

**Date:** Monday, August 28, 2006

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

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



## AGENDA

Orange County Transportation Authority Board Meeting  
OCTA Headquarters  
First Floor - Room 154, 600 South Main Street  
Orange, California  
**Monday, August 28, 2006, at 9:00 a.m.**

*ACTIONS*

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

### **Invocation**

Director Ritschel

### **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.



## AGENDA

ACTIONS

### Special Matters

1. **Presentation of Resolutions of Appreciation for Employees of the Month for August 2006**

Present Orange County Transportation Authority Resolutions of Appreciation Nos. 2006-107, 2006-46, 2006-109 to Aurora Fonseca, Coach Operator; Eduardo Ramos-Avina, Maintenance; and Tade Nunez, Administration, as Employees of the Month for August 2006.

2. **Special Recognition for Thirty Years of Safe Driving**

Present an award to Coach Operators Kimilla Reece, Deanna Gaudineer, and Gloria Novotny for achieving thirty years of safe driving.

### Consent Calendar (Items 2 through XX)

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

### Orange County Transportation Authority Consent Calendar Matters

3. **Approval of Board Member Travel**

Request for Director Norby to travel to Chicago, IL, from November 5-7, 2006, to attend the 2006 Rail-Volution Conference.

4. **Approval of Minutes**

Of the Orange County Transportation Authority and affiliated agencies' regular meeting of August 14, 2006.

5. **Approval of Resolutions of Appreciation for Employees of the Month for August 2006**

Adopt Orange County Transportation Authority Resolutions of Appreciation Nos. 2006-107, 2006-46, and 2006-109 to Aurora Fonseca, Coach Operator, Eduardo Ramos-Avina, Maintenance, and Tade Nunez, Administration, as Employees of the Month for August 2006.



## AGENDA

### ACTIONS

6. **State Legislative Status Report**  
Wendy Villa/Richard J. Bacigalupo

#### *Overview*

As the Legislature rounds out the last month of the legislative session, it is considering a number of issues. An overview of a bill to regulate greenhouse gas emissions in California and two bills to modify the membership of the California Transportation Commission is provided.

#### *Recommendation*

Receive and file.

7. **Transportation Enhancement Program Update**  
Jennifer Bergener/Paul C. Taylor

#### *Overview*

The Orange County Transportation Authority awards federal Transportation Enhancement grants for transportation related projects that enhance the quality of life in or around transportation facilities in Orange County. Progress of currently programmed federal Transportation Enhancement projects is presented for consideration.

#### *Recommendations*

- A. Authorize staff to advance currently programmed projects and utilize the approved stand-by list as necessary to ensure no funds are lost to Orange County.
- B. Authorize staff to amend the Regional Transportation Improvement Program and State Transportation Improvement Program as necessary to facilitate the above action.



## AGENDA

### ACTIONS

8. **Revised Process for Reporting on Unilateral Construction Contract Change Orders**  
Norbert Lippert/Paul C. Taylor

#### *Overview*

On May 22, 2006, the Board of Directors reviewed an internal audit of construction change orders associated with Contract C-3-0022 with Swinerton Builders for construction at the Santa Ana Base, and management's response to the audit recommendation concerning further reporting of unilateral change orders. To enhance change order oversight, reports identifying unilateral change orders and project trends with potential significant cost impacts will be presented to the various responsible committees on a quarterly basis.

#### *Recommendation*

Receive and file as an information item.

9. **Amendment to Agreement for 91 Express Lanes Program Management Consulting Services**  
Daryl Watkins/James S. Kenan

#### *Overview*

On June 28, 2004, the Board of Directors approved an agreement for one year, with two option years, with LMS Consulting, in the amount of \$150,000, to provide program management support for the 91 Express Lanes. LMS Consulting was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

#### *Recommendation*

Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-4-0250 between the Orange County Transportation Authority and LMS Consulting, for the second one-year option term, in an amount not to exceed \$150,000, for program management consulting services for the 91 Express Lanes.



## AGENDA

ACTIONS

10. **Amendment to Agreement for Armored Vehicle Services**  
Tom Wulf/James S. Kenan

**Overview**

On October 27, 2003, the Board of Directors approved an agreement with Los Angeles Federal Armored Service, Inc., in the amount of \$683,000, to provide armored vehicle service. Los Angeles Federal Armored Service, Inc., was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

**Recommendation**

Authorize the Chief Executive Officer to execute Amendment No. 4 to Agreement C-3-0878 between the Orange County Transportation Authority and Los Angeles Federal Armored Service, Inc., in an amount not to exceed \$275,000, for armored vehicle service.

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

11. **Amendment to Agreement with A&B Towing for Freeway Service Patrol  
Tow Services**  
Iain C. Fairweather/Paul C. Taylor

**Overview**

On August 27, 2003, the Board of Directors approved an agreement with A&B Towing, in the amount of \$1,807,852, to provide Freeway Service Patrol tow services. A&B Towing was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional services.

**Recommendation**

Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-3-0587 between the Orange County Transportation Authority and A&B Towing, to add additional funding for expanded service locations, in an amount not to exceed \$318,400, for the period of July 1, 2006 to November 30, 2006, and to exercise the first option for the period of December 1, 2006 to November 30, 2007, in an amount not to exceed \$467,557.



## AGENDA

### ACTIONS

**12. Amendment to Agreement with Hadley Tow for Freeway Service Patrol Tow Services**

Iain C. Fairweather/Paul C. Taylor

**Overview**

On August 27, 2003, the Board of Directors approved two agreements with Hadley Tow, in the amounts of \$2,516,800 and \$1,311,200, to provide Freeway Service Patrol tow services. Hadley Tow was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional services.

**Recommendations**

- A. Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-3-0914 between the Orange County Transportation Authority and Hadley Tow, to add additional funding for expanded service locations, in an amount not to exceed \$538,997, for the period of July 1, 2006 to November 30, 2006, and to exercise the first option for the period of December 1, 2006 to November 30, 2007, in an amount not to exceed \$1,071,200.
- B. Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-4-0284 between the Orange County Transportation Authority and Hadley Tow, in an amount not to exceed \$235,664, for the period of December 1, 2006 to November 30, 2007.

**13. Amendment to Agreement with Greater Southern California Towing, Inc., for Freeway Service Patrol Tow Services**

Iain C. Fairweather/Paul C. Taylor

**Overview**

On August 27, 2003, the Board of Directors approved an agreement with Greater Southern California Towing Inc., in the amount of \$1,149,408, to provide Freeway Service Patrol tow services. Greater Southern California Towing Inc., was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional services.



## AGENDA

ACTIONS

13. (Continued)

*Recommendation*

Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-3-0913 between the Orange County Transportation Authority and Greater Southern California Towing Inc., in an amount not to exceed \$394,630, to provide Freeway Service Patrol tow services for the period of December 1, 2006 to November 30, 2007.

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

14. **Agreement for Purchase of Real Property for Anaheim Regional Transportation Intermodal Center**

James Staudinger/Paul C. Taylor

*Overview*

Real property is needed to site the Anaheim Regional Transportation Intermodal Center, a multi-modal transportation center at the intersection of freeway, rail, and transit system routes. The property will be used to develop a multi-modal transit hub that will include the relocation of the current Anaheim Metrolink station.

