past and present contracts where the firm has either provided services as a prime contractor or a subcontractor during the past five (5) years in which the contract has ended or will end in a termination, settlement or in legal action. A separate form must be completed for each contract. Offeror shall provide an accurate contact name and telephone number for each contract and indicate the term of the contract and the original contract value.

If the contract was terminated, list the reason for termination. Offeror must also identify and state the status of any litigation, claims or settlement agreements related to any of the identified contracts. Each form must be signed by an officer of the Offeror confirming that the information provided is true and accurate.

Project City/Agency/Other:	
Contact Name:	Phone:
Project Award Date:	Original Contract Value:
Term of Contract:	
1. Status of contract:	
2. Identify claims/litigation or settlements associated with the contract:	

By signing this form "Status of Past and Present Contracts," I am affirming that all of the information provided is true and accurate.

Name:
Title:

Date:



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board ^{WK}
Subject: Agreement for a Leadership Development and Succession Planning Program

Finance and Administration Committee meeting of June 11, 2008

Present: Directors Amante, Brown, Buffa, Campbell, Green, and Moorlach
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-8-0640 between the Orange County Transportation Authority and Insight Strategies, Inc., in an amount not to exceed \$259,100 over three years, for a Leadership Development and Succession Planning Program.



June 11, 2008

To: Finance and Administration Committee
From: Arthur T. Leahy, ^{km} Chief Executive Officer
Subject: Agreement for a Leadership Development and Succession Planning Program

Overview

The Orange County Transportation Authority has begun a limited Leadership Development and Succession Planning Program. Staff seeks consultant services to assist in creating a self-sustaining program open to participants in all divisions.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-8-0640 between the Orange County Transportation Authority and Insight Strategies, Inc., in an amount not to exceed \$259,100 over three years, for a Leadership Development and Succession Planning Program.

Background

In 2005, under the leadership of the general manager, senior transit executives at the Orange County Transportation Authority (OCTA) expressed the need to develop a succession planning and management program in order to ensure targeted leadership development occurred among high potential Transit Division (Transit) employees. To work on a solution, a consultant was retained within Transit to 1) develop a succession planning and management program, 2) offer select courses to high potential employees, and 3) work with management to deliver and execute this program.

The initial nine-month pilot program began in January 2006 with 13 Transit employees. Following the program's end in September 2006, the Transit management team, working with the consultant and the Training and Development Department, made significant revisions. The identification and selection process was standardized and documented in a much more transparent way, and OCTA-wide leadership competencies were adopted.

A second cycle of the program followed with eight participants from Transit in 2007. At the close of the program in December 2007, the Training and Development team gathered lessons learned and made revisions to the program with the goal of adding a second division, Finance, Administration and Human Resources (FAHR). In the FAHR Division, the executive director and director felt strongly that employee development was a key issue in attracting and retaining employees and the existence of such a program could be a "selling point" in recruiting new employees. This program would also serve well as a tool to increase the capabilities of existing employees and represents a significant cost-savings as compared to turnover and external recruitment.

The OCTA's final goal is to create a self-sustaining Leadership Development and Succession Planning Program open to participants in all divisions that will create a "leadership pipeline" of qualified individuals that can fill positions at the highest levels. While no promotions are guaranteed, the existence of such a program helps ensure that OCTA is competitive to attract, develop, and retain top talent to meet the OCTA's overall goals and objectives.

Discussion

The procurement for consultant services to create a self-sustaining program open to participants in all divisions was handled in accordance with the OCTA'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 project, and technical expertise in the field.

The project was advertised on March 12, 2008, and March 16, 2008, in a newspaper of general circulation, and on CAMM NET. The notice was sent to 972 firms registered on CAMM NET. A pre-proposal meeting was held on March 18, 2008, and was attended by 14 consultants.

On April 8, 2008, nine offers were received. On April 18, 2008, an evaluation committee with staff from Human Resources, Training and Development, Transit, and Finance met to review the proposals. The proposals were evaluated consistent with Board of Directors adopted procurement policies and procedures. The offers were evaluated using the following criteria and weights:

- Qualifications of Firm 20 percent
- Staffing and Project Organization 30 percent

- Work Plan 30 percent
- Cost and Price 20 percent

The factors most relevant in predicting the successful delivery of this project are experienced project staff and a successful work plan. As a result, these evaluation criteria were weighted more heavily. The committee reviewed all proposals and found three firms qualified to perform the required work. The committee interviewed each of the qualified firms. In rank order, these three firms are:

Firm and Location

Insight Strategies, Inc.
Redondo Beach, California

Human Resource Capital Consultants
Carlsbad, California

POV Collaborative
Valencia, California

Interviews were conducted on April 23, 2008. Each firm presented an overview of its proposed program, addressed why it was the best firm for the project, and answered questions from the evaluation committee. The evaluation committee believed that Insight Strategies, Inc. was able to convey the best understanding of the challenges facing OCTA and provide the best overall program.

All three firms are sufficiently experienced to assist OCTA with a leadership program; however, Insight Strategies, Inc., had the most experience managing agency-wide leadership development and succession planning efforts with a variety of other firms, including three other local transit/transportation agencies. Insight Strategies, Inc., specializes in succession planning and leadership development and has provided comparable services with at least nine organizations, including Los Angeles Metropolitan Transportation Authority, Santa Monica Big Blue Bus, Montebello Bus Lines and Riverside Transit. Their proposal addressed all the requirements of the scope of work and demonstrated an understanding of the prevalent issues in the transportation industry.

Insight Strategies, Inc., the incumbent firm, is well-established with a demonstrated ability to manage this project as it grows to include other divisions. Insight Strategies, Inc. proposed highly qualified and professional staffing, all of whom had impressive credentials and direct knowledge and experience with

transportation firms. The Insight Strategies, Inc. team demonstrated a clear understanding of both the desired program and the ancillary issues and challenges relative to building such a program.

The project was procured assuming a budget of \$270,000 for three years. The contract assumes a class size of eight to ten, but does not limit the class size and amount does not vary depending on the size of the class. As additional divisions are incorporated into the program, it is possible to see the return on investment grow as class size increases.

The breakdown of hourly rates is as follows:

<u>Firm Name</u>	<u>Hour Rate</u>	<u>Total Number of Hours</u>
Insight Strategies	\$325	286
Human Resource Capital Consultants	\$250	250.5
POV Collaborative	\$650	178

Although Insight Strategies, Inc. was not the lowest-priced firm, scoring was weighted accordingly based on factors deemed important to delivering a successful project: similar work experience by project staff, a successful plan for delivering a multi-divisional, organization-wide project, and qualifications of firm, as well as pricing. Insight Strategies, Inc., had the highest ranked overall proposal scores in every category but price, with an excellent understanding of the project requirements and national transit and leadership issues. The Insight Strategies, Inc. work plan was extremely detailed and well organized. Insight strategies was the only firm whose proposal received the highest score possible for a work plan.

Based on its findings, the evaluation committee recommends the following firm to the Finance and Administration Committee for consideration of an award:

Firm and Location

Insight Strategies, Inc.
Redondo Beach, California

Fiscal Impact

Funds for this project were approved in the OCTA Fiscal Year 2007-08 Budget, Finance, Administration and Human Resources Division, Training and Development Department, Account 1321-7519-A2006-FJU.

Summary

Based on the information provided, staff recommends award of Agreement No. C-8-0640 to Insight Strategies, Inc., in an amount not to exceed \$259,100 over three years, for a Leadership Development and Succession Planning Program.

Attachments

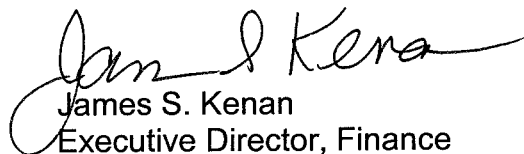
- A. Proposal Evaluation Criteria Matrix Short-List – RFP 8-0640
“Leadership Development Program”
- B. RFP 8-0640 “Leadership Development Program” Review of Proposals

Prepared by:



Julie Espy
Manager
Training and Development
(714) 560-5837

Approved by:



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

PROPOSAL EVALUATION CRITERIA MATRIX SHORT LIST									
RFP 8-0640 "LEADERSHIP DEVELOPMENT PROGRAM"									
Insight Strategies, Inc.								Weights	Overall Score
Evaluation Number	1	2	3	4	5				
Qualifications of Firm	5.00	4.00	5.00	4.00	4.00			4	18.00
Staffing/Project Organization	5.00	4.00	5.00	4.00	4.00			6	27.00
Work Plan	5.00	5.00	5.00	5.00	5.00			6	30.00
Cost and Price	3.00	3.00	3.00	3.00	3.00			4	12.00
	92.00	82.00	92.00	82.00	82.00				87
Human Resource Capital Consultants								Weights	Overall Score
Evaluation Number	1	2	3	4	5				
Qualifications of Firm	4.00	4.00	4.00	4.00	4.00			4	16.00
Staffing/Project Organization	3.00	4.00	3.00	4.00	4.00			6	21.00
Work Plan	4.00	4.00	4.00	3.50	4.00			6	23.25
Cost and Price	4.50	4.50	4.50	4.50	4.50			4	18.00
	76.00	82.00	76.00	79.00	82.00				78
POV Collaborative								Weights	Overall Score
Evaluation Number	1	2	3	4	5				
Qualifications of Firm	5.00	4.00	4.00	4.00	4.00			4	17.00
Staffing/Project Organization	4.00	4.00	4.00	4.00	4.00			6	24.00
Work Plan	4.00	4.00	4.00	4.00	4.00			6	24.00
Cost and Price	2.50	2.50	2.50	2.50	2.50			4	10.00
	78.00	74.00	74.00	74.00	74.00				75

RFP 8-0640 "LEADERSHIP DEVELOPMENT PROGRAM"

Review of Proposals

PRESENTED TO THE FINANCE AND ADMINISTRATION COMMITTEE MEETING May 14, 2008

9 proposals were received, 3 firms were interviewed

Overall Ranking	Overall Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	Price
1	87	Insight Strategies, Inc. Redondo Beach, California	Alt Consulting	Highest ranked overall proposal. Excellent succession planning experience. Very strong staff experience and qualifications. Very good understanding of national transit issues. Excellent understanding of project requirements. Second ranked price proposed.	\$259,100
2	78	Human Resource Capital Consultants Carlsbad, California	Paladin Consulting Services Debra Williams Murphy Performance Strategies MW Consultants	Second ranked proposal. Very good firm experience with succession planning and mentoring programs. Very good staff qualifications. Firm seemed unclear about some program goals. Lowest price proposed.	\$172,875
3	75	POV Collaborative Valencia, California	Dr. Alan Glassman	Third ranked overall proposal. Good training and assessment experience. Little information on how work will be coordinated with subconsultant. Good work plan. Highest price proposed.	\$323,700

Evaluation Panel

OCTA
Training and Development
Human Resources
Finance, Administration and Human Resources
CAMM

Proposal Criteria

Qualifications of the Firm
Staffing/Project Organization
Work Plan
Cost and Price

Weight Factor

20%
30%
30%
20%



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Fiscal Year 2007-08 Third Quarter Budget Status Report

Finance and Administration Committee meeting of June 11, 2008

Present: Directors Amante, Brown, Buffa, Campbell, Green, and Moorlach
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Receive and file as an information item.



June 11, 2008

To: Finance and Administration Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Fiscal Year 2007-08 Third Quarter Budget Status Report

Overview

The Orange County Transportation Authority's staff has implemented the fiscal year 2007-08 budget. This report summarizes the material variances between the budget plan and actual revenues and expenses.

Recommendation

Receive and file as an information item.

Background

The Board of Directors (Board) approved the Orange County Transportation Authority (OCTA) Fiscal Year (FY) 2007-08 Budget on June 11, 2007. The approved budget itemized the anticipated revenues and expenses necessary to meet OCTA's transportation programs and service commitments. The OCTA budget is a compilation of individual budgets for each of OCTA's funds, including the General Fund; three enterprise funds; eight special revenue funds; two capital project funds; one debt service fund; three trust funds; and two internal service funds.

The approved revenue budget is \$991 million comprised of \$832 million in current year revenues and \$159 million in use of reserves. The approved expenditure budget is \$991 million with \$955 million of current year expenditures and \$36 million of designations.

This report will analyze material variances between the year-to-date budget and actuals for both revenues and expenditures.

Through the third quarter, there have been 16 Board approved budget amendments. A summary of each amendment follows:

Fiscal Year 2007-08 Amended Budget

Description	Amount (in thousands)
06/11/2007 Approved Budget	\$ 990,991
07/09/2007 Avenida Vaquero Soundwall	620
07/09/2007 El Camino Real Soundwall	646
07/23/2007 State Transportation Improvement Program - Placentia Transit Station Project	2,500
07/23/2007 State Transportation Improvement Program - Tustin Rail Station Parking	600
08/09/2007 Santa Ana Second Main Track Project	715
08/13/2007 Renewed Measure M Early Action Plan	20,214
08/27/2007 Installation of Radio Equipment for Santa Catalina Island	241
09/24/2007 Alameda Corridor East Grade Environmental Impact	200
10/5/2007 Cooperative Agreement Riverside Freeway Lane Addition	356
10/5/2007 Bus Stop Accessibility Program	1,995
10/22/2007 Cooperative Agreement with Buena Park for the Closeout of the Metrolink Station	715
10/22/2007 City of Irvine Guideway Demonstration Project	1,700
11/26/2007 Bus Shelter Cleaning Services	76
2/25/2008 Bus Rapid Transit Traffic Signal Synchronization and Priority Design	12,613
2/25/2008 Bus Stop Accessibility Program	600
2/25/2008 91 Express Lanes / Eastern Toll Road Connector Feasibility Study	350
12/31/2007 Total Amended Budget	<u>\$ 1,035,132</u>

Discussion

Staff monitors and analyzes current year revenues and expenditures versus the amended budget. This report will provide budget-to-actual explanations for any material variances.

Staffing

A staffing plan of 1,961 full-time equivalent (FTE) positions was approved in the FY 2007-08 budget. The Board amended the staffing plan by 11 positions associated with the Renewed Measure M (M2) Early Action Plan, which increased the budgeted FTEs to 1,972. At the end of March 2008, 1,929 of these positions were filled. At the end of the third quarter, the overall vacancy rate for OCTA was 2.2 percent, with union and administrative groups experiencing a 0.9 and a 5.9 percent vacancy rate, respectively. A breakdown of the vacancy rate by job category is provided on the following page:

Amended Full-Time Equivalent Vacancy Rate

Staffing Description	Budget	Filled	Vacant	Vacancy Rate
Coach Operators	1,164.0	1,163.0	1.0	0.1%
Maintenance Union	264.0	253.0	11.0	4.2%
Transportation Communications International Union	45.0	44.0	1.0	2.2%
<i>Union Subtotal</i>	1,473.0	1,460.0	13.0	0.9%
Direct Transit Operations Support	200.0	192.0	8.0	4.0%
Other Administrative	299.0	277.5	21.5	7.2%
<i>Administrative Subtotal</i>	499.0	469.5	29.5	5.9%
Total Authority	1,972.0	1,929.5	42.5	2.2%

Revenue Summary

OCTA has increased the approved revenue budget by \$44.1 million. As the table below indicates, the total amended revenue budget for FY 2007-08 is \$1.035 billion. This section of the report focuses on major variances between budgeted and actual revenues for the third quarter.

Fiscal Year 2007-08 Amended Revenue Budget

Revenues (in thousands)	Current Year	Reserves	Federal Sources	Local Sources	Total
Approved Budget	\$ 832,486	\$ 158,505	\$ -	\$ -	\$ 990,991
Amendments		37,725	1,700	4,716	44,141
Total Amended Budget	\$ 832,486	\$ 196,230	\$ 1,700	\$ 4,716	\$ 1,035,132

NOTE: Federal sources includes: Congestion Management and Air Quality, Federal Transit Administration and capital assistance

Revenues of \$509.7 million are 0.6 percent over the amended budget of \$506.9 million. Variances at the object summary level are presented on the following page:

Fiscal Year 2007-08 Revenue Summary
(in thousands)

Description	Year to Date Budget	Year to Date Actual	Variance	%
Sales Tax Revenue	\$ 326,992	\$ 300,820	\$ (26,172)	-8.0%
Farebox Revenue	40,481	36,774	(3,707)	-9.2%
Federal Operating Grants	2,101	712	(1,388)	-66.1%
Toll Road Revenue	35,791	35,019	(772)	-2.2%
Miscellaneous	4,277	3,648	(628)	-14.7%
Property Tax Revenue	6,864	6,731	(133)	-1.9%
Advertising Revenue	3,113	3,059	(54)	-1.7%
Department of Motor Vehicles Fees Revenue	3,008	2,981	(27)	-0.9%
Fees and Fines	119	129	10	8.0%
Gas Tax Exchange	17,078	17,097	20	0.1%
Rental Income	912	1,421	509	55.9%
State Grants	5,707	6,614	908	15.9%
Other Financial Assistance	924	3,036	2,112	228.7%
Interest Income	37,977	41,344	3,367	8.9%
Federal Capital Assistance Grants	21,555	50,319	28,764	133.4%
Total Revenue	\$ 506,896	\$ 509,705	\$ 2,809	0.6%

*(under) / over

Sales Tax Revenue: Actuals of \$300.8 million are 8 percent below the budget of \$327 million. In developing the Measure M and Local Transportation Fund sales tax revenue budgets, staff used the first six months of actuals in FY 2006-07 and annualized the remaining half of the year. This amount was escalated based on a blended sales tax growth rate of 4.893 percent developed from three forecasts provided by universities (University of California, Los Angeles, California State University Fullerton, and Chapman University). The underrun in sales tax revenues is caused primarily by two factors: OCTA began the year with a lower base sales tax figure because sales tax revenues in the second half of FY 2006-07 were approximately 3 percent less than anticipated. In addition, while the projected blended sales tax growth rate was 4.893 percent, there has been an actual decline in revenues. Sales tax revenues through the third quarter are 3.61 percent less than last year. This will result in an underrun in sales tax revenue at year-end.

Farebox Revenues: Actuals of \$36.8 million are 9.2 percent below the budget of \$40.5 million. The underrun can be partially attributed to the nine-day coach operator strike held in July. During this time, there was minimal service provided, which resulted in a loss of ridership (2 million boardings during the month of July alone). In addition, ridership is lower compared to the same period last year by 7.2 percent. As a result, there is a corresponding reduction

in farebox revenues of \$3.7 million, with the largest underrun occurring within regular full fares and local pass fare media for directly operated service. This will result in an underrun in farebox revenue at year-end.

Federal Operating Grants: Actuals are running under the budget by \$1.4 million primarily due to the alternative fuel credit for liquefied natural gas (LNG) and compressed natural gas (CNG). OCTA is eligible to receive a retroactive cash reimbursement of \$0.50 cents per gallon as a credit on alternative fuels (i.e. LNG and CNG) through the 2005 Energy and Highway Legislation. Originally, OCTA budgeted for this credit as a revenue; however, the credit has actually been applied to the total fuel and lubricant expenses category (\$2.3 million). This will result in an underrun within this revenue category at year-end.

State Grants: Actuals are overrunning the budget by \$0.9 million. This is primarily due to reimbursements related to the FY 2005-06 planning, programming, and monitoring workplan (PPM), which were anticipated to be received in FY 2006-07. This workplan includes OCTA staff time for PPMs for the San Diego Freeway (Interstate 405) project study report and the South Orange County Major Investment Study. This is simply a timing variance and does not represent additional funding.

Other Financial Assistance: Actuals are running \$2.1 million over the budget of \$0.9 million. This variance is primarily caused by OCTA receiving \$1.7 million in Regional Surface Transportation Program (RSTP) funds via the City of Irvine. The City of Irvine sought reimbursement for costs associated with the Jeffrey Grade Separation Project and per a cooperative agreement has transferred the funds to OCTA. This is simply a timing variance and does not represent additional funding.

Interest Income: Actuals of \$41.3 million are approximately \$3.4 million above the budgeted amount of \$38 million. While interest rates remain relatively low, the year-to-date return for OCTA's portfolio continues to be strong due to demand in the fixed income markets. As investors have moved funds toward safety and liquidity, treasury, agency and high-quality corporate securities have performed well across the board. From a cash receipts perspective, the actual return is approximately 38 basis points higher than the forecasted annualized return of 5 percent. This will result in an overrun in interest income at year-end.

Federal Capital Assistance Grants: Actuals of \$50.4 million are running over the budget by \$28.9 million primarily due to the reimbursement of \$24.1 million in federal funds related to a prior year encumbrance. It is not uncommon to receive reimbursements in subsequent years related to prior year activity, especially due to the long lead time associated with the manufacturing of

revenue vehicles. In this case, OCTA is being reimbursed for the purchase of 62 fixed route CNG revenue vehicles from New Flyer of America. The actual receipt of federal funds is \$31.3 million; however, \$7.2 million of this amount was accrued in FY 2006-07. This is simply a timing variance and does not represent additional funding.

Expense Summary

The expenditure budget has been increased by \$44.1 million as a result of 16 Board approved amendments that were summarized previously. As the table below indicates, the amended expenditure budget for FY 2007-08 is \$1.035 billion.

Fiscal Year 2007-08 Amended Expenditure Budget

In Thousands	Current Year	Designations	Total
Approved Budget	\$ 954,866	\$ 36,125	\$ 990,991
Amendments	44,141	-	44,141
Total Amended Budget	\$ 999,007	\$ 36,125	\$ 1,035,132

This next section focuses on major variances between budgeted and actual expenditures through the third quarter. These variances are explained at an object summary level based on the expense summary table included on the following page. Actual expenditures of \$478.1 million represent a 22.7 percent underrun in comparison to the amended budget of \$618.6 million.

Fiscal Year 2007-08 Expense Summary

In Thousands

Description	Budget	Actual	Variance	%
Salaries				
Compensated Absences	\$ 8,769	\$ 8,566	\$ 203	2.3%
Salaries	74,106	70,485	3,621	4.9%
<i>Total Salaries</i>	<i>\$ 82,875</i>	<i>\$ 79,051</i>	<i>\$ 3,824</i>	<i>4.6%</i>
Benefits				
Pensions	17,022	17,383	(361)	-2.1%
Insurances	1,726	1,812	(86)	-5.0%
Other Benefits	3,409	3,391	18	0.5%
Health Care	14,354	13,515	839	5.8%
<i>Total Benefits</i>	<i>\$ 36,511</i>	<i>\$ 36,101</i>	<i>\$ 410</i>	<i>1.1%</i>
<i>Total Salaries and Benefits</i>	<i>\$ 119,386</i>	<i>\$ 115,152</i>	<i>\$ 4,234</i>	<i>3.5%</i>
Services and Supplies				
Contract Transportation	\$ 27,194	\$ 28,645	\$ (1,451)	-5.3%
Taxes	12	260	(249)	-2157.1%
Miscellaneous Expense	976	1,112	(136)	-13.9%
Other Materials and Supplies	1,266	1,137	128	10.1%
Debt Service	97,861	97,691	170	0.2%
Utilities	2,095	1,839	256	12.2%
Leases	4,250	3,984	266	6.3%
Advertising Fees	765	426	339	44.3%
Travel, Training, Mileage	1,159	733	426	36.8%
Tires and Tubes	1,718	1,188	530	30.8%
Office Expense	2,920	2,034	886	30.3%
Maintenance Expense	6,997	5,655	1,342	19.2%
Fuels and Lubricants	14,127	11,815	2,312	16.4%
Outside Services	26,966	23,495	3,471	12.9%
Insurance Claims Expense	11,043	5,081	5,962	54.0%
Professional Services	88,664	60,802	27,861	31.4%
Contributions to Other Agencies	150,537	96,593	53,944	35.8%
<i>Total Services and Supplies</i>	<i>\$ 438,551</i>	<i>\$ 342,492</i>	<i>\$ 96,059</i>	<i>21.9%</i>
Capital and Fixed Assets				
Capital Expense-Grant Funding	\$ -	\$ -	\$ -	100.0%
Capital Expense-Local Funding	13,537	5,413	8,125	60.0%
Construction in Progress	26,143	14,315	11,828	45.2%
Work In Process	21,024	765	20,259	96.4%
<i>Total Capital and Fixed Assets</i>	<i>\$ 60,704</i>	<i>\$ 20,493</i>	<i>\$ 40,211</i>	<i>66.2%</i>
<i>Total All Expenses</i>	<i>\$ 618,641</i>	<i>\$ 478,136</i>	<i>\$ 140,504</i>	<i>22.7%</i>

*under / (over)

Salaries and Benefits: Actuals of \$115.2 million are 3.5 percent under the budget of \$119.4 million. The largest contributor to the underrun is within salaries, which is under the budget by \$3.6 million or 4.9 percent. There are a couple of factors that have contributed to the underrun, one is the coach operator strike and the other is the administrative vacancy rate of 5.9 percent. The nine-day coach operator strike, which took place in July accounts for approximately \$1.9 million of the underrun. In addition, the authority-wide vacancy rate (excluding coach operators) is contributing \$1.7 million to the overall variance.

Services and Supplies: Actuals of \$342.5 million are 21.9 percent below the budget of \$438.6 million. Detailed explanations have been provided for the sub-categories with the largest variances.

Contract Transportation: Actuals are running \$1.5 million over the budget amount of \$27.2 million or 5.3 percent. The primary reason for the variance can be attributed to an overrun of revenue vehicle hours (RVH) associated with federally mandated ACCESS service. When developing the FY 2007-08 budget, staff anticipated a larger shift of ACCESS riders from the primary service to taxi cab services, thereby reducing RVH. However, the shift in riders has not occurred at the rate expected, and as a result, RVH have not decreased as planned. Community Transportation Services (CTS) staff is continuing to evaluate the existing service delivery model to determine how best to utilize the existing budgeted resources. The current RVH levels are running at 475,000 versus a year-to-date plan of 395,000. Based on cost of \$37.40 per RVH, the difference in revenue hours is contributing \$3 million to the overall variance.

The contract transportation overrun is further offset with several underruns, which include the Vanpool Program (\$0.8 million), contracted fixed route services (\$0.4 million), 91 Express Lanes contracted services (\$0.2 million), and paratransit special agency services (\$0.1 million), totaling \$1.5 million. OCTA's Vanpool Program has been growing each month; however, the participation has been less than budgeted, leading to an underrun of \$0.8 million. Contracted fixed route services expenditures are also running under the budget due to a lag in billing for the month of March (\$0.4 million). Based on the average monthly expenditures, the underrun in this service is expected to be eliminated by year-end.

The toll road contracted services budget was developed with a 5 percent cost of living adjustment (COLA). The actual increase in the COLA was 3.22 percent, therefore contributing to the underrun by (\$0.2 million). The year-end estimate has been adjusted to reflect this difference. Furthermore, the paratransit special agency services have been running less hours than planned and also contributing to the overall variance by (\$0.1 million).

Maintenance Expense: Actuals of \$5.7 million are under the budget of \$7 million by 19.2 percent. The underrun can be primarily attributed to parts cost at the Garden Grove Base. More specifically the variance stems from cost per mile for parts being lower than budgeted. The actual cost per mile for parts was 0.26 cents versus the budgeted parts cost per mile of 0.41 cents. The budgeted cost per mile for the Garden Grove Base included labor. This is contributing \$0.9 million to the underrun. In addition, the Santa Ana and Anaheim bases are currently underrunning its parts cost per mile by 0.03 cents, which contributes \$0.4 million to the overall variance.

Fuels and Lubricants: Actuals of \$11.8 million are under the budget of \$14.1 million by 16.4 percent. The OCTA is eligible to receive a retroactive cash reimbursement of \$0.50 cents per gallon as a credit on alternative fuels (i.e. LNG and CNG) through the 2005 Energy and Highway Legislation. In the current fiscal year, OCTA has received approximately \$2.3 million of this credit, which has offset the total fuel and lubricant expenses. As mentioned previously under the Federal Operating Grants revenue category, this credit was initially budgeted as a revenue. Furthermore, this credit is not only offsetting the expense but also exceeding the revenue projection to date. At the time the budget was developed, only the number of gallons for LNG were taken into consideration for the credit, however, OCTA is receiving credit for both types of fuels. This credit will result in an underrun in the fuels and lubricants expense at year-end.

Outside Services: Actuals are under the budget of \$27 million by \$3.5 million or 12.9 percent. The variance is primarily attributed to underruns in the Orange County Transit District (OCTD) Fund for \$1.1 million, the Commuter Urban Rail Endowment (CURE) Fund for \$1 million, the 91 Express Lanes Fund for \$0.6 million, the General Fund for \$0.6 million, the Service Authority for Freeway Emergency (SAFE) for \$0.1 million, and Internal Service Funds for \$0.1 million.

The variance within the OCTD Fund can be attributed to several line items. A portion of the variance (\$0.3 million) is due to lower than anticipated costs for maintenance and repairs for the CNG facility at the Santa Ana Base. The CNG fueling facility did not operate at capacity for September through December due to contaminated fuel, which meant that ongoing repairs and maintenance were not occurring. This variance is expected to carry out through the fiscal year.

In addition, as part of the coach operator strike, funds were identified and transferred to create a security services line. Those funds were not utilized as anticipated and are contributing another \$0.3 million to the variance. Lastly, there are a variety of revenue vehicle and equipment repair line items that were not utilized as anticipated or are expensed on an as needed basis totaling

\$0.3 million. Staff will revise the year-end estimate and budget these items as necessary in FY 2009.

Within the CURE Fund, the variance (\$1 million) can be attributed to Metrolink operating cost. OCTA's portion of Metrolink operating cost for the first quarter was offset by a credit (\$0.8 million) issued by the Southern California Regional Rail Authority (SCRRA) from a prior fiscal year's surplus of funds.

The 91 Express Lanes are contributing \$0.6 million to the overall variance due to two line items, which include the system maintenance and support for \$0.3 million and the telephone system upgrade for \$0.2 million. The system maintenance and support line item expenses have been running less than anticipated due to a revision to the scope of work. Secondly, the telephone system upgrade will not be expensed in the current fiscal year. This item has been rebudgeted in the upcoming fiscal year and the year-end estimate has been revised as appropriate.

Within the General Fund, the variance of \$0.6 million is due to a lag in invoices related to the hardware and software annual maintenance line items. Annual software and hardware maintenance encompasses upgrades and maintenance of all information technology for the OCTA. Another portion of this line item accounts for emergency maintenance, including time and materials for data processing equipment not covered under blanket maintenance/service contracts. These services are rendered on an as needed basis and are often difficult to predict during the course of the year. However, actuals are anticipated to be aligned with the budget by year-end.

Within the SAFE Fund, the variance of \$0.1 million is associated with the Freeway Service Patrol towing services where bids have been coming in lower than anticipated. While developing the budget, staff projected a cost per hour of \$70; however, the bids have been running in the range of \$56 to \$68 per hour.

Finally, within the Internal Service Funds, the variance of \$0.1 million is due to insurance brokerage services. These services were originally anticipated to be expensed on a quarterly basis for a total of \$0.3 million for the entire fiscal year. However, after further review, actuals for these services are being expensed on a monthly basis and at a lower cost than anticipated (\$9,000 per month).

Insurance Claims Expense: Insurance claims represent expenses associated with workers' compensation (WC) and personal liability/property damage (PL/PPD) losses. The actuals of \$5.1 million are 54 percent below the budget of \$11 million. The primary reasons for the underrun are associated with both the WC claims expense (\$4.3 million) and the WC excess liability

(\$0.5 million). The underrun in WC claims expense stems from the fact that the budget is derived from an actuarial based projection, and actuals continue to come in below the estimate. Furthermore, this positive downturn in WC expenses is due to a collaborative effort from OCTA staff including:

- Safety classes taught at the bases reducing accidents/claims
- A program which shares WC savings with coach operators as an incentive to reduce claims
- Aggressive action taken by risk management to close claims quickly

In addition, the WC excess liability insurance has been running below the budget for a couple of reasons. Staff was successful in negotiating a renewal premium below what was budgeted. Also, payments were scheduled to be incurred in the first half of the year; however, payments are being recorded on a monthly basis at an average of \$60,000 per month. This timing discrepancy is driving a portion of the variance.

The balance of the variance within the insurance claims category is attributed to the PL/PD claims expense and excess liability for \$0.5 million. The budget was developed utilizing an actuarial based projection of claims payout derived from a report conducted in 2006. However, the frequency and severity of claims has been less than anticipated during this current fiscal year, which has resulted in lower costs to OCTA.

Professional Services: Actuals of \$60.8 million are 31.4 percent under the budget of \$88.7 million. The variance can be attributed to underruns in General Fund (\$8 million), M2 (\$7.4 million), Measure M Program (\$6.5 million), the 91 Express Lanes (\$1.6 million), Internal Service Funds (\$0.9 million), and the OCTD Fund (\$0.3 million).

Within the General Fund, the bus rapid transit (BRT) project is contributing to the variance by \$6.9 million due to a timing difference associated with the BRT design and preliminary specifications and estimates (PS&E) costs. This contract was approved by the Board in the third quarter and was encumbered during the fourth quarter.

There are two major items within the M2 program that are contributing to the underrun. The Interstate 405 (I-405) project between Los Alamitos and Costa Mesa Freeway (State Route 55) is contributing to the variance by \$4.5 million. This variance stems from a timing difference with respect to the budget cashflow; however, the project costs are expected to be encumbered in the fourth quarter. Another project that is contributing to the overall variance is the Santa Ana Freeway (Interstate 5), south of the El Toro "Y," for \$1.6 million. A portion of this line item is moving forward with the initiation of a project study

report (PSR). The PSR is the next step in the process, which will include the conceptual engineering and planning phase to help identify the scope of work. This PSR effort is expected to be expensed during the fourth quarter.

The Measure M program is contributing \$6.5 million to the overall variance. This variance is attributed to the west county connectors design (\$1.4 million), the Laguna Niguel and Mission Viejo parking expansion design (\$1.1 million), State Board of Equalization (SBOE) fees (\$0.9 million), on-call traffic engineering services (\$0.5 million), project management consultant services, and several on-call professional services line items, which include: appraisal review services (\$0.3 million), planning support services (\$0.2 million), environmental services (\$0.1 million), excess land disposition (\$0.1 million), and right-of-way engineering services (\$0.1 million).

The West County Connectors Design Project is contributing \$1.4 million to the variance due to a timing issue between actuals and the budgeted cashflow. The budget for these services was anticipated to be fully expensed by the first part of the fiscal year. However, the majority of the actuals were posted during the third quarter and will continue to do so through the fourth quarter. Thus, actuals are expected to be in line with the budget by year end.

The Laguna Niguel and Mission Viejo parking expansion project is contributing \$1.1 million to the variance and is currently in the conceptual design stage with the cities. The project has been placed on hold pending concerns from the cities on operation and maintenance costs associated with this parking structure. Therefore, this has been rebudgeted to allow sufficient time to get these issues resolved.

The SBOE has revised its formula for charging administrative fees, which were budgeted at 1.5 percent, while actuals are expected to be closer to 0.9 percent. This change in formula is contributing \$0.9 million to the overall variance.

On-call traffic engineering services are contributing \$0.5 million to the overall variance. These services are utilized on an as needed basis and have not been required as originally expected. This variance will carry through the fourth quarter.

The 91 Express Lanes is contributing \$1.6 million to the underrun primarily due to consultants for operational and technical services support (\$1.5 million). These services are utilized on a time and expense basis and have not been utilized as anticipated. These services have now been placed on hold and rebudgeted for next fiscal year, pending the recruitment of a project manager.

Within the Internal Service Funds, the majority of the variance (\$0.9 million) is attributed to the legal fees and costs budgeted for PL/PD liability lawsuits.

Legal fees are utilized on an as needed basis; therefore, the frequency and timing is difficult to predict. Legal fees include, but are not limited to, accident reconstruction expenses, independent medical exams, and expert witness testimony to defend OCTA in legal liability matters. As with legal fees, legal costs are incurred on an as-needed basis and are difficult to predict. The year-end estimate will remain the same for these two items, given their unpredictable nature.

As for the OCTD Fund, a procurement to out-source facilities maintenance technicians for the Sand Canyon Base was cancelled, thus contributing \$0.3 million to the variance. This action was taken after reviewing the cost associated with this request versus in-sourcing these positions. As a result of this review, five new facilities technician positions are being proposed for the upcoming fiscal year.

Contributions to Other Agencies: Actuals of \$96.6 million are 35.8 percent below the budget of \$150.5 million. The majority of the variance can be attributed to several Metrolink program line items totaling \$49.1 million. These items include locomotives, cab and rail cars (\$28.8 million), turnback facility and additional tracks at Fullerton (\$5.4 million) and Laguna Niguel (\$3.2 million), grade crossing safety enhancements (\$4.2 million), eastern area maintenance facility (\$3.8 million), Santa Ana main track project (\$1.9 million), and Keller Street storage facility (\$1.8 million).

The operating agency for Metrolink, SCRRA, is in the process of invoicing OCTA for its share of the total cost for rolling stock (\$28.8 million). Expenses for this item will continue to be incurred as invoices are received by SCRRA.

The turnback facilities and additional tracks at Fullerton (\$5.4 million) and Laguna Niguel (\$3.2 million) are anticipated to be 30 percent complete and expensed by the end of the fourth quarter. The grade crossing safety enhancements (\$4.2 million) project schedule has been revised due to a change in scope and only \$4.8 million out of the \$9.5 million budgeted for this fiscal year will be expensed by the end of the year.

The eastern area maintenance facility (\$3.8 million) has been delayed pending negotiations with the Burlington Northern Santa Fe (BNSF) Railway and SCRRA. Staff has rebudgeted this item in next year's budget, allowing time for these agencies to reach an agreement. The Santa Ana double track project is contributing \$1.9 million to the variance as a result of invoices being two months in arrears; however, actuals are expected to be in alignment with the budget at year-end. Furthermore, the Keller Street project (\$1.8 million) was initially delayed due to various design issues. This project has also been rebudgeted for next year in anticipation of these design issues being resolved.

In addition, the Buena Park Intermodal Facility is contributing to the overall variance by \$1.2 million as staff seeks contract acceptance with the City of Buena Park. Expenses are expected to be incurred in the fourth quarter.

Capital and Fixed Assets Summary

During the third quarter, capital and fixed assets actuals of \$20.5 million are 66.2 percent below the budget of \$60.7 million. The primary variances are associated with work in process and capital expense categories provided below.

Capital Expense-Local Funding: Actuals of \$5.4 million are running \$8.1 million or 60 percent under the budget of \$13.5 million. There are several line items which are contributing to the majority of the variance within the following OCTA divisions. The 91 Express Lanes budget is contributing \$4 million; Transit Division is contributing \$3.7 million; External Affairs is contributing \$0.4 million.

Within the 91 Express Lanes program, the items that are primarily causing the variance include the electronic toll system technology upgrade (\$1.5 million), the lane cutter project (\$1 million), roadway repairs (\$0.4 million), and the toll pro major version upgrade (\$0.3 million).

The electronic toll system technology upgrade project (\$1.5 million) was originally scheduled to be expensed in October 2007. However, this project along with the toll pro major version upgrade (\$0.3 million) is currently on hold, pending the recruitment of an information technology project manager, which is anticipated next fiscal year. In the meantime, this item has been rebudgeted.

The lane cutter project will place cameras at the entry and exit of the 91 Express Lanes to verify motorists entered the lanes at the beginning of the toll lanes and not in between. This project is being delayed pending a response from California Department of Transportation (Caltrans) examining the feasibility of placing a concrete barrier between the general and express lanes. As a result, this project is being rebudgeted for next year.

Roadway repairs covers costs associated with maintaining the 91 Express Lanes. Repairs are incurred based on the results of an annual 91 Express Lanes pavement management report (PMR) update. Staff anticipates to receive the results of this report in the second quarter of FY 2008-09. At that time, staff will review the final report and projects to begin any identifiable repairs soon thereafter.

Within the Transit Division, there are several line items that are contributing to the variance. These items include the fixed route radio system upgrade (\$1.9 million), the electronic timekeeping system (\$0.5 million), Anaheim Base parking structure water proof modifications (\$0.4 million), repaint of various OCTA facilities (\$0.3 million), steam rack repair (\$0.2 million), and the overhead door project (\$0.1 million).

The electronic timekeeping system project was initially anticipated to be expensed in the second quarter of this fiscal year. However, the Board did not approve moving forward with this contract until April 14, 2008. This contract was executed on May 1, 2008. Therefore, expenses related to this project will be recognized in the fourth quarter. Also, the waterproof parking structure modifications for the Anaheim Base totaling \$0.4 million is contributing to the variance. A contract has been executed for this line item for an amount less than anticipated based on the scope of the work needed to deliver this project.

In addition, there is an underrun (\$0.3 million) associated with the repainting project that was scheduled for each of the OCTA facilities. The requisition is working its way through the procurement process and the funds are anticipated to be spent in the fourth quarter of this fiscal year.

The Transit Division had anticipated to repair the steam rack wall (\$0.2 million) located at the Santa Ana Base. However, this project has since been cancelled because the repairs are anticipated to be covered by warranty work by the engineering firm that built the wall.

The overhead door project variance (\$0.1 million) is due to a delay in replacement of overhead doors and controllers at OCTA transit facilities. The requisition for this project is in the final stages and was approved by the Board on April 14, 2008. The funds are anticipated to be utilized by the end of the fiscal year.

The External Affairs Division has a prepaid fare media software project that is moving forward for \$0.4 million. A requisition has been submitted, and the item is expected to be expensed in the fourth quarter. The variance was caused by the timing of the procurement compared to the planned expenditure cashflow.