*Recommendations*

- A. Authorize the Chief Executive Officer to execute a purchase and sale agreement, lease agreement, and other documents necessary to acquire the real property located at 1750 South Douglass Road, Anaheim, California.
- B. Amend the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, Expense Account 0010-9021-T5420 by \$32,500,000.





## AGENDA

ACTIONS

15. **Measure M Quarterly Progress Report**  
Norbert Lippert/Paul C. Taylor

**Overview**

Staff has prepared a Measure M progress report for the second quarter of 2006. This is a regular report that highlights the Measure M projects and programs currently under development.

**Recommendation**

Receive and file as an information item.

### Orange County Transit District Consent Calendar Matters

16. **Agreement for Joint Sealant Replacement at the Garden Grove Base**  
James J. Kramer/Paul C. Taylor

**Overview**

As part of the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, the Board approved joint sealant replacement at the Garden Grove Base. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures.

**Recommendation**

Authorize the Chief Executive Officer to execute Agreement C-6-0376 between the Orange County Transportation Authority and Kitson Specialty Contracting, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$280,829, for joint sealant replacement at the Garden Grove Base.

17. **Fourth Quarter Parts Inventory Count**  
Kathleen O'Connell

**Overview**

The Internal Audit Department has completed the parts inventory count for the fourth quarter. A response to the report was not required.



## AGENDA

### ACTIONS

17. (Continued)

***Recommendation***

Receive and file the Fourth Quarter Parts Inventory Count, Internal Audit Report No. 06-032.

18. **Bus Revenue-Generating Advertising Program Audit**

Kathleen O'Connell

***Overview***

Internal Audit has completed a review of the contract between Titan Outdoor LLC and the Orange County Transportation Authority to provide sales and administration of the Orange County Transportation Authority's Bus Revenue-Generating Advertising Program. Internal Audit is recommending improvements that will enhance the management of the contract.

***Recommendation***

Direct staff to implement the recommendations made in the Bus Revenue Generating Advertising Program Audit.

19. **Cooperative Agreement with Riverside Transit Agency to Jointly Fund Intercounty Route 794**

Erin Rogers/John D. Byrd

***Overview***

The Orange County Transportation Authority has planned new intercounty express bus service between Riverside County and Orange County. A cooperative agreement with Riverside Transit Agency is required to establish roles, responsibilities, and processes to jointly fund this service.

***Recommendation***

Authorize the Chief Executive Officer to execute Cooperative Agreement C-5-2467 between the Orange County Transportation Authority and Riverside Transit Agency, for a revenue agreement in an amount of \$120,000, to jointly fund intercounty express bus route 794. The initial term of this agreement is one year with four one-year option terms.



## AGENDA

ACTIONS

### Regular Calendar

#### Orange County Transportation Authority Regular Calendar Matters

20. **Bus Rapid Transit Fleet Evaluation and Recommendation**  
Jorge Duran/John D. Byrd

##### *Overview*

On June 13, 2005, the Board of Directors approved an agreement with New Flyer of America, Incorporated, in the amount of \$21,408,912, to procure 50 compressed natural gas 40-foot fixed route buses. On May 8, 2006, the Board of Directors approved Amendment No. 1 to accelerate the purchase of an additional 249 buses. On June 12, 2006, staff presented an evaluation of bus rapid transit fleet technology options that included the use of the current procurement option of 78 low-floor 40-foot compressed natural gas buses for meeting the vehicle needs of the 70-mile bus rapid transit network.

##### *Recommendation*

Authorize staff to proceed as currently scheduled and budgeted with the low cost option (Option A) for 78 New Flyer 40-foot compressed natural gas buses for the bus rapid transit program.

#### Orange County Local Transportation Authority Regular Calendar Matters

21. **Garden Grove Freeway (State Route 22) Design-Build Project Update and Phase II Implementation Plan**  
T. Rick Grebner/Paul C. Taylor

##### *Overview*

On August 23, 2004, the Orange County Transportation Authority Board of Directors awarded a design-build contract to improve 12 miles of the Garden Grove Freeway (State Route 22) from Valley View Street east to the Costa Mesa Freeway (State Route 55) interchange. An update is presented on the ongoing construction project as well as the implementation plan to begin preliminary engineering work on continued improvements to the Garden Grove Freeway.



## AGENDA

ACTIONS

### 21. (Continued)

#### *Recommendations*

- A. Approve the proposed Phase II implementation plan to begin preliminary engineering.
- B. Approve the proposed weighting of evaluation criteria.

### Orange County Transit District Regular Calendar Matters

#### 22. Final Report on Public Hearing - Bus Service Improvements Scott Holmes/John D. Byrd

#### *Overview*

On August 14, 2006, the Board of Directors conducted a public hearing to receive public input and comment on proposed bus service improvements for calendar year 2006. This report summarizes the comments received and presents staff's analysis of suggestions submitted through the public hearing process. Based on this analysis, revisions to two route specific proposals have been prepared. The revised program would require approximately 25,200 annual revenue vehicle hours, at a cost of approximately \$1.4 million and is estimated to generate up to 473,000 additional annual boardings.

#### *Recommendations*

- A. Approve staff's proposals for the special event service operated to the Orange County Fair via new Route 633 (Fullerton Park-and-Ride to Orange County Fair), Route 670 (Goldenwest Transportation Center to Orange County Fair), and Route 691 (Junipero Serra Park-and-Ride to Orange County Fair), and direct staff to work with the Orange County Fair to develop a comprehensive service marketing plan for the 2007 Fair season;
- B. Approve staff's proposals to make permanent Route 686 (Irvine Transportation Center to Irvine Spectrum Stationlink Shuttle) operating on weekends; implement new Route 693 (San Clemente to Talega Shuttle) in December 2006; make permanent Route 758 (Chino to Irvine Spectrum Express); and implement new Route 794/A (Riverside/Corona to South Coast Metro Express) in September 2006;



## AGENDA

### ACTIONS

#### 22. (Continued)

- C. Approve staff's recommendation to modify the original proposal for Route 82 (Foothill Ranch to Mission Viejo) to include an alternate Route 82A providing peak-hour weekday service to the Laguna Niguel/Mission Viejo Metrolink Station starting September 2006 at an additional annual cost of approximately \$204,000;
- D. Approve staff's recommendation to modify the original proposal for Route 757 (Pomona to Santa Ana Express) to incorporate a route modification to serve the Anaheim Stadium Metrolink Station on Katella Avenue;
- E. Approve introductory fares of \$1.25 for Routes 757 and 758, and \$2.50 for Route 794/A;
- F. Direct staff to review the existing express bus network and develop recommendations to improve customer satisfaction and service efficiency.

### Other Matters

- 23. **ACCESS and Contracted Fixed Route Transition Update**  
Erin Rogers/John D. Byrd
- 24. **Chief Executive Officer's Report**
- 25. **Directors' Reports**
- 26. **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.



## AGENDA

**27. Closed Session**

None scheduled.

**28. Adjournment**

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

*ACTIONS*



**OUT-OF-STATE TRAVEL**

Board Member Only - Travel Authorization/Request For Payment



Attach copy of the **Travel Worksheet, Registration Forms**, and other pertinent documentation for this claim.  
 Travel **will not** be processed until all information is received.

**CONFERENCE/SEMINAR INFORMATION**

**Name:** Director Chris Norby **Job Title:** Board Member  
**Department:** Executive Division **Destination:** Chicago, IL  
**Program Name:** 2006 Rail-Volution

**Description/Justification:** Director Norby will be attending the 2006 Rail-Volution Conference to gain better perspectives on innovative approaches to transit and other alternative forms of transportation for community plans on future growth.

**COMMENTS**

Other- Airport parking and ground transportation

<b>Conference/Seminar Date:</b> 11/05/06	<b>Departure Date:</b> 11/05/06	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Carry
<b>Payment Due Date:</b>	<b>Return Date:</b> 11/07/06	<b>Course Hours:</b>

**ESTIMATED EXPENDITURES**

<b>Transportation</b>	\$286.60
<b>Meals</b>	\$138.00
<b>Lodging</b>	\$418.00
<b>Registration</b>	\$420.00
<b>Other</b>	\$50.00
<b>Total</b>	\$1,312.60

**APPROVALS**

Please Initial:

  *W*    
Finance\*

  7/27/06    
Date

\* Funds are available for this travel request.

Please Sign:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date

**ACCOUNTING CODES**

<b>Org. Key:</b> 1120	<b>Object:</b> 7655	<b>Job Key:</b> A0001	<b>JL:</b> CQ9
-----------------------	---------------------	-----------------------	----------------

<b>Ref #:</b> July 2006	<b>Board Date:</b> August 28, 2006	<b>T/A #:</b> FY 06/07- 25
-------------------------	------------------------------------	----------------------------





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  
August 14, 2006

**Call to Order**

The August 14, 2006, regular meeting of the Orange County Transportation Authority and affiliated agencies was called to order by Vice Chair Cavecche at 9:00 a.m. at the Orange County Transportation Authority Headquarters, Orange, California.

**Roll Call**

Directors Present:

Carolyn Cavecche, Vice Chair  
Peter Buffa  
Bill Campbell  
Lou Correa  
Richard Dixon  
Michael Duvall  
Cathy Green  
Gary Monahan  
Chris Norby  
Curt Pringle  
Miguel Pulido  
Mark Rosen  
James W. Silva  
Thomas W. Wilson  
Gregory T. Winterbottom  
Jim Beil, Deputy Director, Caltrans 12, attended for Cindy Quon, Governor's Ex-Officio Member

Also Present:

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

Directors Absent:

Arthur C. Brown, Chairman  
Susan Ritschel  
Cindy Quon, Governor's Ex-Officio Member

## **Invocation**

Director Silva gave the invocation.

## **Pledge of Allegiance**

Vice Chair Cavecche led the Board and audience in the Pledge of Allegiance to the Flag of the United States of America.

## **Public Comments on Agenda Items**

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

## **Special Matters**

### **1. Presentation of Resolutions of Appreciation for Employees of the Month for July 2006**

Vice Chair Cavecche presented Orange County Transportation Authority Resolutions of Appreciation Nos. 2006-45, 2006-108, 2006-47 to Maria Stokes, Coach Operator; Daniel Chargualaf, Maintenance; and Eugenia Pinheiro, Administration, as Employees of the Month for July 2006.

### **2. Public Hearing for the Proposed Bus Service Improvements**

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

Deputy Chief Executive Officer, Richard J. Bacigalupo, offered opening comments and introduced Scott Holmes, Manager, Service Planning & Customer Advocacy, provided a brief verbal and PowerPoint presentation. Mr. Holmes highlighted the background to the proposed changes, detailed what the proposed changes are, the resources and impacts, and what the next steps are in the process.

Vice Chair Cavecche opened the Public Hearing portion of this calendar item and invited anyone who wished to address the Board to submit a Speaker's Card to the Clerk of the Board.

The Clerk of the Board read into the record how the legal requirements for posting and informing the public aware of this hearing were accomplished.

2. (Continued)

Comments were heard from the following members of the public:

Director Campbell introduced into the record an e-mail received from Phil Bacerra, a member of the public, who expressed his support for the extension of Line 82 to the Laguna Niguel/Mission Viejo Metrolink station instead of terminating at Saddleback College.

Discussion followed by various Members, and there was a consensus that this request should be looked at by staff and see what can be done to accommodate this scenario.

Director Pringle asked that the express bus lines 757 and 758 (which come into Orange County from the Inland Empire) be looked at again to determine if there can be a stop in Anaheim to connect with the Metrolink service. Mr. Holmes responded that staff will address these scenarios, also.

Paul Glaab, representing Irvine Public works, addressed the Board and expressed his support for the 758 line as well as the "Go Local" program OCTA has developed.

Beverly Mastri, representing the Dayle McIntosh Center, expressed her concern for late pick-ups of ACCESS passengers.

Jose Alfaro, Santa Ana resident, requested consideration for review of the five-minute pick-up window for ACCESS riders, the no-show policy, and that an efficiency study be conducted to combine routes.

Jose Perez, representing the Dayle McIntosh Center, requested staff look at various ACCESS issues.

Christie Rudder, representing the Dayle McIntosh Center (new Systems Change Advocate for the Center), expressed concern for some aspects of ACCESS service, pick-up times, and scheduling.

Motion was made by Director Pulido, seconded by Director Campbell, and declared passed by those present, to close the public hearing portion of the calendar.

Director Correa stated that he looks forward to seeing the report which addresses the above issues, and Director Silva requested that the Board be informed of what conversations take place regarding ACCESS improvements regarding these issues.

Directors Green, Monahan, Pringle, and Wilson agreed these are important issues and gave direction that staff look into these aspects of ACCESS service which seem to be causing difficulties for its users as stated today.

## 2. (Continued)

Director Wilson asked that staff look at the history of where OCTA was in the past with ACCESS service, where that service is today, and what is planned for future improvements.

Director Winterbottom stated that it must be remembered that ACCESS service is required to mirror fixed route service, not be a taxi service, and will never be problem-free. He acknowledged that this service is difficult to provide and meet everyone's needs and stated he feels the Authority is doing overall a very good job.

Vice Chair Cavecche summarized the overall actions for staff which are:

- √ try to extend service on line 82 to continue to the Laguna Niguel/Mission Viejo Metrolink station instead of terminating at Saddleback College;
- √ look again at express routes 757 and 758 to include stops in Anaheim;
- √ get an earlier start with the Orange County Fair Board this year to get advance advertisements in place.

These actions will be shown as modifications to the staff recommendations before the Board today on this agenda item.

Vice Chair Cavecche requested that staff provide a full report on the changeover from Laidlaw to Veolia for the ACCESS service. That service began on July 1, 2006.

Motion was made by Director Buffa, seconded by Director Silva, and declared passed by those present, to approve the following recommendations, along with the modifications indicated above.

- A. Conduct the public hearing on August 14, 2006, and receive public comment regarding the proposed bus service improvements.
- B. Direct staff to return to the Board of Directors with results of the public hearing and final recommendations.

## **Consent Calendar (Items 3 through 7)**

Vice Chair Cavecche 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.

Director Rosen pulled item 3 for comment.

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

### **3. Approval of Minutes**

Director Rosen pulled this item for comment, stating that he was absent at the meeting of July 24, 2006; however, he wished to go on the record expressing his support for placing Measure M on the Orange County ballot in November of this year.

Motion was made by Director Campbell, seconded by Director Pulido, and declared passed by those present, to approve the minutes of the Orange County Transportation Authority and affiliated agencies' regular meeting of July 24, 2006.