Construction in Progress: Actuals of \$14.3 million are 45.2 percent or \$11.8 million under the budgeted amount of \$26.1 million. The variance is comprised of multiple line items which include the following: The Laguna Niguel / Mission Viejo Metrolink parking expansion (\$5 million), Interstate 5 (I-5) Gateway construction support and utility relocation (\$3.7 million), Aliso Creek Soundwall construction and construction management project (\$1.4 million), and the cooperative agreement for the Riverside Freeway (State Route 91) lane addition (\$0.5 million).

The project utility relocation line item for the I-5 Gateway project is contributing to the variance by \$3 million due to the lag time associated with the utility companies submitting invoices for completed construction and relocation work. The I-5 Gateway construction support services item is also contributing to the underrun by \$0.7 million as a result of invoicing running one month in arrears.

A variance of \$5 million is due to the Laguna Niguel / Mission Viejo Metrolink parking expansion. This project is being delayed pending OCTA confirming the cost agreement with the City of Laguna Niguel. The Aliso Creek soundwall project is contributing \$1.4 million to the underrun as a result of the project costs coming in lower than anticipated.

The State Route 91 (SR-91) lane addition between the Eastern Toll Road (State Route 241) and the Chino Valley Freeway (State Route 71) line item is a joint effort between OCTA and Caltrans. OCTA has entered into an agreement with Caltrans and anticipates expenses to be incurred in the fourth quarter.

Work in Process: Actuals of \$0.8 million are running 96.4 percent below the budget of \$21 million. The primary reason for the underrun is due to the BRT traffic signal synchronization and priority design project (\$13.1 million) and the Garden Grove Freeway (State Route 22) design-build contract change orders (CCO) contingency line item for \$7 million. The BRT traffic signal synchronization and priority design project was approved by the Board on February 25, 2008. This encumbrance will be reflected in the fourth quarter. The CCO were reviewed by the Board and approved as of January 21, 2008; therefore, these expenses are expected to be incurred by the fourth quarter.

A fund level analysis as well as fund level financial schedules for the General Fund, Local Transportation Authority Fund, Orange County Transit District Fund, 91 Express Lanes Fund, and the Internal Service Funds are included as Attachments A and B.

Summary

In summary, Orange County Transportation Authority's revenues are running in alignment with the budget with the receipt of federal capital assistance grants and interest income; however, this is offset with the underruns in sales tax, farebox revenues, and state grants. The net result in revenues represents an overrun through the second quarter of \$2.8 million or 0.6 percent. The total expenses to date are running under the budget with the salaries and benefits budget under by \$4.2 million or 3.1 percent. This variance is primarily due to the existing vacancies and the impact of the coach operator strike. The services and supplies budget is accounting for \$96.1 million or 68.2 percent of the underrun, while capital and fixed assets is contributing

\$40.2 million or 28.7 percent to the overall variance in expenses. Staff will continue to monitor the progress of the budget, and as necessary, adjust the year-end estimate where appropriate.

Attachments

- A. Fund Level Analysis
- B. Fund Level Financial Schedules

Prepared by:

A handwritten signature in black ink, appearing to read "Rene I. Vega" with a stylized flourish at the end.

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A handwritten signature in black ink, appearing to read "James S. Kenan" with a large, sweeping flourish.

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Fund Level Analysis

General Fund – Revenue Summary

Revenues are running \$2.9 million under the budget of \$12.4 million, while expenditures are under by \$21.5 million compared to a budget of \$67.2 million or 32 percent.

Variance Analysis – Revenues

Note: It is not uncommon for revenues in these categories to be received in future years rather than the year in which they were originally budget.

Federal Capital Grants: Actuals are running below the budget by \$4.3 million or 69.7 percent. This variance is associated with the two following projects: Irvine Transportation Center construction and the installing and commissioning of the video surveillance systems at the Santa Ana, Orange, Tustin, and Irvine Metrolink stations. While these projects are moving forward, federal grant reimbursements are not expected to occur until the end of the fiscal year.

State Assistance: Actuals are running under the budget by \$1.4 million primarily due to the Tustin Metrolink Station parking structure project. This project has been temporarily delayed while the cooperative agreements are negotiated with the City of Tustin. In addition, there is an accrual reversal (\$0.6 million) associated with the prior fiscal year that is also contributing to this variance.

Other Financial Assistance: Actuals are running \$1.7 million over the budget of \$0.2 million. This variance is caused by the Orange County Transportation Authority (OCTA) receiving \$1.7 million in Regional Surface Transportation Program funds via the City of Irvine. The City of Irvine sought reimbursement for costs associated with the Jeffrey Grade Separation Project and per a cooperative agreement has transferred the funds to OCTA.

Variance Analysis – Expenses

Salaries and Benefits: Actuals of \$24.7 million are 7 percent under the budget of \$26.5 million. The largest contributor to the underrun is within salaries, which is under the budget by \$1 million or 6.6 percent. The main factor that is contributing to this underrun is administrative vacancies, which is currently underrunning by 5.9 percent.

Professional Services: Actuals are running under the budget by \$8.9 million. The variance can be primarily attributed to the Transit Systems Development Department (\$6.9 million) and the Planning and Analysis Department (\$0.9 million).

In the Transit Systems Development Department, the bus rapid transit (BRT) project is contributing to the variance by \$6.9 million due to a timing

difference associated with the BRT design and preliminary specifications and estimates costs. This contract was approved by the Board of Directors (Board) in the third quarter and was encumbered during the fourth quarter. Within the Planning and Analysis Department, the Central County Major Investment Study is contributing \$0.9 million to the variance. This project is currently under review and is expected to be expensed by the fourth quarter.

Contributions to Other Agencies: Actuals are under the budget by \$9.9 million. The underrun is primarily due to the Bristol Street Widening Project. Staff has recognized the slowdown in repayment requests due to the fact that the City of Santa Ana has acquired most of the property required for the first phase of the project (McFadden Avenue to Pine Street). The City of Santa Ana is in the process of beginning the design for the second phase of the project (Third Street to Civic Center Drive); however, based on the current spending pattern, the year-end estimate has been revised to account for this slowdown.

Local Transportation Authority (LTA) Fund – Revenue and Expense Summary

Revenues of \$218.3 million are \$21.3 million or 8.9 percent under the budget of \$239.6 million. Expenditures of \$113 million are also under the budget by 29.5 percent or \$47.3 million.

Variance Analysis – Revenues

Taxes and Fees: Actuals are running 10.3 percent below the budget of \$217.9 million. This category represents the ½ cent LTA sales tax revenues. Sales tax receipts are administered and advanced by the State Board of Equalization (SBOE) based on transactions and use tax within the County. In developing the sales tax revenue budget, staff used the first six months of actuals in fiscal year (FY) 2006-07 and annualized the remaining half of the year, which is escalated based on a blended sales tax growth rate of 4.893 percent. The underrun is caused by two factors: OCTA began the year with a lower base sales tax figure because sales tax revenues in the second half of FY 2006-07 were approximately 3 percent less than anticipated. In addition, there has been an actual decline of 3.61 percent through the third quarter, while the projected blended sales tax growth rate was 4.893 percent.

Federal Capital Assistance Grants: Actuals are running \$1 million under the budget. This underrun is related to reimbursements for project costs related to the Garden Grove Freeway (State Route 22). Revenues in the category can be received in future years rather than the year in which they are reflected in the budget. On the same note, reimbursements budgeted in prior years, as in this case, can be received in the current year.

Interest Income: Actuals of \$19.1 million are approximately \$2.2 million above the budgeted amount of \$17 million. While interest rates remain relatively low, the year-to-date return for OCTA's portfolio continues to be strong due to demand in the fixed income markets. As investors have moved funds toward safety and liquidity, treasury, agency and high-quality corporate securities have performed well across the board. Therefore, the investment managers have shortened the average life of the portfolio as a reaction to changes in the yield curve. From a cash receipts perspective, the actual return is approximately 38 basis points higher than the forecasted annualized return of 5 percent.

Variance Analysis – Expenses

Professional Services: Actuals are \$6.5 million or 16.3 percent under the budget of \$40 million. This variance is attributed to several projects, which include the west county connectors design (\$1.4 million), the Laguna Niguel / Mission Viejo parking expansion design (\$1.1 million), SBOE fees (\$0.9 million), on-call traffic engineering services (\$0.5 million), project management consultant services, and several on-call professional services line items. These services include: appraisal review services (\$0.3 million), planning support services (\$0.2 million), environmental services (\$0.1 million), excess land disposition (\$0.1 million), and right of way engineering services (\$0.1 million).

The West County Connectors Design Project is contributing \$1.4 million to the variance due to a timing issue between actuals and the budgeted cashflow. The budget for these services was anticipated to be fully expensed by the first part of the fiscal year. However, the majority of the actuals were posted during the third quarter and will continue to do so through the fourth quarter. Thus, actuals are expected to be in line with the budget by year-end.

The Laguna Niguel / Mission Viejo parking expansion project is contributing \$1.1 million to the variance and is currently in the conceptual design stage with the cities. The project has been placed on hold pending concerns from the cities on operation and maintenance costs associated with this parking structure. Therefore, this item has been rebudgeted to allow sufficient time to get these issues resolved.

The SBOE has revised its formula for charging administrative fees, which were budgeted at 1.5 percent, while actuals are expected to be closer to 0.9 percent. This change in formula is contributing \$0.9 million to the overall variance.

On-call traffic engineering services are contributing \$0.5 million to the overall variance. These services are utilized on an as needed basis and have not been required as originally expected. This variance will continue through the fourth quarter.

Contributions to Other Agencies: Actuals of \$67.1 million are \$23.4 million or 25.8 percent below the budget of \$90.5 million. This underrun can be attributed to several items, which include the procurement of Metrolink locomotives (\$13 million), the Measure M competitive grant payments program for \$6.6 million, and the Buena Park Intermodal Facility (\$1.2 million), as staff seeks contract acceptance with the City of Buena Park. Expenses are expected to be incurred in the fourth quarter. With respect to the Measure M competitive grant payments program, staff has been working diligently with cities to expedite the closeout of previously approved projects and releasing their final payments. As for the Metrolink locomotives, the operating agency for Metrolink, Southern California Regional Rail Authority (SCRRA), is in the process of invoicing OCTA for its share of the total cost of the rolling stock.

Work in Process: Actuals of \$0.8 million are running 90.4 percent below the budget of \$7.9 million. The primary reason for the underrun is due to the State Route 22 (SR-22) design-build contract change orders (CCO) contingency line item for \$4.5 million. The CCO were reviewed by the Board and approved as of January 21, 2008; therefore, these expenses are expected to be incurred by the fourth quarter. The remaining funds within this category were used to offset the \$39.3 million settlement with the construction contractor.

Construction in Progress: Actuals of \$10.9 million are \$10 million under the budget of \$20.9 million. This variance can be attributed to following line items: The Laguna Niguel Metrolink parking expansion (\$5 million), Santa Ana Freeway (Interstate 5) Gateway construction support and utility relocation (\$3.7 million), and the Aliso Creek soundwall construction and construction management project (\$1.4 million).

The variance of \$5 million is due to the Laguna Niguel / Mission Viejo Metrolink parking expansion, which has been delayed pending OCTA confirming the cost agreement with the City of Laguna Niguel.

The Interstate 5 (I-5) Gateway construction support services item is contributing to the underrun by \$0.7 million as a result of invoicing running one month in arrears. The project utility relocation line item related to the I-5 Gateway project is contributing to the variance by \$3 million due to the lag time associated with the utility companies submitting invoices for completed construction and relocation work. The Aliso Creek soundwall project is contributing \$1.4 million to the underrun as a result of the project costs coming in lower than anticipated.

Orange County Transit District Fund – Revenue and Expense Summary

Revenues of \$116.9 million are over the budget by \$35.5 million. Expenditures of \$154.3 million are 6.4 percent under the budget of \$164.8 million.

Variance Analysis – Revenues

Farebox Revenue: Actuals of \$36.5 million are 9.5 percent below the budget of \$40.3 million. The underrun can be partially attributed to the nine-day coach operator strike held in July. During this time, there was minimal service provided, which resulted in a loss of ridership (2 million boardings during the month of July alone). In addition, ridership is lower compared to the same period last year by 7.2 percent. As a result, there is a corresponding reduction in farebox revenues of \$3.7 million, with the largest underrun occurring within regular full fares and local pass fare media for directly operated service.

Federal Operating Grants: Actuals of \$0.7 million are running 66.4 percent below the budget of \$2.1 million. The variance is due to the alternative fuel credit for liquefied natural gas (LNG) and compressed natural gas (CNG). OCTA is eligible to receive a retroactive cash reimbursement of \$0.50 cents per gallon as a credit on alternative fuels (i.e. LNG and CNG) through the 2005 Energy and Highway Legislation. Originally, OCTA budgeted for this credit as a revenue, however; the credit has actually been applied to the total fuel and lubricant expense category (\$2.3 million).

Other Financial Assistance: Actuals of \$19.9 million are running 5.7 percent below the budget of \$18.9 million. The variance (\$1 million) is associated with Mobile Source Air Pollution Reduction Committee (MSRC) funding that OCTA is eligible to receive for the Santa Ana CNG fueling station. These funds are contingent upon OCTA accepting the fueling station from the contractor based on a series of performance requirements. The station has been completed and operational. However, the contractor had not been able to meet the performance requirements of the agreement due to excessive water within the natural gas utility line. On January 12, 2008, Southern California Gas Company “pigged” the gas line to remove the excess moisture, and the levels have returned to normal. Subsequent to this procedure, On February 6, 2008, OCTA completed a second round of performance test. The tests performed were successful and the station now meets the requirements and was accepted by OCTA. Staff has submitted a request for reimbursement of MSRC funds.

Federal Capital Grants: Actuals of \$44.4 million are over the budget by \$40.7 million. This represent reimbursement of progress payments made towards the New Flyer of America contract for the CNG buses that were encumbered in a prior year.

Variance Analysis – Expenses

Salaries and Benefits: Actuals of \$90.3 million are 2.6 percent under the budget of \$92.8 million. The largest contributor to the underrun is within salaries, which is under the budget by \$2 million or 3.6 percent. The underrun is primarily due to the coach operator strike. The nine-day coach operator strike, which took place in July accounts for approximately \$1.9 million.

Contract Transportation: Actuals of \$24.3 million are running over the budget by 7.4 percent or \$1.7 million. The primary reason for variance can be attributed to an overrun of revenue vehicle hours (RVH) associated with the federally mandated ACCESS service. When developing the FY 2007-08 budget, staff anticipated a larger shift of ACCESS riders from the primary service to taxi cab services, thereby reducing RVH. However, the shift in riders has not occurred at the rate expected, and as a result, RVH has not decreased as planned. Community Transportation Services staff is continuing to evaluate the existing service delivery model to determine how best to utilize the existing budgeted resources.

Professional Services: Actuals of \$2.6 million are running over the budget by 28.9 percent or \$1 million. This is primarily due to a procurement to out-source facilities maintenance technicians for the Sand Canyon Base that was cancelled, thus contributing \$0.3 million to the variance. This action was taken after reviewing the cost associated with this request versus in-sourcing these positions. As a result of this review, five new facilities technician positions are being proposed for the upcoming fiscal year. In addition, invoices for the customer information center are currently two months in arrears, contributing \$0.3 million to the overall variance.

Other Services: Actuals are under the budget of \$9.7 million by \$1.3 million or 13.8 percent. A portion of the variance (\$0.3 million) is due to lower than anticipated costs for maintenance and repairs for the CNG facility at the Santa Ana Base. The CNG fueling facility did not operate at capacity for September through December due to contaminated fuel, which meant that ongoing repairs and maintenance were not occurring. This variance is expected to carry out through the fiscal year.

In addition, as part of the coach operator strike funds were identified and transferred to create a security services line. Those funds were not utilized as anticipated and are contributing another \$0.3 million to the variance. Lastly, there are a variety of revenue vehicle and equipment repair line items that were not utilized as anticipated or are expensed on an as needed basis totaling \$0.3 million. Staff will revise the year-end estimate and budget these items as necessary in FY 2009.

Fuels and Lubricants: Actuals of \$11.8 million are under the budget of \$14.1 million by 16.4 percent. The underrun can be attributed to several factors. First, OCTA is eligible to receive a retroactive cash reimbursement of \$0.50 cents per gallon as a credit on alternative fuels (i.e. LNG and CNG) through the 2005 Energy and Highway Legislation. OCTA has received approximately \$2.3 million of this credit, which has offset the total fuel and lubricant expenses. As mentioned previously under the Federal Operating Grants revenue category, this credit was initially budgeted as a revenue. Furthermore, this credit is not only offsetting the expense but also exceeding the revenue projection to date. At the time the budget was developed, only the number of gallons for LNG were taken into consideration for the credit, however, OCTA is receiving credit for both types of fuels.

Capital Expense-Locally Funded: Actuals of \$3.5 million are running 56.4 percent below the budget of \$8.1 million. There are several line items that are contributing to the variance. These items include fixed route radio system upgrade (\$1.9 million), the electronic timekeeping system (\$0.5 million), the Anaheim Base parking structure water proof modifications (\$0.4 million), repainting of various OCTA facilities (\$0.3 million), steam rack repair (\$0.2 million), and the overhead door project (\$0.1 million).

The electronic timekeeping system project was initially anticipated to be expensed in the second quarter of the fiscal year. However, the Board did not approve moving forward with this contract until April 14, 2008. This contract was executed on May 1, 2008. Therefore, expenses related to this project will be recognized in the fourth quarter. Also, the waterproof parking structure modifications for the Anaheim Base totaling \$0.4 million is contributing to the variance. A contract has been executed for this line item for an amount less than anticipated based on the scope of the work needed to deliver this project.

In addition, there is an underrun associated with the repainting project that was scheduled for each of the OCTA facilities. The requisition is working its way through the procurement process and the funds are anticipated to be spent in the fourth quarter of this fiscal year.

The Transit Division had anticipated to repair the steam rack wall located at the Santa Ana Base. However, this project has since been cancelled because the repairs are anticipated to be covered by warranty work by the engineering firm that built the wall.

The overhead door project variance (\$0.1 million) is due to a delay in replacement of overhead doors and controllers at OCTA transit facilities. The requisition for this project is in the final stages and was approved by the board on

April 14, 2008. The funds are anticipated to be utilized by the end of the fiscal year.

91 Express Lanes Fund – Revenue and Expense Summary

Revenues of \$37.9 million are 0.4 percent below the budget of \$38 million. Expenditures of \$18.3 million are 29.1 percent under the budget of \$25.9 million.

Variance Analysis – Revenue

Toll Road Revenue: The actuals of \$28.5 million are under the budget of \$30 million by 5.1 percent. This is primarily due to the economy, thus affecting the number of commuters actually utilizing the 91 Express Lanes.

Variance Analysis – Expenses

Professional Services: Actuals of \$2.5 million are 39.3 percent below the budget of \$4.1 million. The variance is due to consultants for operational and technical services support (\$1.5 million). These services are utilized on a time and expense basis and have not been utilized as anticipated. These services have now been placed on hold and re-budgeted for next fiscal year, pending the recruitment of a project manager.

Capital Expense-Locally Funded: The actuals of \$0.6 million are under the budget of \$4.7 million by 87.2 percent. The items primarily causing the variance include the electronic toll system technology upgrade (\$1.5 million), the lane cutter project (\$1 million), the roadway repairs (\$0.4 million), and the toll pro major version upgrade (\$0.3 million).

The electronic toll system technology upgrade project (\$1.5 million) was originally scheduled to be expensed in October 2007. However, this project along with the toll pro major version upgrade (\$0.3 million) is currently on hold, pending the recruitment of an information technology project manager. Pending the outcome of this recruitment, this item has been re-budgeted for next year.

The lane cutter project will place cameras at the entry and exit of the 91 Express Lanes to verify motorists entered the lanes at the beginning of the toll lanes and not in between. This project is being delayed pending a response from the California Department of Transportation examining the feasibility of placing a concrete barrier between the general and express lanes. As a result, this project is being re-budgeted for next year.

Roadway repairs covers costs associated with maintaining the 91 Express Lanes. Repairs are incurred based on the results of an annual 91 Express Lanes pavement management report update. Staff anticipates to receive the results of

this report in the second quarter of fiscal year 2008-09. At that time, staff will review the final report and projects to begin any identifiable repairs soon thereafter.

Internal Service Funds – Revenue and Expense Summary

Revenues of \$2.9 million are running in line with the budget, while expenditures of \$5.3 million are 52.6 percent under the budget of \$11.4 million.

Variance Analysis – Expenses

Insurance Claims Expense: Insurance claims represent expenses associated with workers' compensation (WC) and personal liability/property damage (PL/PD) losses. The actuals of \$4.8 million are 52.6 percent below the budget of \$10.1 million. The primary reason for the underrun is associated with both the WC claims expense (\$4.3 million) and the WC excess liability (\$0.5 million). The underrun in WC claims expense stems from the fact that the budget is derived from an actuarial based projection, and actuals continue to come in below the estimate. Furthermore, this positive downturn in WC expenses is due to a collaborative effort from OCTA staff including:

- Safety classes taught at the bases reducing accidents/claims
- A program which shares WC savings with coach operators as an incentive to reduce claims
- Aggressive action taken by risk management to close claims quickly

In addition, the WC excess liability insurance has been running below the budget for a couple of reasons. Staff was successful in negotiating a renewal premium below what was budgeted. Also, payments were scheduled to be incurred in the first half of the year; however, payments are being recorded on a monthly basis at an average of \$60,000 per month. This timing discrepancy is driving a portion of the variance.

The balance of the variance within the insurance claims category is attributed to the PL/PD claims expense and excess liability for \$0.5 million. The budget was developed utilizing an actuarial based projection of claims payout derived from a report conducted in 2006. However, the frequency and severity of claims has been less than anticipated during this current fiscal year, which has resulted in lower costs to OCTA.

Fund Level Financial Schedules

**General Fund
Revenues and Expenses**

<i>In Thousands</i>	Budget	Actual	Variance	%
Description				
Federal Capital Grants	\$ 6,124	\$ 1,856	\$ (4,268)	-69.7%
State Assistance	5,512	4,140	(1,372)	-24.9%
Federal Operating Grants	-	7	7	100.0%
Fees and Fines	113	121	8	6.7%
Interest Income	314	513	199	63.3%
Miscellaneous	227	1,136	909	401.4%
Other Financial Assistance	150	1,813	1,663	1108.8%
Total Revenues	\$ 12,440	\$ 9,586	\$ (2,854)	-22.9%
Other Benefits	\$ 915	\$ 896	\$ 19	2.1%
Compensated Absences	1,969	1,942	27	1.4%
Pensions	4,403	4,311	92	2.1%
Insurances	602	448	154	25.6%
Extra Help Employees	663	448	215	32.4%
Health Care	2,443	2,123	320	13.1%
Salaries-Regular Employees	15,519	14,488	1,030	6.6%
Total Salaries and Benefits	\$ 26,513	\$ 24,656	\$ 1,857	7.0%
Utilities	\$ 558	\$ 600	\$ (42)	-7.6%
Maintenace Expense	5	2	2	51.8%
Miscellaneous Expense	339	310	29	8.7%
Other Materials and Supplies	92	53	39	42.4%
Advertising Fees	304	219	85	28.0%
Travel, Training, and Mileage	418	296	122	29.2%
Office Expense	1,405	1,246	160	11.4%
Leases	3,313	3,145	169	5.1%
Outside Services	3,050	2,650	400	13.1%
Professional Services	16,176	7,256	8,920	55.1%
Contributions to other Agencies	13,924	3,980	9,944	71.4%
Total Services and Supplies	\$ 39,584	\$ 19,756	\$ 19,828	50.1%
Capital Expense-Locally Funded	\$ 1,083	\$ 1,302	\$ (219)	-20.3%
Total Expenses	\$ 67,180	\$ 45,714	\$ 21,466	32.0%

*Revenues - (under) / over

*Expenses - under / (over)

Fund Level Financial Schedules

Local Transportation Authority Fund (Measure M) Revenues and Expenses

In Thousands

Description	Budget	Actual	Variance	%
Taxes/Fees	\$ 217,948	\$ 195,461	\$ (22,487)	-10.3%
Federal Capital Assistance Grants	2,921	1,900	(1,021)	-35.0%
Other Financial Assistance	-	(772)	(772)	0.0%
Sale Capital Assets	1,610	1,610	-	0.0%
Rental Income	151	457	306	202.2%
Interest Income	16,976	19,144	2,168	12.8%
Total Revenues	\$ 239,607	\$ 218,318	\$ (21,289)	-8.9%
Utilities	\$ -	\$ 15	\$ (15)	100.0%
Travel, Training, and Mileage	4	3	0	0.9%
Miscellaneous Expense	18	10	9	47.4%
Debt Service	641	614	27	4.2%
Office Expense	53	15	38	71.8%
Advertising Fees	46	-	46	100.0%
Outside Services	111	35	77	68.8%
Professional Services	39,970	33,447	6,523	16.3%
Contributions to Other Agencies	90,520	67,128	23,392	25.8%
Total Services and Supplies	\$ 131,363	\$ 101,267	\$ 30,096	22.9%
Work in Process	\$ 7,933	\$ 765	\$ 7,168	90.4%
Construction in Progress	20,922	10,931	9,991	47.8%
Total Capital	\$ 28,856	\$ 11,696	\$ 17,159	59.5%
Total Expenses	\$ 160,219	\$ 112,964	\$ 47,255	29.5%

**Revenues - (under) / over*

**Expenses - under / (over)*

Fund Level Financial Schedules
Orange County Transit District Fund
Revenues and Expenses

In Thousands

Description	Budget	Actual	Variance	%
Farebox Revenue	\$ 40,323	\$ 36,483	\$ (3,840)	-9.5%
Federal Operating Grants	2,101	706	(1,395)	-66.4%
Interest Income	5,727	4,982	(746)	-13.0%
Insurance Recoveries	179	(124)	(303)	-169.3%
Taxes/Fees	6,864	6,731	(133)	-1.9%
Advertising Revenue	3,270	3,254	(16)	-0.5%
Rental Income	338	463	125	36.9%
Other Financial Assistance	18,871	19,949	1,078	5.7%
Federal Capital Grants	3,715	44,412	40,697	1095.4%
Total Revenues	\$ 81,388	\$ 116,854	\$ (35,466)	-43.6%
Pensions	\$ 12,590	\$ 13,045	\$ (455)	-3.6%
Insurances	1,210	1,361	(151)	-12.5%
Other Benefits	2,491	2,494	(3)	(0)
Compensated Absences	6,787	6,609	178	2.6%
Extra Help Employees	888	553	335	37.7%
Health Care	11,885	11,373	513	4.3%
Salaries-Regular Employees	56,938	54,898	2,040	3.6%
Total Salaries and Benefits	\$ 92,789	\$ 90,332	\$ 2,457	2.6%
Contract Transportation	\$ 22,628	\$ 24,303	\$ (1,675)	-7.4%
Contributions to Other Agencies	134	943	(810)	-605.9%
Maintenance Expense	6,992	7,215	(223)	-3.2%
Insurance Claim Expense	-	3	(3)	100.0%
Debt Service	32	0	32	99.4%
Other Materials and Supplies	1,140	1,080	60	5.3%
Leases	628	548	80	12.8%
Miscellaneous Expense	272	189	82	30.3%
Advertising Fees	140	56	84	59.7%
Office Expense	767	611	156	20.4%
Utilities	1,327	1,138	189	14.2%
Travel, Training, and Mileage	705	429	276	39.1%
Tires and Tubes	1,718	1,188	530	30.8%
Professional Services	3,633	2,585	1,049	28.9%
Outside Services	9,735	8,393	1,342	13.8%
Fuels and Lubricants	14,127	11,811	2,316	16.4%
Total Services and Supplies	\$ 63,978	\$ 60,493	\$ 3,485	5.4%
Capital Expense-Locally Funded	\$ 8,056	\$ 3,515	\$ 4,541	56.4%
Total Capital	\$ 8,056	\$ 3,515	\$ 4,541	56.4%
Total Expenses	\$ 164,823	\$ 154,340	\$ 10,483	6.4%

*Revenues - (under) / over

*Expenses - under / (over)

Fund Level Financial Schedules

91 Express Lanes Fund Revenues and Expenses

In Thousands

Description	Budget	Actual	Variance	%
Toll Road Revenue	\$ 30,023	\$ 28,505	\$ (1,518)	-5.1%
Insurance Recovery	40	77	37	92.3%
Interest Income	2,211	2,788	577	26.1%
Miscellaneous Toll Road Revenue	5,768	6,515	747	13.0%
Total Revenues	\$ 38,042	\$ 37,885	\$ (157)	-0.4%
Miscellaneous Expense	\$ 132	\$ 432	\$ (300)	-227.0%
Equipment/Structure	8	2	6	73.4%
Leases	309	292	17	5.6%
Travel, Training, and Mileage	20	2	18	92.2%
Utilities	103	11	93	89.7%
Advertising Fees	190	85	104	55.0%
Debt Service	8,729	8,585	144	1.7%
Contract Transportation	4,566	4,342	224	4.9%
Office Expense	466	95	371	79.6%
Outside Services	1,659	1,080	579	34.9%
Insurance Claims Expense	875	296	579	66.2%
Professional Services	4,148	2,517	1,630	39.3%
Total Services and Supplies	\$ 21,204	\$ 17,738	\$ 3,466	16.3%
Capital Expense-Locally Funded	\$ 4,668	\$ 595	\$ 4,072	87.2%
Total Capital	\$ 4,668	\$ 595	\$ 4,072	87.2%
Total Expenses	\$ 25,872	\$ 18,334	\$ 7,538	29.1%

*Revenues - (under) / over

*Expenses - under / (over)

Fund Level Financial Schedules

Internal Service Funds Revenues and Expenses

In Thousands

Description	Budget	Actual	Variance	%
Interest Income	\$ 2,070	\$ 2,328	\$ 258	12.5%
Insurance Recoveries	225	540	315	139.9%
Total Revenues	<u>\$ 2,295</u>	<u>\$ 2,868</u>	<u>\$ 573</u>	<u>24.9%</u>
Miscellaneous Expense	\$ 2	\$ 2	\$ 0	8.4%
Outside Services	191	109	81	42.7%
Professional Services	1,163	292	871	74.9%
Insurance Claims Expense	10,078	4,782	5,296	52.6%
Total Services and Supplies Expenses	<u>\$ 11,434</u>	<u>\$ 5,276</u>	<u>\$ 6,158</u>	<u>53.9%</u>

*Revenues - (under) / over

*Expenses - under / (over)



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors

From: Wendy Knowles, Clerk of the Board

Subject: Approval to Release Request for Proposals for On-Call Traffic Engineering Services

Highways Committee Meeting of June 16, 2008

Present: Directors Dixon, Green, Mansoor, Norby, Pringle, and Rosen

Absent: Directors Amante, Cavecche, and Glaab

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

- A. Approve the proposed evaluation criteria and weightings.
- B. Approve the release of Request for Proposals 8-0612 for on-call traffic engineering services.



June 16, 2008

To: Highways Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Approval to Release Request for Proposals for On-Call Traffic Engineering Services

Overview

Consultant traffic engineering services are needed to support the Proposition 1B Traffic Light Synchronization Program. This program will provide funding to implement signal synchronization on over 150 miles of Orange County streets over the next three fiscal years. Orange County Transportation Authority staff has developed a draft request for proposals to initiate the procurement process to retain consultants to provide on-call traffic engineering services to support the program.

Recommendations

- A. Approve the proposed evaluation criteria and weightings.
- B. Approve the release of Request for Proposals 8-0612 for on-call traffic engineering services.

Background

The Orange County Transportation Authority (OCTA) is seeking proposals from qualified consultant firms to perform traffic engineering services through an on-call contract. These firms will support the traffic engineering needs of OCTA to implement signal synchronization as part of the Proposition 1B Traffic Light Synchronization Program (TLSP). This comprehensive countywide signal synchronization program targets time-based synchronization of 533 signalized intersections along ten regionally significant corridors throughout Orange County. The program of projects is a means to improve traffic flow and optimize travel on high volume regional arterials spanning 158 miles.

Additionally, OCTA is awarding a contract for consultant services in June 2008 for the Traffic Signal Synchronization Master Plan (TSSMP). The one-year

contract will develop a comprehensive plan for cooperative operations and maintenance of traffic signal coordination and synchronization that all 35 public agencies in Orange County must agree on and adhere to. The TSSMP will provide results that will affect and control the direction of design, operation, and maintenance of the countywide signal system. This includes the ten corridors of the TLSP and the two previously synchronized demonstration corridors of Euclid Street and Oso Parkway/Pacific Park Drive, respectively. In particular, the TSSMP will address the goals of providing regional benefits and return on investments of Renewed Measure M funds. The master planning effort and the implementation of the TLSP will be running concurrently, interacting with each other during the fiscal year 2008-09. The TSSMP final report should be completed and approved in fall of 2009.

The proposed TLSP program includes the following corridors:

Arterial	Limits
Alicia Parkway	Santa Margarita Parkway to Crown Valley Parkway
Beach Boulevard	Whittier Boulevard to Pacific Coast Highway
Brookhurst Street	Orangethorpe Avenue to Pacific Coast Highway
Chapman Avenue	Hewes Street to Bolsa Chica Road
Irvine Center Drive/Moulton Parkway/Golden Lantern	Costa Mesa Freeway (State Route 55) to Del Prado Avenue
Katella Avenue	Santiago Boulevard to Orange County Border
La Palma Avenue	Weir Canyon Road to Orange County Border
Orangethorpe Avenue	Yorba Linda Boulevard to Orange County Border
Valley View Street	Orange County Border to Warner Avenue
Yorba Linda Boulevard	Oak Canyon Drive to State College Boulevard

Discussion

Traffic engineering consultant support services are required to deliver signal synchronization as part of the TLSP. Staff has determined that it is more cost-effective to outsource these services than to provide for them with in-house employees. The contracts awarded under the procurement will provide OCTA with the flexibility of engaging multiple firms to deliver the TLSP. Under the contracts, project assignments will be initiated through contract task orders (CTOs). Each contract will be awarded for an initial three-year term, with provisions for up to one additional one-year option term.

On April 23, 2007, OCTA's Board of Directors (Board) approved procurement procedures and policies requiring the Board to approve all requests for proposals (RFP) over \$1,000,000, as well as approve the evaluation criteria and weightings. Staff is submitting for Board approval the attached draft RFP and the evaluation criteria and weights, which will be used to evaluate proposals received in response to the RFP. The evaluation criteria and weights are as follows:

- Qualifications of the Firm 40 percent
- Staffing and Project Organization 35 percent
- Work Plan 25 percent

The evaluation criteria are consistent with other criteria developed for architectural/engineering (A&E) procurements. In developing the criteria weights, several factors were considered. OCTA staff assigned the greatest importance to qualifications of the firm, as the firm's versatility and capacity are most critical to the successful performance of an on-call multiple assignment contract. OCTA staff assigned the next level of importance to staffing and project organization, as the qualifications of key personnel and the general organization of all firm resources are vital to provide the services. The third level of importance was given to the work plan, outlining the firm's technical approach to management of signal synchronization projects.

As this is an A&E procurement, price is not an evaluation criterion pursuant to state and federal law.

Fiscal Impact

The expenses associated with this contract are included in OCTA's proposed Fiscal Year 2008-09 Budget, Development Division, Account 0010-7519-R5070-P33, and is funded through the Local Transportation Authority. It is anticipated that additional funding will be available for each of the following two fiscal years (2009-10 and 2010-11), for a total amount of \$8,000,000.

Summary

It is requested that the Board approve the draft RFP and evaluation criteria and weightings to evaluate proposals received in response to the RFP for on-call traffic engineering services in support of signal synchronization as part of the TLSP.

Attachment

- A. Request for Proposals (RFP) 8-0612 for On-Call Traffic Engineering Services

Prepared by:



Anup Kulkarni
Section Manager
Development/Traffic Operations
(714) 560-5867

Approved by:



Kia Mortazavi
Executive Director, Development
(714) 560-5741

REQUEST FOR PROPOSALS (RFP) 8-0612

On-Call Traffic Engineering Services



**ORANGE COUNTY TRANSPORTATION AUTHORITY
550 South Main Street
P.O. Box 14184
Orange, CA 92863-1584**

Key RFP Dates

Issued:	June 23, 2008
Pre-Proposal Conference:	July 1, 2008
Written Questions:	July 7, 2008
Proposal Due:	July 23, 2008
Interview Date:	August 26, 2008

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June 23, 2008

**SUBJECT: NOTICE OF REQUEST FOR PROPOSALS
RFP 8-0612: "On-Call Traffic Engineering Services"**

Gentlemen/Ladies:

The Orange County Transportation Authority ("Authority") invites proposals from qualified consultants to provide on-call traffic engineering services.

Proposals must be received in the Orange County Transportation Authority's office at or before 2:00 p.m. on July 23, 2008.

Proposals delivered in person or by means other than the U.S. Postal Service shall be submitted to the following:

**Orange County Transportation Authority
Contracts Administration and Materials Management
600 South Main Street, 4th Floor
Orange, California 92868
Attention: Robert P. Sechler, Senior Contract Administrator**

Proposals delivered using the U.S. Postal Service shall be addressed as follows:

**Orange County Transportation Authority
Contracts Administration and Materials Management
P.O. Box 14184
Orange, California 92863-1584
Attention: Robert P. Sechler, Senior Contract Administrator**

Proposals, and amendments to proposals, received after the date and time specified above will be returned to the Offerors unopened.

Firms interested in obtaining a copy of this Request for Proposals (RFP) 8-0612 may do so by faxing their request to (714) 560-5792, or e-mailing to rfp_ifb_Requests@octa.net or calling (714) 560-5922. Please include the following information:

- Name of Firm
- Address
- Contact Person
- Telephone and Facsimile Number
- Request for Proposal (RFP) 8-0612

BOARD OF DIRECTORS

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*Cindy Quon
Governor's
Ex-Officio Member*

CHIEF EXECUTIVE OFFICE

*Arthur T. Leahy
Chief Executive Officer*

All firms interested in doing business with the Authority are required to register their business on-line at CAMMNet, the Authority's interactive website. The website can be found at *www.octa.net*. From the site menu, click on CAMMNet to register.

To receive all further information regarding this RFP 8-0612, firms must be registered on CAMMNet with at least one of the following commodity codes for this solicitation selected as part of the vendor's on-line registration profile:

<u>Category(s):</u>	<u>Commodity(s):</u>
Professional Services	Engineering – Civil
Professional Services	Engineering – Traffic

A Pre-proposal Conference will be held on **July 1, 2008 at 1:30** at the Authority's Administrative Office, 600 South Main Street, Orange, California, in Conference Room 829. All prospective Offerors are encouraged to attend the Pre-Proposal Conference.

Offerors are asked to submit written statements of technical qualifications and describe in detail their work plan for completing the work specified in the Request for Proposal. **No cost proposal or estimate of work hours is to be included in this phase of the RFP process.**

The Authority has established **August 26, 2008** as the date to conduct interviews of offerors which have been shortlisted based upon their written proposals. All prospective Offerors are asked to keep this date available.

Offerors are encouraged to subcontract with small businesses to the maximum extent possible.

The Offeror will be required to comply with all applicable equal opportunity laws and regulations.

The award of this contract is subject to receipt of federal, state and/or local funds adequate to carry out the provisions of the proposed agreement including the identified Scope of Work.

Sincerely,

Robert P. Sechler
Senior Contract Administrator
Contracts Administration and Materials Management

SECTION I
INSTRUCTIONS TO OFFERORS

SECTION I. INSTRUCTIONS TO OFFERORS

A. PRE-PROPOSAL CONFERENCE

A Pre-Proposal Conference will be held on July 1, 2008 at 1:30 p.m. at the Authority's Administrative Office, 600 South Main Street, Orange, California, in Conference Room 829. All prospective Offerors are strongly encouraged to attend the Pre-Proposal Conference.

B. EXAMINATION OF PROPOSAL DOCUMENTS

By submitting a proposal, Offeror represents that it has thoroughly examined and become familiar with the work required under this RFP and that it is capable of performing quality work to achieve the Authority's objectives.

C. ADDENDA

Any Authority changes to the requirements will be made by written addendum to this RFP. Any written addenda issued pertaining to this RFP shall be incorporated into the terms and conditions of any resulting Agreement. The Authority will not be bound to any modifications to or deviations from the requirements set forth in this RFP as the result of oral instructions. Offerors shall acknowledge receipt of addenda in their proposals.

D. AUTHORITY CONTACT

All questions and/or contacts with Authority staff regarding this RFP are to be directed to the following individual:

Robert P. Sechler, Senior Contract Administrator
Contracts Administration and Materials Management Department
600 South Main Street, P.O. Box 14184
Orange, CA 92863-1584
Phone: 714.560.5668, Fax: 714.560.5792, or E-Mail: rsechler@octa.net

E. CLARIFICATIONS

1. Examination of Documents

Should an Offeror require clarifications of this RFP, the Offeror shall notify the Authority in writing in accordance with Section E.2 below. Should it be found that the point in question is not clearly and fully set forth, the Authority will issue a written addendum clarifying the matter which will be sent to all firms registered on CAMMNet under the commodity codes specified in this RFP.

2. Submitting Requests

- a. All questions, including questions that could not be specifically answered at the Pre-Proposal Conference must be put in writing and must be received by the Authority no later than 2:00 p.m., July 7, 2008.
- b. Requests for clarifications, questions and comments must be clearly labeled, "Written Questions". The Authority is not responsible for failure to respond to a request that has not been labeled as such.
- c. Any of the following methods of delivering written questions are acceptable as long as the questions are received no later than the date and time specified above:
 - (1) U.S. Mail: Orange County Transportation Authority, 550 South Main Street, P.O. Box 14184, Orange, California 92863-1584.
 - (2) Personal Courier: Contracts Administration and Materials Management Department, 600 South Main Street, 4th Floor, Orange, California.
 - (3) Facsimile: The Authority's fax number is (714) 560-5792.
 - (4) E-Mail: Robert P. Sechler, Senior Contract Administrator, e-mail address is rsechler@octa.net.

3. Authority Responses

Responses from the Authority will be posted on CAMM NET, the Authority's interactive website, no later than July 14, 2008. Offerors may download responses from CAMM NET at www.octa.net/cammnet, or request responses be sent via U.S. Mail by e-mailing or faxing the request to Robert P. Sechler, Senior Contract Administrator.

To receive e-mail notification of Authority responses when they are posted on CAMM NET, firms must be registered on CAMM NET with at least one of the following commodity codes for this solicitation selected as part of the vendor's on-line registration profile:

<u>Category(s):</u>	<u>Commodity(s):</u>
Professional Services	Engineering – Civil
Professional Services	Engineering – Traffic

Inquiries received after 4:00 p.m. on July 7, 2008, will not be responded to.

F. SUBMISSION OF PROPOSALS

1. Date and Time

Proposals must be received in the Orange County Transportation Authority's office at or before 2:00 p.m. on July 23, 2008.

Proposals received after the above specified date and time will not be accepted by the Authority and will be returned to the Offeror unopened.

2. Address

Proposals delivered in person or by a means other than the U.S. Postal Service shall be submitted to the following:

**Orange County Transportation Authority
Contracts Administration and Materials Management
600 South Main Street, 4th Floor
Orange, California 92868
Attention: Robert P. Sechler, Senior Contract Administrator**

Proposals delivered using the U.S. Postal Services shall be addressed as follows:

**Orange County Transportation Authority
Contracts Administration and Materials Management
P.O. Box 14184
Orange, California 92863-1584
Attention: Robert P. Sechler, Senior Contract Administrator**

Firms must obtain a visitor badge from the Receptionist in the lobby of the 600 Building before delivering any information to the CAMM Department.

3. Identification of Proposals

Offeror shall submit an **original and 7 copies** of its proposal in a sealed package, addressed as shown above, bearing the Offeror's name and address and clearly marked as follows:

"RFP 8-0612: Traffic Engineering Services"

4. Acceptance of Proposals

- a. The Authority reserves the right to accept or reject any and all proposals, or any item or part thereof, or to waive any informalities or irregularities in proposals.

- b. The Authority reserves the right to withdraw or cancel this RFP at any time without prior notice, and the Authority makes no representations that any contract will be awarded to any Offeror responding to this RFP.
- c. The Authority reserves the right to postpone proposal openings for its own convenience.
- d. Proposals received by the Authority are public information and must be made available to any person upon request.
- e. Submitted proposals are not to be copyrighted.

G. PRE-CONTRACTUAL EXPENSES

The Authority shall not, in any event, be liable for any pre-contractual expenses incurred by Offeror in the preparation of its proposal. Offeror shall not include any such expenses as part of its proposal.

Pre-contractual expenses are defined as expenses incurred by Offeror in:

- 1. Preparing its proposal in response to this RFP;
- 2. Submitting that proposal to the Authority;
- 3. Negotiating with the Authority any matter related to this proposal; or
- 4. Any other expenses incurred by Offeror prior to date of award, if any, of the Agreement.

H. JOINT OFFERS

Where two or more Offerors desire to submit a single proposal in response to this RFP, they should do so on a prime-subcontractor basis rather than as a joint venture. The Authority intends to contract with a single firm and not with multiple firms doing business as a joint venture.

I. TAXES

Offerors' proposals are subject to State and Local sales taxes. However, the Authority is exempt from the payment of Federal Excise and Transportation Taxes.

J. PROTEST PROCEDURES

The Authority has on file a set of written protest procedures applicable to this solicitation that may be obtained by contacting the Contract Administrator responsible for this procurement. Any protests filed by an Offeror in connection with this RFP must be submitted in accordance with the Authority's written procedures.

K. CONTRACT TYPE

The proposed Agreement is shown in Section V. The contract term will be two (2) initial years, plus up to two (2) option years, for a total of four (4) years. The Authority intends to award multiple contracts from this solicitation. Services will be performed under separate Contract Task Orders (CTO's) issued following contract award. Within the general Scope of Work shown in Section IV the Authority will, on a rotating basis among the awarded contracts, request CTO proposals for individual task work scopes. CTO's will be issued based upon the proposals and any subsequent revisions. CTO's will be priced on a firm fixed price basis and paid as a lump sum upon task completion, or by progress payments for partial completion.

SECTION II
PROPOSAL CONTENT

SECTION II. PROPOSAL CONTENT

A. PROPOSAL FORMAT AND CONTENT

1. Presentation

Proposals shall be type written, with 12 point font, double spaced and submitted on 8 1/2 x 11" size paper, using a single method of fastening. Charts and schedules may be included in 11" x 17" format. Offers should not include any unnecessarily elaborate or promotional material. Lengthy narrative is discouraged, and presentations should be brief and concise. Proposals should not exceed fifty (50) pages in length, excluding any appendices.

2. Letter of Transmittal

The Letter of Transmittal shall be addressed to Robert P. Sechler, Senior Contract Administrator, and must, at a minimum, contain the following:

- a. Identification of Offeror that will have contractual responsibility with the Authority. Identification shall include legal name of company, corporate address, telephone and fax number. Include name, title, address, and telephone number of the contact person identified during period of proposal evaluation.
- b. Identification of all proposed subcontractors including legal name of company, contact persons name and address, phone number and fax number. Relationship between Offeror and subcontractors, if applicable.
- c. Acknowledgment of receipt of all RFP addenda, if any.
- d. A statement to the effect that the proposal shall remain valid for a period of not less than 180 days from the date of submittal.
- e. Signature of a person authorized to bind Offeror to the terms of the proposal.
- f. Signed statement attesting that all information submitted with the proposal is true and correct.

3. Technical Proposal

a. Qualifications, Related Experience and References of Offeror

This section of the proposal should establish the ability of Offeror to satisfactorily perform the required work by reasons of: experience

in performing work of the same or similar nature; Demonstrated experience working with local agencies and cities directly involved in this project; strength and stability of the Offeror; staffing capability; work load; record of meeting schedules on similar projects; and supportive client references. Equal weighting will be given to firms for past experience performing work of a similar nature whether with the Authority or elsewhere.

The Offeror shall:

- (1) Provide a brief profile of the firm, including the types of services offered; the year founded; form of the organization (corporation, partnership, sole proprietorship); number, size and location of offices; number of employees.
- (2) Provide a general description of the firm's financial condition, identify any conditions (e.g., bankruptcy, pending litigation, planned office closures, impending merger) that may impede Offeror's ability to complete the project. The Authority does not have a policy for debarment or disqualifying firms.
- (3) Describe the firm's experience in performing work of a similar nature to that solicited in this RFP, and highlight the participation in such work by the key personnel proposed for assignment to this project.
- (4) Describe experience in working with the various agencies that may have jurisdiction over the approval of the work specified in this RFP. Please include specialized experience and professional competence in areas directly related to this RFP.
- (5) Provide a list of past joint work by the Offeror and each subcontractor, if applicable. The list should clearly identify the project and provide a summary of the roles and responsibilities of each party.
- (6) A minimum of three (3) references should be given. Furnish the name, title, address and telephone number of the person(s) at the client organization who is most knowledgeable about the work performed. Offeror may also supply references from other work not cited in this section as related experience.

b. **Proposed Staffing and Project Organization**

This section of the proposal should establish the method that will be used by the Offeror to manage the project as well as identify key personnel assigned.

The Offeror shall:

- (1) Provide education, experience and applicable professional credentials of project staff. A current California licensed Professional Engineer is a requirement for project staff.
- (2) Furnish brief resumes (not more than two [2] pages each) for the proposed Project Manager and other key personnel.
- (3) Identify key personnel proposed to perform the work in the specified tasks and include major areas of subcontract work. Include the person's name, current location, proposed position for this project, current assignment, level of commitment to that assignment, availability for this assignment and how long each person has been with the firm.
- (4) Include a project organization chart that clearly delineates communication/reporting relationships among the project staff, including subcontractors.
- (5) Include a statement that key personnel will be available to the extent proposed for the duration of the project, acknowledging that no person designated as "key" to the project shall be removed or replaced without the prior written concurrence of the Authority.

c. **Work Plan**

Offeror shall provide a narrative that addresses the Scope of Work and shows Offeror's understanding of Authority's needs and requirements.

The Offeror shall:

- (1) Describe the approach and work plan for completing the tasks specified in the Scope of Work. The work plan shall be of such detail to demonstrate the Offeror's ability to accomplish the project objectives and to meet overall schedule.

- (2) Outline sequentially the activities that would be undertaken in completing the tasks and specify who in the firm would perform them.
- (3) Furnish a project schedule for each task and subtask in terms of elapsed weeks from the project commencement date.
- (4) Identify methods that Offeror will use to ensure quality control as well as budget and schedule control for the project.
- (5) Identify any special issues or problems that are likely to be encountered during this project and how the Offeror would propose to address them.
- (6) Offeror is encouraged to propose enhancements or procedural or technical innovations to the Scope of Work that do not materially deviate from the objectives or required content of the project.

d. Exceptions/Deviations

State any exceptions to or deviations from the requirements of this RFP, segregating "technical" exceptions from "contractual" exceptions. Where Offeror wishes to propose alternative approaches to meeting the Authority's technical or contractual requirements, these should be thoroughly explained. If no contractual exceptions are noted, Offeror will be deemed to have accepted the contract requirements as set forth in Section V. Proposed Agreement.

4. Cost and Price Proposal

Offerors are asked to submit only the technical qualifications as requested in this RFP. **No cost proposal or work hours are to be included in this phase of the RFP process.** Upon completion of the initial evaluations and interviews, if conducted, the highest ranked Offerors will be asked to submit detailed cost proposals, and negotiations will commence based on both the cost and technical proposals.

5. Appendices

Information considered by Offeror to be pertinent to this project and which has not been specifically solicited in any of the aforementioned sections may be placed in a separate appendix section. Offerors should not submit large amounts of extraneous materials; appendices should be relevant and brief.

B. FORMS**PARTY AND PARTICIPANT DISCLOSURE FORMS – EXHIBIT A**

In conformance with the statutory requirements of the State of California Government Code Section 84308, part of the Political Reform Act and Title 2, California Code of Regulations 18438 through 18438.8, regarding campaign contributions to members of appointed Boards of Directors, Offeror is required to complete and sign the Party and Participant Disclosure Forms provided in Exhibit A of this RFP and submit as part of the proposal. Offeror is required to submit only **one** copy of the completed form(s) as part of its proposal and it should be included in only the **original** proposal. The prime contractor and subcontractors must complete the form entitled "Party Disclosure Form". Lobbyists or agents representing the prime contractor in this procurement must complete the form entitled "Participant Disclosure Form". Reporting of campaign contributions is a requirement from the proposed submittal date up and until the Authority's Board of Directors takes action. Reporting of campaign contributions is a requirement from the proposed submittal date up and until the Authority's Board of Directors take action, which is anticipated to be January 14, 2008.

STATUS OF PAST AND PRESENT CONTRACTS FORM – EXHIBIT B

Offeror is required to complete and sign the form entitled "Status of Past and Present Contracts" provided in this RFP and submit as part of the proposal. Offeror shall list the status of past and present contracts where the firm has either provided services as a prime contractor or a subcontractor during the past five (5) years and the contract has ended or will end in a termination, settlement, or litigation. A separate form must be completed for each contract. Offeror shall provide a current contact name and telephone number for each contract and indicated the term of the contract and the original contract value. If the contract was terminated, Offeror must list the reason for termination. Offeror must identify and state the status of any litigation, claims or settlement agreements related to any of the contracts. Each form must be signed by the Offeror confirming that the information provided is true and accurate. Offeror is required to submit only **one** copy of the completed form(s) as part of its proposal and it should be included in only the **original** proposal.

SECTION III
EVALUATION AND AWARD

SECTION III. EVALUATION AND AWARD

A. EVALUATION CRITERIA

The Authority will evaluate the proposals received based on the following criteria and weights:

1. **Qualifications of the Firm** **40 %**
 Technical experience in performing work of a closely similar nature; experience working with public agencies; strength and stability of the firm; strength, stability, experience and technical competence of subcontractors; assessment by client references.

2. **Qualifications of Staff** **35 %**
 Qualifications of "Key personnel", especially the Project Manager, including their relevant past experience. Key personnel's level of involvement in performing related work cited in "Qualifications of the Firm" section; adequacy of labor commitment; references from past projects; logic of project organization; concurrence in the restrictions on changes in key personnel; and licensed Project Engineer.

3. **Work Plan for Assignments** **25%**
 Depth of Offeror's understanding of Authority's requirements and overall quality of work plan; logic, clarity and specificity of work plan; appropriateness of labor distribution among the tasks; ability to meet the project deadline; reasonableness of proposed schedule; utility of suggested technical or procedural innovations.

B. EVALUATION PROCEDURE

An Evaluation Committee will be appointed to review all proposals received. The committee is comprised of Authority staff and may include outside personnel. The committee members will evaluate the written proposals. Each member of the Evaluation Committee will then evaluate each proposal using the criteria identified in Section III. A. to arrive at a "proposal score" for each proposal. Based on the proposal scores, a list of Offerors within a competitive range will be developed based upon the totals of each committee member's score for each proposal.

The Authority has established **August 26, 2008** as the date to conduct interviews. All prospective Offerors will be asked to keep this date available. No other interview dates will be provided, therefore, if an Offeror is unable to attend the interview on this date, its proposal may be eliminated from further consideration. The interview may consist of a short presentation by the Offeror

after which the evaluation committee will ask questions related to the Offeror's proposal and qualifications.

At the conclusion of the evaluation process, the evaluation committee will rank proposals and will recommend the highest ranking Offeror(s) to the appropriate Board Committee. The Board Committee(s) will review the evaluation committee's recommendation and forward its recommendation to the Board of Directors for final action.

C. AWARD

In conjunction with its action of selecting a firm, the Authority's Board of Directors will authorize staff to request a cost proposal from the selected Offeror(s) and to negotiate a contract price and other terms and conditions. The Board will also grant staff the ability to terminate negotiations with selected Offeror(s) if no satisfactory agreement can be reached and to begin negotiations with the next highest-ranked Offeror until a satisfactory agreement has been achieved. The selected Offeror(s) may be asked to submit a Best and Final Offer (BAFO). In the BAFO request, the Offeror(s) may be asked to provide additional information, confirm or clarify issues and submit a final cost/price offer. A deadline for submission of the BAFO will be stipulated.

The Authority reserves the right to award its total requirements to one Offeror or to apportion those requirements among several Offerors as the Authority may deem to be in its best interest. In addition, negotiations may or may not be conducted with Offerors; therefore, the proposal submitted should contain Offeror's most favorable terms and conditions, since the selection and award may be made without discussion with any Offeror. The selected Offeror(s) may be required to submit to an audit of its financial records to confirm its financial stability and its accounting system.

D. NOTIFICATION OF AWARD AND DEBRIEFING

Offerors who submit a proposal in response to this RFP shall be notified regarding the Offeror(s) awarded a contract. Such notification shall be made within three (3) days of the date the contract is awarded.

Offerors who were not awarded the contract may obtain a prompt explanation concerning the strengths and weaknesses of their proposal. Unsuccessful Offerors who wish to be debriefed, must request the debriefing in writing or electronic mail and it must be received by the Authority within three (3) days of notification of the award of contract.

SECTION IV
SCOPE OF WORK

**Orange County Transportation Authority
Scope of Work
On-Call Traffic Engineering Services**

I. INTRODUCTION

The Orange County Transportation Authority (OCTA) is developing a list of pre-qualified engineering (A & E) firms to provide On-call Traffic Engineering Services. The scope of the services will support the traffic engineering needs of OCTA, primarily to implement signal synchronization as part of the OCTA Traffic Light Signal Synchronization Program (TLSP). This comprehensive countywide signal synchronization program targets the synchronization of 533 signalized intersections along ten regionally significant corridors throughout Orange County. The program of projects is a means of improving traffic flow and optimizes travel on high volume, regional arterials spanning 158 miles. The program is consistent with the countywide multi-jurisdictional signal synchronization goals as identified in the *2006 Orange County Signal Synchronization Program Report*. The proposed program includes the following corridors:

ARTERIAL	LIMITS
Alicia Parkway	Santa Margarita Parkway to Crown Valley Parkway
Beach Boulevard	Whittier Boulevard to Pacific Coast Highway
Brookhurst Street	Orangethorpe Avenue to Pacific Coast Highway
Chapman Avenue	Hewes Street to Bolsa Chica Road
Irvine Center Drive/Moulton Parkway/Golden Lantern	Costa Mesa Freeway (SR55) to Del Prado Avenue
Katella Avenue	Santiago Boulevard to Orange County Border
La Palma Avenue	Weir Canyon Road to Orange County Border
Orangethorpe Avenue	Yorba Linda Boulevard to Orange County Border
Valley View Street	Orange County Border to Warner Avenue
Yorba Linda Boulevard	Oak Canyon Drive to State College Boulevard

The contract will be a multiple-award, “on-call” service contract with individual pre-qualified consultants. In order to obtain these services, a Contract Task Order (CTO) by the OCTA contract manager shall be issued on an “as-needed” basis with no guaranteed level of usage. CTOs will be issued to the on-call firms on a rotating or competitive basis as specific project needs arise.

The OCTA is intending to award a three-year contract that would cover Fiscal Years 2008-2009, 2009-2010, and FY 2010-2011. OCTA will require \$8,000,000 million to

complete the signal synchronization projects over the three years. This contract will include a pool dollar amount and CTOs will only be issued for approved annual budgeted amounts. \$3,100,000.00 is anticipated to be allocated through the proposed FY 2008-2009 budget for the TLSP. Additional amounts will be funded in the next two fiscal year budgets pending Board approval.

The Contracted Engineer shall provide assistance to OCTA with various engineering assignments including but not limited to the following categories:

- Signal Synchronization Studies, Analysis, and Review
- Systems Studies, Analysis, Review, Recommended Mitigations
- Miscellaneous - Preliminary and Final Design and Program Management or Project Oversight Services

The majority of the funding will be for signal synchronization related projects as part of the TLSP. However, there may likely be projects in the other, non-signal synchronization related categories.

II. BACKGROUND

OCTA's Regional Modeling and Traffic Operations section employees are currently fully engaged and do not have the capacity to meet the anticipated demand for professional traffic engineering services to complete the TLSP without additional staff resources. This procurement is to provide OCTA the additional staff and technical resources to fully meet the expected workload over the next three years.

III. SERVICES REQUIRED

The scope of work is to provide On-call Traffic Engineering Services for ongoing signal synchronization efforts at OCTA. As part of the TLSP, OCTA will conduct ten (10) multi-jurisdictional signal synchronization projects in Orange County over the next three years. These projects will be similar to the recent signal synchronization demonstration projects that OCTA conducted on Euclid Street and Oso Parkway/Pacific Park Drive, respectively. The TLSP corridors will be synchronized using a combination of isolated time-based signal coordination and system interconnected coordination on a pre-determined time-of-day operation. This synchronization will be combined with selected signal system upgrades including traffic controllers, cabinets, and other enhancements.

As the program will involve multiple jurisdictions, each of whom separately control and maintain their respective traffic signals, the following synchronization strategies are anticipated to be essential in this proposed program's implementation of coordinated traffic signals:

- Use of common time source to synchronize systems clocks time-of-day between each agency's systems.
- Use of common signal system background cycle length when developing optimized coordination traffic signal timings between jurisdictions.
- Implementation of upgraded traffic signal controllers and equipment to integrate field devices with traffic operational centers.
- Development, implementation, and fine-tuning of optimized signal timing parameters based on prevailing traffic patterns. (Plan Selection based on Real Time Traffic Conditions)
- Multi-agency common goal of increasing arterial thru-put capacity with reduced stops and delays.
- Achieving improvements in arterial traffic carrying capacities.
- Co-operation and support from all participating cities.

The following is a description of the typical signal synchronization services that are required as part of the signal synchronization projects:

1. Signal Synchronization

Develop and implement corridor-wide and region-wide signal synchronization plans. Typically, OCTA signal timing projects are multi-agency in nature and require the Consultant to be a consensus builder. An understanding of consensus building on the part of the Consultant will require one or more of the following tasks:

a. Project Management

Management of large signal synchronization projects, including day-to-day project management, meetings, progress reports, tracking of schedules, invoicing, and overall administration of the project.

b. Data Collection

The Consultant shall collect the following data necessary to thoroughly understand existing traffic conditions for the corridor and be able to develop optimal time-of-day traffic signal coordination plans, as applicable.

- From the involved agencies, the Consultant shall collect existing timing sheets, existing coordination plans, traffic as-built drawings, aerial photos, maps, traffic collision data as available, including collision diagrams for the analysis of existing intersection conditions and operations. Consultant, if requested by the involved agency, will provide their own staff to review available records/plans and request copies of needed records/plans with a minimum of disruption to the involved agency.
- From the involved agencies, the Consultant shall collect signal timing and signal priority preferences, including, but not limited to, those

related to pedestrian and bicycle timing, left-turn phasing (lead-lag, lag-lag, protected, protected-permissive(PPLT)), and preferred or conditional re-service, as well as the timing optimization software modeling preference.

- The Consultant shall conduct seven-day 24-hour machine counts. Data obtained from Saturday and Sunday counts will determine the necessity of weekend signal timing analysis and implementation.
- The Consultant shall conduct weekday and weekend peak period turning movement counts at all study intersections, including pedestrian and bicycle counts. Weekday counts shall be conducted for two hours of each peak period (AM, mid-day, and PM). If needed, weekend counts shall be conducted for a single four (4) hour mid-day peak period on both Saturday and Sunday. For intersections with more than two through lanes in any of the approaches, a minimum of two count technicians per intersection shall be required.
- All count data for each location shall be provided to OCTA in one of the two following digital formats: 1) NDS/Southland Car Counters style Excel spreadsheet; or 2) JAMAR comma separated value style text file. Examples of these count data file formats are provided in Appendix A, attached hereto. Any count data provided to OCTA shall be consistent with one of these two formats. The data shall then be able to be loaded into the OCTA ROADS database. Any data files containing numeric intersection or node identifiers shall use the same node ID numbers as those stored in the ROADS database. OCTA can provide a listing of intersections and corresponding unique node ID numbers. Each count data file shall adhere to the following file naming convention: *Agency_SouthBoundStreetName-EastBoundStreetName_RoadsID.xls* or *CSV*. As an example, a turning movement count file for the intersection of Harbor Blvd and Wilson St in Costa Mesa would be given the filename *CostaMesa_Harbor-Wilson_4534.csv*. Copies of the raw data count sheets shall be provided to each involved agency.
- All traffic signal synchronization data collected and compiled by the Consultant for both existing (before) and optimized (after) conditions shall be provided to OCTA in Synchro version 7 UTDF format. This data shall include the network, node, link, lane, volume, timing, and phase data for all coordinated times. All such data shall be consistent with the OCTA ROADS database. The Consultant shall work with OCTA to identify any needed updates to the ROADS or project data to ensure full compatibility.

c. Field Review

The Consultant shall review the geometric layout, verify and/or inventory existing traffic signal control and telemetry/ITS equipment, and identify any deficiencies for each intersection or road segment along each of the corridors. The review shall include an assessment of the existing intersection lane geometry, link lane geometries (add-drop), traffic conditions, and traffic signal or ITS/telemetry control equipment along the corridor and at each intersection. Techniques utilized shall include but not be limited to visual inspection, available as-built plans, agency consultation, and agency provided aerial photos. Upon permission from the controlling local agency, Consultant will inspect and inventory the interior of each traffic controller assembly and ITS/telemetry cabinets, identify and report deficiencies to the agency and the OCTA respective operations staff, and make recommendations for equipment upgrades.

Consultant shall also include an identification of all planned and programmed improvements (widening projects, intersection improvements, etc.) on the study corridor. The identification of these projects shall at least include a list, summarizing all improvements. Key components of the corridor review shall include the following:

- Existing Corridor/street and lane geometries including lane widths and configurations, curb to curb distances, and median dimensions, if any;
- Upcoming improvements to the corridor (i.e. construction and/or delineation modifications);
- Traffic signal control and telemetry device information, such as type of device, manufacturer and condition, provide visual documentation;
- Existing signal operation characteristics – signal phasing and rotation (lead-lead, lead-lag, lag-lag, protected vs. protected/permissive (PPLT)), cycle lengths, etc.;
- Existing time source equipment and Master zero (T_0) time reference setup;
- Special characteristics such as proximity to adjacent intersections, location of schools, bus stops, driveways, parking prohibitions, unusual traffic generating conditions, and other factors that may impact the efficiency of operation at each intersection;

Consultant shall note factors that impact or affect signal progression including, but not limited to: intersections with high pedestrian or bicyclist volumes; over-saturated intersections; closely spaced signalized intersections, uneven lane distribution; high volume percentage of trucks and/or buses; existence (Y/N) of turn-outs at bus stops, high side street volumes at intersecting un-signalized locations, interchanges, and parking maneuvers.

Consultant shall identify any deficiencies of the existing traffic signal control equipment and geometric layout, and provide recommendations towards simple, low-cost solutions that may be implemented to correct such deficiencies.

Consultant shall prepare and submit a report summarizing the findings of the field review.

d. Corridor 'Before' Study

The Consultant shall conduct a 'Before' field study report representative of the times and days for which synchronization plans will be developed. The report shall identify Measures of Effectiveness (MOE) to evaluate the effects of the synchronization plans. MOE's will likely include traffic flow, travel time, average speed, stops, fuel consumption reduction, pollution reduction, and other pertinent items. The identified MOE's shall be compiled for the corridor using the floating car method (for instance, GPS interfaced TS-PP/Draft runs) and from Synchro 7.0. For the 'Before' field study, a minimum of five (5) floating car 'runs' shall be conducted in each direction and during all periods in which synchronization plans shall be developed.

The report shall address optimization strategies for improved signal synchronization, specifically focusing on how the corridor: should be operated, end-to-end or in coordinated subsystems, zones or segments. Ideally, the analysis should include the floating car data and data collected as part of Task 2. However, draft versions of the report may include previously collected traffic, travel time, or other data available. The evaluation report shall provide a very clear and accurate understanding of traffic patterns on the corridor throughout all times of the day and week.

The Consultant shall prepare a brief memorandum and present the findings to the Board outlining the findings of the 'Before' field study. The Consultant shall finalize the memorandum based on comments received from the AUTHORITY Project Manager and other involved agencies

e. Signal Timing Optimization and Implementation

The Consultant shall work with the AUTHORITY to develop a model of the study area and calibrate the model based on field observations of existing conditions. Signal synchronization optimization shall be conducted in Synchro 7.0. In addition, optimization may be augmented with TS-PP/Draft version 7.0. The Consultant shall calibrate the model based on travel time, delay studies, field observations of queue lengths, and saturation flows for heavy movements at key intersections.

The Consultant shall develop an operational microscopic model within SimTraffic. The operational analysis will be used to understand the effects of planned corridor improvements, fine tune timing plans prior to implementation and to analyze the additional operational improvements as suggested by the Consultant in the Field Review.

The Consultant shall then develop revised optimized signal timings recommending any changes to the signal phasing at each signalized intersection that may improve the efficiency of operations. The recommended signal timing plans shall be reviewed by the AUTHORITY and local agency staff.

The Consultant shall evaluate signal timing and coordination parameters with consideration for the following:

- Optimum intersection cycle length and offset to maximize corridor throughput (bandwidth), harmonic background cycles at minor or major intersections, left-turn phasing rotation as deemed appropriate (except at Protected/Permissive locations, where phasing will be lead-lead or lag-lag only), protected left turn phase re-service, and other such techniques;
- Timing parameters, which fully accommodate pedestrians within the split time. Consultant shall take into consideration the pedestrian timing parameters used by the local agency on a case by case basis;
- Timing parameters which incorporate minimal pedestrian activity to provide the optimum vehicle split and offset timing and accommodate pedestrians using various pedestrian timing adjustment techniques for pedestrian splits during coordination;
- Appropriate cycle lengths consistent with the goals of this effort. Additionally, the Consultant shall recommend time-of-day start and stop intervals for the various timing plans; and,
- The Consultant shall prepare, at minimum, timing plans that consider the following peak periods: AM PEAK, MID-DAY PEAK, PM PEAK and a WEEKEND PEAK. Timing plans should be in both Synchro format and the preferred timing chart format of each local agency.
- The Consultant shall also prepare timing plans for AM PEAK, MID-DAY PEAK, PM PEAK and a WEEKEND PEAK based on the upcoming improvements for the corridor as identified in Task 3. Timing plans should be in Synchro format.

Upon approval of the optimized signal timings by the AUTHORITY, Caltrans, the County and the cities, the Consultant shall implement, or assist local agencies staff in the implementation of, new signal timings either through the central traffic signal system (if available) or direct implementation in the controllers in the field. Consultant shall use existing traffic signal interconnection systems, where they exist, and, because of the inter-

jurisdictional nature of the project, shall implement time-based signal coordination techniques between signalized intersections that are controlled by different agencies, as necessary.

The project may require the Consultant to purchase several traffic signal controller units and/or assemblies. The need for and specifications of this equipment will be determined early in the project by the Consultant. Local agency staff will be financially responsible for inspection and installation services for the equipment. Consultant shall provide on site assistance for turn-on of any new equipment if requested.

As the project will be using time-based signal coordination, the Consultant shall evaluate the current time-referencing of all traffic signal controllers and recommend a corridor-wide strategy (such as WWV or GPS clocks) to ensure that all traffic signal controllers are on synchronized time clocks. Upon approval by the AUTHORITY, Caltrans, County and the cities, the Consultant shall purchase and install, or assist local agency staff, in installing any devices that are part of the time-referencing strategy. This may include devices installed at the agency traffic management center or at intersection traffic signal controller assemblies.

The Consultant shall fine-tune, or assist local agency staff in the fine-tuning of, the new settings and timings. The Consultant shall fine-tune timings in the field and record all changes. Fine-tuning shall be conducted during times and days that are representative of the times and days for which coordination plans were developed.

f. Corridor 'After' Study

The Consultant shall conduct an 'After' field study representative of the times and days for which synchronization plans will be developed. The 'After' study must be conducted in the same manner and contain the same MOE's as the 'Before' study in order to evaluate the improvements of the synchronization plans. MOE's should be compiled for the optimized corridor using the floating car method (for instance, GPS interfaced TS-PP/Draft runs) and from Synchro 7.0. For the 'After' field study, the same number of floating car 'runs' during the same time periods as was done in the 'Before' field study shall be conducted in each direction.

The Consultant shall prepare a memorandum detailing the results of the signal timing optimization and implementation, time-referencing system and fine tuning components, and comparing the results of the 'Before' and 'After' field study with reference to the specific MOE's. The Consultant shall finalize the memorandum based on comments received from the project sponsor, other involved agencies, and the AUTHORITY Project Manager.

g. Project Report

The Consultant shall prepare a Final Timings and Evaluation Technical Report with an executive summary. The report shall provide complete documentation of the project, including, but not limited to, project objectives, project locations, project scope, findings, recommendations, implementation schedule, improvements accomplished, and procedures for continuing maintenance, surveillance, and evaluation of the coordinated signal system, work performed, data collected: 'before' and 'after' studies and project benefits achieved in terms of fuel savings, travel timing, travel time, and other measurable parameters. The report shall document all planned and programmed improvements on the study corridor as well as recommendations for further infrastructure improvements that would likely improve the corridor signal coordination project results. The consultant shall submit present the final report and results of the project to the Board and any city councils as requested.

The report shall include for each intersection the lane configurations; signal phasing, turning movement data, and cycle lengths for existing and proposed timings for all peak periods. In addition, in a separate binder, all the traffic signal phase sequences, signal timing plans, and pedestrian timings shall be documented. Finally, the report shall provide recommendations with cost and benefit estimates for future improvements to traffic signal infrastructure (signal controllers, vehicle detection, communications, etc.), intersection capacity (appropriate signal phasing, lane geometrics, and alleviation of physical bottlenecks that curtail arterial capacity), and traffic management strategies. These proposed improvements are beyond the scope of this demonstration project but should be useful in determining future enhancements to the corridor.

h. Continuing Signal Timing Support

The Consultant shall provide continuing signal timing support to monitor, observe, fine-tune, and optimize the signal timing and phasing operations of all the intersections for a period of nine (9) months upon completion of the implementation. During this period, the Consultant shall proactively survey the corridor on a weekly basis, observe the traffic, and fine-tune (or recommend fine-tuning) the signal timing based on the survey.

2. Miscellaneous

Miscellaneous tasks may be requested on a number of occasions. Example tasks include:

- a. The Consultant may provide project management oversight for the overall Regional Signal Synchronization Program or any of the individual signal synchronization projects that are a part of the Program
- b. Research on current practices and industry standards on traffic engineering issues and policies (such as truck parking/weight restrictions, street light illumination standards, neighborhood traffic management, etc.).
- c. General traffic engineering investigations, including but not limited to field review, data collection, preparation of field diagrams or photos, and providing findings and recommended solutions.
- d. Prepare engineering plans, specifications and estimates for intersection improvements as required, including traffic signal, signing and striping, and traffic control plans.
- e. Grant applications to submit to Caltrans for federal and state fund projects.
- f. Drafting services.
- g. Attend meetings as directed by OCTA and prepare visual aids for meetings as needed.
- h. Construction management and inspection, and prepare appropriate OCTA paperwork as required.
- i. Engineering surveys under the supervision of a state registered Professional Land Surveyor (PLS) and complete survey reports with a PLS stamp as needed or required.
- j. Instruct OCTA staff on the application of specialized traffic software. Sample software packages may include Synchro/SimTraffic, TS-PP/Draft, and VISSIM. Trainings should be provided at OCTA and instruction materials shall be included and supplied by the Consultant to OCTA.
- k. Technical assistance with traffic engineering as requested and white paper write-ups.
- l. Signal equipment purchase, inspection, and installation.
- m. Correspondence and meeting minutes.
- n. Expert testimonies regarding traffic operations.
- o. Design and implementation of Intelligent Transportation System elements

APPENDIX A - Digital Traffic Count Formats.

1. NDS/FDS – Southland Car Counters

N-S STREET: Euclid St

DATE: 11/14/2006

LOCATION: City of Fountain Valley

E-W STREET: Talbert Ave

DAY: TUESDAY

PROJECT# 06-1316-025

LANES:	NORTHBOUND			SOUTHBOUND			EASTBOUND			WESTBOUND			TOTAL
	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	
	2	2.5	0.5	2	2.5	0.5	2	2	0	2	2	1	
6:00 AM													
6:15 AM													
6:30 AM													
6:45 AM													
7:00 AM	22	160	22	106	161	31	26	254	5	12	83	15	897
7:15 AM	29	147	30	128	192	49	25	291	10	19	114	20	1054
7:30 AM	36	159	41	150	202	63	27	339	14	31	142	15	1219
7:45 AM	32	145	33	135	206	50	23	302	21	28	151	21	1147
8:00 AM	41	150	36	142	209	48	29	280	18	30	135	28	1146
8:15 AM	35	142	38	129	182	94	37	255	17	25	117	20	1091
8:30 AM	38	143	31	118	194	48	32	233	16	19	101	17	990
8:45 AM	30	131	26	94	152	39	26	180	13	16	80	12	799
9:00 AM													
9:15 AM													
9:30 AM													
9:45 AM													
10:00 AM													
10:15 AM													
10:30 AM													
10:45 AM													
11:00 AM													
11:15 AM													
11:30 AM													
11:45 AM													

TOTAL VOLUMES =	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	TOTAL
	263	1177	257	1002	1498	422	225	2134	114	180	923	148	8343

AM Peak Hr Begins at: 730 AM

PEAK VOLUMES =	144	596	148	556	799	255	116	1176	70	114	545	84	4603
PEAK HR. FACTOR:		0.941		0.970			0.896			0.929			0.944

CONTROL: Signalized

2. JAMAR – Comma Separated Variables (C,S,V)

Start Date,11/1/2006
Start Time,07:00
Site Code,00000976
Street Name,EUCLID STREET--Southbound,,,,LA PALMA AVENUE--Westbound,,,,EUCLID
STREET--Northbound,,,,LA PALMA AVENUE--Eastbound,,,,
Start Time,Right ,Thru ,Left ,Peds ,Right ,Thru ,Left ,Peds ,Right ,Thru
,Left ,Peds ,Right ,Thru ,Left ,Peds ,
07:00 AM,26,352,40,1,32,78,36,5,27,261,19,4,35,103,53,3
07:00 AM,0,1,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
07:00 AM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
07:15 AM,32,338,34,2,26,141,37,0,19,264,27,0,35,201,53,4
07:15 AM,0,0,0,0,0,0,0,0,0,0,1,0,0,0,0,0,0
07:15 AM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
07:30 AM,47,393,32,3,37,120,37,2,37,328,23,2,35,203,55,4
07:30 AM,0,2,0,0,0,0,0,0,0,0,0,0,0,0,2,0,0
07:30 AM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
07:45 AM,44,381,38,2,55,149,46,3,37,295,31,2,59,233,38,5
07:45 AM,0,0,0,0,0,1,0,0,0,0,0,0,0,0,1,0,0
07:45 AM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
08:00 AM,50,295,26,4,54,118,38,0,44,313,70,3,26,182,83,6
08:00 AM,0,0,0,0,0,0,0,0,0,0,2,0,0,0,0,0,0
08:00 AM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
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08:15 AM,0,3,0,0,0,4,0,0,0,0,0,0,0,0,0,0,0
08:15 AM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
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08:30 AM,0,0,0,0,0,2,0,0,0,0,0,0,0,0,1,0,0
08:30 AM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
08:45 AM,26,275,51,4,40,106,43,2,44,241,19,2,32,133,29,2
08:45 AM,0,1,0,0,0,2,0,0,0,2,0,0,0,2,0,0,0

. . . (data removed from exhibit)

12:00 PM,32,195,37,4,53,118,61,5,28,219,62,4,43,92,60,4
12:00 PM,0,1,0,0,0,0,0,0,0,2,0,0,0,0,0,0,0
12:00 PM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
12:15 PM,37,285,49,4,41,77,47,4,37,268,93,0,42,79,43,5
12:15 PM,0,0,0,0,0,0,1,0,0,0,0,0,0,0,1,0,0
12:15 PM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
12:30 PM,28,292,47,4,36,110,68,2,30,254,37,4,52,116,31,5
12:30 PM,0,2,0,0,0,1,0,0,0,2,0,0,0,1,0,0,0
12:30 PM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
12:45 PM,25,272,54,5,40,98,45,2,23,260,98,5,40,103,27,2
12:45 PM,0,0,0,0,0,0,1,0,0,0,2,0,0,0,0,0,0
12:45 PM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
01:00 PM,32,241,48,5,33,99,51,3,35,307,38,2,28,101,31,3

01:00 PM,0,1,0,0,0,0,0,0,0,1,0,0,0,1,0,0
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01:15 PM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
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01:30 PM,0,0,0,0,0,1,0,0,0,0,0,0,0,2,0,0
01:30 PM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
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. . . (data removed from exhibit)

04:00 PM,39,310,59,4,62,139,53,6,36,358,46,6,28,127,44,4
04:00 PM,0,1,0,0,0,1,0,0,0,2,0,0,0,1,0,0
04:00 PM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
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04:15 PM,0,2,0,0,0,1,0,0,0,3,0,0,0,1,0,0
04:15 PM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
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04:30 PM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
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04:45 PM,0,3,0,0,0,0,0,0,0,2,0,0,0,0,0,0
04:45 PM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
05:00 PM,48,354,42,5,69,169,60,6,34,365,65,3,23,119,45,3
05:00 PM,0,2,0,0,0,1,0,0,0,0,0,0,0,1,0,0
05:00 PM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
05:15 PM,40,298,45,2,51,220,77,3,43,326,48,2,40,160,54,9
05:15 PM,0,0,0,0,0,0,0,0,0,0,0,0,0,1,0,0
05:15 PM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
05:30 PM,54,317,52,2,60,175,59,3,30,340,69,3,25,143,39,6
05:30 PM,0,2,0,0,0,2,0,0,0,0,0,0,0,0,0,0
05:30 PM,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0
05:45 PM,56,281,46,3,91,202,57,3,34,324,57,2,21,167,46,8
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SECTION V
PROPOSED AGREEMENT

1 **PROPOSED AGREEMENT NO. C-8-0612**

2 **BETWEEN**

3 **ORANGE COUNTY TRANSPORTATION AUTHORITY**

4 **AND**

5 _____
6 **THIS AGREEMENT** is effective as of this _____ day of _____, 2008, by and
7 between the Orange County Transportation Authority, 550 South Main Street, P.O. Box 14184, Orange,
8 CA 92863-1584, a public corporation of the state of California (hereinafter referred to as
9 "AUTHORITY"), and _____ (hereinafter referred to as
10 "CONSULTANT").