Director Rosen abstained from voting on this item.

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

Motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to adopt Orange County Transportation Authority Resolutions of Appreciation Nos. 2006-45, 2006-108, and 2006-47 to Maria Stokes, Coach Operator, Daniel Chargualaf, Maintenance, and Eugenia Pinheiro, Administration, as Employees of the Month for July 2006.

### **5. Selection of a Consultant to Conduct the Annual Transportation Development Act Audits for the Orange County Transportation Authority**

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

- A. Select the firm of Mayer Hoffman McCann P.C. to conduct the Transportation Development Act audit services set forth in the Request for Proposals 6-0384.
- B. Authorize the Chief Executive Officer to execute an agreement between the Orange County Transportation Authority and Mayer Hoffman McCann P.C. in a not-to-exceed amount of \$175,000 for an initial term of three years and two one-year option terms.

**6. Combined Transportation Funding Program March 2006 Semi-Annual Review**

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

- A. Approve the staff recommended adjustments to the Combined Transportation Funding Program projects.
- B. Approve amendment to the Combined Transportation Funding Program final report provisions for work by local agency forces.

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

**7. Gateway Monument Sign for Santa Ana Freeway (Interstate 5) Gateway Project**

Motion was made by Director Wilson, seconded by Director Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute Amendment No. 2 to Cooperative Agreement C-5-2358 between the Orange County Transportation Authority and City of Buena Park, in an amount not to exceed \$10,000, for the conceptual design of the Orange County gateway sign on the Santa Ana Freeway (Interstate 5) in Buena Park.

**Regular Calendar**

**Orange County Transportation Authority Regular Calendar Matters**

**8. 2006 Long-Range Transportation Plan Short-Term Actions**

Kurt Brotcke, Manager, Development and Commuter Services, provided a verbal presentation on this item, stating that the 2006 Long-Range Transportation Plan establishes a future vision for the Orange County transportation system. The short-term actions in this report would provide a "roadmap" for projects to be considered. He further stated that the projects will return for Board consideration through the procurement process and frequent Board updates.

Director Buffa asked what type of concepts are being considered under transit, high-speed rail. Mr. Brotcke responded that this particular category is intended to capture some of the current activities related to the Anaheim Regional Transportation Intermodal Center as well as project development activities for an Anaheim-to-Los Angeles high-speed train proposal by the State of California. In addition to that, there would be discussions with stakeholders related to high-speed train service from Anaheim to Ontario.

**8. (Continued)**

Director Wilson stated he would like to see a compression of time for the schedule as it relates to the corridor studies on the South County Major Investment Study.

Mr. Brotcke indicated there would be an opportunity to move that up if there is a desire to do so.

Director Pringle stated that the California High-speed Rail Authority (CHSRA) met last week and contemplated going forward with the environmental documents for a variety of segments along the route, one of those specifically being the Anaheim-to-Union Station segment for high-speed rail. OCTA is working with CHSRA to establish a Memorandum of Understanding to be able to cooperate in that planning document. There may also, within that document, be a component in which the CHSRA would take the lead on the Anaheim-to-Ontario segment of the Cal-Nevada Maglev project.

Director Wilson stated that he would like to modify the annual updates to be semi-annual rather than annually.

Motion was made by Director Wilson, seconded by Director Winterbottom, and declared passed by those present, to reflect semi-annual updates by staff and to approve the 2006 Long-Range Transportation Plan short-term actions, and direct staff to provide annual updates on these activities.

Director Norby was not present to vote on this item.

**Orange County Local Transportation Authority Regular Calendar Matters**

**9. City-Initiated Transit Projects to Support Metrolink Service Expansion**

Jeanne Spinner LaMar, Manager of Local Initiatives, provided a verbal presentation on this program. This item had previously been vetted at the Board meeting on June 26 and direction at the time was to make modifications to the proposed evaluation criteria and bring back to the Board.

Director Campbell expressed concern relative to Criterion #3 and #10 and efforts to increase density around rail stations. He suggested eliminating #3 and leaving in #10. Ms. LaMar stated this would be possible.

Discussion followed and it was suggested to remove the word "Increase" from Criterion #3, the third bullet point under Performance Measures.

Director Pringle stated that although he appreciated Director Campbell's concerns, he would disagree with removing #3, but would prefer to show how routes could better maximize the numbers of people who would be served by the system.



**9. (Continued)**

A motion was made by Director Pringle, seconded by Director Pulido, and declared passed by those present, to:

- A. Approve revised evaluation criteria and initial priorities to provide guidance for cities on priorities for the 2008 competitive phase of the City-Initiated Transit Extensions to Metrolink program based on step one results.
- B. Approve for distribution to cities a sample cooperative agreement for the City-Initiated Transit Extensions to Metrolink program. Cities will use this as a template to apply for \$100,000 grants to conduct planning independently or with other municipalities.
- C. Remove the word "Increase" from Criterion #3, third bullet point.
- D. Add "Maximize the number of people who will be served by the system" to Criterion #3, under 'Purpose'.
- E. Under Criterion #10, remove the third bullet point under the 'Performance Measures' (previous stated: "Proof of zoning actions adopting compatible land uses or city's intent to adopt same.")

Director Norby was not present for this vote.

## **Other Matters**

**10. Testing of Wireless Fidelity Service on Metrolink**

Steve Wylie, Assistant Chief Executive Officer, Metrolink, provided a verbal report and PowerPoint presentation regarding this service potentially offered in the future and how the scenarios Metrolink is considering for service would be provided.

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

No report was made.

**12. Directors' Reports**

Director Campbell stated that two groups last Friday presented opposing statements to Measure M for ballot statements.

**13. Public Comments**

At this time, Vice Chair Cavecche stated that 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 would be taken on off-agenda items unless authorized by law.

Public comments were heard from:

Marshall Yefsky, representing Dayle McIntosh Center, emphasized the importance of timeliness and promoting equity through ACCESS disabled service.

Christie Rudder, representing the Dayle McIntosh Center, advised Board Members that she recently experienced a situation in which her wheelchair was too heavy for restraints on a bus, and that the restraints do not control the wheelchair from going forward when the vehicle stops suddenly. She suggested this be looked into.

Jose Perez, representing the Dayle McIntosh Center, applauded the Directors' response today to comments made by ACCESS users, and stated that infrastructure needs to be in place for this section of the ACCESS community.

**14. Closed Session**

There was no Closed Session held at this meeting.

**15. Adjournment**

The meeting adjourned at 11:20 a.m. Vice Chair Cavecche announced that the next regularly scheduled meeting of the OCTA/OCTD/OCLTA/ OCSAFE/OCSAAV Board will be held at **9:00 a.m. on August 28, 2006**, at OCTA Headquarters at 600 South Main Street, First Floor - Room 154, Orange, California.