11 **WITNESSETH:**

12 **WHEREAS**, AUTHORITY requires assistance from CONSULTANT to provide on-call traffic
13 engineering services; and

14 **WHEREAS**, said work cannot be performed by the regular employees of AUTHORITY; and

15 **WHEREAS**, CONSULTANT has represented that it has the requisite personnel and experience,
16 and is capable of performing such services; and

17 **WHEREAS**, CONSULTANT wishes to perform these design services; and

18 **WHEREAS**, AUTHORITY's Board of Directors has reviewed and approved the selection of
19 CONSULTANT on September 22, 2008;

20 **NOW, THEREFORE**, it is mutually understood and agreed by AUTHORITY and CONSULTANT
21 as follows:

22 **ARTICLE 1. COMPLETE AGREEMENT**

23 A. This Agreement, including all exhibits and documents incorporated herein and made
24 applicable by reference, constitutes the complete and exclusive statement of the term(s) and

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condition(s) of the agreement between AUTHORITY and CONSULTANT and it supersedes all prior representations, understandings and communications. The invalidity in whole or in part of any term or condition of this Agreement shall not affect the validity of other term(s) or condition(s).

B. AUTHORITY's failure to insist in any one or more instances upon the performance of any term(s) or condition(s) of this Agreement shall not be construed as a waiver or relinquishment of AUTHORITY's right to such performance by CONSULTANT or to future performance of such terms or conditions and CONSULTANT obligation in respect thereto shall continue in full force and effect. Changes to any portion of this Agreement shall not be binding upon AUTHORITY except when specifically confirmed in writing by an authorized representative of AUTHORITY by way of a written Amendment to this Agreement and issued in accordance with the provisions of this Agreement.

ARTICLE 2. AUTHORITY DESIGNEE

The Chief Executive Officer of AUTHORITY, or designee, shall have the authority to act for and exercise any of the rights of AUTHORITY as set forth in this Agreement.

ARTICLE 3. SCOPE OF WORK

A. CONSULTANT shall perform the work necessary to complete in a manner satisfactory to AUTHORITY the services set forth in Exhibit A, entitled "Scope of Work", which is attached to and, by this reference, incorporated in and made a part of this Agreement. All services shall be provided at the times and places designated by AUTHORITY.

B. CONSULTANT shall provide the personnel listed below to perform the above-specified services, which persons are hereby designated as key personnel under this Agreement.

Names **Functions**

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1 C. No person named in paragraph B of this Article, or his/her successor approved by
2 AUTHORITY, shall be removed or replaced by CONSULTANT, nor shall his/her agreed-upon function
3 or level of commitment hereunder be changed, without the prior written consent of AUTHORITY.
4 Should the services of any key person become no longer available to CONSULTANT, the resume and
5 qualifications of the proposed replacement shall be submitted to AUTHORITY for approval as soon as
6 possible, but in no event later than seven (7) calendar days prior to the departure of the incumbent key
7 person, unless CONSULTANT is not provided with such notice by the departing employee.
8 AUTHORITY shall respond to CONSULTANT within seven (7) calendar days following receipt of these
9 qualifications concerning acceptance of the candidate for replacement.

10 D. All design and engineering work furnished by CONSULTANT shall be performed by or under
11 the supervision of persons licensed to practice in the relevant engineering discipline, or surveying (as
12 applicable) in the State of California, by personnel who are careful, skilled, experienced and competent
13 in their respective trades or professions, who are professionally qualified to perform the work in
14 accordance with the contract documents, and who shall assume professional responsibility for the
15 accuracy and completeness of the design documents and construction documents prepared or checked
16 by them.

17 **ARTICLE 4. TERM OF AGREEMENT**

18 A. This Agreement shall commence upon execution by both parties, and shall continue in
19 full force and effect through December 31, 2010 ("Initial Term"), unless earlier terminated or extended
20 as provided in this Agreement.

21 B. AUTHORITY, at its sole discretion, may elect to extend the term of this Agreement for
22 an additional twelve (12) months commencing January 1, 2011, and continuing through December 31,
23 2011, ("First Option Term"), and thereupon require CONSULTANT to continue to provide services, and
24 otherwise perform, in accordance with Exhibit A and at the rates set forth in Article 5, "Payment."

25 C. AUTHORITY, at its sole discretion, may elect to extend the term of this Agreement for
26

1 an additional twelve (12) months commencing January 1, 2012, and continuing through December 31,
2 2012, ("Second Option Term"), and thereupon require CONSULTANT to continue to provide services,
3 and otherwise perform, in accordance with Exhibit A and at the rates set forth in Article 5, "Payment."

4 D. AUTHORITY's election to extend this Agreement beyond the Initial Term shall not diminish
5 its right to terminate the Agreement for AUTHORITY's convenience or CONSULTANT's default as
6 provided elsewhere in this Agreement. The "maximum term" of this Agreement shall be the period
7 extending from execution by both parties, through June 30, 2010, which period encompasses the Initial
8 Term, First Option Term and Second Option Term.

9 **ARTICLE 5. PAYMENT**

10 A. This Agreement is issued to place CONSULTANT on an on-call list ("ON-CALL FIRMS").
11 As the need for consulting services arises during the term of these Agreements, Contract Task Orders
12 (CTO's) will be issued to CONSULTANT at AUTHORITY's sole discretion. Within the overall Scope of
13 Work, the AUTHORITY will award CTO's on a rotating basis among the ON-CALL FIRMS, based upon
14 CTO proposals and proposal revisions from the ON-CALL FIRMS. Each CTO will define a scope of
15 work, any other information necessary for the performance of the task, and total amount to be paid
16 CONSULTANT for the task. The AUTHORITY does not guarantee that CONSULTANT or any of the
17 ON-CALL FIRMS will receive a CTO, nor does the AUTHORITY make any guarantee that the
18 Maximum Obligation amount identified in Article 6, will be expended.

19 B. CONSULTANT shall submit to AUTHORITY a written technical proposal and cost estimate
20 within the time stipulated in AUTHORITY's CTO proposal solicitation. No work shall commence until a
21 written CTO has been executed by both AUTHORITY and CONSULTANT. Failure of the
22 CONSULTANT to perform in accordance with this provision may result in CONSULTANT forfeiture of
23 retention monies and/or termination of this Agreement.

24 C. For CONSULTANT's full and complete performance of its obligations under this Agreement,
25 and subject to the maximum cumulative payment obligation provisions set forth in Article 6,
26 AUTHORITY shall pay CONSULTANT for each CTO on a firm fixed price basis in accordance with the

1 CONSULTANT's agreed upon fully burdened hourly labor rates and other direct costs presented herein
2 as Exhibit B, and the following provisions:

3 1. CONSULTANT shall invoice AUTHORITY on a monthly basis for payments
4 corresponding to the work performed by CONSULTANT. Invoices shall be submitted in duplicate to
5 AUTHORITY's Accounts Payable office. Each invoice shall include the following information:

- 6 a) Agreement No. C-8-0734 and CTO Numbers for which billed;
- 7 b) Work for which payment is being requested;
- 8 c) Total amount invoiced for the month, and cumulative amount invoiced
9 for Agreement.
- 10 d) Monthly Progress Report prepared by CONSULTANT summarizing work
11 performed, milestones reached and deliverables produced;
- 12 e) Certification signed by the CONSULTANT or his/her designated alternate
13 that (i) The invoice is a true, complete and correct statement of earned
14 amounts and progress for the CTO's billed ; (ii) The backup information
15 included with the invoice is true, complete and correct in all material
16 respects; (iii) All payments due and owing to subcontractors and
17 suppliers have been made; (iv) Timely payments will be made to
18 subcontractors and suppliers from the proceeds of the payments covered
19 by the certification and; (v) The invoice does not include any amount
20 which CONSULTANT intends to withhold or retain from a subcontractor
21 or supplier unless so identified on the invoice; and
- 22 f) Any other information as agreed or requested by AUTHORITY to
23 substantiate the validity of an invoice.

24 2. AUTHORITY shall remit payment within thirty (30) calendar days of the receipt and
25 approval of each invoice.

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1 3. At its sole discretion, AUTHORITY may decline to make full payment for any work
2 until such time as CONSULTANT has documented to AUTHORITY's satisfaction, that CONSULTANT
3 has fully completed all work required. AUTHORITY's payment for any work performed shall not
4 constitute AUTHORITY's final acceptance of CONSULTANT's work under under any CTO or part
5 thereof. Final acceptance shall occur only after AUTHORITY's release of the retention described in
6 paragraph 4 below.

7 4. As partial security against CONSULTANT's failure to satisfactorily fulfill all of its
8 obligations under this Agreement, AUTHORITY shall retain ten percent (10%) of the amount of each
9 invoice submitted for payment by CONSULTANT. All retained funds shall be released by AUTHORITY
10 and shall be paid to CONSULTANT upon satisfactory completion of all work for a CTO, unless
11 AUTHORITY elects to audit CONSULTANT's records in accordance with Article 16 of this Agreement.
12 If AUTHORITY elects to audit, retained funds shall be paid to CONSULTANT within thirty (30) calendar
13 days of completion of such audit in an amount reflecting any adjustment required by such audit.

14 **ARTICLE 6. MAXIMUM OBLIGATION**

15 Notwithstanding any provisions of this Agreement to the contrary, AUTHORITY and
16 CONSULTANT mutually agree that AUTHORITY's maximum cumulative payment obligation (including
17 obligation for CONSULTANT's profit) shall be _____
18 (\$ _____) which shall include all amounts payable to CONSULTANT for its subcontracts,
19 leases, materials and costs arising from, or due to termination of, this Agreement.

20 **ARTICLE 7. NOTICES**

21 All notices hereunder and communications regarding the interpretation of the terms of this
22 Agreement, or changes thereto, shall be effected by delivery of said notices in person or by depositing
23 said notices in the U.S. mail, registered or certified mail, returned receipt requested, postage prepaid
24 and addressed as follows:

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1 To CONSULTANT:

To AUTHORITY:

2 Orange County Transportation Authority

3 550 South Main Street

4 P.O. Box 14184

5 Orange, CA 92863-1584

6 ATTENTION: Robert P. Sechler

7 Senior Contract Administrator

8 (714) 560 – 5668 tele; (714) 560 – 5792 fax

9 rsechler@octa.net

10 **ARTICLE 8. INDEPENDENT CONTRACTOR**

11 CONSULTANT's relationship to AUTHORITY in the performance of this Agreement is that of an
12 independent CONTRACTOR. CONSULTANT's personnel performing services under this Agreement
13 shall at all times be under CONSULTANT's exclusive direction and control and shall be employees of
14 CONSULTANT and not employees of AUTHORITY. CONSULTANT shall pay all wages, salaries and
15 other amounts due its employees in connection with this Agreement and shall be responsible for all
16 reports and obligations respecting them, such as social security, income tax withholding, unemployment
17 compensation, workers' compensation and similar matters.

18 **ARTICLE 9. INSURANCE**

19 A. CONSULTANT shall procure and maintain insurance coverage during the entire term of this
20 Agreement. The following coverage shall be full coverage and not subject to self-insurance provision.
21 CONSULTANT shall provide the following insurance coverage:

22 1. Commercial General Liability, to include Products/Completed Operations,
23 Independent CONSULTANTS', Contractual Liability, and Personal Injury with a minimum limit of
24 \$1,000,000.00 per occurrence and \$2,000,000.00 general aggregate.

25 2. Automobile Liability to include owned, hired and non-owned autos with a combined
26 single limit of \$1,000,000.00 each accident;

1 3. Workers' Compensation with limits as required by the State of California including a
2 waiver of subrogation in favor of AUTHORITY, its officers, directors, employees and agents;

3 4. Employers' Liability with minimum limits of \$1,000,000.00; and

4 5. Professional Liability with minimum limits of \$1,000,000.00 per claim.

5 B. Proof of such coverage, in the form of an insurance company issued policy endorsement
6 and a broker-issued insurance certificate, must be received by AUTHORITY prior to commencement of
7 any work. Proof of insurance coverage must be received by AUTHORITY within ten (10) calendar days
8 from the effective date of this Agreement with AUTHORITY, its officers, directors, employees and
9 agents designated as additional insured on the general and automobile liability. Such insurance shall
10 be primary and non-contributive to any insurance or self-insurance maintained by AUTHORITY.
11 Furthermore, AUTHORITY reserves the right to request certified copies of all related insurance policies.

12 C. CONSULTANT shall include on the face of the certificate of Insurance the Agreement
13 Number C-8-0612; and, the Contract Administrator's Name, Robert P. Sechler, Senior Contract
14 Administrator.

15 D. CONSULTANT shall also include in each subcontract agreement the stipulation that
16 subcontractors shall maintain insurance coverage in the amounts required from CONSULTANT as
17 provided in this Agreement.

18 **ARTICLE 10. ORDER OF PRECEDENCE**

19 Conflicting provisions hereof, if any, shall prevail in the following descending order of
20 precedence: (1) the provisions of this Agreement, including all exhibits; (2) the provisions of RFP 8-
21 0612; (3) CONSULTANT's technical proposal dated _____; (4) CONSULTANT's price
22 proposal dated _____; and (5) all other documents, if any, cited herein or incorporated by
23 reference.

24 **ARTICLE 11. CHANGES**

25 By written notice or order, AUTHORITY may, from time to time, order work suspension and/or
26 make changes in the general scope of this Agreement, including, but not limited to, the services

1 furnished to AUTHORITY by CONSULTANT as described in the Scope of Work. If any such work
2 suspension or change causes an increase or decrease in the price of this Agreement or in the time
3 required for its performance, CONSULTANT shall promptly notify AUTHORITY thereof and assert its
4 claim for adjustment within ten (10) days after the change or work suspension is ordered, and an
5 equitable adjustment shall be negotiated. However, nothing in this clause shall excuse CONSULTANT
6 from proceeding immediately with the Agreement as changed.

7 **ARTICLE 12. DISPUTES**

8 A. Except as otherwise provided in this Agreement, any dispute concerning a question of fact
9 arising under this Agreement which is not disposed of by supplemental agreement shall be decided by
10 AUTHORITY's Director, Contracts Administration and Materials Management (CAMM), who shall
11 reduce the decision to writing and mail or otherwise furnish a copy thereof to CONSULTANT. The
12 decision of the Director, CAMM, shall be the final administrative remedy.

13 B. The provisions of this Article shall not be pleaded in any suit involving a question of fact
14 arising under this Agreement as limiting judicial review of any such decision to cases where fraud by
15 such official or his representative or board is alleged, provided, however, that any such decision shall
16 be final and conclusive unless the same is fraudulent or capricious or arbitrary or so grossly erroneous
17 as necessarily to imply bad faith or is not supported by substantial evidence. In connection with any
18 appeal proceeding under this Article, CONSULTANT shall be afforded an opportunity to be heard and
19 to offer evidence in support of its appeal.

20 C. Pending final decision of a dispute hereunder, CONSULTANT shall proceed diligently with
21 the performance of this Agreement and in accordance with the decision of AUTHORITY's Director,
22 CAMM. This "Disputes" clause does not preclude consideration of questions of law in connection with
23 decisions provided for above. Nothing in this Agreement, however, shall be construed as making final
24 the decision of any AUTHORITY official or representative on a question of law, which questions shall be
25 settled in accordance with the laws of the state of California.

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ARTICLE 13. TERMINATION

A. AUTHORITY may terminate this Agreement for its convenience any time, in whole or part, by giving CONSULTANT written notice thereof. Upon said notice, AUTHORITY shall pay CONSULTANT its allowable costs incurred to date of termination and those allowable costs determined by AUTHORITY to be reasonably necessary to effect such termination. Thereafter, CONSULTANT shall have no further claims against AUTHORITY under this Agreement.

B. AUTHORITY may terminate this Agreement for CONSULTANT's default if a federal or state proceeding for the relief of debtors is undertaken by or against CONSULTANT, or if CONSULTANT makes an assignment for the benefit of creditors, or if CONSULTANT breaches any term(s) or violates any provision(s) of this Agreement and does not cure such breach or violation within ten (10) calendar days after written notice thereof by AUTHORITY. CONSULTANT shall be liable for any and all reasonable costs incurred by AUTHORITY as a result of such default, including but not limited to, reprocurement costs of the same or similar services that were to be provided by CONSULTANT under this Agreement.

ARTICLE 14. INDEMNIFICATION

CONSULTANT shall indemnify, defend and hold harmless AUTHORITY, its officers, directors, employees and agents from and against any and all claims (including attorneys' fees and reasonable expenses for litigation or settlement) for any loss or damages, bodily injuries, including death, damage to or loss of use of property caused by the negligence, recklessness or willful misconduct by CONSULTANT, its officers, directors, employees, agents, subcontractors or suppliers in connection with or arising out of the performance of this Agreement.

ARTICLE 15. ASSIGNMENTS AND SUBCONTRACTS

A. Neither this Agreement nor any interest herein nor claim hereunder may be assigned by CONSULTANT either voluntarily or by operation of law, nor may all or any part of this Agreement be

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1 subcontracted by CONSULTANT, without the prior written consent of AUTHORITY. Consent by
2 AUTHORITY shall not be deemed to relieve CONSULTANT of its obligations to comply fully with all
3 terms and conditions of this Agreement.

4 B. AUTHORITY hereby consents to CONSULTANT's subcontracting of portions of the Scope
5 of Work to the parties identified below for the functions described in CONSULTANT's proposal.
6 CONSULTANT shall include in the subcontract agreement the stipulation that CONSULTANT, not
7 AUTHORITY, is solely responsible for payment to the subcontractor for the amounts owing and that the
8 subcontractor shall have no claim, and shall take no action, against AUTHORITY, its officers, directors,
9 employees or sureties for nonpayment by CONSULTANT.

<u>Subcontractor Name/Address</u>	<u>Role</u>	<u>Subcontractor Amounts</u>

17 **ARTICLE 16. AUDIT AND INSPECTION OF RECORDS**

18 CONSULTANT shall provide AUTHORITY, or other agents of AUTHORITY, such access to
19 CONSULTANT's accounting books, records, work data, documents and facilities, as AUTHORITY
20 deems necessary. CONSULTANT shall maintain such books, records, data and documents in
21 accordance with generally accepted accounting principles and shall clearly identify and make such
22 items readily accessible to such parties during CONSULTANT's performance hereunder and for a
23 period of four (4) years from the date of final payment by AUTHORITY. AUTHORITY's right to audit
24 books and records directly related to this Agreement shall also extend to all first-tier subcontractors

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1 identified in Article 15 of this Agreement. CONSULTANT shall permit any of the foregoing parties to
2 reproduce documents by any means whatsoever or to copy excerpts and transcriptions as reasonably
3 necessary.

4 **ARTICLE 17. FEDERAL, STATE AND LOCAL LAWS**

5 CONSULTANT warrants that in the performance of this Agreement, it shall comply with all
6 applicable federal, state and local laws, statutes and ordinances and all lawful orders, rules and
7 regulations promulgated thereunder.

8 **ARTICLE 18. EQUAL EMPLOYMENT OPPORTUNITY**

9 In connection with its performance under this Agreement, CONSULTANT shall not discriminate
10 against any employee or applicant for employment because of race, religion, color, sex, age or national
11 origin. CONSULTANT shall take affirmative action to ensure that applicants are employed, and that
12 employees are treated during their employment, without regard to their race, religion, color, sex, age or
13 national origin. Such actions shall include, but not be limited to, the following: employment, upgrading,
14 demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other
15 forms of compensation; and selection for training, including apprenticeship.

16 **ARTICLE 19. PROHIBITED INTERESTS**

17 CONSULTANT covenants that, for the term of this Agreement, no director, member, officer or
18 employee of AUTHORITY during his/her tenure in office/employment or for one (1) year thereafter shall
19 have any interest, direct or indirect, in this Agreement or the proceeds thereof.

20 **ARTICLE 20. OWNERSHIP OF REPORTS AND DOCUMENTS**

21 A. The originals of all letters, documents, reports and other products and data produced under
22 this Agreement shall be delivered to, and become the property of AUTHORITY. Copies may be made
23 for CONSULTANT's records but shall not be furnished to others without written authorization from
24 AUTHORITY. Such deliverables shall be deemed works made for hire and all rights in copyright therein
25 shall be retained by AUTHORITY.

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1 B. All ideas, memoranda, specifications, plans, manufacturing, procedures, drawings,
2 descriptions, and all other written information submitted to CONSULTANT in connection with the
3 performance of this Agreement shall not, without prior written approval of AUTHORITY, be used for any
4 purposes other than the performance for this project, nor be disclosed to an entity not connected with
5 the performance of the project. CONSULTANT shall comply with AUTHORITY's policies regarding
6 such material. Nothing furnished to CONSULTANT, which is otherwise known to CONSULTANT or
7 becomes generally known to the related industry shall be deemed confidential. CONSULTANT shall
8 not use AUTHORITY's name, photographs of the project, or any other publicity pertaining to the project
9 in any professional publication, magazine, trade paper, newspaper, seminar or other medium without
10 the express written consent of AUTHORITY.

11 C. No copies, sketches, computer graphics or graphs, including graphic artwork, are to be
12 released by CONSULTANT to any other person or agency except after prior written approval by
13 AUTHORITY, except as necessary for the performance of services under this Agreement. All press
14 releases, including graphic display information to be published in newspapers, magazines, etc., are to
15 be handled only by AUTHORITY unless otherwise agreed to by CONSULTANT and AUTHORITY.

16 **ARTICLE 21. PATENT AND COPYRIGHT INFRINGEMENT**

17 A. In lieu of any other warranty by AUTHORITY or CONSULTANT against patent or copyright
18 infringement, statutory or otherwise, it is agreed that CONSULTANT shall defend at its expense any
19 claim or suit against AUTHORITY on account of any allegation that any item furnished under this
20 Agreement or the normal use or sale thereof arising out of the performance of this Agreement, infringes
21 upon any presently existing U. S. letters patent or copyright and CONSULTANT shall pay all costs and
22 damages finally awarded in any such suit or claim, provided that CONSULTANT is promptly notified in
23 writing of the suit or claim and given authority, information and assistance at CONSULTANT's expense
24 for the defense of same. However, CONSULTANT will not indemnify AUTHORITY if the suit or claim
25 results from: (1) AUTHORITY's alteration of a deliverable, such that said deliverable in its altered form

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1 infringes upon any presently existing U.S. letters patent or copyright; or (2) the use of a deliverable in
2 combination with other material not provided by CONSULTANT when such use in combination infringes
3 upon an existing U.S. letters patent or copyright.

4 B. CONSULTANT shall have sole control of the defense of any such claim or suit and all
5 negotiations for settlement thereof. CONSULTANT shall not be obligated to indemnify AUTHORITY
6 under any settlement made without CONSULTANT's consent or in the event AUTHORITY fails to
7 cooperate fully in the defense of any suit or claim, provided, however, that said defense shall be at
8 CONSULTANT's expense. If the use or sale of said item is enjoined as a result of such suit or claim,
9 CONSULTANT, at no expense to AUTHORITY, shall obtain for AUTHORITY the right to use and sell
10 said item, or shall substitute an equivalent item acceptable to AUTHORITY and extend this patent and
11 copyright indemnity thereto.

12 **ARTICLE 22. FINISHED AND PRELIMINARY DATA**

13 A. All of CONSULTANT's finished technical data, including but not limited to illustrations,
14 photographs, tapes, software, software design documents, including without limitation source code,
15 binary code, all media, technical documentation and user documentation, photoprints and other graphic
16 information required to be furnished under this Agreement, shall be AUTHORITY's property upon
17 payment and shall be furnished with unlimited rights and, as such, shall be free from proprietary
18 restriction except as elsewhere authorized in this Agreement. CONSULTANT further agrees that it
19 shall have no interest or claim to such finished, AUTHORITY-owned, technical data; furthermore, said
20 data is subject to the provisions of the Freedom of Information Act, 5 USC 552.

21 B. It is expressly understood that any title to preliminary technical data is not passed to
22 AUTHORITY but is retained by CONSULTANT. Preliminary data includes roughs, visualizations,
23 software design documents, layouts and comprehensives prepared by CONSULTANT solely for the
24 purpose of demonstrating an idea or message for AUTHORITY's acceptance before approval is given

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1 for preparation of finished artwork. Preliminary data title and right thereto shall be made available to
2 AUTHORITY if CONSULTANT causes AUTHORITY to exercise Article 11, and a price shall be
3 negotiated for all preliminary data.

4 **ARTICLE 23. GENERAL WAGE RATES**

5 A. CONSULTANT warrants that all mechanics, laborers, journeypersons, workpersons,
6 craftspersons or apprentices employed by CONSULTANT or subcontractor at any tier for any work
7 hereunder, shall be paid unconditionally and not less often than once a week and without any
8 subsequent deduction or rebate on any account (except such payroll deductions as are permitted or
9 required by federal, state or local law, regulation or ordinance), the full amounts due at the time of
10 payment, computed at a wage rate and per diem rate not less than the aggregate of the highest of the
11 two basic hourly rates and rates of payments, contributions or costs for any fringe benefits contained in
12 the current general prevailing wage rate(s) and per diem rate(s), established by the Director of the
13 Department of Industrial Relations of the state of California, (as set forth in the Labor Code of the state
14 of California, commencing at Section 1770 et. seq.), or as established by the Secretary of Labor (as set
15 forth in Davis-Bacon Act, 40 U.S.C. 267a, et. seq.), regardless of any contractual relationship which
16 may be alleged to exist between CONSULTANT or subcontractor and their respective mechanics,
17 laborers, journeypersons, workpersons, craftspersons or apprentices. Copies of the current General
18 Prevailing Wage Determinations and Per Diem Rates are on file at AUTHORITY's offices and will be
19 made available to CONSULTANT upon request. CONSULTANT shall post a copy thereof at each job
20 site at which work hereunder is performed.

21 B. In addition to the foregoing, CONSULTANT agrees to comply with all other provisions of the
22 Labor Code of the state of California, which is incorporated herein by reference, pertaining to workers
23 performing work hereunder including, but not limited to, those provisions for work hours, payroll records
24 and apprenticeship employment and regulation program. CONSULTANT agrees to insert or cause to
25 be inserted the preceding clause in all subcontracts, which provide for workers to perform work
26 hereunder regardless of the subcontractor tier.

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ARTICLE 24. ALCOHOL AND DRUG POLICY

AUTHORITY and CONSULTANT shall provide under this Agreement, a safe and healthy work environment free from the influence of alcohol and drugs. Failure to comply with this Article may result in nonpayment or termination of this Agreement.

ARTICLE 25. FORCE MAJEURE

Either party shall be excused from performing its obligations under this Agreement during the time and to the extent that it is prevented from performing by an unforeseeable cause beyond its control, including but not limited to: any incidence of fire, flood; acts of God; commandeering of material, products, plants or facilities by the federal, state or local government; national fuel shortage; or a material act or omission by the other party; when satisfactory evidence of such cause is presented to the other party, and provided further that such nonperformance is unforeseeable, beyond the control and is not due to the fault or negligence of the party not performing.

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This Agreement shall be made effective upon execution by both parties.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement No. C-8-0612 to be executed on the date first above written.

(CONSULTANT)

ORANGE COUNTY TRANSPORTATION AUTHORITY

By _____

By _____

Arthur T. Leahy
Chief Executive Officer

APPROVED AS TO FORM:

By _____

Kennard R. Smart, Jr.
General Counsel

APPROVED:

By _____

Kia Mortazavi
Executive Director, Development

Date _____

SECTION VI
FORMS

EXHIBIT A

PARTY DISCLOSURE FORM

Information Sheet

**ORANGE COUNTY TRANSPORTATION AUTHORITY
AND AFFILIATED AGENCIES**

The attached Party Disclosure Form must be completed by applicants for, or persons who are the subject of, any proceeding involving a license, permit, or other entitlement for use pending before the Board of Directors of the Orange County Transportation Authority or any of its affiliated agencies. (Please see next page for definitions of these terms.)

IMPORTANT NOTICE

Basic Provisions of Government Code Section 84308

- A. If you are an applicant for, or the subject of, any proceeding involving a license, permit, or other entitlement for use, you are prohibited from making a campaign contribution of more than \$250 to any board member or his or her alternate. This prohibition begins on the date your application is filed or the proceeding is otherwise initiated, and the prohibition ends three months after a final decision is rendered by the Board of Directors. In addition, no board member or alternate may solicit or accept a campaign contribution of more than \$250 from you during this period.
- B. These prohibitions also apply to your agents, and, if you are a closely held corporation, to your majority shareholder as well. These prohibitions also apply to your subcontractor(s), joint venturer(s), and partner(s) in this proceeding. Also included are parent companies and subsidiary companies directed and controlled by you, and political action committees directed and controlled by you.
- C. You must file the attached disclosure form and disclose whether you or your agent(s) have in the aggregate contributed more than \$250 to any board member or his or her alternate during the 12-month period preceding the filing of the application or the initiation of the proceeding.
- D. If you or your agent have in the aggregate contributed more than \$250 to any individual board member or his/or her alternate during the 12 months preceding the decision on the application or proceeding, that board member or alternate must disqualify himself or herself from the decision. However, disqualification is not required if the board member or alternate returns the campaign contribution within 30 days from the time the director knows, or should have known, about both the contribution and the fact that you are a party in the proceeding. The

Party Disclosure Form should be completed and filed with your proposal, or with the first written document you file or submit after the proceeding commences.

1. A proceeding involving "a license, permit, or other entitlement for use" includes all business, professional, trade and land use licenses and permits, and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor or personal employment contracts), and all franchises.
2. Your "agent" is someone who represents you in connection with a proceeding involving a license, permit or other entitlement for use. If an individual acting as an agent is also acting in his or her capacity as an employee or member of a law, architectural, engineering, consulting firm, or similar business entity, both the business entity and the individual are "agents."
3. To determine whether a campaign contribution of more than \$250 has been made by you, campaign contributions made by you within the preceding 12 months must be aggregated with those made by your agent within the preceding 12 months or the period of the agency, whichever is shorter. Contributions made by your majority shareholder (if a closely held corporation), your subcontractor(s), your joint venturer(s), and your partner(s) in this proceeding must also be included as part of the aggregation. Campaign contributions made to different directors or their alternates are not aggregated.
4. A list of the members and alternates of the Board of Directors is attached.

This notice summarizes the major requirements of Government Code Section 84308 of the Political Reform Act and 2 Cal. Adm. Code Sections 18438-18438.8.

EXHIBIT A

ORANGE COUNTY TRANSPORTATION AUTHORITY
AND ITS AFFILIATED AGENCIES

To be completed only if campaign contributions have been made in the preceding 12 months.

Party's Name: _____

Party's Address: _____

Street

City

State

Zip

Phone

Application or Proceeding
Title and Number: _____

Board Member(s) or Alternate(s) to whom you and/or your agent made campaign contributions and dates of contribution(s) in the preceding 12 months:

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Date: _____

Signature of Party and/or Agent

**ORANGE COUNTY TRANSPORTATION AUTHORITY
AND AFFILIATED AGENCIES**

Board of Directors

Chris Norby, Chairman

Peter Buffa, Vice Chairman

Jerry Amante, Director

Patricia Bates, Director

Arthur C. Brown, Director

Carolyn Cavecche, Director

Bill Campbell, Director

Richard Dixon, Director

Paul G. Glaab, Director

Cathy Green, Director

Allan Mansoor, Director

John Moorlach, Director

Janet Nguyen, Director

Curt Pringle, Director

Miguel Pulido, Director

Mark Rosen, Director

Gregory T. Winterbottom, Director

EXHIBIT A

PARTICIPANT DISCLOSURE FORM

Information Sheet

**ORANGE COUNTY TRANSPORTATION AUTHORITY
AND AFFILIATED AGENCIES**

The attached Participant Disclosure Form must be completed by participants in a proceeding involving a license, permit, or other entitlement for use. (Please see next page for definitions of these terms.)

IMPORTANT NOTICE

Basic Provisions of Government Code Section 84308

- A. If you are a participant in a proceeding involving a license, permit, or other entitlement for use, you are prohibited from making a campaign contribution of more than \$250 to any board member or his or her alternate. This prohibition begins on the date you begin to actively support or oppose an application for license, permit, or other entitlement for use pending before the Orange County Transportation Authority or any of its affiliated agencies, and continues until three months after a final decision is rendered on the application or proceeding by the Board of Directors.

No board member or alternate may solicit or accept a campaign contribution of more than \$250 from you and/or your agency during this period if the board member or alternate knows or has reason to know that you are a participant.

- B. The attached disclosure form must be filed if you or your agent has contributed more than \$250 to any board member or alternate for the Orange County Transportation Authority or any of its affiliated agencies during the 12-month period preceding the beginning of your active support or opposition. (The disclosure form will assist the board members in complying with the law.)
- C. If you or your agent have made a contribution of more than \$250 to any board member or alternate during the 12 months preceding the decision in the proceeding, that board member or alternate must disqualify himself or herself from the decision. However, disqualification is not required if the member or alternate returns the campaign contribution within 30 days from the time the director knows, or should have known, about both the contribution and the fact that you are a participant in the proceeding.

The Participant Disclosure Form should be completed and filed with the proposal submitted by a party, or should be completed and filed the first time that you lobby in person, testify in person before, or otherwise directly act to influence the vote of the board members of the Orange County Transportation Authority or any of its affiliated agencies.

1. An individual or entity is a "participant" in a proceeding involving an application for a license, permit or other entitlement for use if:
 - a. The individual or entity is not an actual party to the proceeding, but does have a significant financial interest in the Orange County Transportation Authority's or one of its affiliated agencies' decisions in the proceeding.

AND

THE INDIVIDUAL OR ENTITY, DIRECTLY OR THROUGH AN AGENT, DOES ANY OF THE FOLLOWING:

- (1) Communicates directly, either in person or in writing, with a board member or alternate of the Orange County Transportation Authority or any of its affiliated agencies for the purpose of influencing the member's vote on the proposal;
 - (2) Communicates with an employee of the Orange County Transportation Authority or any of its affiliated agencies for the purpose of influencing a member's vote on the proposal; or
 - (3) Testifies or makes an oral statement before the Board of Directors of the Orange County Transportation Authority or any of its affiliated agencies.
2. A proceeding involving "a license, permit, or other entitlement for use" includes all business, professional, trade and land use licenses and permits, and all other entitlements for use, including all entitlements for land use; all contracts (other than competitively bid, labor, or personal employment contracts) and all franchises.
3. Your "agent" is someone who represents you in connection with a proceeding involving a license, permit, or other entitlement for use. If an agent acting as an employee or member of a law, architectural, engineering, or consulting firm, or a similar business entity or corporation, both the business entity or corporation and the individual are agents.

4. To determine whether a campaign contribution of more than \$250 has been made by a participant or his or her agent, contributions made by the participant within the preceding 12 months shall be aggregated with those made by the agent within the preceding 12 months or the period of the agency, whichever is shorter. Campaign contributions made to different members or alternates are not aggregated.
5. A list of the members and alternates of the Board of Directors is attached.

This notice summarizes the major requirements of Government Code Section 84308 and 2 Cal. Adm. Code Sections 18438-18438.8.

EXHIBIT A

**ORANGE COUNTY TRANSPORTATION AUTHORITY
AND ITS AFFILIATED AGENCIES**

To be completed only if campaign contributions have been made in the preceding 12 months.

Party's Name: _____

Party's Address: _____

Street

City

State

Zip

Phone

Application or Proceeding

Title and Number: _____

Board Member(s) or Alternate(s) to whom you and/or your agent made campaign contributions and dates of contribution(s) in the preceding 12 months:

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Date: _____

Signature of Party and/or Agent

**ORANGE COUNTY TRANSPORTATION AUTHORITY
AND AFFILIATED AGENCIES**

Board of Directors

Chris Norby, Chairman

Peter Buffa, Vice Chairman

Jerry Amante, Director

Patricia Bates, Director

Arthur C. Brown, Director

Carolyn Cavecche, Director

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Richard Dixon, Director

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Cathy Green, Director

Allan Mansoor, Director

John Moorlach, Director

Janet Nguyen, Director

Curt Pringle, Director

Miguel Pulido, Director

Mark Rosen, Director

Gregory T. Winterbottom, Director

EXHIBIT B

STATUS OF PAST AND PRESENT CONTRACTS FORM

On the form provided below, Offeror shall list the status of past and present contracts where the firm has either provided services as a prime contractor or a subcontractor during the past five (5) years in which the contract has ended or will end in a termination, settlement or in legal action. A separate form must be completed for each contract. Offeror shall provide an accurate contact name and telephone number for each contract and indicate the term of the contract and the original contract value.

If the contract was terminated, list the reason for termination. Offeror must also identify and state the status of any litigation, claims or settlement agreements related to any of the identified contracts. Each form must be signed by an officer of the Offeror confirming that the information provided is true and accurate.

Project city/agency/other:	
Contact name:	Phone:
Project award date:	Original Contract Value:
Term of Contract:	
1) Status of Contract:	
2) Identify claims/litigation or settlements associated with <u>the</u> contract:	

By signing this Form entitled "Status of Past and Present Contracts", I am affirming that all of the information provided is true and accurate.

Name _____
Title _____

_____ Date



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Selection of a Consultant for Preparation of Plans, Specifications, and Estimate for Placentia Metrolink Station Improvements Project

Transit Committee meeting of June 12, 2008

Present: Directors Brown, Buffa, Dixon, Green, Nguyen, and Winterbottom
Absent: Director Pulido

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

- A. Select Willdan Engineering as the top-ranked firm to prepare plans, specifications, and estimate for the Placentia Metrolink Station.
- B. Authorize the Chief Executive Officer to request a cost proposal from Willdan Engineering and negotiate an agreement for services.
- C. Authorize the Chief Executive Officer to execute the final agreement.



June 12, 2008

To: Transit Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Selection of a Consultant for Preparation of Plans, Specifications, and Estimate for Placentia Metrolink Station Improvements Project

Overview

Proposals for consulting services to prepare plans, specifications, and estimate for the Placentia Metrolink Station were solicited in accordance with the Orange County Transportation Authority's procurement procedures for the retention of a consultant to perform architectural and engineering work. Approval is requested for the selection of a firm to perform the required work.

Recommendations

- A. Select Willdan Engineering as the top-ranked firm to prepare plans, specifications, and estimate for the Placentia Metrolink Station.
- B. Authorize the Chief Executive Officer to request a cost proposal from Willdan Engineering and negotiate an agreement for services.
- C. Authorize the Chief Executive Officer to execute the final agreement.

Background

The proposed Placentia Metrolink Station is on the Metrolink 91 Line, providing service to Riverside, Fullerton, Buena Park, and downtown Los Angeles. Over the past three years, this line has experienced the most dramatic ridership growth of all passenger rail lines in Orange County. The new Metrolink station in the City of Placentia (City) will assist in addressing the overall increased ridership in the region.

On March 10, 2008, the Orange County Transportation Authority (OCTA) Board of Directors (Board) approved the release of Request for Proposals (RFP) No. 7-1294 to select a consultant for the preparation of plans, specifications, and estimate for the Placentia Metrolink Station

Improvements Project. The final design of the station is scheduled to begin September 2008. The construction of the project is scheduled to begin July 2010 and be completed by June 2013.

Discussion

This procurement was handled in accordance with OCTA procedures for architectural and engineering requirements, which conform to both federal and state law. Proposals were evaluated without consideration of cost and were ranked in accordance with the qualifications of the firm, along with the technical proposal.

On March 10, 2008, RFP No. 7-1294 was released and sent electronically to 2,354 consultants registered on CAMM NET. The solicitation was issued in accordance with current OCTA policies and procedures for architectural and engineering services. A pre-proposal conference was held on March 17, 2008, with 59 attendees representing 50 firms.

Addendum No. 1 to RFP No. 7-1294 was issued on March 17, 2008, to post the pre-proposal conference registration sheets. Addendum No. 2 was issued on March 26, 2008, to answer questions from bidders.

On April 10, 2008, eight proposals were received. An evaluation committee composed of staff from OCTA's Development Division and Contracts Administration and Materials Management Department, as well as representatives from the City and Metrolink, reviewed the proposed work plans and qualifications.

The evaluation committee found two of the firms most qualified to perform the work. These two firms are:

Firm and Location

Willdan Engineering
Anaheim, California

J.L. Patterson and Associates
Orange, California

On April 28, 2007, the evaluation committee interviewed the two firms. Questions were asked relative to the firms' proposals, project requirements, and staff availability. Based on the evaluation of the proposals and interviews, the committee selected Willdan Engineering (Willdan) as the top-ranked firm.

Selection of a Consultant for Preparation of Plans, Specifications, and Estimate for Placentia Metrolink Station Improvements Project

Page 3

Staff is recommending Willdan be awarded the contract to prepare plans, specifications, and estimate for the Placentia Metrolink Station Improvements Project. The Willdan team's outstanding detailed technical proposal, coupled with Willdan's understanding of project issues and an excellent discussion on shifting the station location slightly to the east were the primary factors for selecting Willdan as the top-ranked firm.

The top-ranked firm will be requested to submit a cost proposal and a final agreement will be negotiated. Should negotiations fail with the highest-ranking firm, a cost proposal will be solicited from the next highest ranked firm, in accordance with the procurement policies previously adopted by the Board.

Fiscal Impact

This project is included in OCTA's Fiscal Year 2008-09 Budget, Development Division, Account 1724-7519-A4472-HH1, and is funded through the State Transportation Improvement Program.

Summary

The staff of OCTA recommends the selection of Willdan, as the top-ranked firm qualified to complete the plans, specifications, and estimate for the Placentia Metrolink Station Improvements Project.

Attachments

- A. Proposal Evaluation Criteria Matrix (Short Listed Firms), Architectural and Engineering, RFP No. 7-1294, Design Consulting Services for Placentia Metrolink Station
- B. Design Consulting Services for Placentia Metrolink Station, Review of Proposals – RFP 7-1294

Prepared by:



Pradeep Gunartne, P.E.
Project Manager
(714) 560-5648

Approved by:



Kia Mortazavi
Executive Director, Development
(714) 560-5741

**PROPOSAL EVALUATION CRITERIA MATRIX (Short Listed Firms)
ARCHITECTURAL AND ENGINEERING
RFP No. 7-1294, Design Consulting Services for Placentia Metrolink Station**

Firm: WILLDAN						Weights	Criteria Score
Evaluation Number	1	2	3	4	5		
Qualifications of Firm	4.0	4.0	4.5	4.0	3.0	5	20
Staffing/Project Organization	4.0	4.0	4.5	4.5	4.0	7	29
Work Plan	4.0	5.0	4.0	4.5	4.0	8	34
Overall Score	80	88	86	88	75		83

Firm: J. L. PATTERSON AND ASSOCIATES						Weights	Criteria Score
Evaluation Number	1	2	3	4	5		
Qualifications of Firm	4.5	4.5	4.0	3.5	4.0	5	21
Staffing/Project Organization	3.0	3.0	4.0	3.0	3.0	7	22
Work Plan	3.0	3.0	3.0	4.0	4.0	8	27
Overall Score	68	68	72	71	73		70

Evaluation Panel: (5)

OCTA:

CAMM (1)

DEVELOPMENT (2)

CITY OF PLACENTIA (1)

METROLINK (1)

Design Consulting Services for Placentia Metrolink Station
Review of Proposals - RFP No. 7-1294
(Presented to Transit Committee - 6/12/08)

8 proposals were received, 2 firms were interviewed

Overall Ranking	Overall Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments
1	83	WILLDAN Anaheim, CA	American Rail Consultants, Inc. Joe A. Gonsalves & Son Hennessey & Hennessey LLC Value Management Strategies, Inc. International Parking Design O'Connor Construction Management, Inc. McClellan & Schultz Pacific Railway Enterprises, Inc. OMB Electrical Engineers, Inc. JMDiaz, Inc. The Sierra Group	Highest ranked overall proposal. Excellent station design experience. Very thorough and detailed work plan. Excellent subconsultant team proposed. Comprehensive, detailed, and excellent understanding of issues. Excellent work breakdown structure and project controls. Team leaders have extensive experience with rail projects and bridges. Proposed several project enhancement alternatives to add value. Clearly outlined quality assurance/quality control program. Knowledgeable task leaders that know local stakeholders and maintain outstanding relationships with local transit experts.
2	70	J.L. PATTERSON & ASSOCIATES Orange, CA	Cornerstone Studios, Inc. HNTB Architecture, Inc. Hunsaker & Associates Isis Consultants, LLC KFM Engineering, Inc. Ninyo & Moore Paragon Partners Ltd. SYSTRA Consulting, Inc.	Second highest ranked proposal. Provided design and construction management experience for BNSF Excellent rail station and railroad design experience. Addressed issues likely to be encountered on project. Elements of QA/QC program not clear. Strong project management team with successful history working together. Generic work plan.

Evaluation Panel: (5)

- OCTA:
- Camm (1)
- Development (2)
- City of Placentia (1)
- Metrolink (1)

Proposal Criteria

- Qualifications of Firm
- Staffing and Project Organization
- Work Plan

Weight Factor

- 25%
- 35%
- 40%

**DESIGN CONSULTING SERVICES FOR
 PLACENTIA METROLINK STATION
 REVIEW OF PROPOSALS - RFP No. 7-1294**

ATTACHMENT B



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: Rail-Highway Grade Crossing Enhancement Program Update

Transit Committee meeting of June 12, 2008

Present: Directors Brown, Buffa, Dixon, Green, Nguyen, and Winterbottom
Absent: Director Pulido

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

- A. Approve the elimination of the Raymond Street grade crossing, in the City of Fullerton, from the Rail-Highway Grade Crossing Enhancement Program. This reduces the number of at-grade crossings in the program from 53 to 52. Raymond Street is now funded for construction of a grade separation.
- B. Amend the program scope to include city traffic signal improvements needed to support the railroad signal system/city traffic signal interface and right-of-way acquisition, where necessary, for the construction of safety enhancements.
- C. Approve an amendment of \$10 million to the program budget, increasing the total program budget from \$60 million to \$70 million, for combined railroad grade crossing safety enhancements and quiet zone improvements at 52 at-grade rail-highway crossings.
- D. Authorize the use of \$8.8 million of Renewed Measure M funds and \$1.2 million of local city matching funds for the amendment to the program budget.



June 12, 2008

To: Transit Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Rail-Highway Grade Crossing Enhancement Program Update

Overview

On August 27, 2007, the Orange County Transportation Authority Board of Directors approved the implementation strategy for the Rail-Highway Grade Crossing Enhancement Program and quiet zone improvements at 53 at-grade rail-highway crossings in Orange County. Significant efforts have been undertaken to advance the program towards completion by the spring of 2010. This progress report provides an update on the program for the Board of Directors' consideration. In addition, a program budget amendment is proposed, in the amount of \$10 million, to bring the total program budget to \$70 million. This is based on updated cost estimates generated at 30 percent design completion.

Recommendations

- A. Approve the elimination of the Raymond Street grade crossing, in the City of Fullerton, from the Rail-Highway Grade Crossing Enhancement Program. This reduces the number of at-grade crossings in the program from 53 to 52. Raymond Street is now funded for construction of a grade separation.
- B. Amend the program scope to include city traffic signal improvements needed to support the railroad signal system/city traffic signal interface and right-of-way acquisition, where necessary, for the construction of safety enhancements.
- C. Approve an amendment of \$10 million to the program budget, increasing the total program budget from \$60 million to \$70 million, for combined railroad grade crossing safety enhancements and quiet zone improvements at 52 at-grade rail-highway crossings.

- D. Authorize the use of \$8.8 million of Renewed Measure M funds and \$1.2 million of local city matching funds for the amendment to the program budget.

Background

As a result of planned increases in passenger and freight rail traffic on the three rail lines in Orange County, a renewed focus has been placed on at-grade rail-highway crossing (grade crossing) improvements. Improvements to grade 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).

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 grade 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 Southern California Regional Rail Authority (SCRRA) service area in Orange County began consideration of the establishment of quiet zones under the federal rule. During this time, SCRRA 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 SCRRA and the public authorities in these matters.

On April 21, 2006, the SCRRA Board of Directors adopted the 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 policy calls for the public authority to reimburse SCRRA the full cost of the improvements. Reimbursement for these improvements is being funded through the cooperative agreement between the Orange County Transportation Authority (OCTA) and SCRRA, with the cities contributing a 12 percent share.

A list of the grade crossings included in the Rail-Highway Grade Crossing Enhancement Program (Program) is provided in Attachment A. Additionally, a map of the 52 grade crossings is shown in Attachment B.

On August 27, 2007, the OCTA Board of Directors (Board) approved the implementation strategy for the Program. This included additional

improvements needed to meet FRA standards for reduced sounding of locomotive horns. The Board also authorized the Chief Executive Officer to enter into a cooperative agreement with SCRRA to act as the lead agency to design and construct the safety enhancements and additional improvements. The Board approved a Program budget of \$60 million to be funded by \$10 million in Commuter Urban Rail Endowment funds, \$42.8 million in Renewed Measure M funds, and \$7.2 million in local city funds, based on a cost-sharing formula of 88 percent provided by OCTA and 12 percent provided by the participating cities.

The Board directed staff to provide updated cost estimates to the affected cities for review and approval, and further authorized staff to work with affected cities in the development of plans and procedures for establishment of quiet zones. On March 14, 2008, SCRRA submitted 30 percent plans to the cities for its review and comments. The current schedule calls for SCRRA to begin construction by January 2009 and complete all the safety improvements by spring of 2010 (Attachment C). Staff has been working closely with each city to ensure that all concerns identified by cities are addressed in the next submittal of 60 percent plans, anticipated to be completed by the end of June 2008.

Discussion

The Program is underway with SCRRA, OCTA, and the affected cities. Both kick-off and diagnostic meetings have been completed with all the cities. During the diagnostic review, the team met in the field at the individual railroad grade crossing to evaluate the preliminary safety enhancement scope of work.

Development of Systemwide Grade Crossing Design Criteria

SCRRA staff is developing systemwide grade crossing design standards and guidelines, including design of pedestrian safety improvements, to ensure consistent approaches to grade crossing enhancements. These standards and guidelines, while not yet finalized, are being used to facilitate final design of the grade crossing improvements. The guidelines are expected to serve as the standard for all improvements in Orange County and throughout the SCRRA system. Previous design standards for grade crossings have focused on vehicular and train interfaces. The new design standards will take a more holistic approach and include issues such as adjacent land use, driveway locations, pedestrian and bicycle uses, bus stops, causes of vehicular queuing at crossings, and adjacent traffic signals, along with the conventional vehicular and train interfaces. This comprehensive approach, currently being advocated by the FRA and the California Public Utilities Commission (CPUC), is intended to improve the overall safety at grade crossings.

Progress of Design Plans

Since the Board update on August 27, 2007, progress continues to be made on the Program. A comprehensive approach, led by SCRRA acting as the implementing agency on behalf of OCTA, to design and construct all of the safety and quiet zone improvements is underway. The grade crossing improvements are expected to be constructed in coordination with the track and infrastructure projects, which are part of the Metrolink Service Expansion Program.

In general, coordination with each of the cities is vital to the success of the Program. This has been accomplished by holding individual kick-off meetings between October 16, 2007, and January 9, 2008, with each of the nine affected cities. During these meetings, progress of the design, pedestrian and safety gate considerations, coordination with planned city improvements, funding responsibilities, and the need for cooperative agreements were all discussed with the individual cities. These meetings were attended by OCTA, SCRRA, SCRRA's design consultants, and the program management consultants for both OCTA and SCRRA, along with key transportation representatives for each of the cities. Follow-up meetings have been held with several of the cities since that time, as warranted. In addition to the individual city meetings, each of the cities was invited to attend a two-day grade crossing design seminar, convened in late October 2007, to provide specific focus on the proposed Institute of Electrical and Electronics Engineers (IEEE) 1570 signal pre-emption infrastructure. A general summit meeting with all of the cities was also held on January 10, 2008, to cover further Program progress and to ensure a consistent message is provided to all cities.

Pedestrian Treatments at Grade Crossings

When the Program strategy was approved by the Board, the pedestrian treatments were not yet defined. Since that time, SCRRA has finalized the standards for pedestrian treatments at grade crossings. The pedestrian treatments were shown to the cities and incorporated into the 30 percent design plans. The costs associated with the pedestrian treatments have been incorporated into the total project costs by city.

Related Projects

As an exception to the current process, the City of Anaheim is working to advance four of its 14 crossings outside of and ahead of the established

OCTA/SCRRA Program. The City of Anaheim is pursuing this on a separate path in order to satisfy quiet zone objectives included in a development agreement entered into between the Anaheim Redevelopment Agency and a third party. Additional coordination meetings with the City of Anaheim are being held to facilitate this interest and to ensure all safety and design standards are included in the design plans.

Rail-Highway Grade Separations

On April 10, 2008, the California Transportation Commission approved an allocation of \$218 million to Orange County under the Trade Corridors Improvement Fund (TCIF) program. Seven railroad grade separation projects were approved under the Program, including Raymond Street in the City of Fullerton, for a total of \$12.76 million in TCIF and \$50.98 million in local match funds.

The decision to move forward with a grade separation project has resulted in the elimination of the Raymond Street grade crossing, reducing the number of grade crossings from 53 to 52 as part of the current Program.

Establishment of Quiet Zones

The first step in the process of establishing quiet zones by the participating cities is to define the scope of the improvements for each grade crossing. This scope of improvements was then incorporated into a draft cooperative agreement submitted to each city for review and concurrence. It is important to note that while the required physical improvements will be constructed by SCRRA, the improvements alone will not result in establishment of a desired quiet zone. In accordance with the FRA Final Rule, both a Notice of Intent (NOI) and Notice of Establishment (NOE) must be submitted and the NOE must be approved. The responsibility for these requisite steps rests with each individual city, and not with OCTA or SCRRA. This is addressed as such in the draft cooperative agreements between OCTA and each city. The NOI process can be initiated concurrent with the design phase. To date, the City of Anaheim and the City of San Clemente are the only cities that have issued a NOI. The NOE process cannot be initiated until after completion of the construction phase.

In order to assist the cities, OCTA intends to hold a workshop focused on the preparation and submittal of documents required by the FRA as part of the approval process. Furthermore, OCTA intends to provide project management consultant resources to support the cities' efforts in the preparation of the submittal packages in order to ensure that submittals are consistent and of a high quality.

Quiet zones, when established, must begin one-quarter mile before a grade crossing and extend one-quarter mile beyond the final grade crossing included in that zone. A potential issue is that a city may have a quiet zone but train horn noise from a nearby crossing in the same or different city may still be heard, depending on the proximity of other grade crossings to the quiet zone area (Attachment D). OCTA staff is encouraging adjacent cities to work together as the Program progresses to ensure that establishment of quiet zones is coordinated and the expectations of residents and stakeholders are clearly defined.

Construction and Maintenance Agreement

As previously presented to the Board on August 27, 2007, under the current delivery option with SCRRA serving as the implementing agency, the cities will be required to enter into a construction and maintenance (C&M) agreement with SCRRA in order to outline roles and responsibilities for the funding, construction, and maintenance of the grade crossing improvements. Draft C&M agreements are being developed by SCRRA and are expected to be submitted to the cities in June 2008.

Pedestrian-Only Crossings

The current OCTA Board-approved Program is focused on the improvement of rail-highway grade crossings. No pedestrian-only crossings are included at this time. The City of San Clemente continues to be interested in inclusion of the seven pedestrian-only crossings within its city in the Program in order to reduce or eliminate the sounding of locomotive horns. As directed by the Board, OCTA staff continues to work with SCRRA, the City of San Clemente, FRA, and CPUC to determine the applicability of the Final Rule on pedestrian-only grade crossings in the City of San Clemente. At this time, a definitive conclusion has not been reached about the applicability of the Final Rule to pedestrian-only grade crossings. Once a definitive conclusion has been reached, staff will return to the Board for further direction.

Program Budget

As committed to the Board, staff is presenting this budget update based on new cost estimates developed for the Program through completion of the 30 percent design. Based on the conceptual design phase, the Program budget was established at \$60 million. Over the past nine months, refinements to the design plans have resulted in a new cost estimates of approximately \$70 million. This cost escalation is principally attributed to pedestrian safety improvements, cities' traffic signal improvements necessary to support IEEE,

and right-of-way costs, all of which were either not included or not yet fully developed at the time the conceptual design estimates were prepared.

In consideration of the increased cost estimates, staff is recommending a Program budget amendment of \$10 million be approved. An updated Program budget showing the cost sharing between OCTA and the cities is included in Attachment E.

Program Risks

The Program's progress to date has been on-time and within budget; however, risk factors that can affect OCTA's ability to deliver the Program within the schedule and budget have been identified. The risks include finalizing cooperative agreements with nine cities and the Board, timely acquisition of right-of-way, cities' timely review of plans and submittal of comments, and continued coordination with both the CPUC and the FRA. These issues are currently being addressed through the development of cooperative agreements with each of the cities. Language is being included to minimize impacts associated with the risks identified; however, compliance with the agreements is critical to the success of the program and to maintain the schedule.

Coordination with the CPUC and the FRA continues. Both the CPUC and the FRA have agreed to attend a workshop in Orange County in late June. Open communications and periodic meetings with the agencies help keep the CPUC and the FRA informed, and provide the program team with early input and feedback into design plans, thus helping to avoid delays. To date, both the CPUC and the FRA have been very pleased with OCTA's comprehensive approach to at-grade rail safety.

Fiscal Impact

The expenses associated with this agreement are included in the proposed OCTA Fiscal Year 2008-09 Budget, Development Division, Account 0017-7831/TR001-N37.

Summary

OCTA staff is in the process of implementing the Program strategy and policy direction approved by the Board on August 27, 2007, and is requesting Board approval of \$10 million of additional funds to cover cost escalations and cost estimates generated at 30 percent design completion.

Attachments

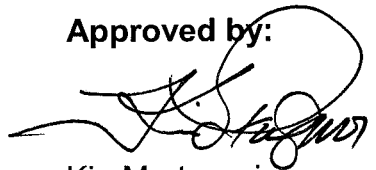
- A. Orange County Railroad Crossings
- B. Orange County Railroad Crossings and Vicinity Map
- C. Program Status Summary Sheet – OCTA Rail-Highway Grade Crossing Enhancement Program
- D. Placentia Quiet Zone: Example of Horn Sound Leakage
- E. Updated Program Cost

Prepared by:



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Project Manager
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Approved by:



Kia Mortazavi
Executive Director, Development
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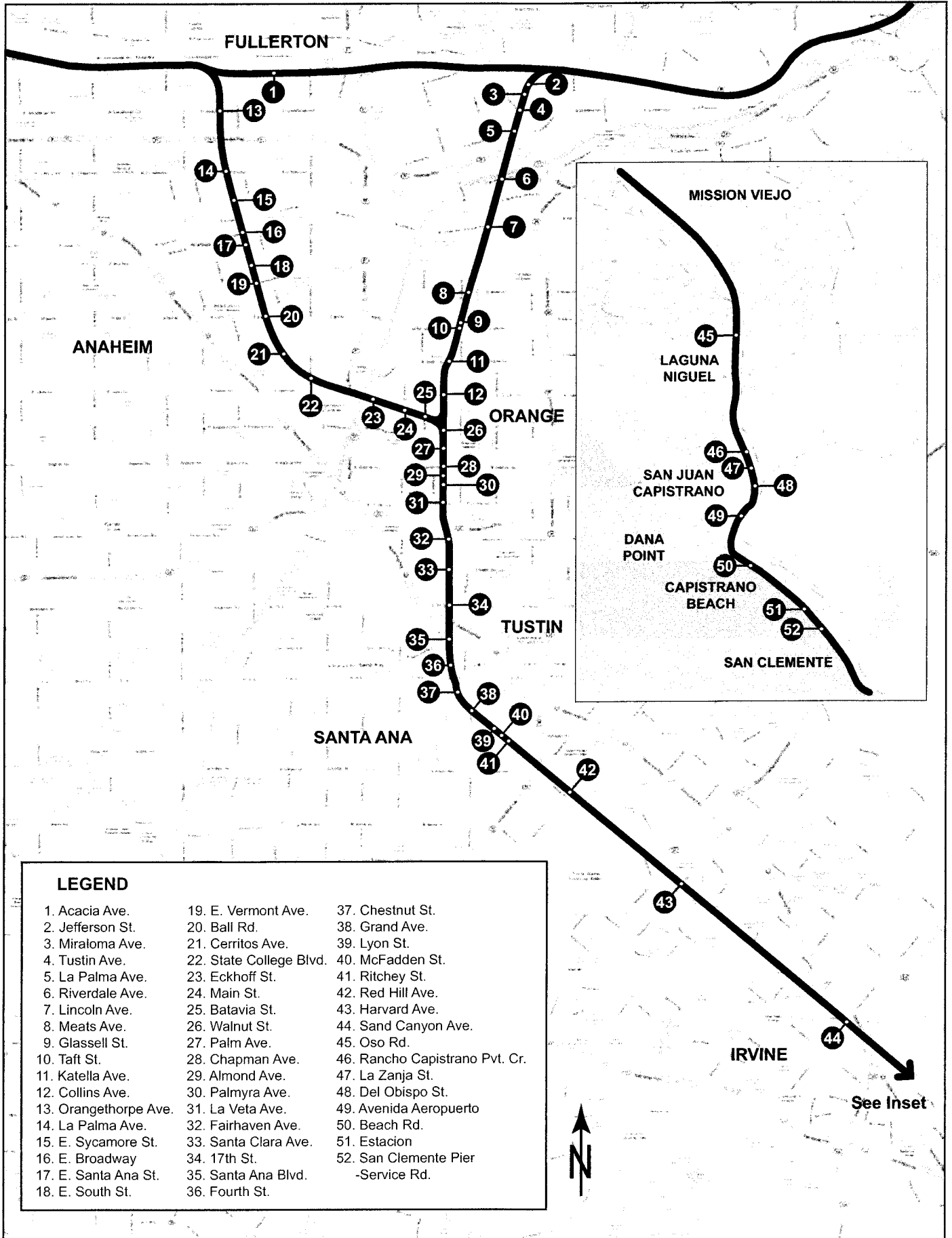
Orange County Railroad Crossings

At-Grade Rail-Highway Crossings Included in Program		
City	Street Name	Railroad Subdivision
Anaheim	State College Boulevard	Orange
Anaheim	Ball Road	Orange
Anaheim	La Palma Avenue	Orange
Anaheim	East Sycamore Street	Orange
Anaheim	Cerritos Avenue	Orange
Anaheim	Orangethorpe Avenue	Orange
Anaheim	East South Street	Orange
Anaheim	La Palma Avenue	Olive
Anaheim	East Broadway	Orange
Anaheim	Jefferson Street	Olive
Anaheim	Miraloma Avenue	Olive
Anaheim	East Vermont Avenue	Orange
Anaheim	Tustin Avenue	Olive
Anaheim	East Santa Ana Street	Orange
Dana Point	Palisades/Beach Road	Orange
Fullerton	Acacia Avenue	Burlington Northern Santa Fe - San Bernardino
Irvine	Sand Canyon Avenue	Orange
Irvine	Harvard Avenue	Orange
Orange	Chapman Avenue	Orange
Orange	Glassell Street	Olive
Orange	Batavia Street	Orange
Orange	Riverdale Avenue	Olive
Orange	Meats Avenue	Olive
Orange	Lincoln Avenue	Olive
Orange	Main Street	Orange
Orange	Taft Street	Olive
Orange	Collins Avenue	Olive
Orange	Walnut Street	Orange
Orange	Palmyra Avenue	Orange
Orange	Katella Avenue	Olive
Orange	La Veta Avenue	Orange
Orange	Palm Avenue	Orange
Orange	Almond Avenue	Orange
Orange	Eckhoff Street	Orange
San Clemente	Avenida Estacion	Orange
San Clemente	Pier Service Road	Orange
San Juan Capistrano	Oso Road	Orange
San Juan Capistrano	Del Obispo Street	Orange
San Juan Capistrano	La Zanja Street	Orange
San Juan Capistrano	Avenida Aeropuerto	Orange

Orange County Railroad Crossings

At-Grade Rail-Highway Crossings Included in Program		
City	Street Name	Railroad Subdivision
San Juan Capistrano	Rancho Capistrano Private Road	Orange
Santa Ana	McFadden Street	Orange
Santa Ana	Lyon Street	Orange
Santa Ana	17th Street	Orange
Santa Ana	Santa Ana Boulevard	Orange
Santa Ana	Ritchey Street	Orange
Santa Ana	Grand Avenue	Orange
Santa Ana	Fourth Street	Orange
Santa Ana	Chestnut Street	Orange
Santa Ana	Santa Clara Avenue	Orange
Santa Ana	Fairhaven Avenue	Orange
Tustin	Red Hill Avenue	Orange

ORANGE COUNTY RAILROAD CROSSINGS AND VICINITY MAP



LEGEND

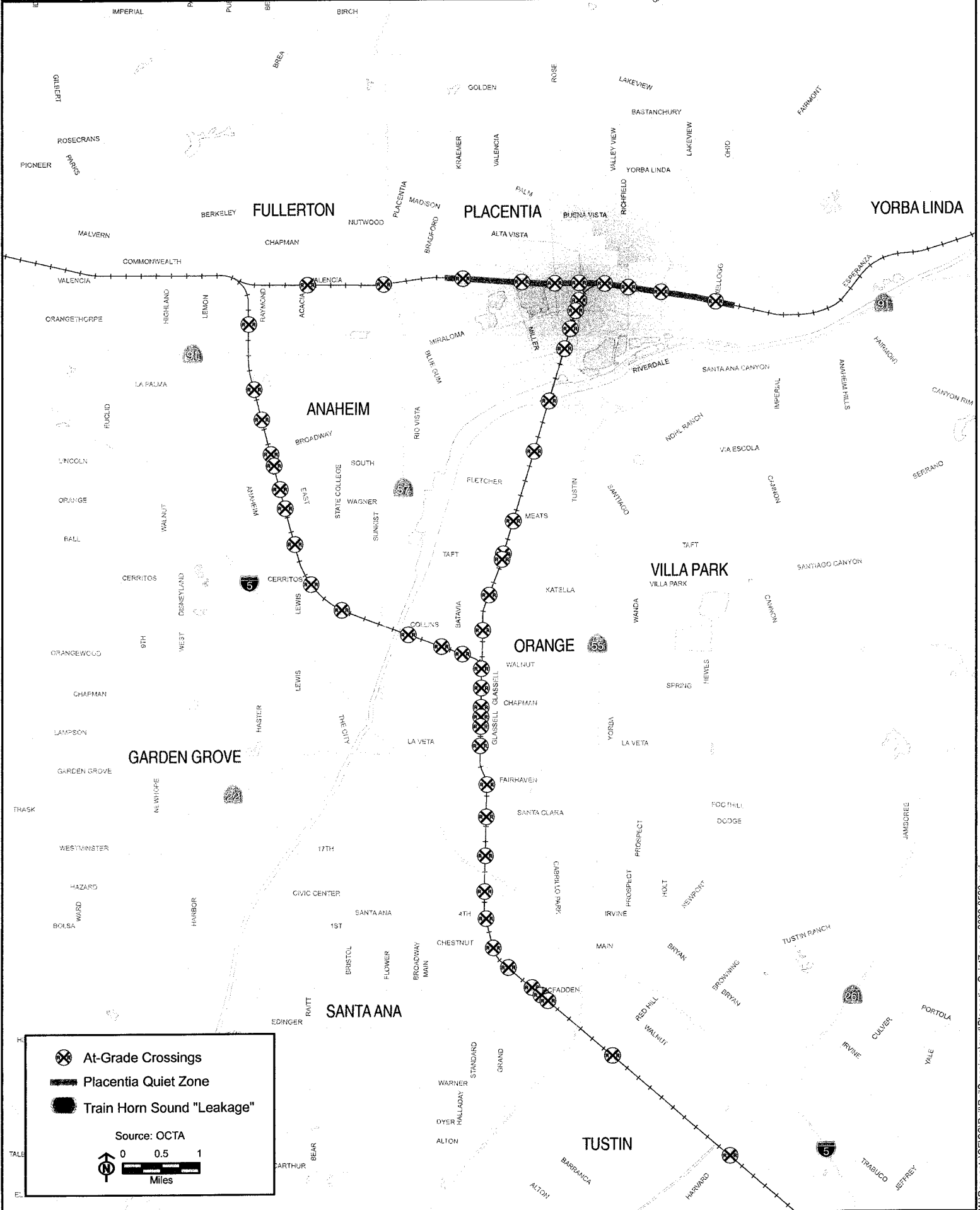
- | | | |
|-----------------------|-------------------------|--------------------------------|
| 1. Acacia Ave. | 19. E. Vermont Ave. | 37. Chestnut St. |
| 2. Jefferson St. | 20. Ball Rd. | 38. Grand Ave. |
| 3. Miraloma Ave. | 21. Cerritos Ave. | 39. Lyon St. |
| 4. Tustin Ave. | 22. State College Blvd. | 40. McFadden St. |
| 5. La Palma Ave. | 23. Eckhoff St. | 41. Ritchey St. |
| 6. Riverdale Ave. | 24. Main St. | 42. Red Hill Ave. |
| 7. Lincoln Ave. | 25. Batavia St. | 43. Harvard Ave. |
| 8. Meats Ave. | 26. Walnut St. | 44. Sand Canyon Ave. |
| 9. Glassell St. | 27. Palm Ave. | 45. Oso Rd. |
| 10. Taft St. | 28. Chapman Ave. | 46. Rancho Capistrano Pvt. Cr. |
| 11. Katella Ave. | 29. Almond Ave. | 47. La Zanja St. |
| 12. Collins Ave. | 30. Palmyra Ave. | 48. Del Obispo St. |
| 13. Orangethorpe Ave. | 31. La Veta Ave. | 49. Avenida Aeropuerto |
| 14. La Palma Ave. | 32. Fairhaven Ave. | 50. Beach Rd. |
| 15. E. Sycamore St. | 33. Santa Clara Ave. | 51. Estacion |
| 16. E. Broadway | 34. 17th St. | 52. San Clemente Pier |
| 17. E. Santa Ana St. | 35. Santa Ana Blvd. | -Service Rd. |
| 18. E. South St. | 36. Fourth St. | |

PROGRAM STATUS SUMMARY SHEET

OCTA Rail-Highway Grade Crossing Enhancement Program

City	No. of Crossings	Design	Cooperative Areements	Right-of-Way	Quiet Zone Establishment
Santa Ana	10	30% complete	Summer 2008	Fall 2008	City Lead
Tustin	1	30% complete	Summer 2008	Fall 2008	City Lead
Irvine	2	30% complete	Summer 2008	Fall 2008	City Lead
Orange	16	30% complete	Summer 2008	Fall 2008	City Lead
Anaheim	14	30% complete	Summer 2008	Fall 2008	City Lead
Fullerton	1	30% complete	Summer 2008	Fall 2008	City Lead
Dana Point	1	30% complete	Summer 2008	Fall 2008	City Lead
SJ Capistrano	4	30% complete	Summer 2008	Fall 2008	City Lead
SJ Capistrano (Private Crossing)	1	30% complete	Summer 2008	Fall 2008	City Lead
San Clemente	2	30% complete	Summer 2008	Fall 2008	City Lead
	52				

Placentia Quiet Zone: Example of Horn Sound Leakage



Updated Program Cost

Program Budget and Cost Sharing			
	Approved*	Proposed Increase*	Proposed Total Budget*
CURE (OCTA)	\$ 10.0		\$ 10.0
Renewed Measure M (OCTA)	\$ 42.8	\$ 8.8	\$ 51.6
City	\$ 7.2	\$ 1.2	\$ 8.4
Total	\$ 60.0	\$ 10.0	\$ 70.0

Estimated Project Costs		
City	Estimated Project Cost*	Estimated Cost to City*
Anaheim	\$ 14.3	\$ 1.7
Dana Point	\$ 1.7	\$.2
Fullerton	\$.8	\$.1
Irvine	\$ 3.5	\$.4
Orange	\$ 21.8	\$ 2.6
San Clemente	\$ 2.0	\$.2
San Juan Capistrano	\$ 7.2	\$.9
Santa Ana	\$ 13.9	\$ 1.7
Tustin	\$ 2.6	\$.3
Subtotal	\$ 67.8	\$ 8.1
Contingency**	\$ 2.2	\$.3
Total	\$ 70.0	\$ 8.4

CURE – Commuter Urban Rail Endowment

*Cost in millions

**Reserve for right-of-way, program management, and signal improvements



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Agreement for Construction of Steam Clean Area Modifications at the Santa Ana Base

Transit Committee meeting of June 12, 2008

Present: Directors Brown, Buffa, Dixon, Green, Nguyen, and Winterbottom
Absent: Director Pulido

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-8-0768 between the Orange County Transportation Authority and Autolift Services, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$91,500, for steam clean area modifications at the Santa Ana Base.



June 12, 2008

To: Transit Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Agreement for Construction of Steam Clean Area Modifications at the Santa Ana Base

Overview

Facility modifications to the steam clean area at the Santa Ana Base are necessary to minimize water intrusion into the adjacent maintenance service bays. The project is ready for construction and Board of Directors' authorization is requested.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-8-0768 between the Orange County Transportation Authority and Autolift Services, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$91,500, for steam clean area modifications at the Santa Ana Base.

Background

On April 9, 2001, the Orange County Transportation Authority (Authority) selected Boyle Engineering (Boyle) for design services for the Santa Ana Base. In May 2005, the Authority began bus operations from the Santa Ana Base. The design drawings did not properly address the wet environment in the steam clean area, which is located adjacent to the maintenance service bays. As a result, water is traveling through the masonry wall. The water is creating a slip hazard to the maintenance workers and is seeping up the masonry wall, which will lead to premature structural issues for the masonry bearing wall. In addition, the light fixtures specified were not designed to withstand the high pressure water environment in the steam clean area leading to corrosion and premature failure of the light fixtures. In July 2007, the Authority and Boyle executed a settlement agreement under which Boyle paid the Authority \$196,699 to resolve any and all design issues at the Santa Ana Base.

Discussion

This procurement was handled in accordance with the Authority's procedures for public works and construction projects, which conform to state requirements. Public work projects are handled as sealed bids and award is made to the lowest responsive, responsible bidder. The project was advertised on April 25 and April 28, 2008, in a newspaper of general circulation, and on CAMM NET. A pre-bid conference was held on April 29, 2008, and was attended by one contractor. Addendum No. 1 was issued on May 9, 2008, to respond to questions. On May 21, 2008, three bids were received. All bids were reviewed by staff from the Development Division and the Contracts Administration and Materials Management Department to ensure compliance with the terms and conditions, specifications, and drawings. Listed below are the three low bids received. State law requires award to the lowest responsive, responsible bidder.

<u>Firm and Location</u>	<u>Bid Price</u>
Autolift Services, Inc. Los Alamitos, California	\$ 91,500
Avi-Con, Inc., dba CA Construction Riverside, California	\$ 92,300
Thomco Construction, Inc. Anaheim, California	\$ 94,143

Fiscal Impact

The project was approved in the Authority's Fiscal Year 2007-08 Budget, Development, Account 1722-9022-D3126-HE8, and is funded through the Orange County Transit District.

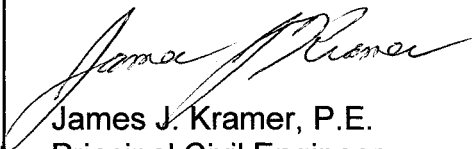
Summary

Staff has reviewed all bids received and recommends the approval of Agreement No. C-8-0768, in the amount of \$91,500, with Autolift Services, Inc., the lowest responsive, responsible bidder for steam clean area modifications at the Santa Ana Base.

Attachment

None.

Prepared by:



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Principal Civil Engineer

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Approved by:



Kia Mortazavi
Executive Director, Development
(714) 560-5741



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Amendment to Agreement for Support Services and Infrastructure for the On-Board Bus Video Surveillance System

Transit Committee meeting of June 12, 2008

Present: Directors Brown, Buffa, Dixon, Green, Nguyen, and Winterbottom
Absent: Director Pulido

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 6 to Agreement No. C-6-0142 between the Orange County Transportation Authority and March Networks Corporation, in an amount not to exceed \$370,000, to exercise the second option term for support services and to complete infrastructure and in-vehicle capital improvements, for a new total contract value of \$1,189,292.



June 12, 2008

To: Transit Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Amendment to Agreement for Support Services and Infrastructure for the On-Board Bus Video Surveillance System

Overview

On May 22, 2006 and April 23, 2007, the Board of Directors approved an agreement and amendments with March Networks Corporation, in the total amount of \$819,292, to provide wireless infrastructure, system maintenance, and video storage and retrieval services for the on-board bus video surveillance system. It is time to consider exercising the second option term for system maintenance, video storage, and video retrieval services, along with additional infrastructure and in-vehicle capital improvements.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 6 to Agreement No. C-6-0142 between the Orange County Transportation Authority and March Networks Corporation, in an amount not to exceed \$370,000, to exercise the second option term for support services and to complete infrastructure and in-vehicle capital improvements, for a new total contract value of \$1,189,292.

Background

The Orange County Transportation Authority's (Authority) on-board bus video surveillance system consists of three main components: wireless infrastructure to download video at operating bases, on-board equipment including recorders and cameras on buses, and support services for system maintenance, video storage, and video retrieval. The Authority selected March Networks Corporation (March Networks) after performing in-service testing to evaluate video equipment durability and performance. Once selected as the successful vendor, March Networks has worked closely with bus manufacturers to equip buses with video equipment and with the Authority to provide support services and install hardware at the operating bases for the wireless download of video.

The Authority entered into an agreement with March Networks for an initial one-year term with four one-year options. The first option term expired on May 31, 2008. During the initial one-year term, the installation of the wireless infrastructure at the Irvine Sand Canyon and Santa Ana bases was completed. The original agreement included the installation of a wireless infrastructure at the Garden Grove and Anaheim bases; however, the work has not been done since there are no buses equipped with the on-board video surveillance system assigned to those bases. There is approximately \$130,000 available from the original agreement to fund installation at these locations in the future.

On May 22, 2008, a two-month extension was approved by the Authority's Contracts Administration and Materials Management (CAMM) Department at no additional cost, Amendment No. 5. This extended the agreement through July 31, 2008, and was needed to continue the maintenance and support services of the on-board video surveillance system while CAMM and project management staff addressed outstanding issues related to future installation of wireless infrastructure. March Networks has provided system maintenance and support services for the last two years with good results.

Discussion

This procurement was originally handled in accordance with the Authority's procedures for professional and technical services. The original agreement was approved by the Board of Directors on May 22, 2006, and was procured on a competitive basis. It has become necessary to amend the agreement to exercise the second option term for system maintenance and video storage and retrieval services.

Since the Authority acquired the Irvine Construction Circle Base after the execution of this agreement, the contract cost proposal was revised to add the cost of the wireless infrastructure at that base and allow for increased costs associated with the installation of the wireless infrastructure at the Garden Grove and Anaheim bases. A cost increase is necessary for the contractor to provide all necessary power and data connectivity. Additionally, to improve video viewing capabilities and simplify the process of delivering the requested video images and centralize the video storage, the network infrastructure is proposed for installation at the Authority's administrative offices in the City of Orange. These enhanced features will allow better project management.

Authority staff also proposes to install wireless remote access equipment on Transit Police Service (TPS) vehicles. This is required by various Homeland Security grants that are being used to help fund implementation of the

on-board video surveillance system. The live-feed features are key to meeting the grant fund requests. This system provides TPS officers the capability of viewing live-feed video on any bus equipped with the on-board video surveillance system when within a certain range.

The first 33 paratransit buses equipped with the on-board video surveillance system were accepted per the original specification. However, after a few months of experience in operation, many events have been inadvertently tagged as a result of the location of the event button and several images have been too dark to view, especially images captured at dusk or dark. The Authority proposes to upgrade the equipment on these 33 buses to solve these issues. All of the buses procured after the 33 will have these changes installed during the manufacturing process.

The total amount for Amendment No. 6 is not to exceed \$370,000. The cost for support services will be in the amount of \$100,000 and proposed infrastructure and in-vehicle capital improvements will be in the amount of \$270,000.

The agreement was for an initial one-year term at \$494,646, plus four one-year options. This agreement has been amended previously to the total amount of \$819,292 (Attachment A). The new total contract amount after approval of Amendment No. 6 as proposed will be \$1,189,292.

Fiscal Impact

The work described in Amendment No. 6 to Agreement No. C-6-0142 was included in the proposed Authority Fiscal Year 2008-09 Budget, Transit Division, Maintenance Department, accounts 2166-7629-D3107-G64, 2166-9027-D3107-KCH, and 2166-9027-D3107-KHB, and is funded through the Local Transportation Fund.

Summary

Staff recommends approval of Amendment No. 6, in the amount of \$370,000, to Agreement No. C-6-0142 with March Networks, to exercise the second option term for system maintenance, video storage, and video retrieval services, and for additional infrastructure and vehicle capital improvements, bringing the total contract value to \$1,189,292.

Attachment

- A. March Networks Corporation Agreement No. C-6-0142 Fact Sheet

Prepared by:



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Section Manager, Facilities Maintenance
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Approved by:



Beth McCormick
General Manager, Transit
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**March Networks Corporation
Agreement No. C-6-0142 Fact Sheet**

1. May 22, 2006, Agreement No. C-6-0142, \$494,646, approved by the Board of Directors.
 - wireless infrastructure, system maintenance and video storage and retrieval services
2. September 18, 2006, Amendment No. 1 to Agreement No. C-6-0142, \$4,756, approved by the Contracts Administration and Materials Management Department, bringing the total commitment to \$499,402.
 - increase the contract obligation to accommodate the cost of cabling, conduit, and labor for wireless infrastructure at the Irvine Sand Canyon Base
3. October 30, 2006, Amendment No. 2 to Agreement No. C-6-0142, \$5,000, approved by the Contracts Administration and Materials Management Department, bringing the total commitment to \$504,402.
 - increase the contract obligation to accommodate the cost of cabling, conduit, and labor for wireless infrastructure at the Santa Ana Base
4. April 4, 2007, Amendment No. 3 to Agreement No. C-6-0142, at no cost, approved by the Contracts Administration and Materials Management Department.
 - agreement to reflect current effective dates, option years, and vehicle quantity price points
5. April 23, 2007, Amendment No. 4 to Agreement No. C-6-0142, \$314,890, approved by the Board of Directors, bringing the total commitment to \$819,292.
 - exercise the first option term for system maintenance and video storage and retrieval services
6. May 22, 2008, Amendment No. 5 to Agreement No. C-6-0142, at no cost, approved by the Contracts Administration and Materials Management Department.
 - extend the agreement from May 31, 2008 through July 31, 2008, for system maintenance and video storage and retrieval services
7. June 23, 2008, Amendment No. 6 to Agreement No. C-6-0142, \$370,000, pending approval by the Board of Directors.



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Customer Relations Report for Third Quarter Fiscal Year 2007-08

Transit Committee meeting of June 12, 2008

Present: Directors Brown, Buffa, Dixon, Green, Nguyen, and Winterbottom
Absent: Director Pulido

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Receive and file as an information item.



June 12, 2008

To: Transit Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Customer Relations Report for Third Quarter Fiscal Year 2007-08

Overview

The Customer Relations report is submitted to the Orange County Transportation Authority Board of Directors on a quarterly basis. The report provides an overview of customer communications received during the prior period of January through March 2008, as well as a review of the performance of Alta Resources, the contracted provider of the Customer Information Center.

Recommendation

Receive and file as an information item.