ATTEST

---

Wendy Knowles  
Clerk of the Board

---

Carolyn Cavecche  
OCTA Vice Chair





ORANGE COUNTY  
TRANSPORTATION AUTHORITY

RESOLUTION

AURORA FONSECA

*WHEREAS, the Orange County Transportation Authority recognizes and commends Aurora Fonseca; and*

*WHEREAS, be it known that Aurora Fonseca has earned a one year Safe Driving Award and has been with the Authority since September 17, 2004. She has distinguished herself by maintaining an outstanding record for safety, attendance, and customer relations; and*

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

*WHEREAS, be it known that Aurora Fonseca takes great pride in her driving skills and demonstrates true professionalism in her overall performance as an OCTA Coach Operator.*

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

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

**Dated: August 28, 2006**

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

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

OCTA Resolution No. 2006-107





ORANGE COUNTY  
TRANSPORTATION AUTHORITY

RESOLUTION

**EDUARDO RAMOS-AVINA**

*WHEREAS, the Orange County Transportation Authority recognizes and commends Eduardo Ramos-Avina; and*

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

*WHEREAS, Eduardo's expertise in the maintenance and repair of all bus systems is exceptional. His skills and superb attitude in performing all facets of vehicle maintenance have earned him the respect of all that work with him; 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 Eduardo Ramos-Avina as the Orange County Transportation Authority Maintenance Employee of the Month for August 2006; and*

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

**Dated: August 28, 2006**

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

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

OCTA Resolution No. 2006-46





ORANGE COUNTY  
TRANSPORTATION AUTHORITY

RESOLUTION

*TADE NUÑEZ*

*WHEREAS, the Orange County Transportation Authority recognizes and commends Tade Nuñez; and*

*WHEREAS, be it known that Tade has performed her duties as a Store Representative in the Authority's Customer Relations Department, demonstrating the highest level of integrity and professionalism; and*

*WHEREAS, Tade consistently maintains an upbeat, positive attitude and sense of humor as she solves problems, displaying patience and empathy while interacting with Authority customers; and*

*WHEREAS, Tade's exceptional organizational skills are a major factor in the smooth running of the Store, ensuring that merchandise levels are maintained and procedures are followed; and*

*WHEREAS, Tade works tirelessly to promote sales at the Store by letting both internal and external customers know what merchandise is available. Tade consistently demonstrates initiative to improve the functioning of the Store, recently developing an e-form to help staff track Employee Recreation Association (ERA) ticket inventory; and*

*WHEREAS, Tade has demonstrated a high degree of creativity, resourcefulness, and perseverance in resolving issues for users of the 91 Express Lanes who visit the OCTA Store.*

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

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

**Dated: August 28, 2006**

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

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







BOARD COMMITTEE TRANSMITTAL

**August 22, 2006**

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup> Wendy Knowles, Clerk of the Board  
**Subject:** State Legislative Status Report

Legislative and Government Affairs/Public Communications  
Committee

August 17, 2006

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

**Committee Vote**

No action was taken on this receive and file item.

**Committee Recommendation**

Receive and file.





**August 17, 2006**

**To:** Legislative and Government Affairs/Public Communications Committee

**From:** *ATL by RB*  
Arthur T. Leahy, Chief Executive Officer

**Subject:** State Legislative Status Report

**Overview**

As the Legislature rounds out the last month of the legislative session, it is considering a number of issues. An overview of a bill to regulate greenhouse gas emissions in California and two bills to modify the membership of the California Transportation Commission is provided.

**Recommendation**

Receive and file.

**Discussion**

The Legislature reconvened following their summer recess on August 7 to resume a flurry of activity before the session ends on August 31. Senate pro Tem Perata (D-Oakland) and Speaker Núñez (D-Los Angeles) both recently outlined their priorities for the end of the legislative session. Senator Perata included such items as the environment (greenhouse gases), a minimum wage increase, prescription drug coverage, and workers' compensation permanent disability changes. Speaker Núñez discussed such items as greenhouse gas emissions, cable television competition, and an increase in the minimum wage.

**Newly Analyzed State Legislation**

AB 32 (Núñez, D-Los Angeles) would assign a number of new responsibilities to the California Air Resources Board (CARB) regarding the regulation of greenhouse gas (GHG) emissions. A clearly stated priority for both the Legislative leadership and the Governor, this bill is the vehicle for the first effort at regulating GHG emissions in California. Among other responsibilities, the bill would require CARB to develop an emissions baseline and targeted

---

reduction levels, enforce compliance, and adopt emissions reduction strategies to assist regulated entities in meeting the emissions limits established by CARB. It also outlines an extensive stakeholder input process in determining the most efficient, lowest cost means of reducing emissions. Lastly, to minimize duplicative efforts among state agencies, the process would be overseen by an interagency task force convened by the Governor and consisting of representatives from the Business, Transportation and Housing Agency (BT&H), Resources Agency (RA), State and Consumer Services Agency (SCSA), Public Utilities Commission (PUC), CARB, State Energy Resources Conservation and Development Commission, and others.

The Governor and the Legislature are currently negotiating possible amendments to the legislation but it does appear the Governor intends to sign something this year. Most recently, the Governor announced a Joint Climate Agreement with British Prime Minister Tony Blair to set GHG emission reduction targets and also signed an Executive Order in 2005 charging the Secretary of the California Environmental Protection Agency (CalEPA) with the responsibility for coordinating and setting GHG emissions targets.

Possible amendments sought by the Governor include allocating the major implementation responsibilities to a new entity called the Climate Action Board, rather than with CARB. This Board would be comprised of the Secretaries of CalEPA, BT&H, RA, SCSA, and the Department of Food and Agriculture, as well as the chairs of CARB, PUC, the California Energy Commission, and the Integrated Waste Management Board. Other suggested amendments include the ability to suspend the regulations should they negatively impact the state's economy and to emphasize "market based" compliance program that may provide for the trading, banking, and auctioning of emission credits.

#### California Transportation Commission Membership Changes

Proposition 1B, the state transportation infrastructure bond appearing on the November 2006 ballot, would grant a range of new responsibilities to the California Transportation Commission (CTC) if approved by the voters. As part of the legislative agreement to put the bonds on the ballot, the Governor agreed to a change in the membership of the CTC. Specifically, one voting member of the CTC would be appointed by the Senate Rules Committee and one by the Assembly Speaker. The two bills described below are the primary vehicles for this change and are likely to be included in the final package of bills sent to the Governor by the end of the month.

Currently, the eleven-member commission consists of nine members appointed by the Governor and two non-voting ex-officio members, one from the State Senate and one from the State Assembly.

AB 2495 (Núñez, D-Los Angeles) and SB 1703 (Lowenthal, D-Long Beach) would expand the membership of the CTC to thirteen members, granting the appointment of one additional voting member each to the Speaker of the Assembly and the Senate Rules Committee.

#### Bus Destination Sign Bill Update

SB 1726 (Lowenthal, D-Long Beach) would update the California Vehicle Code (CVC) sections regulating bus destination signs to accommodate technological advances since the code was last updated in 1961.

This bill, sponsored by the California Transit Association (CTA) and supported by the Orange County Transportation Authority (OCTA), became necessary as a number of transit agencies in California were coming under increased scrutiny by the California Highway Patrol (CHP) for alleged violations of the CVC related to color light emitting diode destination signs. Various CHP officers have issued citations related to the color and photometrics of the destination signs. Although OCTA has not yet been cited, several other agencies with similar head signs have been cited, such as Los Angeles Metropolitan Transportation Authority.

CHP recently came out in opposition to the bill citing concerns about the use of red and blue in the forward-facing destination signs, how the luminance of the signs is measured, and the possible use of the signs to display non-transit related messages such as paid advertising. OCTA has been working diligently with the CTA, CHP, and the Governor's Office to negotiate amendments to the bill that would address the public safety concerns noted by the CHP yet still allow the outdated vehicle code sections to be updated. The bill was amended in the Assembly Appropriations Committee on August 9 to exclude the use of red in the forward-facing signs, to include additional luminance measurement specifications, and to limit the data that may be displayed on the signs to public transit information and other public service announcements.