Background

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

Discussion

Responsibilities within the Customer Relations Department are varied. As its primary function, Customer Relations takes written, verbal, and e-mailed comments and complaints and facilitates OCTA responses. Staff interacts closely with numerous departments to obtain resolution to customers' concerns. Customer Relations participates in monthly meetings with members of OCTA's Transit Division, as well as with the contractor responsible for providing ACCESS service and contracted fixed route service, to ensure customer concerns are heard and problems are resolved. Staff also interacts closely with the bus Service Planning and Customer Advocacy staff to ensure there is a forum to listen to the needs of riders.

The department also oversees the Customer Information Center (CIC) which provides trip routing information to bus riders; the issuance of Reduced Fare Identification (RFID) cards to seniors and persons with disabilities; and the sale of bus passes and ACCESS coupons to the public via mail, phone, and online. Customer Relations is also responsible for coordinating responses to customer service calls about the 91 Express Lanes Toll Road (91 Express Lanes); administration of the OCTA Store; production of Riders' Alerts to notify customers of changes to bus routes and schedules; and oversight of the Special Needs in Transit Advisory Committee. Below are highlights of Customer Relations activities during the period of January 1 through March 31, 2008.

Customer Communications

Customer Relations receives and processes communications from customers on a variety of topics including local bus service, intracounty and intercounty express routes, rail feeder routes, and ACCESS service. Listed below is a breakdown of the communications that Customer Relations received during the quarter.

Total Communications

Fiscal Year 2007-08	Phone Calls	E-mails	Letters	Totals
1 st Quarter (July - September)	13,790	1,012	95	14,897
2 nd Quarter (October - December)	9,896	580	64	10,540
3 rd Quarter (January - March)	10,463	700	63	11,226

ACCESS Service

Veolia Transportation, Inc. (Veolia) operates ACCESS service. During this quarter, there were 330,721 ACCESS boardings compared to 316,038 in the previous quarter. The customer comments received during the third quarter decreased from the previous quarter. However, there was an increase in complaints received during the month of February resulting from radio problems and staff turnover. The radio problems compromised the dispatchers' ability to contact drivers resulting in slower than normal response times. These issues have since been resolved.

The complaint standard for ACCESS service is no more than one complaint for every one thousand boardings. There were 2.08 complaints per one thousand boardings in the third quarter of fiscal year 2008, as compared to the second

quarter, which had 2.18 complaints per one thousand boardings. In the third quarter of the last fiscal year (2007), there were 5.24 complaints per one thousand boardings.

Continuing Key Issues for ACCESS

1. Vehicles Not Arriving

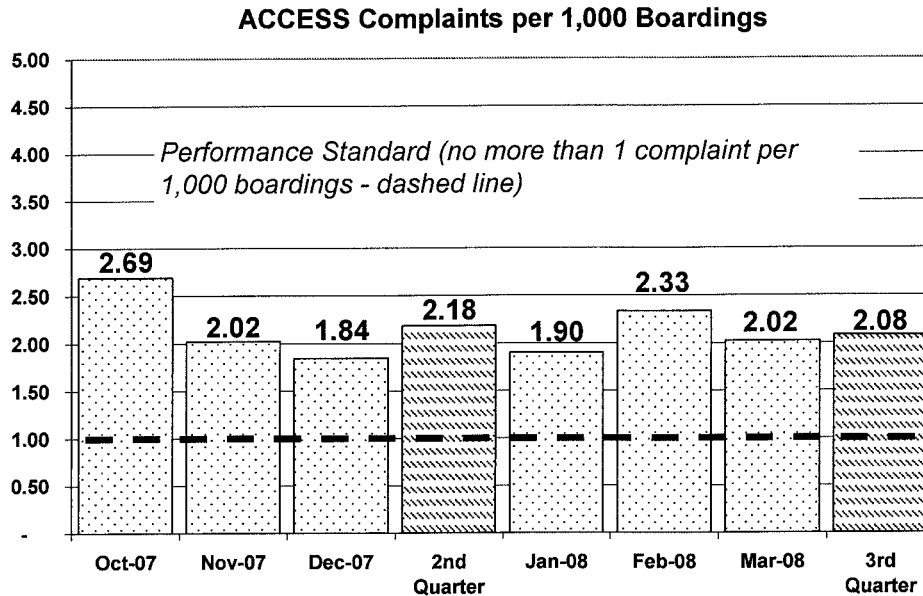
From January 1, 2008 to March 31, 2008, there were 130 complaints about ACCESS vehicles not arriving to pick up passengers versus 144 in the previous quarter. This is a 10 percent decrease in complaints about ACCESS vehicles not arriving.

2. Vehicles Running Behind Schedule

Customer Relations received 115 complaints from riders about ACCESS drivers running behind schedule compared to the 114 complaints reported in the previous quarter.

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

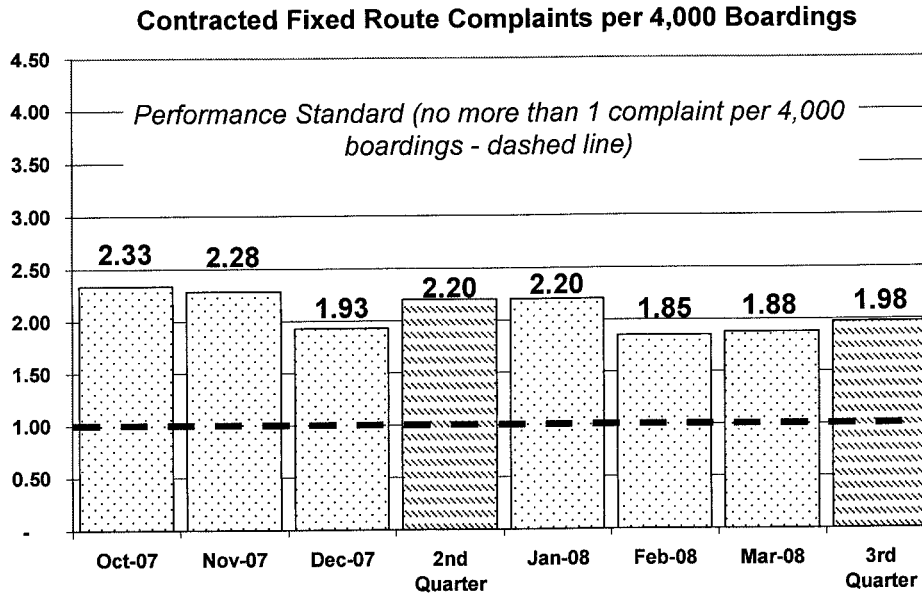
A total of 104 complaints were received from riders about the judgment displayed by contracted ACCESS drivers compared to 118 received last quarter. This represents a 12 percent decrease.



Contracted Fixed Route Service

In addition to ACCESS service, Veolia operates contracted fixed route service, which includes OCTA's community fixed routes, all StationLink routes, and the OC Express routes 757, 758, and 794. During this quarter, there were 303,768 boardings compared to 296,296 boardings in the previous quarter.

The contractual complaint standard for contracted fixed route is no more than one complaint per four thousand boardings. Veolia finished the quarter at 1.98 complaints per four thousand boardings. There were 2.20 complaints per four thousand boardings in the previous quarter.



Continuing key issues for contracted fixed route:

1. Vehicles Running Behind Schedule

From January 1, 2008 to March 31, 2008, Customer Relations received 28 complaints about contracted drivers running late versus 33 complaints in the previous quarter.

2. Vehicles Not Arriving

There were 28 complaints from riders about contracted vehicles not arriving to pick them up compared to the 23 complaints reported in the previous quarter.

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

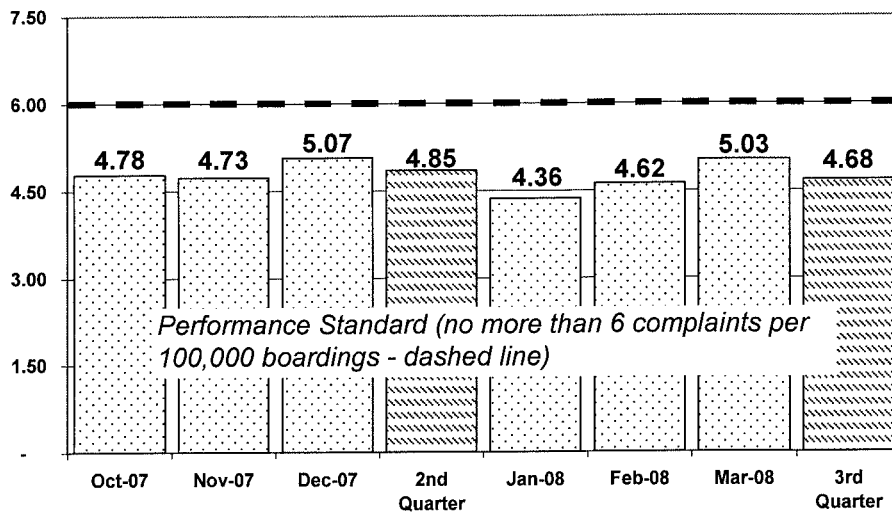
Examples of judgment complaints include, but are not limited to, loading/unloading customers under unsafe conditions, conducting personal business while in service, failure to call medical or security assistance when warranted by circumstances, etc. A total of 11 complaints were received

Fixed Route Bus Operations

During this quarter, there were 16,769,142 fixed route boardings. Based on the customer communications received, there were a total of 785 complaints received, equaling 4.68 complaints per 100,000 boardings, which is within the Transit Division's goal of no more than six complaints per 100,000 boardings.

The concern most often expressed by customers of OCTA's fixed route service during the third quarter was being passed by while waiting for a bus, with an average of 65 monthly pass-by complaints received during the quarter. There were 212 compliments for the quarter compared to 205 for the previous quarter, representing a 3 percent increase in coach operator compliments.

Directly Operated Fixed Route Complaints per 100,000 Boardings



Feedback for Fixed Route Bus Service

1. Pass-bys

A total of 195 complaints were received from passengers who reported being passed by OCTA buses compared to 204 complaints received last quarter. This is a 4 percent decrease in the number of complaints about pass-bys.

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

There were 144 complaints received about the judgment displayed by OCTA coach operators. This is two less than the 146 complaints received last quarter and a 1 percent decrease in the number of complaints about driver judgment.

3. Buses Running Behind Schedule

There were 109 complaints from riders about buses not arriving on time compared to the 80 complaints reported in the previous quarter. This is a 36 percent increase in the number of complaints about buses running behind schedule.

Customer Information Center

The CIC is operated by Alta Resources. Alta Resources handled 183,400 calls for the quarter compared to 174,047 in the second quarter. The average monthly call volume for this quarter was 61,133 versus 58,016 in the previous quarter and 68,897 in the first quarter of the fiscal year. There were a total of 56,208 calls per month received during fiscal year 2006-07.

During the third quarter of the fiscal year, a total of 14 complaints and 27 compliments were received about Alta Resources compared to seven complaints and 24 compliments during the second quarter.

Fiscal Year 2007-2008

Month	Calls Handled	Compliments	Complaints
July *	85,673	4	3
August	62,601	8	5
September	58,417	5	6
October	59,331	10	4
November	56,587	10	3
December	58,129	4	0
January	60,086	9	2
February	58,836	7	4
March *	64,478	11	8

-
- * The increased call volume in July occurred as a result of the coach operator work stoppage. The increased call volume in March was partially attributable to the spring recess for local schools and colleges.

Customer Relations Activities

- Customer Relations Roundtable Discussion

The Customer Relations Department hosted a roundtable discussion for bus riders during the quarter. This meeting provided OCTA with valuable feedback from customers about the services OCTA provides. The discussion covered such topics as the service planning process, recent service change information, and the marketing and information material currently produced by OCTA.

- Town Hall Meeting

During the quarter, Customer Relations staff and Community Transportation Services (CTS) staff attended a meeting in Los Angeles sponsored by Access Services. The town hall meeting provided an opportunity for transit professionals, passengers, and members of the community to review Americans with Disabilities Act (ADA) regulations pertaining to paratransit service policies and practices with representatives from the Federal Transit Administration's (FTA) Office of Civil Rights.

- Fixed Route Driver Responsibilities Under the ADA

Customer Relations staff and CTS staff participated in an Easter Seals Project Action distance learning seminar. Representatives from the FTA's Office of Civil Rights discussed fixed route driver responsibilities under the ADA. The presentation addressed stop announcements, service animals, priority seating, deploying wheelchair lifts and ramps, wheelchair and mobility device securement, and pre-trip accessibility inspections.

- ACCESS Riders' Guide

Staff from Customer Relations worked cooperatively to develop an updated guide for ACCESS customers. The revised guide includes new formatting and updates to ACCESS policies and procedures.

- **Riders' Alerts**

Customer Relations issued 66 Riders' Alerts this quarter compared to 68 during the second quarter. Riders' Alerts inform bus riders about schedule adjustments and/or detours throughout the County.

- **91 Express Lanes**

The OCTA Store established 105 new accounts for the 91 Express Lanes compared to 108 in the previous quarter.

- **OCTA Store**

The OCTA Store had total sales of \$281,129 during the quarter compared to \$268,522 in the previous quarter. These sales figures include the sale of passes, merchandise, and Employee Recreation Association (ERA) tickets.

- **Pass Sales**

In addition to the OCTA Store sales, there was a total of \$521,720 in passes sold within the Pass Sales Section compared to \$425,885 sold in the previous quarter. The regular pre-paid day passes generate the largest number of sales for fixed route. The ACCESS fare coupon books generate the most sales dollars. The sales within this section are processed by Alta Resources, the contracted provider of the CIC.

- **Coach Operator Training**

Customer Relations conducted three student coach operator training (SCOT) sessions and three customer relations training (CRT) sessions. The purpose of these classes is to improve and enhance the customer service that is provided to passengers by coach operators. In addition, 32 annual required training (ART) classes were conducted during the quarter.

- **Southern California Conference on Customer Service**

Customer Relations staff attended a customer service training conference in Anaheim. The conference focused on skills, techniques, and methods to handle difficult customers, deal with stress, motivate others, and make each customer contact a successful one.

- **Special Needs in Transit Advisory Committee**

Customer Relations staff gave a presentation, "OCTA and ACCESS Customers – Partners in Accessible Transportation." The presentation included a slide show featuring Cesar Milan of the television show, "The Dog Whisperer," working with an ACCESS passenger who uses a wheelchair and a guide dog. The ACCESS passenger's guide dog was running off the bus each time she boarded making it impossible to use paratransit service.

OCTA, in cooperation with Veolia Transportation, provided a vehicle and driver so that Mr. Milan could work with the passenger and dog. As a result of Mr. Milan's intervention, the passenger and her dog learned how to work together thereby allowing for a smooth boarding of the vehicle. This success means the passenger will be able to remain in her home and continue to live independently, rather than move to an assisted living facility.


Summary

During the quarter, Customer Relations continued to address customer service issues. Customer comments for OCTA-operated fixed route bus service remained within the established performance standards. ACCESS and contracted fixed route service, operated by Veolia, did not meet established performance standards during the third quarter. However, Veolia continues to implement a strategic plan for corrective action and are working toward reducing customer comments. Alta Resources, the contractor responsible for the CIC, continued to operate within the performance standards established in their contract.

Attachments

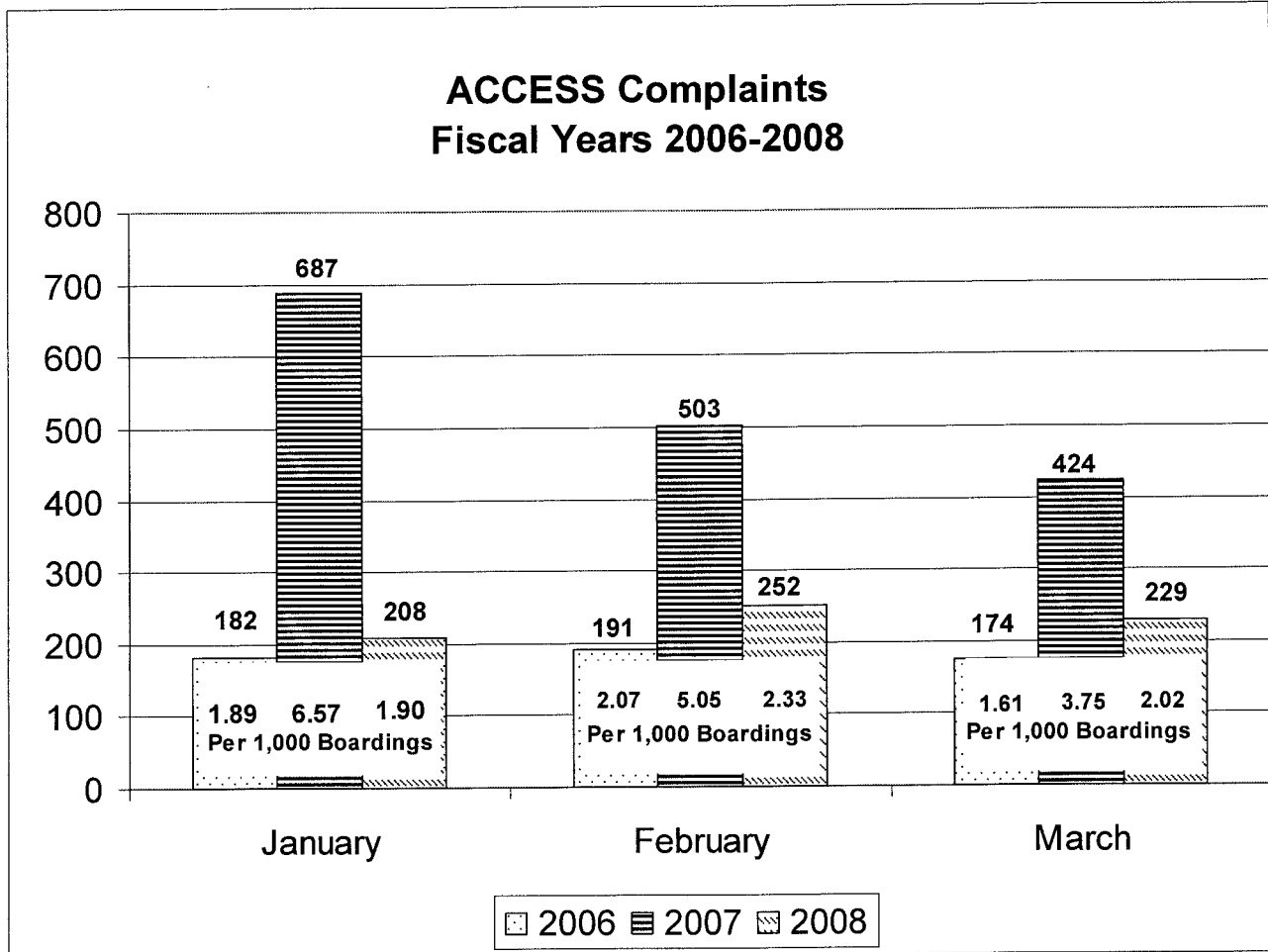
- A. ACCESS Complaints Fiscal Years 2006-2008
- B. Contracted Fixed Route Complaints Fiscal Years 2006-2008
- C. OCTA Operated Fixed Route Complaints Fiscal Years 2006-2008

Prepared by

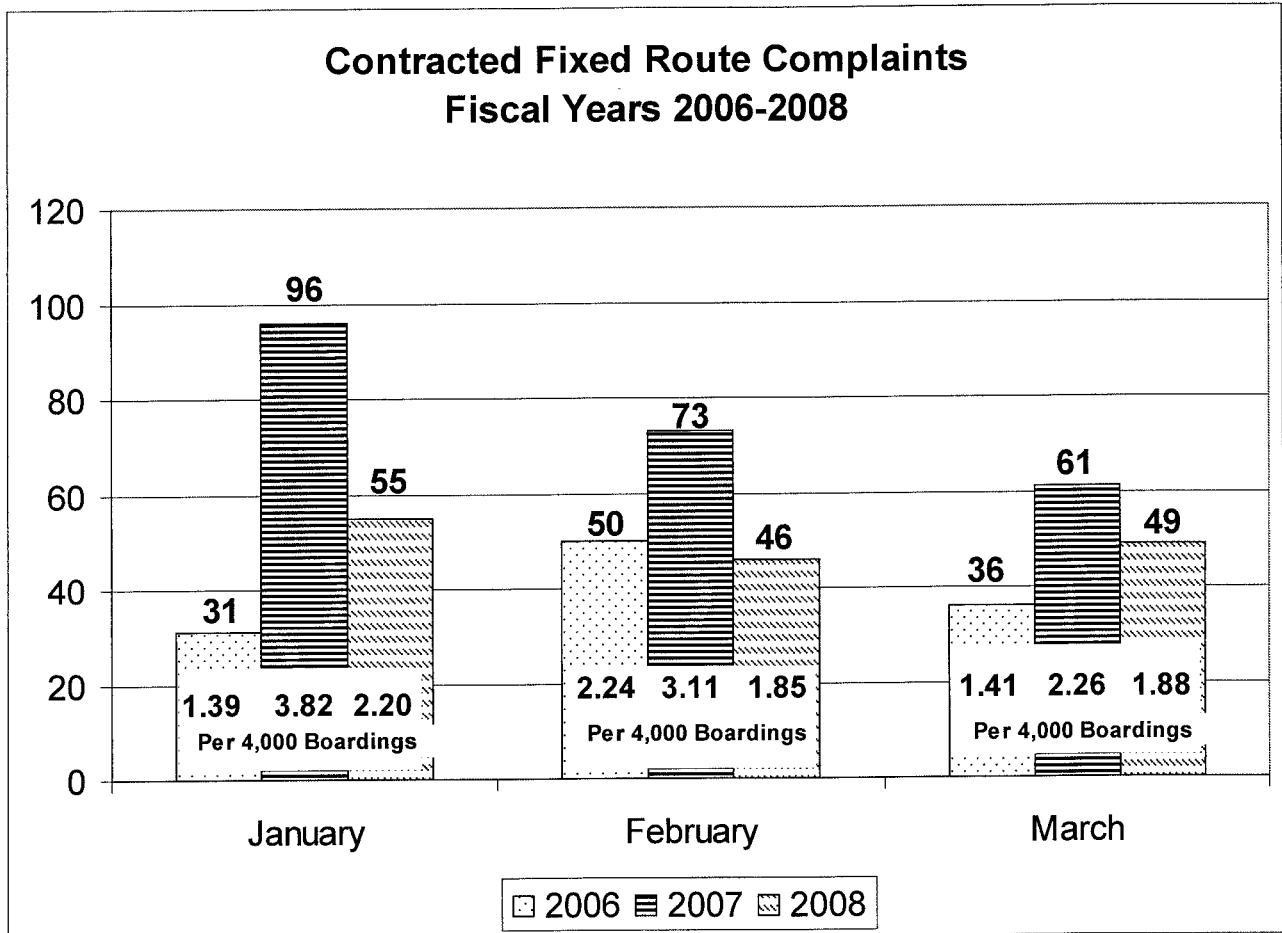

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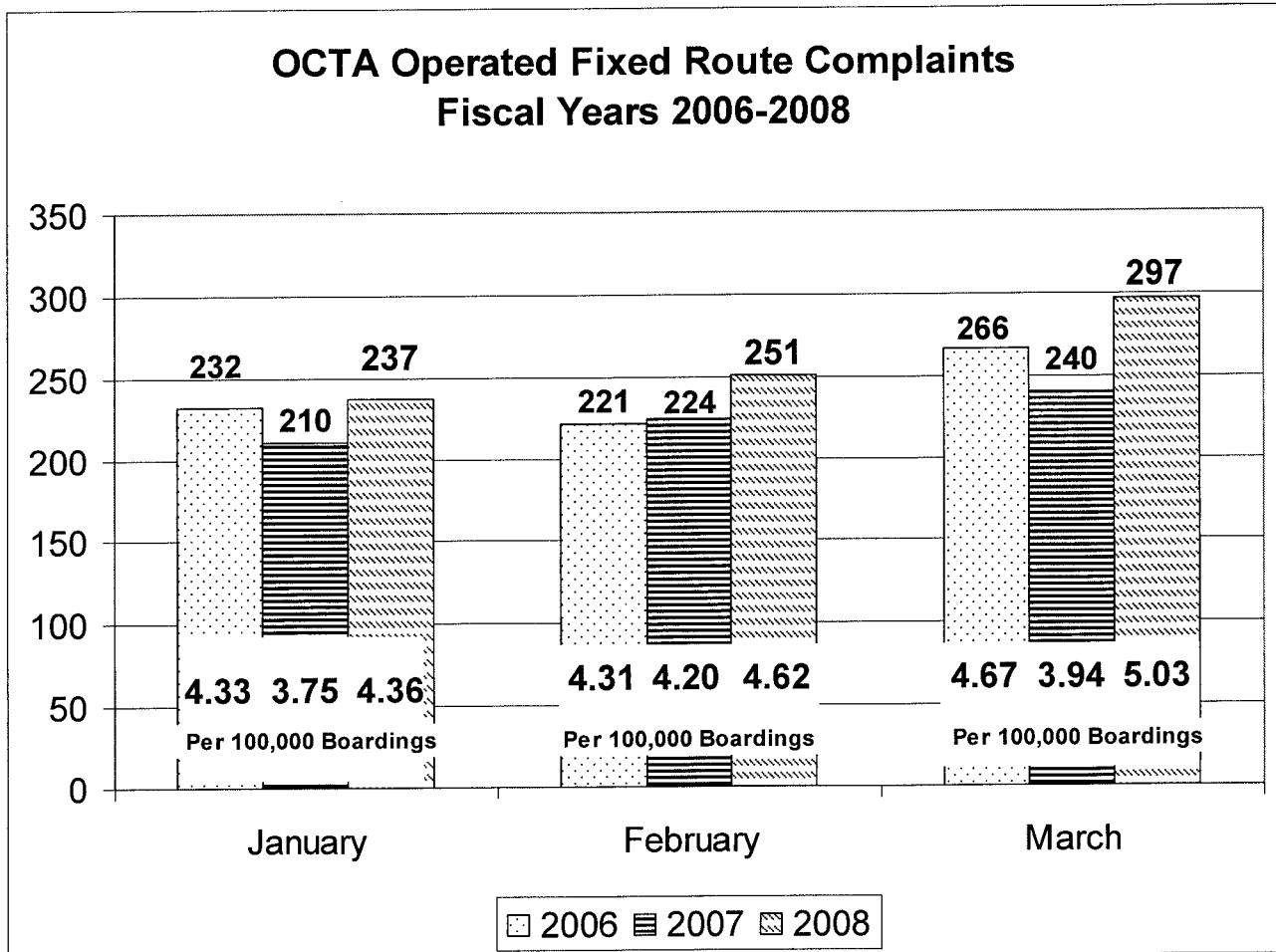

Ellen S. Burton
Executive Director, External Affairs
(714) 560-5923



*The contractual complaint standard for ACCESS service is no more than one complaint for every 1,000 boardings.



*The complaint standard for contracted fixed route service is no more than one complaint for every 4,000 boardings.



*The complaint standard for fixed route service is no more than six complaints for every 100,000 boardings.



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Customer Information Center Update

Transit Committee meeting of June 12, 2008

Present: Directors Brown, Buffa, Dixon, Green, Nguyen, and Winterbottom
Absent: Director Pulido

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation (reflects change from staff recommendation)

Direct staff to conduct a six-month pilot program of hours reduction and return to Committee with results report.



June 12, 2008

To: Transit Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Customer Information Center Update

Overview

The Orange County Transportation Authority Customer Information Center assists customers with trip planning by providing travel itineraries and general information to bus riders seven days a week, 365 days a year. This report provides an update on the Customer Information Center including the increases in call volume and the effect on the Alta Resources contract.

Recommendation

Direct staff to return to the Board of Directors in six months with an update on Customer Information Center call volume, demand management, and the status of the Alta Resources contract.

Background

This is the third in a series of reports to the Orange County Transportation Authority (OCTA) Board of Directors (Board) on the Customer Information Center (CIC). The CIC provides transit information to an increasing number of callers. Customers receive bus schedules, route information, and general bus information by calling the (714) 636-RIDE or (800) 636-RIDE telephone numbers. Inquiries relative to customer relations, ACCESS paratransit service, freeway services, rideshare, and Metrolink are transferred by the CIC to the appropriate OCTA departments. The hours of CIC operation are as follows:

Weekdays: 5 a.m. – 10 p.m.
Weekends: 7 a.m. – 7 p.m.
Holidays: 8 a.m. – 5 p.m.

The customer information telephone call center is operated by Alta Resources and is located in Brea, California. There are four full-time operators of which three are bilingual (English and Spanish), and 35 part-time operators of which

17 are bilingual. The pass sales function is staffed separately by three full-time employees, two of which are bilingual.

Discussion

The initial term for the Alta Resources contract spans a four and one-half year period, January 1, 2007 through June 30, 2011. As reported in the January 2008 contract update, the growth rate of calls handled for this current contract was not anticipated due to a decline in call volumes for the previous two-year period. In addition, with the improvements to the OCTA website trip planner and the installation of schedule information cassettes at bus stops throughout the County, it was not expected that the call volume would increase.

During this current reporting period, as of April for fiscal year (FY) 2007-08, call volumes have fluctuated. As noted in the chart below, there was a spike of calls in July, but then growth rates continued to increase each month as compared to the previous year with the percentage increase ranging from 3.3 percent to 16.8 percent. Looking at this data, the projected growth by the end of FY 2007-08 could be approximately 12 percent over the previous fiscal year.

FY 2006-07 and 2007-08 Call Comparison

	FY 2006-07	FY 2007-08	Variance	Percentage of Increase
July	57,926	*85,673	*27,747	*47.9%
August	60,623	62,601	1,978	3.3%
September	56,392	58,417	2,025	3.6%
October	56,819	59,331	2,512	4.4%
November	52,655	56,587	3,932	7.5%
December	52,573	58,129	5,556	10.6%
January	54,731	60,086	5,355	9.8%
February	50,505	58,836	8,331	16.5%
March	58,300	64,748	6,448	11.1%
April	54,855	64,087	9,232	16.8%
May	57,856	** 60,000	**2,144	**3.7%
June	61,258	**64,000	**2,742	**4.5%
Total	674,493	**752,495	**78,00	**11.6%

* Spike in calls due to coach operator work stoppage

** Indicates projected call volume

Alta Resources Contract Impact

The table below reflects the contractual terms with Alta Resources for the initial four and one-half year term with three one-year option terms. The contract terms include a cost-per-call of \$1.935 for operator-assisted calls, \$0.13 for calls handled through the interactive voice response (IVR) system, and no charge for calls transferred to OCTA.

Because of the current rate of consumption (10.5 percent higher than expected), OCTA staff is working with the CIC staff to research ways to manage demand while maintaining the quality service riders have been receiving. We have begun meeting with Alta Resources to explore current technologies such as a more enhanced interactive voice response (IVR) system, expanded prerecorded bus information, and text messaging trip itineraries. Staff is evaluating the current hours of operation to determine if a cost savings is possible. Staff will report on it findings in future CIC updates.

Alta Resources No. C-6-0461	
Initial Contract Term 4½ years	1/1/2007 – 6/30/2011
Three One-Year Option Terms	7/1/2011 – 6/30/2014
Maximum Cumulative Obligation (Initial Contract Term Only)	\$6,917,366.00
Total Contract Cost to Date (January 2007 – April 2008)	\$2,264,026.87
Current Contract Balance	\$4,653,339.13

Attachment A reflects the actual monthly costs for FY 2007-08 in relation to the assumptions for the contract costs.

Depending on the success of demand management measures, the maximum contract obligation may be reached sooner than the end of the contract term in 2011.

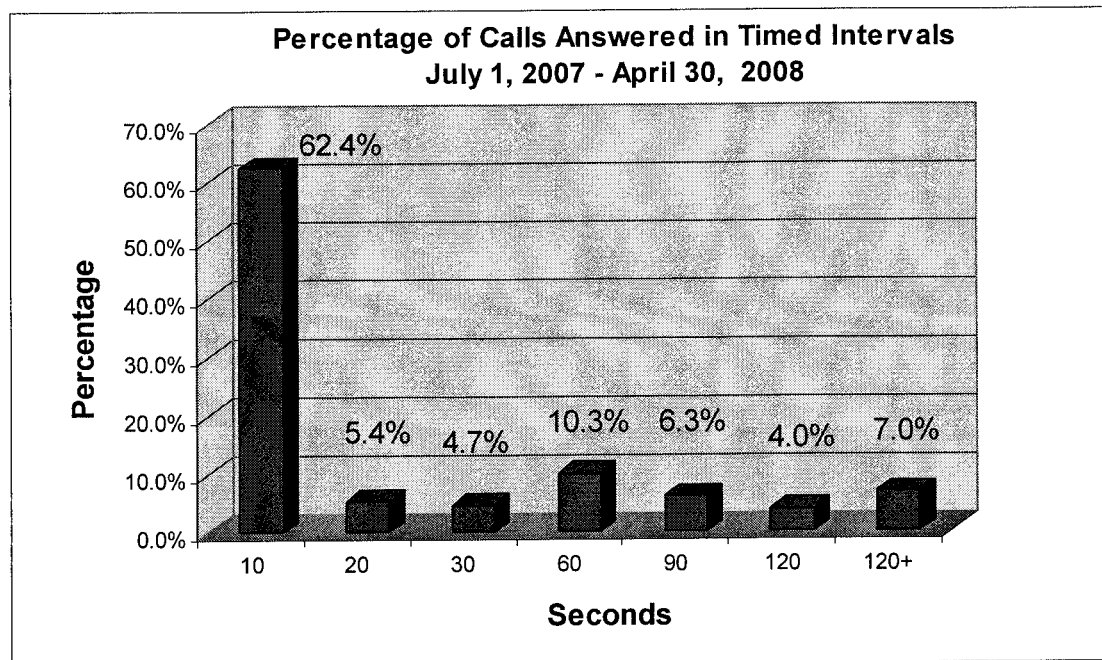
Performance Measures

According to the Alta Resources contract, the following performance standards are required to be met:

- Service Level - 90 percent of all calls are answered within two minutes.

Alta Resources handled an average of 62,850 calls per month during this current FY 2007-08, with the exception of July when 85,673 calls were

handled because of the coach operator work stoppage. The service level of all calls being answered within two minutes has remained consistent at an average of 93 percent, with the exception of July, in which 88 percent of the calls were answered within two minutes. Alta Resources increases staffing levels to maintain performance standards. Approximately 82.7 percent of the calls are answered within one minute. The chart below reflects the breakdown of calls answered within ten seconds to over two minutes.



- Abandonment Rate - less than 5 percent for calls terminated after the first 30 seconds.

The abandonment rate, when callers disconnect the call prior to being answered by a representative, has also remained consistent at an average of 4 percent each month during this reporting period. (The abandonment rate used by several neighboring transit agencies ranges from 4 percent to 15 percent.)

- No more than one complaint per 15,000 calls answered.

During this current FY, Alta Resources has received an average of less than one complaint per 15,000 calls. In addition, Alta Resources has received an average of more than eight compliments (or two per 15,000 calls) per month during this reporting period.

- Ride OCTA fixed route bus service a minimum of one hour each month utilizing at least two different routes each time - all CIC staff members are required to ride the fixed route bus system a minimum of one hour per month to maintain familiarity.

Each Alta Resources staff member completed the required two fixed route bus service rides per month resulting in Alta Resources meeting this requirement during this reporting period.

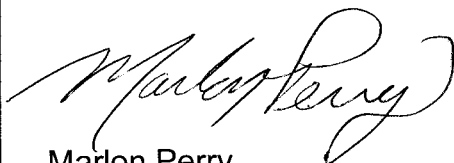
Summary

Alta Resources performance continues to meet or exceed contractual performance standards. OCTA staff will continue to monitor monthly telephone call volumes for unexpected changes in service levels. OCTA will also continue to meet monthly with Alta Resources staff to review service performance to ensure contract requirements are being met and will provide an update to the OCTA Board of Directors in six months.

Attachment

- A. Customer Information Center Monthly Contract Costs FY 2007-2008

Prepared by:



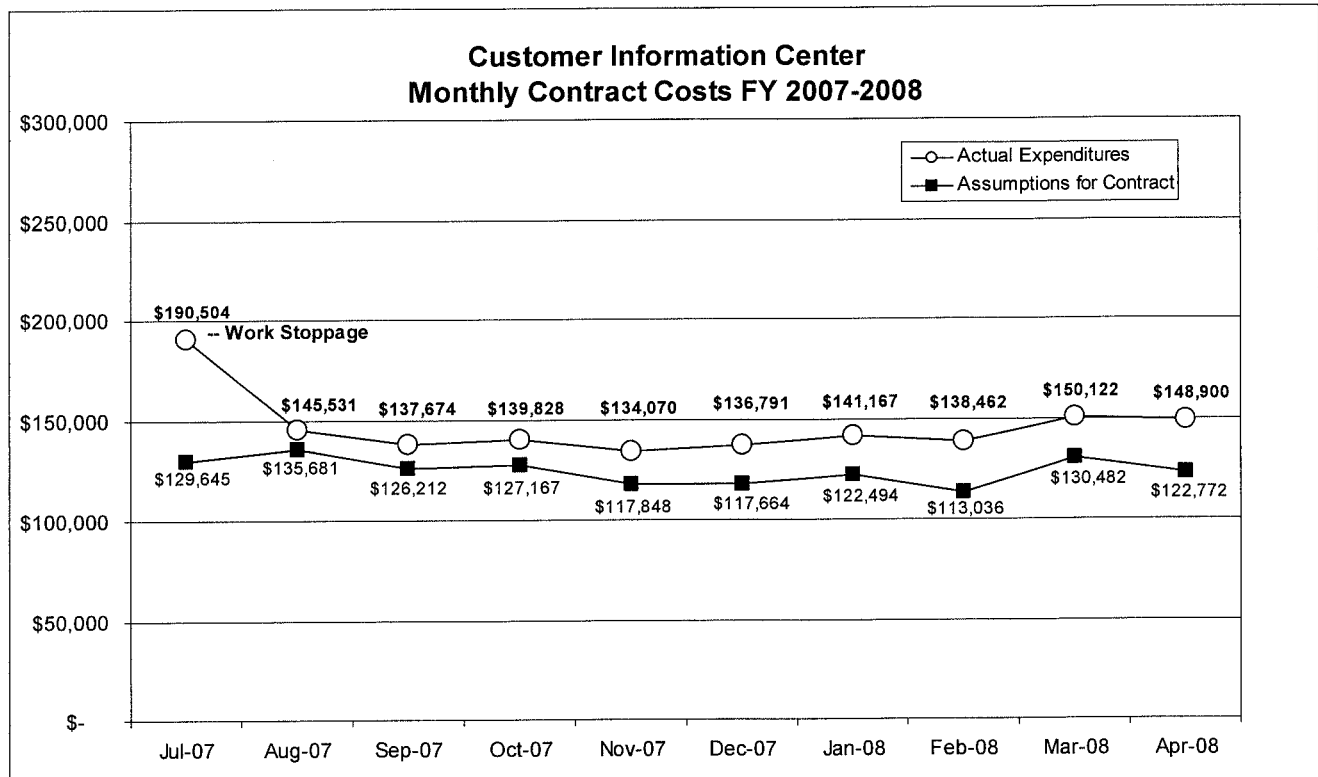
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Approved by:



Ellen S. Burton
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(714) 560-5923

ATTACHMENT A





BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: Trade Corridors Improvement Fund Grade Separation Projects

Transportation 2020 Committee Meeting of June 16, 2008

Present: Directors Pringle, Brown, Campbell, Dixon
Absent: Directors Cavecche, Buffa, Amante

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations (reflects change from staff recommendations)

- A. Release request for proposals No. 8-0961, No. 8-0922, and No. 8-0962 to select firms to provide final design services for the Placentia Avenue, Kraemer Boulevard, and Lakeview Avenue grade separation projects, respectively.
- B. Advance final design services for the Orangethorpe Avenue and Tustin Avenue/Rose Drive grade separation projects.
- C. Expedite the traffic analysis study of the grade separation projects.

Discussion

Have staff communicate to the Legislative and Communications Committee to look into design-build legislation with other grade separation projects.

Two additional Request for Proposals, No. 8-0987 for the Orangethorpe Avenue grade separation project, and No. 8-0988 for the Tustin Avenue/Rose Drive grade separation project, have been prepared to implement committee recommendation "B" and are attached to this transmittal as attachments F and G.

THE REQUEST FOR PROPOSALS (RFP) No. 8-0987 FOR THE
DESIGN CONSULTING SERVICES FOR ORANGETHORPE AVENUE
RAILROAD GRADE SEPARATION PROJECT

IS AVAILABLE ON THE OCTA WEBSITE (www.OCTA.net)

AND AVAILABLE UPON REQUEST

FROM THE CLERK OF THE BOARD'S OFFICE

THE REQUEST FOR PROPOSALS (RFP) No. 8-098E FOR THE
DESIGN CONSULTING SERVICES FOR TUSTIN AVENUE/ROSE DRIVE
RAILROAD GRADE SEPARATION PROJECT

IS AVAILABLE ON THE OCTA WEBSITE (www.OCTA.net)

AND AVAILABLE UPON REQUEST

FROM THE CLERK OF THE BOARD'S OFFICE



June 16, 2008

To: Transportation 2020 Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Trade Corridors Improvement Fund Grade Separation Projects

Overview

On April 10, 2008, the California Transportation Commission approved an allocation of \$183 million to Orange County under the Trade Corridors Improvement Fund program for seven railroad grade separation projects. This report discusses the next steps planned in the implementation of these projects and the special risks associated with this work.

Recommendation

Release request for proposals No. 8-0961, No. 8-0922, and No. 8-0962 to select firms to provide final design services for the Placentia Avenue, Kraemer Boulevard, and Lakeview Avenue grade separation projects, respectively.

Background

The California Transportation Commission (CTC) recently approved \$183 million for seven railroad grade separation projects in Orange County (County) under the Trade Corridors Improvement Fund (TCIF) program. This amount is matched with \$74 million of federal funding and \$160 million of local funding, for a total investment of \$417 million. The seven grade separation projects include two projects in the City of Fullerton and five projects in the City of Placentia. A map showing the locations of the projects is included in Attachment A.

The seven grade separation projects are along the Orangethorpe rail corridor located just north of the Riverside Freeway (State Route 91), in the northeastern portion of the County. The locations of the grade separation projects are:

<u>Rail Crossing Location</u>	<u>City</u>
Raymond Avenue	Fullerton
State College Boulevard	Fullerton
Placentia Avenue	Placentia
Kraemer Boulevard	Placentia
Orangethorpe Avenue	Placentia
Tustin Avenue/Rose Drive	Placentia
Lakeview Avenue	Placentia

The TCIF applications identified the Orange County Transportation Authority (Authority) as the lead agency for the five grade separations in the City of Placentia, and the City of Fullerton as the lead agency for the two grade separations in its city. The City of Placentia was not considered for a lead agency role for the five grade separations in Placentia because of limited staff resources and the pending resolution of financial issues related to administration of prior state grants.

The CTC set a goal to have all TCIF projects under construction by December 2013. The Authority has committed to start these projects immediately and to have all of its projects under construction by this date. Further, the CTC has indicated that it intends to conduct a statewide project assessment in mid-2010 and that it will consider de-funding any project not considered to be progressing satisfactorily.

Discussion

The seven grade separation projects included in the approved TCIF program have been under development by the Authority and the cities of Fullerton and Placentia for a number of years. Presently, the environmental analysis and design work for the State College Boulevard project are well underway. Right-of-way activities will be initiated upon the completion of these efforts. This project is being advanced by the City of Fullerton.

The environmental document for the Placentia Avenue grade separation project has been approved and the final design is partially complete. In addition, some of the property needed for this grade separation has been acquired. An environmental document is currently underway for the four grade separations at Kraemer Boulevard, Orangethorpe Avenue, Tustin Avenue/Rose Drive, and Lakeview Avenue. These efforts are currently being advanced by the City of Placentia.

The Authority and City of Fullerton have mutually agreed that the City of Fullerton will manage the two grade separation projects at Raymond Avenue and State College Boulevard. The City of Fullerton has developed grade separation projects in the past and has staff available to manage these two new projects. The Authority will provide the state, federal, and Measure M funds needed for these two projects as a grant to the City of Fullerton. The City of Fullerton will be responsible for the schedule and budget performance of these projects and must conform to the requirements of the TCIF program. The Authority will oversee the City of Fullerton's efforts and coordinate the schedules of these projects with the development of the remaining five grade separation projects in the City of Placentia.

The Authority will be the lead agency for completing the five grade separation projects in the City of Placentia and will assume responsibility for developing the Placentia Avenue project from the City of Placentia at its present state of completion. The Authority will also assume the development of the remaining four projects once the City of Placentia completes the environmental document for these projects. The environmental document is expected to be approved in late 2008. The Authority will hire private consultants and contractors to complete the design and construction of these five projects.

Project Schedules

The next stage of development on the grade separation projects must begin immediately to meet the CTC requirement to begin construction of all projects by December 2013. The environmental clearance of five of the projects is underway at this time. The environmental clearance is complete for the Placentia Avenue project, and the environmental work on the last project, Raymond Avenue, will begin next year. The procurement of professional services to begin final design on three of the projects, Placentia Avenue, Kraemer Boulevard, and Lakeview Avenue, must begin very promptly to meet the proposed schedules. A diagram of the proposed project schedules for the seven grade separation projects is shown in Attachment B.

The original schedules submitted to the CTC as part of the TCIF applications showed all seven projects proceeding simultaneously, which may result in adjacent major streets being closed at the same time. This approach would result in the earliest possible completion of the projects, but will cause significant adverse traffic impacts across the Orangethorpe rail corridor. Also, the Burlington Northern Santa Fe Railway (BNSF) is reluctant to allow construction, and its potential disruption of rail operations, at all seven grade separations at the same time.

The construction of five of the seven grade separations will cause the full closure of all major north-south streets that cross the Orangethorpe rail corridor for as long as two years. The only remaining north-south streets crossing the rail corridor are small, two lane streets that primarily serve residential areas and do not link directly into the adjacent major streets. These streets cannot handle the traffic volumes diverted from the major streets when they are closed for construction. In addition, these small alternate streets are frequently blocked by rail gates as freight trains pass through the area. Currently, all of the major north-south streets in this area are severely congested. Closing of adjacent major streets at the same time for the construction of the grade separations is not feasible as it would cause severe traffic congestion, gridlock in the area, and diversion of a significant volume of traffic into residential neighborhoods.

Staff proposes that the construction timeframes for the seven projects be sequenced to minimize simultaneous construction on parallel streets and to reduce adverse traffic impacts caused by road closures. This revised approach will extend the completion of two of the projects, Orangethorpe Avenue and Tustin Avenue/Rose Drive, but will significantly reduce traffic impacts along the corridor. Two of the grade crossings, Placentia Avenue and Orangethorpe Avenue, will remain partially opened during construction. Placentia Avenue will be built with a four-lane street detour adjacent to the existing street, and Orangethorpe Avenue will be built in two halves, with one or two lanes open in both directions during construction.

Currently, BNSF and Metrolink run trains along the Orangethorpe rail corridor, with BNSF freight traffic being the dominant user. The BNSF is the owner of this section of track and will require that the tracks remain open at all times during construction. Temporary tracks will be provided at the location of the four undercrossings to allow unrestricted rail operations during construction.

Staff has discussed the proposed construction sequencing plan with the cities of Anaheim, Fullerton, and Placentia, and these cities are in general agreement with the proposed approach. Further traffic studies will be conducted to confirm the workability of these sequencing proposals and evaluate whether the construction of the Orangethorpe Avenue crossing can be moved forward. In addition, these timelines will be reviewed with BNSF.

Staff will propose an amendment to the current TCIF schedules to show the extended sequencing of the grade separation projects. These changes must be reviewed and approved by the CTC and then incorporated into the baseline agreements.

Start of Final Design

In order for the Authority to meet the CTC timeframe to have all railroad grade separation projects under construction by December 2013, staff recommends that request for proposals (RFP) be issued immediately for the design of the three projects at Placentia Avenue, Kraemer Boulevard, and Lakeview Avenue. Next summer, RFPs will be issued for the design of the remaining two projects at Tustin Avenue/Rose Drive and Orangethorpe Avenue. In addition, staff will propose the release a sixth RFP early next year to select a firm to perform technical reviews on behalf of the Authority on the designs documents prepared by the consultant for the grade separation projects.

The challenge of designing three major grade separation projects simultaneously, on a short time line, will be a significant effort for all involved. In addition, the Authority must adhere to the strict timelines promised to the CTC to avoid jeopardizing the funding for the projects. It will take the combined efforts of many to accomplish these goals. Staff believes that it would be prudent to allow for use of more than one consulting firm to prepare the final design of the three projects because of these special challenges.

Staff has prepared three RFPs to be issued at the same time to select the qualified consultants needed to do this work. A RFP has been prepared for each of the three projects to be designed. An individual consultant can choose to submit a proposal on one, two, or three of the projects. The proposals submitted for each RFP will be evaluated and ranked and the most qualified consultant for each project will be presented to the Board of Directors (Board) for final selection.

These procurements are for professional architectural and engineering (A&E) services and must follow state law where the selection of firms is based on qualifications only. Staff has prepared draft RFPs for the design of the three grade separation projects for Board review and approval (attachments C, D, and E). The proposed evaluation criteria and weights included in the draft RFPs are as follows:

- Qualifications of the Firm 25 percent
- Staffing and Project Organization 40 percent
- Work Plan 35 percent

This evaluation criteria is consistent with the weightings developed for similar A&E procurements. In developing the criteria and weights, several factors are considered. Staff recommends giving the greatest importance to staffing and project organization, as the qualifications of the project manager and other key

task leaders are critical to the successful performance of the project. Likewise, staff would assign a high level of importance to the work plan, as the technical approach and understanding of the project is critical to developing realistic schedules and work approaches. As these are A&E procurements, price is not an evaluation criteria pursuant to state and federal law.

Program Risks

There are a number of risks associated with delivering the projects funded under the TCIF program. It is important to identify and address these risks early in the process to avoid or minimize adverse impacts on the projects. Some of the significant risk factors that have been identified at this time are described below.

Project Sequencing Risk – If the schedules for the grade separation projects are changed to allow the extended sequencing of construction, the CTC must agree. The request for these schedule changes could trigger a re-evaluation of the competitiveness of these projects by the CTC and could jeopardize the funding allocation to the projects. If this is the case, the proposal for the extended sequencing of construction for the projects may need to be reconsidered.

Funding Risk – The CTC will actively monitor the progress of the TCIF projects to see that schedule and funding goals are met. If a project is falling behind its schedule or exceeding its budget, there may be a re-evaluation of the funding allocation. In the worst case, the CTC could cut off or reduce funding to the project if it does not meet its agreed upon goals.

Environmental Approval Risk – Completion of the environmental documents for the grade separations is required before final design can be completed. If there are delays by the cities of Fullerton or Placentia in completing the environmental documents, the project schedules will be delayed.

Railroad Approval Risks – A construction and maintenance agreement is required with BNSF to construct the grade separations. The BNSF does not place a high priority on developing grade separation projects. There may be delays in advancing the projects if BNSF does not act upon the agreements in a timely manner.

Property Acquisition Risks – All of the grade separation projects require significant new right-of-way to build the improvements. The right-of-way acquisition is likely to include private properties. Any reluctance or delay in

acquiring the properties by the cities or the Authority may delay construction of the improvements.

Authority project managers will develop methods to manage or avoid these risks as part of the project management approach to the projects.

Next Steps

The steps required to begin implementation of the grade separation projects are listed below. The initial focus of the project management team will be managing these activities:

- Gain approval from the CTC on any proposed schedule changes
- Procure professional services to start final design of three projects
- Negotiate cooperative agreements with the cities for project coordination, right-of-way acquisition, and permitting
- Further evaluate construction staging and traffic impacts
- Complete the environmental documents
- Negotiate railroad agreements with BNSF

Fiscal Impact

The cost of the design services for the projects is included in the Authority's proposed Fiscal Year 2008-09 Budget, Development Division, Accounts 0017-7519-SO203-PPJ, 0017-7519-SO202-PPJ, and 0017-7519-SO205-PPJ and is funded through Renewed Measure M.

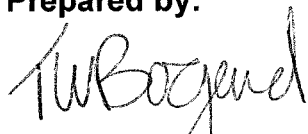
Summary

The California Transportation Commission has recently approved \$183 million for trade corridors improvements in Orange County. Seven railroad grade separations projects were selected for funding. An additional \$234 million in federal and local funds has been allocated by the Orange County Transportation Authority to the projects, for a total investment of \$417 million. Staff has prepared a summary of the implementation plan for delivering these projects and is requesting approval for the release of a request for proposals to begin final design on three projects.

Attachments

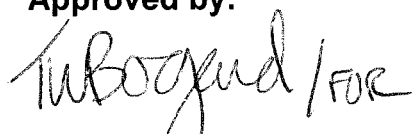
- A. Map of Grade Separation Projects
- B. Proposed Schedules – TCIF Grade Separation Projects – May 5, 2008
- C. Request for Proposals (RFP) No. 8-0961 – Placentia Avenue Grade Separation Project
- D. Request for Proposals No. 8-0922 – Kraemer Boulevard Grade Separation Project
- E. Request for Proposals No. 8-0962 – Lakeview Avenue Grade Separation Project

Prepared by:



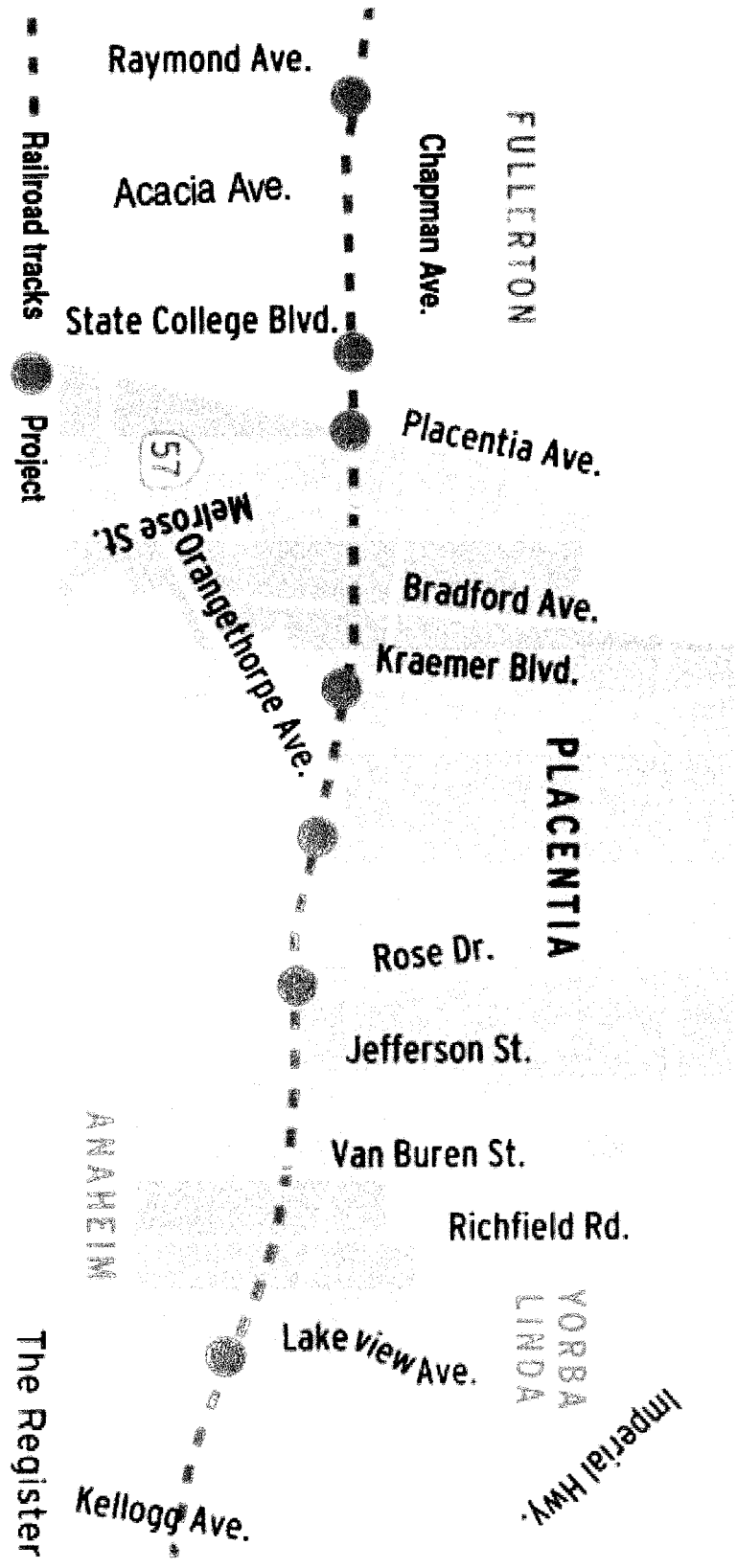
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Approved by:



Kia Mortazavi
Executive Director, Development
(714) 560-5741

Rail projects








MAP OF GRADE SEPARATION PROJECTS

**Proposed Schedules
TCIF Grade Separation Projects
May 5, 2008**

Location	UC /OC *	Lead Agency	2008	2009	2010	2011	2012	2013	2014	2015	2016
Raymond Ave	UC	Fullerton	Procurement	Environmental	Final Design and R/W Acquisition	Procurement	Final Design and R/W Acquisition	Bid	Construction	Construction	Construction
State College Blvd	UC	Fullerton	Environmental	Final Design and R/W Acquisition	Final Design and R/W Acquisition	Bid	Construction	Construction	Construction	Construction	Construction
Placentia Ave	UC	OCTA	Procurement	Environmental	Bid	Construction	Construction	Construction	Construction	Construction	Construction
Kraemer Blvd	UC	OCTA	Environmental	Final Design and R/W Acquisition	Final Design and R/W Acquisition	Bid	Construction	Construction	Construction	Construction	Construction
Orangethorpe Ave	OC	OCTA	Environmental	Procurement	Final Design and R/W Acquisition	Final Design and R/W Acquisition	Bid	Construction	Construction	Construction	Construction
Tustin Ave / Rose Dr	OC	OCTA	Environmental	Procurement	Final Design and R/W Acquisition	Final Design and R/W Acquisition	Bid	Construction	Construction	Construction	Construction
Lakeview Ave	OC	OCTA	Environmental	Final Design and R/W Acquisition	Final Design and R/W Acquisition	Bid	Construction	Construction	Construction	Construction	Construction

* UC - undercrossing
OC - overcrossing

Legend:

-  Environmental
-  Procurement
-  Final Design and R/W Acquisition
-  Bid
-  Construction

↑
TCIF
Construction
Must-Start Date

REQUEST FOR PROPOSALS (RFP) NO. 8-0961 FOR
PLACENTIA AVENUE GRADE SEPARATION PROJECT
IS AVAILABLE ON THE OCTA WEBSITE (www.OCTA.net)

AND AVAILABLE UPON REQUEST

FROM THE CLERK OF THE BOARD'S OFFICE

REQUEST FOR PROPOSALS (RFP) NO. 8-0922 FOR
KRAEMER BOULEVARD GRADE SEPARATION PROJECT
IS AVAILABLE ON THE OCTA WEBSITE (www.OCTA.net)

AND AVAILABLE UPON REQUEST

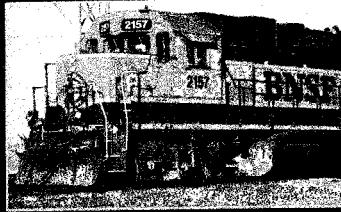
FROM THE CLERK OF THE BOARD'S OFFICE

REQUEST FOR PROPOSALS (RFP) NO. 8-0962 FOR
LAKEVIEW AVENUE GRADE SEPARATION PROJECT
IS AVAILABLE ON THE OCTA WEBSITE (www.OCTA.net)

AND AVAILABLE UPON REQUEST

FROM THE CLERK OF THE BOARD'S OFFICE

**POWERPOINT
PRESENTATION**



Trade Corridors Improvement Fund Grade Separation Projects

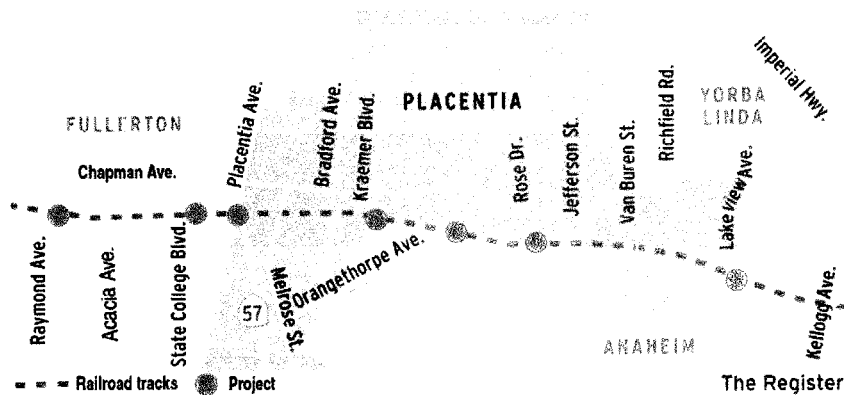
Board of Directors Meeting
June 23, 2006



Grade Separation Projects

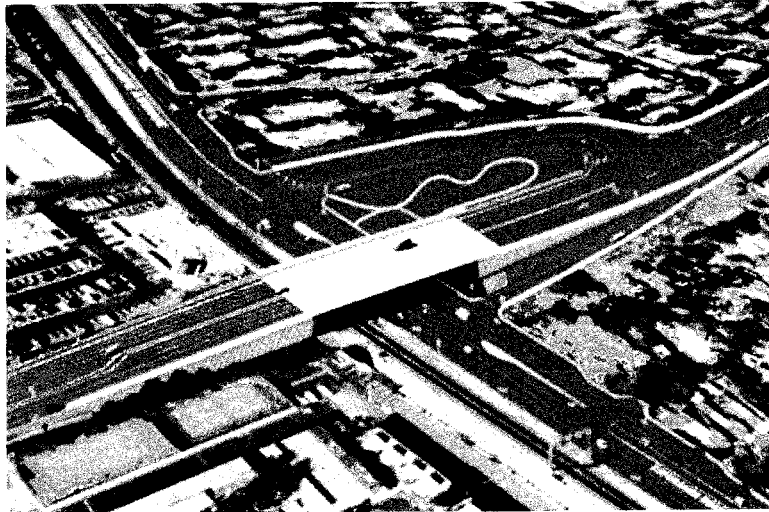


Rail projects



The Register

Imperial Grade Separation



3

Trade Corridors Improvement Fund (TCIF) Funding



* Funding Criteria

- Project readiness
- Start construction by December 2013
- Amount of local funding match

* Funding Allocations

\$183 million	TCIF funds
<u>\$234 million</u>	Federal & Measure M
\$417 million	Total

4

Project Schedules



Proposed Project Schedules

Location	UC/OC	Lead Agency	2008	2009	2010	2011	2012	2013	2014	2015	2016
Raymond Ave	UC	Fullerton									
State College Blvd	UC	Fullerton									
Placentia Ave	UC	OCTA									
Kraemer Blvd	UC	OCTA									
Orangethorpe Ave	OC	OCTA									
Tustin Ave / Rose Dr	OC	OCTA									
Lakeview Ave	OC	OCTA									

* UC - undercrossing
OC - overcrossing

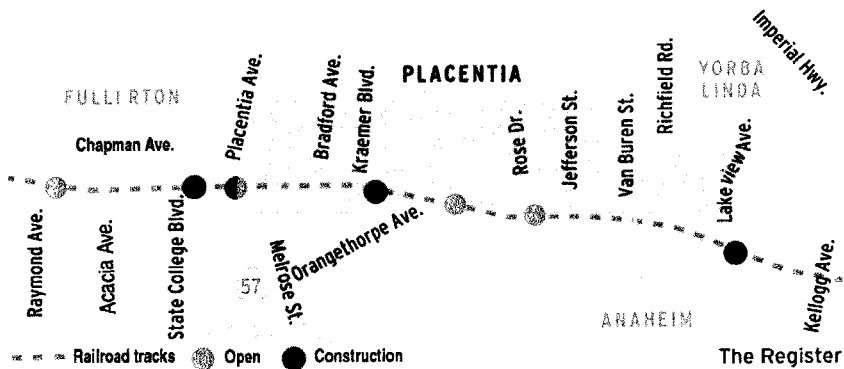
- Legend:
- Environmental
 - Procurement
 - Final Design and RW Acquisition
 - Bid
 - Construction

TJIF
Construction
Must-Start Date

2012 Construction Sequencing



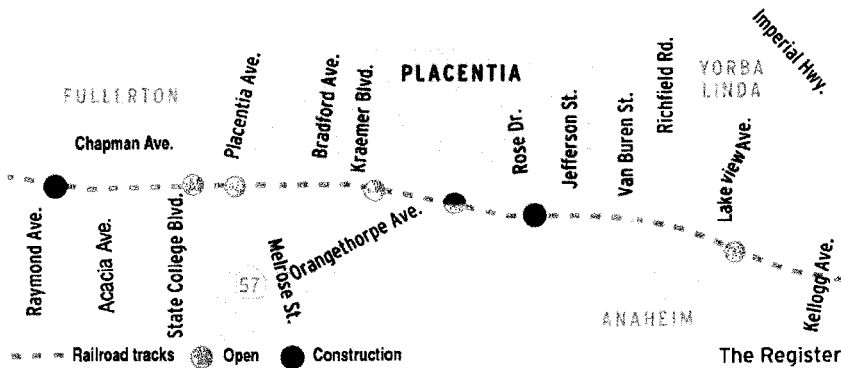
Rail projects



2014 Construction Sequencing



Rail projects



7

Program Risks



- Approval of revised project sequencing
- Delay in environmental approvals
- Potential re-evaluation of TCIF funding allocations
- Agreement with BNSF Railway on construction impacts and funding responsibilities
- Significant property acquisition impacts

8

Next Steps



- Release procurement for final design
- Finalize construction staging plan
- Negotiate TCIF baseline agreements
- Complete environmental documents
- Negotiate agreement with BNSF Railway
- Prepare cooperative agreement with cities



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: 91 Express Lanes Debt

Finance and Administration Committee meeting of June 11, 2008

Present: Directors Amante, Brown, Buffa, Campbell, Green, and Moorlach
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Director Moorlach was not present to vote on this item.

Committee Recommendations (reflects change from staff recommendations)

- A. Select Lehman Brothers, Citi, De La Rosa, Goldman Sachs, JP Morgan Securities, Inc., and Merrill Lynch to serve on the underwriting team for the refinancing of the 91 Express Lanes debt with Lehman Brothers serving as the senior manager.
- B. Authorize the issuance of a request for proposals for credit support and liquidity agreement for the new 91 Express Lanes variable rate bonds.



June 11, 2008

To: Finance and Administration Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: 91 Express Lanes Debt

Overview

In January 2008, Ambac Assurance Corporation was downgraded by Fitch, Inc. and placed on negative credit watch by Moody's Investors Service, Inc., and Standard and Poor's Ratings Services. As a result, many investors have lost confidence in any debt insured by Ambac Assurance Corporation. The 91 Express Lanes variable rate bonds are currently insured by Ambac Assurance Corporation and have experienced higher interest rate costs since the downgrade. Staff has evaluated various options and presents a refinancing strategy for approval.

Recommendations

- A. Authorize staff to refinance the 91 Express Lanes variable rate bonds.
- B. Select Lehman Brothers, Citi, De La Rosa, Goldman Sachs, JP Morgan Securities, Inc., and Merrill Lynch to serve on the underwriting team for the refinancing of the 91 Express Lanes debt with Lehman Brothers serving as the senior manager.
- C. Authorize the issuance of a request for proposals for credit support and liquidity agreement for the new 91 Express Lanes variable rate bonds.

Background

In November 2003, the Orange County Transportation Authority (Authority) issued \$195.265 million in Toll Road Revenue Refunding Bonds to refinance the outstanding taxable bonds associated with the acquisition of the 91 Express Lanes. The bonds were issued in two series, a fixed rate transaction and a variable rate transaction. The Authority sold \$95.265 million Ambac Assurance Corporation (Ambac) insured fixed rate bonds at an average interest rate of 4.90 percent. The other series were sold as variable rate

demand bonds (VRDBs), in the amount of \$100 million. The VRDBs are also insured by Ambac and are re-priced on a weekly basis.

In an effort to remove the variable interest rate exposure, the Authority entered into a floating-to-fixed interest rate swap with two counterparties, Lehman Brothers (Lehman) and Bear Stearns. Lehman is responsible for \$75 million and Bear Stearns is responsible for \$25 million. The swap synthetically fixed the interest rate on the VRDBs to 4.06 percent. The same two counterparties were used as the remarketing agents for selling the VRDBs to investors.

Although the Authority's VRDBs are hedged to a 4.06 percent rate, the 91 Express Lanes bonds are subject to market fluctuations with each weekly re-pricing. As part of the hedge, the Authority receives the weekly benchmark Securities Industry and Financial Markets Association (SIFMA) rate in return from the two counterparties.

If the Authority's weekly re-priced bonds are higher than the SIFMA rate, then the Authority has generated "negative basis". In other words, the Authority is paying more to investors than what it is receiving from the counterparties. If the Authority's weekly re-pricing rate is lower than SIFMA, then the Authority has generated "positive basis" and is receiving more from the counterparties than what is being paid to investors. As of December 31, 2007, the Authority had accumulated a positive basis balance of \$130,136 over the past four years.

The Authority also entered into a Standby Purchase Agreement with JP Morgan Chase Bank (JP Morgan) and Dexia Credit Local Bank (Dexia) to provide liquidity for the variable rate bonds. The liquidity provides protection to investors and the remarketing agents in the event that there is no market interest for the bonds. Under this scenario, the VRDBs are returned to JP Morgan and Dexia and are converted to a bank loan. The Standby Purchase Agreement has a five-year term and expires in November 2008.

The initial ratings of the 91 Express Lanes bonds were A2 by Moody's Investors Services, Inc. (Moody's), A- by Standard and Poor's (S&P) Ratings Services, and A- by Fitch, Inc. (Fitch). The current ratings of the bonds are A1, A-, and A respectively.

Discussion

On January 18, 2008, Fitch downgraded Ambac, the world's second-biggest bond insurer, from AAA to AA. Fitch also noted that Ambac's rating was placed on negative credit watch. Fitch did not rule out further downgrades,

citing "significant uncertainty with respect to the company's franchise, business model and strategic direction". Although Moody's and S&P reaffirmed Ambac's Aaa/AAA ratings, both agencies also placed Ambac on negative credit watch.

The Fitch downgrade impacted billions of dollars of VRDBs insured by Ambac that were re-priced each week. Tax-exempt money market funds lost confidence in bond insurance and liquidity agreements and decided to boycott insured VRDBs. In addition, the banks that provide liquidity agreements and letters of credit lost confidence in the bond insurers as well.

As a result of the chaotic market, many issuers with multiple remarketing agents experienced a wide range of yields for their VRDBs weekly resets. The Authority's experience was no different. Bear Stearns was unable to remarket the Authority's \$25 million in VRDBs at weekly rates close to the weekly SIFMA index. This issue persisted for a sustained period of time. The Authority elected to terminate Bear Stearns as remarketing agent on March 12, 2008, and temporarily transfer the \$25 million to Lehman to remarket.

Ambac's deteriorating credit position has resulted in a significant loss in trading value for the Authority's \$100 million VRDBs. The lack of investor confidence in Ambac's credit position is currently costing the Authority approximately \$30,000 a week in increased interest costs.

The Authority issued a request for proposals (RFP) for remarketing services to permanently replace Bear Stearns. The Authority also solicited ideas from the underwriter community for short and long-term solutions to the 91 Express Lanes debt. Although the municipal market is not as chaotic as it was a couple of months ago, the problems still persists with Ambac.

Ambac has added \$1.5 billion in new capital in an attempt to keep its Aaa ratings from Moody's and AAA ratings from S&P. Ambac released its first quarter earnings on April 23, 2008, and announced a \$1.7 billion loss. Ambac's stock price fell 42 percent. Market observers have stated that Ambac needs more capital to retain its Aaa ratings from Moody's and AAA ratings from S&P.

As the problems continue in the municipal market with Ambac-insured debt, the Authority is faced with the pending expiration of the Standby Purchase Agreement in November 2008. Ambac's credit position has prompted other AAA insurers as well as letter of credit banks to potentially reject the possibility of providing credit support for bonds that are also insured by Ambac due to their concern over inter-creditor right disagreements.

Given these issues, the Authority has to either refinance the VRDBs to remove the Ambac insurance or find another liquidity option. Self-liquidity is one option that has been researched, however the Authority would need to set aside cash reserves equal to 125 percent of the VRDBs according to one rating agency's requirements. In addition, with self-liquidity, money market funds would not be eligible to invest in the Authority's VRDBs given the single A underlying ratings for the debt. The Authority has evaluated a number of options for moving forward. These options are included and discussed in Attachment A.

Recommended Approach

The Authority and its financial advisor have carefully reviewed the alternatives and have concluded that option 10 provides the best combination of the lowest cost and highest flexibility. It is unclear at this time whether the fixed rate bonds have to be refunded. If approved by the Board of Directors (Board), staff will issue the RFP for credit support and liquidity agreement through the underwriting team and proceed with the refinancing of the VRDBs. Staff will return to the Board in July 2008, with the results of the bids, an estimate of the refinancing costs, and a proposed calendar for refinancing transaction. Staff will also pursue dialogue with TIFIA regarding a potential loan if it is determined that the fixed rate bonds must be refunded.

The recent RFP that the Authority issued to replace Bear Stearns as a remarketing agent included questions about restructuring options if investors continued to discount Ambac's credit. The Authority received nine responses to the RFP. The offers were evaluated based on the following criteria: Qualifications of the Firm (50 percent), Staffing and Project Organization (15 percent), Work Plan (25 percent), and Cost and Price (10 percent). The customary scoring factor for each criteria is 25 percent, however, the recent experience with Bear Stearns emphasized the importance of retaining firms that could effectively market the Authority's debt given the current environment of the municipal market. Therefore, a greater emphasis was placed on the qualifications of each firm.

Based on the responses, the evaluation team recommends retaining the following six firms to assist in the refunding of the 91 Express Lanes bonds:

Firm and Location

Lehman Brothers
Los Angeles, California

Citi
Los Angeles, California

De La Rosa & Company
Los Angeles, California

Goldman Sachs
Los Angeles, California

Merrill Lynch
Los Angeles, California

JP Morgan Securities, Inc.
San Francisco, California

The evaluation team also recommends selecting Lehman as the senior manager for the transaction. Lehman provided a comprehensive and well thought out response regarding the potential options available to the Authority and the restructuring of the 91 Express Lanes debt. In addition, Lehman has demonstrated through this difficult period that they are willing to use their firm's capital to keep the Authority as a preferred client.


Summary

A plan to refinance the 91 Express Lanes debt is presented for approval by the Finance and Administration Committee and the Board of Directors.

Attachments

- A. 91 Express Lanes Debt Options Evaluated
- B. Remarketing Agent and Underwriting Services Review of Proposals Evaluation Matrix
- C. Proposal Evaluation Criteria Matrix, Remarketing Agent and Underwriting Services Proposals

Prepared by:


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Treasurer
Treasury/Public Finance
(714) 560-5674

Approved by:


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

**91 Express Lanes
Debt Options Evaluated**

Option 1: Do nothing and hope that trading value of current VRDBs improves.

This option is currently very expensive. The Authority's annualized increased interest rate cost related to Ambac is approximately \$1.5 million. In addition, JP Morgan and Dexia as liquidity providers have told the Authority that they will not renew the current liquidity agreement which expires in November 2008, if the VRDBs continue to be insured by Ambac.

Option 2: Negotiate with the Orange County Investment Pool (OCIP) to buy the VRDBs at a lower interest rate.

We have discussed this with the OCIP. This appears to be a short-term option that does not cure the Ambac problem. OCIP would have to buy the entire 91 Express Lanes \$100 million VRDBs issue to affect the market reception. There is no guarantee that existing investors would sell. In addition, if OCIP bought the 91 Express Lanes \$100 million VRDBs issue, there is no guarantee that the VRDBs will remain money market eligible given Ambac's credit position. Therefore, the OCIP will undoubtedly require a liquidity agreement so that OCIP can easily tender the 91 Express Lanes VRDBs issue to a third-party for any reason.

Option 3: Ambac has stated that it is willing to analyze the "suspension" of its insurance for a year or two as a "bridge" to a more attractive market.

The suspension could be attractive if Ambac is an accepted credit support after the end of the suspension period. The Authority would need a liquidity agreement during the suspension period. A new bond rating based on a new liquidity agreement that is based on the underlying credit of the 91 Express Lanes may not be rated in the double A category and thus not be money market eligible.

Option 4: Sell a fixed rate "bridge" security that matures in a year or two in a more attractive market.

The Authority could structure a refunding "bridge" bond or change the VRDBs interest rate mode under the current financing indenture. The "bridge" bond could be attractive if Ambac is an accepted credit support after the end of the "bridge" bond period. The "bridge" financing based on a mode change would require a new liquidity agreement. A new liquidity agreement will be difficult to negotiate as long as Ambac insures the VRDBs. A "bridge" financing will not be correlated to the existing interest rate swap. Therefore, as long as SIFMA yields less than the yield on a "bridge financing" as it does today, "negative basis" costs will increase until the "bridge" financing is restructured.

Option 5: Create a new self-liquidity facility and hope that trading value of current VRDBs improves.

Although this is an attractive idea, a new self-liquidity agreement may not improve the trading value of Ambac-insured VRDBs. The Authority has to carefully forecast its own liquidity needs before committing to a self-liquidity facility. Fitch has released a criteria report on their criteria for self-liquidity entitled "Guidelines for Rating Variable-Rate Demand Obligations and Commercial Paper Issued with Internal Liquidity" that states that issuers need at least 125 percent of the principal amount of the securities in liquid, discretionary funds.

Option 6: Find a AAA insurer or bank letter of credit to "wrap" the Ambac-insured VRDBs.

Financial Security Assurance Inc. (FSA) and Assured Guaranty will not wrap the VRDBs. Dexia and JP Morgan have said that they will not provide a new bank letter of credit for the 91 Express Lanes VRDBs if the bonds are still insured by Ambac. We suspect that banks without a current relationship with the Authority will have the same reaction.

Option 7: Refund the VRDBs with fixed rate bonds.

The existing interest rate swaps would have to be terminated, therefore making this an expensive option. The interest rate swap termination payments, based on the fact that interest rates are lower today than they were in 2003, would be approximately \$11 million. It is estimated that the debt service for the new refunding bonds would be approximately \$1.8 million higher per year under a fixed rate structure.

Option 8: Refund the VRDBs with a bank letter of credit and refund the fixed rate bonds with a Federal Highway Administration's Transportation Finance Infrastructure Assistance (TIFIA) loan.

TIFIA loans, by statute, are for new money issues. The Authority had a successful introductory call with TIFIA to discuss a potential loan. The Authority must verify if a loan to restructure and thereby refund the 91 Express Lanes fixed rate bonds is permitted by TIFIA's enabling legislation. This could be an attractive option. Staff recommends engaging TIFIA in a serious dialogue to explore such a loan.

Option 9: Refund the VRDBs with a new AAA insurer as well as a new liquidity agreement and refund fixed rate bonds.

The remaining three AAA insurance providers who are still held in very high regard by the marketplace are FSA, Assured Guaranty and Berkshire Hathaway. Although a new AAA insurer would increase the trading value of the 91 Express Lanes VRDBs, a new AAA insurer would increase the trading value of the 91 Express Lanes VRDBs, a new AAA insurance policy will be expensive due to heavy demand in the market. In addition, the Authority will have to solicit and negotiate a new liquidity agreement. Unless the

Authority can negotiate a new liquidity agreement that shifts the termination and suspension risks to the 91 Express Lanes, the Authority would suffer similar basis losses if a new AAA insurer suffered a credit dislocation in the future.

The AAA insurers the Authority spoke to will not participate in a partial refunding of the 91 Express Lanes bonds due to their reluctance to share inter-creditor control rights with Ambac. Therefore, this option will also require refunding the remaining \$79,285,000 Ambac-insured fixed rate bonds.

Option 10: Refund the VRDBs with a bank letter of credit and, if required, refund the fixed rate bonds in order to eliminate potential inter-creditor rights issues.

Based on cost and financing document flexibility, this appears to be the most attractive option. The VRDBs with a bank letter of credit would have a correlated trading value to SIFMA, the key interest rate swap benchmark.

Due to an international lack of liquidity and letter of credit debt capacity, banks are in the position to dictate aggressive terms and prices. Although there have been exceptions, letter of credit banks have generally said that they would prefer not to provide credit to VRDBs that also have outstanding Ambac-insured parity fixed rate bonds.

Despite the Authority's successful history with Dexia and JP Morgan, the two banks have not formally disclosed their ability to provide a letter of credit for the 91 Express Lanes VRDBs and whether or not they would absolutely require refunding the existing current Ambac-insured bonds. Issuing a formal request for proposals for a bank letter of credit for the 91 Express Lanes VRDBs may be the only way to obtain a definitive commitment and price from the banking community. The Authority would also submit a request for proposals to California State Teachers' Retirement System (CalSTRS). CalSTRS issues letters of credit, lines of credit, and liquidity agreements. CalSTRS partners with banks and serves in either a co-front position or in a second-loss position.

If the fixed rate bonds must be refunded, the remaining \$79,285,000 Ambac-insured bonds cannot be refunded for savings. The increased present value refunding cost would be approximately \$500,000 in the current market. However, a complete VRDBs and fixed rate refunding has potential structural attractions. For example, the Authority may want to restructure the bonds based on the assumption that Riverside County Transportation Commission's legislation to extend the 91 Express Lanes into Riverside County also extends the Authority's 91 Express Lanes Franchise Agreement. In addition, the Authority may receive higher ratings based on the past five years of operating history or potentially receive the same ratings and release the supplemental, major maintenance and operating expense reserve funds.