Legislative Deadlines

For your information, important legislative deadlines remaining in this session are provided below:

August 18

Last day for Fiscal Committees to meet and report bills to Floor

August 21 - August 31

Floor session only. No committees, other than the Committee on Rules or conference committees, may meet for any purpose.

August 25

Last day to amend bills on the Floor

August 31

Last day for each house to pass bills. Final recess begins at end of this day's session.

September 30

Last day for Governor to sign or veto bills passed by the Legislature before September 1 and in his possession on or after September 1.

**Summary**

An overview of a bill to regulate greenhouse gas emissions and two bills to modify the membership of the California Transportation Commission is provided. Information is also provided about anticipated issues and deadlines for the last month of the legislative session.

**Attachment**

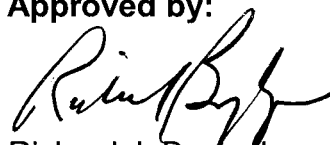
A. Legislative Matrix

**Prepared by:**



Wendy Villa  
Principal Government Relations  
Representative  
(714) 560-5595

**Approved by:**



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

## Orange County Transportation Authority Legislative Matrix

(► Denotes changes from the last report)

### OCTA Sponsor Legislation

AB 267

**AUTHOR:** Daucher [R]  
**TITLE:** Transportation Projects  
**LAST AMEND:** 08/15/2005  
**LOCATION:** Senate Appropriations Committee  
**STATUS:**  
08/25/2005 In SENATE Committee on APPROPRIATIONS: Not heard.  
**NOTES:** LP Sec. III (a) Repayment of local funds  
**COMMENTARY:**  
Sponsor bill clarifying Legislature's intent to fully reimburse, without time limits, local agencies that use local funds to advance projects in the STIP. Relevance to OCTA: Ensures reimbursement of local funds expended on STIP projects.  
**Position:** Sponsor

## Bills with Official Positions

- ▶ AB 343      *LEGISLATION DELETED FROM MATRIX. BILL HAS NOW BEEN AMENDED TO PERTAIN TO FOOTHILL TRANSIT'S FARE COMPLIANCE PROGRAM. PRIOR VERSION WAS RELATED TO PUBLIC TRANSPORTATION ACCOUNT REVENUES.*
- ▶ AB 372      **AUTHOR:**                  Nation [D]  
**TITLE:**                      Public Contracts: Transit Design-Build Contracts  
**LAST AMEND:**              06/13/2006  
**LOCATION:**                  Senate Third Reading File  
**STATUS:**  
06/22/2006                  *In SENATE. Read second time. To third reading.*  
**COMMENTARY:**  
Authorizes Transit Operators to enter into a design-build contracts.  
**Position:**                  Support
- ▶ AB 1118      *LEGISLATION DELETED FROM MATRIX. BILL HAS NOW BEEN AMENDED TO PERTAIN TO A DISCOVERY SCIENCE CENTER PARKING LOT LEASE. PRIOR VERSION WAS RELATED TO NON-HIGHWAY VEHICLES.*
- ▶ AB 1699      **AUTHOR:**                  Frommer [D]  
**TITLE:**                      Commuter and Intercity Passenger Trains  
**LAST AMEND:**              08/07/2006  
**LOCATION:**                  Senate Appropriations Committee  
**STATUS:**  
08/07/2006                  *In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.*  
08/07/2006                  *In SENATE Committee on APPROPRIATIONS: To Suspense File*  
**COMMENTARY:**  
*Requires the Department of Transportation to contract with the Institute of Transportation Studies to conduct a study of the safety of push-pull commuter rail and intercity rail passenger operations, and would require the study to be submitted to the Legislature by June 1, 2008..*  
**Position:**                  Watch
- AB 2361      **AUTHOR:**                  Huff [R]  
**TITLE:**                      Transportation: Federal Funds: Border Infrastructure  
**LAST AMEND:**              03/28/2006  
**LOCATION:**                  Assembly Appropriations Committee  
**STATUS:**  
04/17/2006                  From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS.  
**COMMENTARY:**  
Exempts federal funds derived from apportionments made to the state under the coordinated border infrastructure program from being subject to the funding distribution and fair share formulas. Requires these funds to be programmed by the Transportation Commission through a competitive grant program separate from the state transportation improvement program in a manner consistent with federal law. Author has decided to support SB 1282 in lieu of this bill.  
**Position:**                  Support

- ▶ AB 2538      **AUTHOR:**                      Wolk [D]  
**TITLE:**                                      Transportation Funds  
**LAST AMEND:**                      05/26/2006  
**LOCATION:**                                  Senate Appropriations Committee  
**STATUS:**  
08/07/2006                      *In SENATE Committee on APPROPRIATIONS: To  
Suspense File.*
- COMMENTARY:**  
*Authorizes each transportation planning agency or county transportation  
commission to request and receive up to 5% of federal metropolitan planning funds  
for the purposes of project planning, programming, and monitoring.*  
**Position:**                                  *Support with Amendment*
- ACA 4              **AUTHOR:**                                  Plescica [R]  
**TITLE:**    Transportation Investment Fund  
**LAST AMEND:**                      05/09/2005  
**LOCATION:**                                  Assembly Appropriations Committee  
**STATUS:**  
01/09/2006                      From ASSEMBLY Committee on TRANSPORTATION: Be  
adopted to Committee on APPROPRIATIONS.  
LP Proposition 42
- NOTES:**  
**COMMENTARY:**  
Deletes Proposition 42 suspension provisions. Relevance to OCTA: Ensures that  
OCTA, Orange County, and cities receive their share of Proposition 42 annually  
allowing for better project planning and delivery.  
**Position:**                                  Support
- ACA 11              **AUTHOR:**                                  Oropeza [D]  
**TITLE:**    Transportation Funds: Loans  
**INTRODUCED:**                      02/16/2005  
**LOCATION:**                                  Assembly Appropriations Committee  
**STATUS:**  
01/09/2006                      From ASSEMBLY Committee on TRANSPORTATION: Do  
pass to Committee on APPROPRIATIONS.
- COMMENTARY:**  
Deletes Proposition 42 suspension provisions. Permits up to 2 loans of Proposition  
42 funds to the General Fund or to any other state fund or account in a 10 year  
period provided the first loan is repaid in full prior to permitting a second loan.  
Relevance to OCTA: Provides better protection of Proposition 42 allowing for  
better project planning and delivery.  
**Position:**                                  Watch
- ▶ SB 1726      **AUTHOR:**                                  Lowenthal [D]  
**TITLE:**    Vehicles: Commercial and Common Carriers: Signs  
**LAST AMEND:**                      08/09/2006  
**LOCATION:**                                  Assembly Second Reading File  
**STATUS:**  
08/09/2006                      *From ASSEMBLY Committee on APPROPRIATIONS: Do  
pass as amended. To Consent Calendar.*
- COMMENTARY:**  
Authorizes buses, operated by a publicly owned transit system on regularly  
scheduled service, to be equipped with certain illuminated signs, as specified.  
Requires that the signs adhere to certain specifications.  
**Position:**                                  Support

SB 1812

**AUTHOR:** Runner G [R]  
**TITLE:** Department of Transportation: Surface Transportation  
**LAST AMEND:** 05/02/2006  
**LOCATION:** Senate Appropriations Committee  
**STATUS:**  
05/25/2006 In SENATE Committee on APPROPRIATIONS: Not heard.