**Remarketing Agent and Underwriting Services
Review of Proposals
Evaluation Matrix**

9 proposals were received

Overall Ranking	Overall Score	Firm and Location	Evaluation Committee Comments	Remarketing Agent Fee
1	93	Lehman Brothers Los Angeles, California	Highest ranked proposal Thoughtful analyses of restructuring options Very strong investment banking personnel coverage Strong remarketing support during difficult times	6 basis points
2	86	Merrill Lynch Los Angeles, California	Very thorough, technical proposal Lead banker was involved with initial debt issuance for the 91 Only proposal to point out potential inter-creditor issues Highlighted that Orange County Transportation Authority may not have to pledge additional reserves	15 basis points
3	80	JP Morgan San Francisco, California	Excellent discussion of impacts of Ambac downgrade Discussed additional considerations including complex tax issues Good discussion of alternative financing techniques	6 basis points
4	77	Citi Los Angeles, California	Strong alternative financing options discussion Good discussion of irrevocable liquidity letter of credit Required amendments to the Remarketing Agreement	10 basis points
5	77	De La Rosa & Company Los Angeles, California	Clear comparative pricing analysis of restructuring options Strong record of supporting Orange County Transportation Authority issues Experience focuses exclusively on California municipal market	10 basis points
6	76	Goldman Sachs Los Angeles, California	Good discussion of capital markets turmoil Reached out to the market and provided preliminary letter of credit quote Limited discussion on alternative financing options	6 basis points

PROPOSAL EVALUATION CRITERIA MATRIX
Remarketing Agent and Underwriting Services

Firm: Lehman Brothers

Evaluation Number	1	2	3	4	Weights	Overall Score
Qualifications of the Firms	5.00	5.00	5.00	5.00	10	50
Staffing and Project Organization	4.50	5.00	5.00	5.00	3	15
Work Plan	4.00	4.00	4.50	4.00	5	21
Cost and Price	4.00	4.00	4.00	4.00	2	8
Overall Score	91.50	93.00	95.50	93.00		93

Firm: Merrill Lynch

Evaluation Number	1	2	3	4	Weights	Overall Score
Qualifications of the Firms	4.00	4.00	4.00	4.00	10	40
Staffing and Project Organization	5.00	5.00	5.00	5.00	3	15
Work Plan	5.00	4.50	4.50	5.00	5	23
Cost and Price	4.00	4.00	4.00	4.00	2	8
Overall Score	88.00	85.50	85.50	88.00		86

Firm: JP Morgan

Evaluation Number	1	2	3	4	Weights	Overall Score
Qualifications of the Firms	4.00	4.00	4.00	4.00	10	40
Staffing and Project Organization	4.00	4.00	4.00	4.00	3	12
Work Plan	4.00	4.00	4.00	4.00	5	20
Cost and Price	4.00	4.00	4.00	4.00	2	8
Overall Score	80.00	80.00	80.00	80.00		80

Firm: Citi

Evaluation Number	1	2	3	4	Weights	Overall Score
Qualifications of the Firms	4.00	4.00	4.50	4.50	10	42
Staffing and Project Organization	4.00	4.00	4.00	4.00	3	12
Work Plan	3.00	3.00	3.00	3.00	5	15
Cost and Price	4.00	4.00	4.00	4.00	2	8
Overall Score	75.00	75.00	80.00	80.00		77

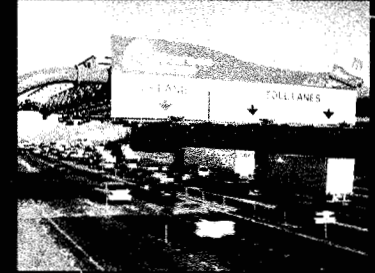
Firm: De La Rosa & Company

Evaluation Number	1	2	3	4	Weights	Overall Score
Qualifications of the Firms	3.50	3.50	3.50	3.50	10	35
Staffing and Project Organization	4.00	4.00	4.50	4.50	3	13
Work Plan	4.50	4.50	4.00	4.00	5	22
Cost and Price	4.00	4.00	4.00	4.00	2	8
Overall Score	77.50	77.50	76.50	76.50		77

Firm: Goldman Sachs

Evaluation Number	1	2	3	4	Weights	Overall Score
Qualifications of the Firms	4.00	4.00	4.00	4.00	10	40
Staffing and Project Organization	4.00	4.00	4.00	4.00	3	12
Work Plan	3.00	3.00	3.50	3.00	5	16
Cost and Price	4.00	4.00	4.00	4.00	2	8
Overall Score	75.00	75.00	77.50	75.00		76

**POWERPOINT
PRESENTATION**



91 Express Lanes Debt



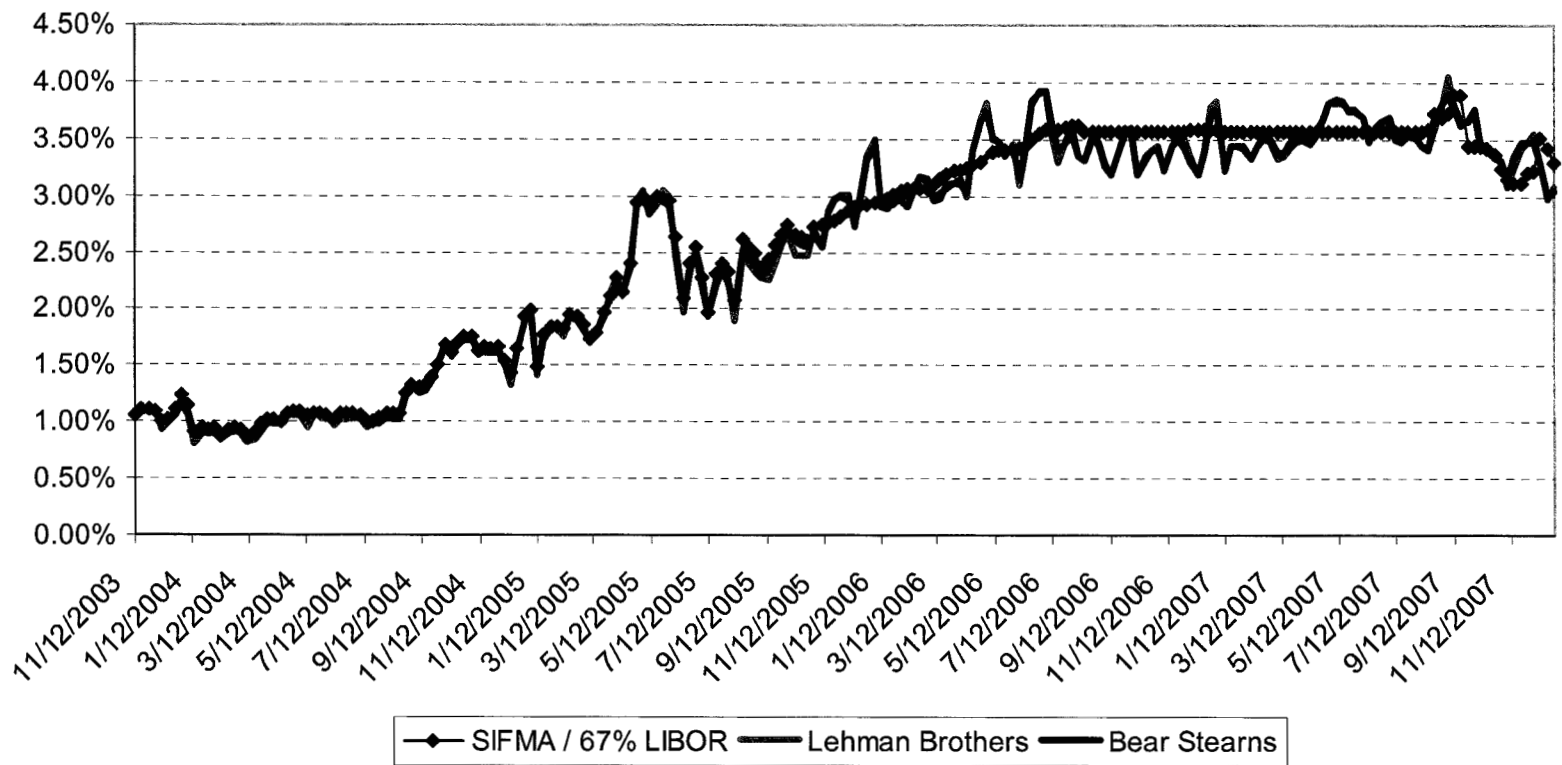
**Board of Directors' Meeting
June 23, 2008**

Background

- Issued \$195.265 million Ambac-insured bonds in November 2003
 - \$95.265 million in fixed rate bonds
 - \$100 million in variable rate demand bonds
- Variable rate bonds swapped to synthetic fixed rate of 4.06% with two counterparties
 - Lehman Brothers
 - Bear Stearns
- Standby Bond Purchase Agreement provided by JP Morgan and Dexia Credit Local
 - Expires on November 12, 2008

Trading Values of Variable Rate Bonds: 2003-2007

Weekly Variable Rate Demand Bonds Reset Rates

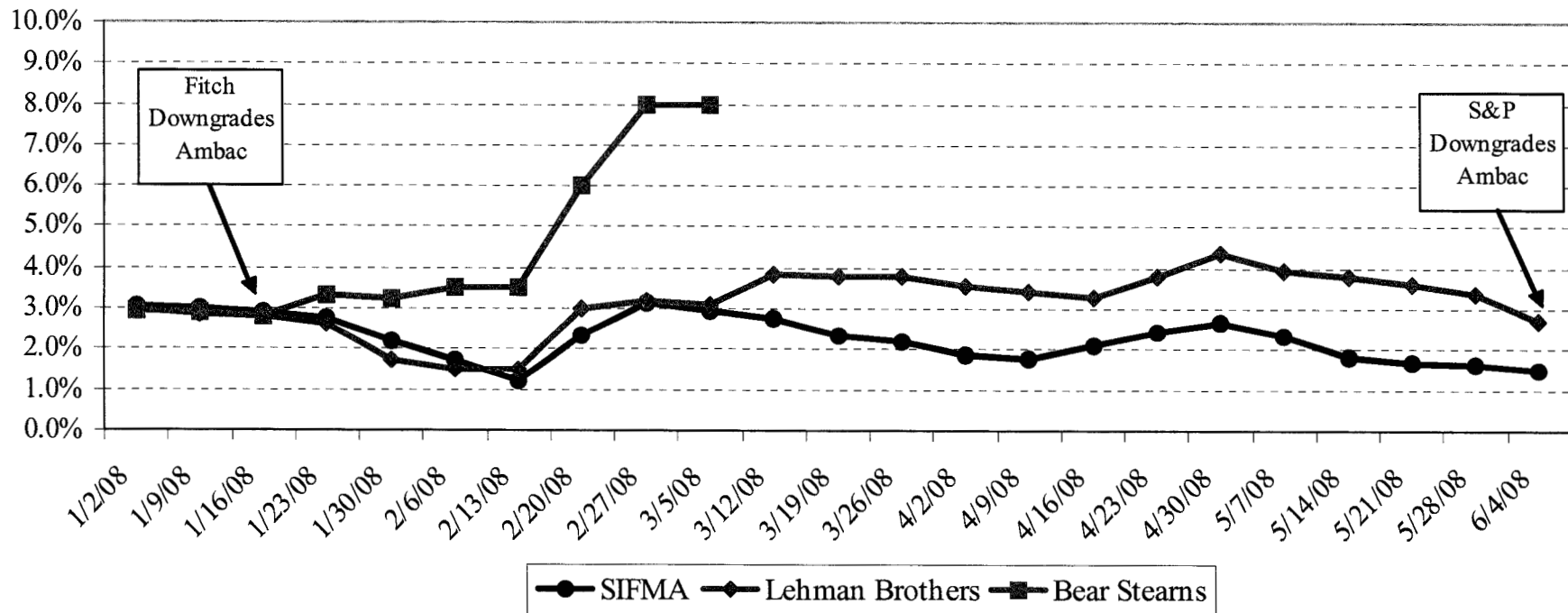


Ambac Related Events

- Jan. 18, 2008: Fitch downgrades Ambac to AA
- Jan. 22, 2008: Ambac announces \$3.28 billion 4th quarter 2007 loss
- March 12, 2008: Ambac announces closing of \$1.5 billion common stock offering
- April 23, 2008: Ambac announces \$1.66 billion 1st quarter 2008 loss
- June 5, 2008: S&P downgrades Ambac to AA

Trading Values of Variable Rate Bonds: 2008

Weekly Variable Rate Demand Bonds Reset Rates



Actions to Date

- Removed Bear Stearns as remarketing agent on March 12, 2008
- Temporarily transferred \$25 million from Bear Stearns to Lehman Brothers
- Purchased approximately \$10 million in variable rate bonds to prevent bonds from being tendered
- Issued RFP to replace Bear Stearns and solicit ideas for short and long-term solutions

Issues

- Incurring an additional \$30,000 per week in interest costs
- Volatile municipal market environment
- Standby Bond Purchase Agreement expiration in November 2008

Recommendations

- * Authorize the issuance of a RFP for credit support and liquidity agreement

- * Select the following firms to serve on the underwriting team:
 - o Lehman Brothers – Senior Manager
 - o Citi
 - o De La Rosa
 - o Goldman Sachs
 - o JP Morgan
 - o Merrill Lynch

Next Steps

- Issue RFP
- Review results and discuss debt options with Finance and Administration Committee
- Return to the Board with final recommendations



BOARD COMMITTEE TRANSMITTAL

June 23, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Garden Grove Freeway (State Route 22) Design-Build Project Update

Highways Committee Meeting of June 16, 2008

Present: Directors Dixon, Green, Mansoor, Norby, Pringle, and Rosen
Absent: Directors Amante, Cavecche, and Glaab

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Cooperative Agreement No. C-7-1368 between the Orange County Transportation Authority and the City of Garden Grove, in which the Orange County Transportation Authority will reimburse the City of Garden Grove \$1,350,000, for the design, construction, construction management, and maintenance of the placement of rubberized asphalt concrete on Trask Avenue, and the City of Garden Grove will reimburse the Orange County Transportation Authority \$572,286 for the completion of the third through-lane on eastbound Garden Grove Boulevard.



June 16, 2008

To: Highway Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Garden Grove Freeway (State Route 22) Design-Build Project Update

Overview

The major improvements on the Garden Grove Freeway (State Route 22) from Valley View Street to the Costa Mesa Freeway (State Route 55) were completed in September 2007 and all lanes were opened to traffic. Since this time, all corrective work has been completed and the improved facilities have been turned over to the California Department of Transportation and other local agencies. This report provides an update on the completion of the project and gives the status of several ongoing work items associated with the project. This report also requests approval of a cooperative agreement with the City of Garden Grove for improvements related to the Garden Grove Freeway (State Route 22).

Recommendation

Authorize the Chief Executive Officer to execute Cooperative Agreement No. C-7-1368 between the Orange County Transportation Authority and the City of Garden Grove, in which the Orange County Transportation Authority will reimburse the City of Garden Grove \$1,350,000, for the design, construction, construction management, and maintenance of the placement of rubberized asphalt concrete on Trask Avenue, and the City of Garden Grove will reimburse the Orange County Transportation Authority \$572,286 for the completion of the third through-lane on eastbound Garden Grove Boulevard.

Background

The Garden Grove Freeway (State Route 22) project was constructed under a design-build contract with the joint venture of Granite-Meyers-Rados (GMR). The project involved the widening of 12 miles of State Route 22 from Valley View Street to the Costa Mesa Freeway (State Route 55), including the reconstruction of 13 interchanges. Major improvements on State Route 22 were completed in September 2007 with the opening of all lanes to traffic.

Since that time, GMR, the California Department of Transportation (Caltrans), the Orange County Transportation Authority (Authority), local cities, and utility agencies have been inspecting the facilities and processing necessary corrections prior to accepting the final facilities.

Discussion

The final construction and inspection of the State Route 22 Design-Build Project is complete and the operation and maintenance of the facilities were turned over to Caltrans and other local agencies on May 16, 2008. The formal turnover of the State Route 22 facilities marks the start of a one-year warranty period by GMR and the beginning of a three-year plant establishment period. During this three-year plant establishment period, the contractor is responsible for ensuring that all plant material and irrigation systems become well established and are viable.

Over several months, GMR submitted a number of claims for additional costs for extra work that GMR considered outside of its control. The total value of the claims submitted by GMR was \$93 million. The Authority reviewed these claims and has worked with GMR and a third-party mediator to resolve these disputes. The Board of Directors (Board) was apprised on the progress of the discussions and provided direction to staff during closed sessions. The goal of these efforts was to reach a negotiated agreement on the claims and to avoid lengthy and costly formal litigation.

In late March 2008, the Authority and GMR reached an agreement to settle the claims filed. The Authority agreed to pay a lump sum amount of \$39.3 million to settle all claims filed by GMR for work on the State Route 22 Design-Build Project. This agreement settles all outstanding disputes on the project between GMR and the Authority (Attachment A).

Completion of Other Construction Tasks

There are currently several other items of work being completed related to the State Route 22 project that are not part of the GMR design-build contract. The Authority and other local public agencies are completing these work items. The following discussion provides the status of this work.

Additional Soundwalls

After the design-build contract was underway, the Authority determined that added or extended soundwalls were needed at four different locations along State Route 22. These locations are the eastbound Beach Boulevard on-ramp,

The City Drive eastbound off-ramp, westbound State Route 22 between Tustin Avenue and Cambridge Street, and westbound State Route 22 at Devon Road. It was decided not to include these additional soundwalls in the design-build contract.

On October 15, 2007, the Board approved an implementation plan for the four additional soundwalls, where the Authority will lead the design effort and Caltrans will lead the construction and construction management efforts. The design of these soundwalls was recently added to the contracts of the firms currently designing other soundwall projects for the Authority. The final design work is currently underway with the construction of the four State Route 22 soundwalls expected to be completed in early 2010.

Thunderbird Sewer Improvements

A new sanitary sewer lift station and re-routed sewer line is needed in an area adjacent to the Thunderbird Mobile Home Park to eliminate a conflict with the Lewis Street Storm Water Channel (Lewis Channel). A cooperative agreement was approved by the Authority and the Garden Grove Sanitary District in April 2008 for implementation of these improvements. Under this agreement, the Authority will fund the construction, construction management, and facility maintenance of the relocated sewer and lift station, and the Garden Grove Sanitary District will lead the construction and operation of the facilities. This project is expected to be under construction later this year and completed by June 2009.

Lewis Channel Improvements

The State Route 22 project required modifications to a portion of the Lewis Channel to free up additional right-of-way for project improvements. Since the Lewis Channel improvements and right-of-way requirements affect freeway operations, a three-party cooperative agreement is being prepared between Caltrans, the County of Orange (County), and the Authority to fund the improvements, identify responsibility for long term maintenance, and transfer property ownership. The County has issued an encroachment permit to the Authority for the Lewis Channel property until such time as the three-party cooperative agreement is executed and the channel improvements are completed.

Improvement of a portion of the Lewis Channel was not originally considered to be necessary as part of the State Route 22 project. After further design studies, the County and Authority concluded that improvements were necessary along this portion of the Lewis Channel to accommodate increased flood flows. In the proposed three-party cooperative agreement, the Authority will be the lead for

the design of this unimproved portion of the Lewis Channel, and the County will be the lead for the construction and construction management of the improvements. Currently, the cooperative agreement is being finalized and will be brought to the Board for approval in the next few months.

On January 28, 2008, the Board approved an amendment to the contract with Parsons Transportation Group to commence design of the improvements to the final section of the Lewis Channel. Design was initiated in February 2008, and construction is expected to start next year and be completed in late 2010. Until these improvements are finished, the Authority remains the permit-holder with the County for this portion of the Lewis Channel and will be responsible for maintaining and insuring this portion of the Lewis Channel until the improvements are completed.

Noise Abatement Measures for Schools

A noise impact report was prepared as part of the environmental document for the State Route 22 project to identify noise impacts associated with the proposed freeway improvements, as well as potential noise abatement measures. The report identified the need for noise abatement at 13 classrooms at Sunnyside and Mitchell elementary schools. The abatement measures specified the installation of air conditioning units in these school classrooms.

The environmental document for the project also required that a post-construction study be conducted at Excelsior and Jordan elementary schools to determine if noise abatement is warranted at these sites. This study has determined that abatement is warranted at eight classrooms at Jordan Elementary School and no abatement is warranted at Excelsior Elementary School.

On January 23, 2006, the Board approved the installation of air conditioning units for the schools as recommended by the environmental document. Authority staff is currently negotiating with the Garden Grove Unified School District (GGUSD) on the terms and conditions for funding the air conditioning units in the classrooms. A draft cooperative agreement has been submitted to the GGUSD for review and comment. This agreement will be brought to the Board for approval within the next few months.

Trask Avenue Rubberized Asphalt Overlay

During construction of State Route 22, concerns were raised by residents along Trask Avenue in the City of Garden Grove (City) regarding noise attenuation adjacent to the corridor. After further review of sound study

information, the Authority approved the funding and placement of rubberized asphalt concrete on Trask Avenue as a pilot study for noise mitigation between Euclid Street and Magnolia Street. It was agreed that the Authority would work with the City to establish terms of a cooperative agreement whereby the City would implement this pavement overlay project.

Also, during the implementation of the State Route 22 project, the City requested the Authority add a third through-lane on eastbound Garden Grove Boulevard, between Fairview Street and Haster Street, as part of the GMR design-build contract. This work was agreed to be funded by the City as part of a future cooperative agreement with the Authority.

Over the past several months, the Authority and the City have developed terms, conditions, and funding responsibilities for the completion of these tasks. Under the terms of this agreement, the City will reimburse the Authority for the completed third through-lane on eastbound Garden Grove Boulevard between Fairview Street and Haster Street, and the Authority will reimburse the City for the design, construction, construction management, and maintenance of the placement of rubberized asphalt concrete on Trask Avenue between Euclid Street and Magnolia Street.

In the proposed Cooperative Agreement No. C-7-1368 (Attachment B), the Authority agrees to:

- Reimburse the City for actual costs for the design, construction, construction management, and maintenance required for the placement of the Trask Avenue rubberized asphalt concrete between Euclid Street and Magnolia Street, in an amount not to exceed \$1,350,000.

The City agrees to:

- Act as the lead agency for the placement of the Trask Avenue rubberized asphalt concrete between Euclid Street and Magnolia Street.
- Contribute \$150,000 in grant funds received from the California Integrated Waste Management Board for the use of placement of rubberized asphalt concrete on Trask Avenue between Euclid Street and Magnolia Street. This is a newly acquired grant by the City and will be used to offset a portion of the \$1,500,000 cost of the improvements.

- Design, build, and maintain the placement of rubberized asphalt concrete on Trask Avenue between Euclid Street and Magnolia Street by April 3, 2009.
- Reimburse the Authority for the actual cost, in the amount of \$572,286, for the completed third through-lane on eastbound Garden Grove Boulevard between Fairview Street and Haster Street.

Fiscal Impact

Revenues associated with Cooperative Agreement No. C-7-1368 have been recognized in the Authority's Fiscal Year (FY) 2007-08 Budget Account 0010-6062-F7100, Local Transportation Authority (LTA), Reimbursement from Cities. Expenses associated with the agreement can be accommodated in the Authority's FY 2008-09 Budget, Development Division, Account 0010-7831-F7100, and are funded through the LTA.

Summary

The Garden Grove Freeway (State Route 22) Design-Build Project, the largest design-build project on an operating freeway in California, was opened to traffic in September 2007, and the facility has just recently been turned over to the California Department of Transportation. There are several items of work not associated with the design-build contract which are still ongoing. As part of these ongoing items, staff requests the approval of Cooperative Agreement No. C-7-1368 with the City of Garden Grove. Staff will continue to provide the Board of Directors with project updates as work is completed.

Attachments

- A. Press Release, Garden Grove Freeway (SR-22), Claims Settlement Facts
- B. Cooperative Agreement No. C-7-1368 Between Orange County Transportation Authority and City of Garden Grove

Prepared by:



M. Joseph Toolson
Program Manager
(714) 560-5406

Approved by:



Kia Mortazavi
Executive Director, Development
(714) 560-5741

Garden Grove Freeway (SR-22)

Claims Settlement Facts



Context: The Bottom Line

\$390.4 million	The base contract amount that the Orange County Transportation Authority (OCTA) awarded in August 2004 to the joint-venture team of Granite Construction Company, C.C. Myers, Inc. and Steve P. Rados, Inc. or GMR.
\$185 million higher	The proposal submitted by Kiewit – the other bidder – was \$185 million higher with a construction schedule 25 percent longer than GMR's bid.
\$58.8 million	The amount that the Board of Directors approved in contract change orders for extra work requested by OCTA.
\$39.3 million	The value of the settlement agreement.
\$488.5 million	The total contract amount with this settlement.

Basis for the Claims: More Work, Faster

63	The number of claims GMR submitted to OCTA containing hundreds of tasks of new work.
\$93 million	The total value of claims.
135,800	Cubic meters of unsuitable wet soil removed by the contractor.
16	The number of football fields worth of subgrade removed by the contractor piled 5 feet high.
Removed materials	This required replacement with rock, base material, recycled material, etc. Many areas required a geotech fabric placement prior to the placement of this base to stabilize the soil. This had a major impact – causing additional time, material and work.
Cumulative impact	This is a result of an activity or multiple activities that affect several construction activities on the job. For example, poor subgrade can impact the placement schedule of concrete. It also can cause crews to work overtime because of delays. It also may delay the placement of the shoulder, and in turn, the electrical items constructed for ramp metering could be delayed. Because there are impacts to efficiency, acceleration of work must occur to meet overall deadlines.

Overhead costs These are costs associated with a schedule extension. An example of this is the additional time that project managers must oversee construction because of additional work causing more scheduled activities. Also, more complex construction activities require additional management oversight.

Quick Resolution

3 days The number of days it took to settle the claims.

\$10 million Legal fees easily could have exceeded this number. A court battle could have stretched on for years. GMR submitted its claims last fall and both parties have been working during the past eight months to reach an agreement rather than go to court.

Taxpayers interest A lengthy and costly legal battle would not have been in the best interest of Orange County's taxpayers. For freeway projects of this magnitude, a contractor submitting claims is not unusual.

Fair Settlement & Next Steps

\$39.3 million OCTA has agreed to pay a lump sum to settle all claims filed by the GMR contractor related to the SR-22 improvement project.

1,500 The number of cases mediator Randall W. Wulff, the nation's foremost expert in construction disputes, has served with 90 percent of the cases being resolved. Wulff is based in Oakland. We believe this is a fair settlement based on independent expert analysis of the claims and settlement agreement.

Resolution The settlement resolves all outstanding issues related to SR-22. The lump-sum payment and settlement does not address specific allegations and is not an admission of any wrongdoing by either OCTA or GMR.

April We are scheduled this month to hand over the completed freeway to Caltrans in the last phase known as "project acceptance." The only remaining items are ensuring electrical devices are functioning optimally and newly installed landscape thrives during a three-year "plant establishment" period.

Project Summary

Final contract cost: \$488.5 million
Total project cost: \$606.7 million
Start / open: Construction began September 2004 and all lanes opened April 2007
Length: 12 miles
Lanes: 10 to 12
Bridges: 22 widened bridges, 9 replaced bridges and 3 new bridges

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COOPERATIVE AGREEMENT NO. C-7-1368

BETWEEN

ORANGE COUNTY TRANSPORTATION AUTHORITY

AND

CITY OF GARDEN GROVE

THIS AGREEMENT, is made and entered into this ___ day of _____, 2008, by and between the Orange County Transportation Authority, 550 South Main Street, P.O. Box 14184, Orange, California 92863-1584, a public corporation of the State of California (hereinafter referred to as "AUTHORITY"), and the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, California 92842, a municipal corporation (hereinafter referred to as "CITY").

RECITALS:

WHEREAS, AUTHORITY, in cooperation and partnership with the California Department of Transportation (Caltrans), the Federal Highways Administration, and the joint venture design builder, Granite-Meyers-Rados, has implemented capacity and operational improvements on State Route 22 (SR-22) between State Route 55 (SR-55) in the City of Orange and the Valley View Street interchange in the City of Garden Grove; and

WHEREAS, AUTHORITY has requested and CITY agreed to design, construct, and maintain the placement of rubberized asphalt concrete (RAC) on Trask Avenue between Euclid Street and Magnolia Street as shown on Exhibit A and described in Exhibit D (herein referred to as RAC PROJECT); and

WHEREAS, CITY has been awarded \$150,000 in grant funds from the California Integrated Waste Management Board to be used for RAC PROJECT; and

WHEREAS, the AUTHORITY has made the additional improvements at the Garden Grove Boulevard and the SR-22 at the request of the CITY, as shown in Exhibit B and described in Exhibit C (herein referred to as GARDEN GROVE BOULEVARD WIDENING); and

/

1 **WHEREAS**, this Cooperative Agreement defines the specific terms, conditions and funding
2 responsibilities between the AUTHORITY and CITY for the completion of RAC PROJECT and
3 GARDEN GROVE BOULEVARD WIDENING.

4 **NOW, THEREFORE**, it is mutually understood and agreed by AUTHORITY and CITY as
5 follows:

6 **ARTICLE 1. COMPLETE AGREEMENT**

7 This Agreement, including all exhibits and documents incorporated herein and made applicable
8 by reference, constitutes the complete and exclusive statement of the terms and conditions of the
9 Agreement between AUTHORITY and CITY and supersedes all prior representations, understandings
10 and communications. The invalidity in whole or in part of any term or condition of this Agreement shall
11 not affect the validity of other terms or conditions.

12 **ARTICLE 2. RESPONSIBILITES OF AUTHORITY**

13 AUTHORITY agrees to the following responsibilities:

14 A. To reimburse the CITY, within 30 days of receipt of a written invoice for the actual costs,
15 incurred by the CITY for the design, construction, construction management, and maintenance required
16 for the satisfactory completion of the RAC PROJECT in the not to exceed amount of One Million Three
17 Hundred Fifty Thousand Dollars (\$1,350,000) less the sum of Five Hundred Seventy Two Thousand,
18 Two Hundred Eighty Six Dollars (\$572,286) which represents the amount of reimbursement from the
19 CITY for the completion of GARDEN GROVE BOUEVARD WIDENING by AUTHORITY, for a net total
20 of not to exceed Seven Hundred Seventy Seven Thousand Seven Hundred Fourteen Dollars
21 (\$777,714). AUTHORITY agrees that the amount of reimbursement may be adjusted either up or down
22 by written amendment to this Agreement based upon the construction bid of the lowest responsible
23 bidder for the RAC PROJECT.

24 B. AUTHORITY shall indemnify, defend and hold harmless CITY, its respective officers,
25 directors, employees and agents from and against any and all claims (including attorney's fees and
26 reasonable expenses for litigation or settlement) for any loss or damages, bodily injuries, including

1 death, damage to or loss of use of property caused by the negligent acts, omissions or willful
2 misconduct by AUTHORITY, its officers, directors, employees or agents in connection with or arising
3 out of the performance of this Agreement.

4 **ARTICLE 3. RESPONSIBILITIES OF CITY**

5 CITY agrees to the following responsibilities for RAC PROJECT and GARDEN GROVE
6 BOULEVARD WIDENING:

7 A. To act as the lead agency for the design, construction, and maintenance of the
8 PROJECT and to ensure compliance with all terms and conditions set forth in any applicable local,
9 state, federal regulations, which govern the performance of work necessary to complete the RAC
10 PROJECT.

11 B. To contribute \$150,000 in grant funds received from the California Integrated Waste
12 Management Board plus the net sum described in ARTICLE 2, paragraph A, for rubberized asphalt
13 concrete with respect to the RAC PROJECT.

14 C. To credit the AUTHORITY, in accordance with ARTICLE 2, paragraph A, above, the
15 amount of Five Hundred Seventy Two Thousand Two Hundred Eighty Six Dollars (\$572,286), in
16 connection with the completion of the GARDEN GROVE BOULEVARD WIDENING by AUTHORITY.

17 D. CITY, shall perform, the work necessary to complete RAC PROJECT.

18 E. CITY shall obtain all required reviews, clearances, permits, licenses, and approval from
19 all applicable agencies. Costs of obtaining all required reviews, clearance, permits, licenses and
20 approvals shall be borne by the CITY.

21 F. CITY shall conduct all of its activities in association with RAC PROJECT in a good and
22 competent manner and in compliance with all applicable federal, state and local rules and regulations.

23 G. CITY shall indemnify, defend and hold harmless AUTHORITY, its respective officers,
24 directors, employees and agents from and against any and all claims (including attorney's fees and
25 reasonable expenses for litigation or settlement) for any loss or damages, bodily injuries, including
26 death, damage to or loss of use of property caused by the negligent acts, omissions or willful

misconduct by CITY, its officers, directors, employees or agents in connection with or arising out of the performance of this Agreement.

ARTICLE 4. MUTUAL RESPONSIBILITIES REGARDING RAC PROJECT

A. This Agreement shall continue in full force and effect through final acceptance of RAC PROJECT by AUTHORITY or April 3, 2009, whichever is later. This Agreement may be extended upon mutual agreement by both parties.

B. The cost share between the AUTHORITY and CITY as provided in Exhibit E, represents upon agreed actual costs for RAC PROJECT and GARDEN GROVE BOULEVARD WIDENING.

C. This Agreement may be amended in writing at any time by the mutual consent of both parties. No amendment shall have any force or effect unless executed in writing by both parties.

D. The persons executing this Agreement on behalf of the parties hereto warrant that they are duly authorized to execute this Agreement on behalf of said parties and that, by so executing this Agreement, the parties hereto are formally bound to the provisions of this Agreement.

E. All notices hereunder and communications regarding this Agreement, shall be effected by delivery of said notices in person or by depositing said notices in the U.S. mail, registered, or certified mail and addressed as follows:

To CITY:	To AUTHORITY:
City of Garden Grove	Orange County Transportation Authority
11222 Acacia Parkway	550 South Main Street
P.O. Box 3070	P. O. Box 14184
Garden Grove, CA 92842	Orange, CA 92863-1584
Attention: Keith Jones	Attention: Kathleen Murphy-Perez
Director of Public Works	Manager, Contracts & Procurement
714-741-5375	714-560-5743

F. The headings of all sections of this Agreement are inserted solely for the convenience of reference and are not part of and not intended to govern, limit or aid in the construction or interpretation of any terms or provision thereof.

G. The provision of this Agreement shall bind and inure to the benefit of each of the parties hereto and all successors or assigns of the parties hereto.

H. If any term, provision, covenant or condition of this Agreement is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder to this Agreement shall not be affected thereby, and each term, provision, covenant or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

I. This Agreement may be executed and delivered in any number of counterparts, each of which, when executed and delivered shall be deemed an original and all of which together shall constitute the same agreement. Facsimile signatures will not be permitted.

This Agreement shall be made effective upon execution by both parties.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement No. C-7-1368 to be executed on the date first above written.

CITY OF GARDEN GROVE

ORANGE COUNTY TRANSPORTATION AUTHORITY

By: _____

By: _____

William Dalton
Mayor

Arthur T. Leahy
Chief Executive Officer

ATTEST:

APPROVAL RECOMMENDED:

By: _____

By: _____

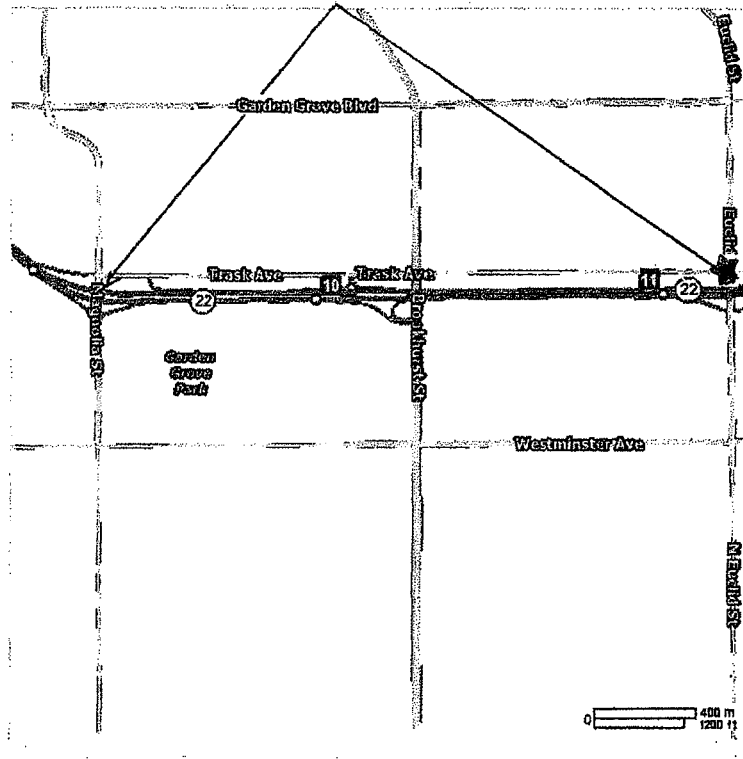
Kathleen Bailor
City Clerk

Kia Mortazavi
Executive Director, Development

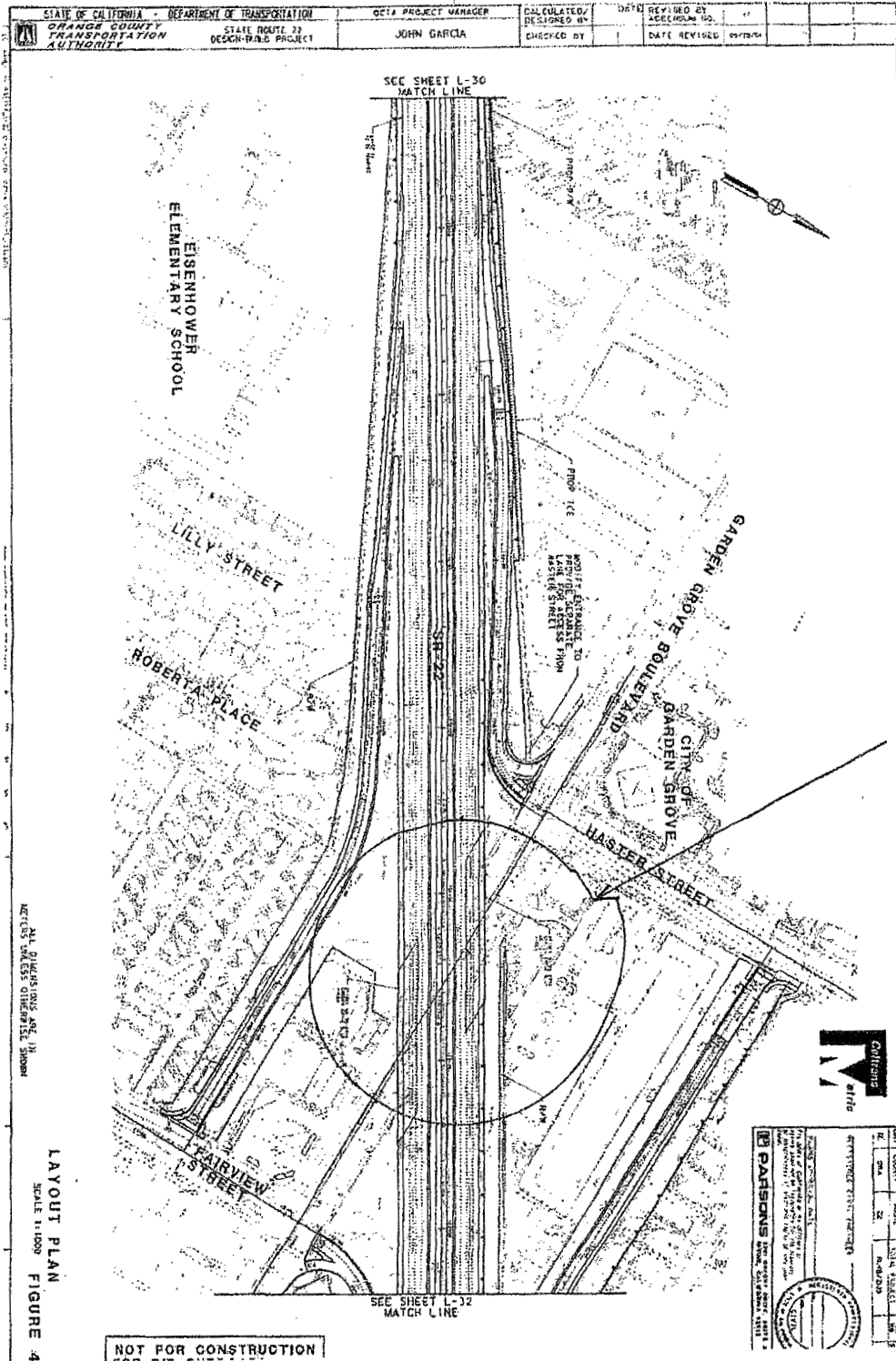
Dated: _____

RAC PROJECT

PROJECT LOCATION



GARDEN GROVE BOULEVARD WIDENING



SCOPE OF WORK

GARDEN GROVE BOULEVARD WIDENING

The work consisted of the following:

- Widening of Garden Grove Boulevard eastbound to accommodate dual left turn lanes from Haster Street to SR-22 westbound.
- Relocation of the eastbound sidewalk behind bent No. 2 bridge columns to accommodate the additional lane.
- Construction of a retaining wall into the slope paving to accommodate the new sidewalk location.
- Installation of audible pedestrian signals where Garden Grove East intersects Haster Street and Fairview Street.
- Installation of upgraded traffic signals at the Fairview Street and Haster Street intersections to accommodate the dual left turn lanes on Garden Grove Boulevard.
- Installation of wall packs lighting for the new sidewalk location.

SCOPE OF WORK

RAC PROJECT

CITY agrees to serve as lead agency for the design, construction, construction management and maintenance of the placement of rubberized asphalt concrete on Trask Avenue between Euclid Street and Magnolia Street, in the City of Garden Grove. CITY must complete this project by April 3, 2009.

EXHIBIT E

Cost share between AUTHORITY and CITY

	AUTHORITY	CITY	TOTAL
Placement of Rubberized Asphalt Concrete on Trask Avenue between Euclid Street and Magnolia Street (RAC PROJECT)	\$1,350,000	\$150,000	\$1,500,000
Garden Grove Boulevard Widening	\$0	\$572,286	\$572,286
TOTAL	\$1,350,000	\$722,286	\$2,072,286