**COMMENTARY:**

Authorizes the Director of Transportation to consent to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities assumed pursuant to the surface transportation project delivery pilot program. Requires the department to submit a specified report relating to the program. This language was included in AB 1039 as part of the infrastructure bond package.

**Position:** Support

SCA 7

**AUTHOR:** Torlakson [D]  
**TITLE:** Loans of Transportation Revenues and Funds  
**ADOPTED:** 05/06/2006  
**LOCATION:** Chaptered  
**STATUS:**  
05/09/2006 Chaptered by Secretary of State.  
05/09/2006 Chapter No. 49

**COMMENTARY:**

This will be "Proposition 1A" on the November 2006 ballot. This bill protects Proposition 42 from further state diversions by limiting loans to the General Fund to twice in a 10-year period. In addition, loans must be repaid with interest within 3 years.

**Position:** Support



## Bills being Monitored

- ▶ AB 32
- AUTHOR:** Nunez [D]  
**TITLE:** Greenhouse Gases: Global Warming Solutions Act  
**LAST AMEND:** 08/09/2006  
**LOCATION:** Senate Appropriations Committee  
**STATUS:**  
08/09/2006 From SENATE Committee on APPROPRIATIONS with author's amendments.  
08/09/2006 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
- COMMENTARY:**  
Requires the State Air Resources Board to adopt regulations establishing a program to require the reporting and verification of statewide green house gas emissions. Requires the board to adopt a statewide greenhouse gas emissions limit equivalent to statewide greenhouse gas emissions levels in 1990, to become effective in 2020. Requires establishment of enforceable interim emissions limits that progressively reduce emissions levels toward meeting the 2020 limit.  
**Position:** Monitor
- AB 143
- AUTHOR:** Assembly Budget Committee  
**TITLE:** Highway Construction: Design-Build Program  
**LAST AMEND:** 05/04/2006  
**LOCATION:** Assembly Unfinished Business - Reconsideration  
**STATUS:**  
05/04/2006 In SENATE. From Inactive File. To third reading.  
05/04/2006 In SENATE. Read third time and amended. Senate Rule 29.3 suspended. To third reading.  
05/04/2006 In SENATE. Read third time. Passed SENATE. \*\*\*\*\*In ASSEMBLY for concurrence.  
05/04/2006 In ASSEMBLY. ASSEMBLY refused to concur in SENATE amendments.  
05/04/2006 In ASSEMBLY. Motion to reconsider.
- COMMENTARY:**  
Authorizes certain state and local transportation entities to use a design-build process for contracting transportation projects. Authorizes transportation projects, to be selected by the state Transportation Commission. Establishes a procedure for submitting bids that include a requirement that design builders provide a statement of qualifications submitted to the transportation entity that is verified under oath. This bill was intended to be part of the infrastructure bond package.  
**Position:** Monitor
- ▶ AB 713
- AUTHOR:** Torrico [D]  
**TITLE:** High-Speed Passenger Train Bond Act  
**LAST AMEND:** 06/27/2006  
**LOCATION:** Chaptered  
**STATUS:**  
06/27/2006 \*\*\*\*To GOVERNOR.  
06/27/2006 Signed by Governor.  
06/27/2006 Chaptered by Secretary of State. Chapter No. 44.
- COMMENTARY:**  
Puts the \$9.95 billion High Speed Rail Bond Act on the Nov. 8, 2008 ballot.  
**Position:** Monitor
- ▶ AB 948
- LEGISLATION DELETED FROM MATRIX. BILL HAS NOW BEEN AMENDED TO PERTAIN TO SOUTH BAY CITIES STATISTICAL DATA. PRIOR VERSION WAS RELATED TO TRANSIT OPERATOR DESIGN-BUILD AUTHORITY.

▶ AB 1010 *LEGISLATION DELETED FROM MATRIX. BILL HAS NOW BEEN AMENDED TO PERTAIN TO TELECOMMUNICATIONS. PRIOR VERSION WAS RELATED TO DEPT OF TRANSPORTATION AUTHORITY OVER CONSTRUCTION SAFETY.*

AB 1039 **AUTHOR:** Nunez [D]  
**TITLE:** Government: Environment: Bonds: Transportation  
**ADOPTED:** 05/19/2006  
**LOCATION:** Chaptered  
**STATUS:**  
05/19/2006 Signed by Governor.  
05/19/2006 Chaptered by Secretary of State. Chapter No. 31.  
**COMMENTARY:**  
Exempts specified levee, highway and bridge retrofit projects from the California Environmental Quality Act. Provides for a master environmental impact report for a plan adopted by the Department of Transportation for improvements to segments of Highway 99 funded by specified bond funds. Consents the jurisdiction of federal courts to the surface transportation project delivery pilot program. Provides for a consolidated permit or approval for urgent levee repairs funded by specified bond funds. Part of the infrastructure bond package.  
**Position:** Monitor

AB 1157 **AUTHOR:** Frommer [D]  
**TITLE:** Rail Safety and Traffic Mitigation Bond Act of 2006  
**LAST AMEND:** 02/08/2006  
**LOCATION:** Senate Transportation and Housing Committee  
**STATUS:**  
02/08/2006 From SENATE Committee on TRANSPORTATION AND HOUSING with author's amendments.  
02/08/2006 In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION AND HOUSING.  
**COMMENTARY:**  
States the intent of the Legislature to enact legislation providing for a general obligation bond act to be submitted to the voters for approval in order to provide funding for a program to eliminate the most dangerous railroad-highway grade crossings in the state, as identified by the Public Utilities Commission, with funds to be allocated by the Transportation Commission.  
**Position:** Monitor

AB 1467 **AUTHOR:** Nunez [D]  
**TITLE:** Transportation Projects: Facilities: Partnerships  
**ADOPTED:** 05/19/2006  
**LOCATION:** Chaptered  
**STATUS:**  
05/19/2006 Signed by Governor.  
05/19/2006 Chaptered by Secretary of State. Chapter No. 32.  
**COMMENTARY:**  
Authorizes the Department of Transportation and regional transportation agencies to enter into comprehensive development lease agreements with public and private entities, or consortia of those entities, for certain transportation projects that may charge certain users of those projects tolls and user fees, subject to various terms and requirements. Authorizes regional transportation agencies to apply to develop and operate high-occupancy toll lanes. Limits the number of such projects. Part of the infrastructure bond package.  
**Position:** Monitor

AB 1783      **AUTHOR:**                    Nunez [D]  
**TITLE:**                                Infrastructure Financing  
**INTRODUCED:**                    01/04/2006  
**LOCATION:**                            ASSEMBLY  
**STATUS:**  
01/04/2006                            INTRODUCED  
**COMMENTARY:**  
This bill would provide for the financing of state and local government infrastructure through various funding sources. This is Assembly Democrats Infrastructure Bond Proposal.  
**Position:**                            Monitor

AB 1838      **AUTHOR:**                    Oropeza [D]  
**TITLE:**                                Transportation Bond Acts of 2006, 2008, and 2012  
**INTRODUCED:**                    01/10/2006  
**LOCATION:**                            ASSEMBLY  
**STATUS:**  
01/10/2006                            INTRODUCED  
**COMMENTARY:**  
This bill would authorize general obligation bonds for various transportation purposes, pledges a percentage of existing fuel excise taxes and truck weight fees to offset the cost of the bond debt service, and authorizes transportation entities to use a design-build process for contracting on transportation projects. This is the Administrations Infrastructure Bond Proposal. Identical to SB 1165.  
**Position:**                            Monitor

AB 1974      **AUTHOR:**                    Walters [R]  
**TITLE:**                                High Occupancy Vehicle Lanes  
**INTRODUCED:**                    02/09/2006  
**LOCATION:**                            Assembly Transportation Committee  
**STATUS:**  
04/24/2006                            In ASSEMBLY Committee on TRANSPORTATION: Not heard.  
**COMMENTARY:**  
Authorizes any county board of supervisors to authorize the use of high occupancy vehicle lanes on the state highway system within the county by any highway vehicle, providing that this use is consistent with federal law.  
**Position:**                            Monitor

▶ AB 1990      **AUTHOR:**                    Walters [R]  
**TITLE:**                                Eminent Domain  
**LAST AMEND:**                    04/03/2006  
**LOCATION:**                            ASSEMBLY  
**STATUS:**  
06/08/2006                            *From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT without further action pursuant to JR 62(a).*  
**COMMENTARY:**  
Prohibits a city, county, special district, school district, community redevelopment agency, or community development commission or joint powers agency from exercising the power of eminent domain to acquire any real property if ownership of the property will be transferred to a private party or private entity. Provides exceptions.  
**Position:**                            Monitor

- AB 2025      **AUTHOR:**                      Niello [R]  
**TITLE:**                                      Design Build Contracts  
**INTRODUCED:**                      02/14/2006  
**LOCATION:**                                  Assembly Transportation Committee  
**STATUS:**  
04/17/2006                                  In ASSEMBLY Committee on TRANSPORTATION: Heard,  
remains in Committee.
- COMMENTARY:**  
Authorizes the Department of Transportation to contract using the design-build process for the design and construction of transportation projects. Requires the director of the department to establish a prequalification and selection process.  
**Position:**                                  Monitor
- AB 2028      **AUTHOR:**                                  Huff [R]  
**TITLE:**    Transportation Funding  
**INTRODUCED:**                      02/14/2006  
**LOCATION:**                                  ASSEMBLY  
**STATUS:**  
02/14/2006                                  INTRODUCED
- COMMENTARY:**  
States the intent of the Legislature to provide an appropriation in the Budget Act of 2007 or in related legislation during the 2007-08 fiscal year to repay fully all funds that would have been transferred to the Transportation Investment Fund in previous fiscal years, but for the enactment of statutes providing for the suspension of those transfers.  
**Position:**                                  Monitor
- ▶ AB 2128      **AUTHOR:**                                  Torrico [D]  
**TITLE:**    Tax: Credits: Commuter Benefits  
**LAST AMEND:**                      05/03/2006  
**LOCATION:**                                  ASSEMBLY  
**STATUS:**  
06/08/2006                                  *From ASSEMBLY Committee on REVENUE AND  
TAXATION without further action pursuant to JR 62(a).*
- COMMENTARY:**  
Relates to the Personal Income Tax and Corporation Tax laws. Authorizes a credit against those taxes for the costs incurred by a qualified taxpayer to provide commuter benefits to its employees.  
**Position:**                                  Monitor

▶ AB 2210      **AUTHOR:** Goldberg [D]  
**TITLE:** Tow Trucks: Regulating  
**LAST AMEND:** 08/07/2006  
**LOCATION:** Senate Second Reading File  
**STATUS:**  
08/07/2006      *Re-referred to SENATE Committee on APPROPRIATIONS.*  
08/07/2006      *From SENATE Committee on APPROPRIATIONS with*  
                         *author's amendments.*  
08/07/2006      *In SENATE. Read second time and amended. Re-referred*  
                         *to Committee on APPROPRIATIONS.*  
08/07/2006      *From SEANTE Committee on APPROPRIATIONS: To*  
                         *second reading without further hearing pursuant to Senate*  
                         *Rule 28.8.*

**COMMENTARY:**  
*Revises procedures governing the removal of a vehicle parked on private property, requires that the written authorization from the property owner or lessee contain specific information and that a specified good faith attempt has been made to notify the vehicle owner. Requires the display, at a storage facility, of notice stating certain information. Requires notification of law enforcement. Provide civil penalty for violation.*

**Position:** Monitor

▶ AB 2286      *LEGISLATION DELETED FROM MATRIX. BILL HAS NOW BEEN AMENDED TO PERTAIN TO HOUSING GRANTS. PRIOR VERSION WAS RELATED TO INFRASTRUCTURE FINANCING DISTRICTS.*

AB 2290      **AUTHOR:** DeVore [R]  
**TITLE:** State Highway Facilities Designated for Trucks: Fees  
**LAST AMEND:** 04/04/2006  
**LOCATION:** ASSEMBLY  
**STATUS:**  
05/17/2006      From ASSEMBLY Committee on TRANSPORTATION  
                         without further action pursuant to JR 62 (a).

**COMMENTARY:**  
Authorizes the Department of Transportation or regional transportation agencies to enter into comprehensive development franchise agreements with public and private entities for the construction of transportation projects on state highways designated for exclusive use of commercial trucks. Authorizes user fees to be collected during the franchise agreement period, and authorizes the Transportation Commission to approve continuation of those fees after termination of the agreement.

**Position:** Monitor

▶ AB 2295      **AUTHOR:** Arambula [D]  
**TITLE:** Transportation Capital Improvement Projects  
**INTRODUCED:** 02/22/2006  
**LOCATION:** Senate Third Reading File  
**STATUS:**  
06/22/2006      *In SENATE. Read second time. To third reading.*

**COMMENTARY:**  
States that local road rehabilitation projects are eligible for funds allocated for transportation capital improvement funds.

**Position:** Monitor

- ▶ AB 2495      **AUTHOR:**                      Nunez [D]  
**TITLE:**                                      State Transportation Commission  
**LAST AMEND:**                      05/26/2006  
**LOCATION:**                                  Senate Second Reading File  
**STATUS:**  
08/07/2006                      From SENATE Committee on APPROPRIATIONS: To second reading without further hearing pursuant to Senate Rule 28.8.
- COMMENTARY:**  
Expand the membership of the California Transportation Commission to 13 members, with one additional voting member each appointed by the Speaker of the Assembly and the Senate Committee on Rules, not subject to Senate confirmation.  
**Position:**                                  Monitor
- ▶ AB 3047      **AUTHOR:**                      Canciamilla [D]  
**TITLE:**                                      Toll Facilities  
**LAST AMEND:**                      05/30/2006  
**LOCATION:**                                  Senate Transportation and Housing Committee  
**STATUS:**  
06/15/2006                      To SENATE Committee on TRANSPORTATION AND HOUSING
- COMMENTARY:**  
Authorize the Department of Transportation or regional transportation agency to construct high-occupancy vehicle and other preferential lanes on the state highway system. Authorizes a regional transportation agency to construct and operate those lanes as toll facilities subject to specified requirements.  
**Position:**                                  Monitor
- ACA X1 4      **AUTHOR:**                      Keene [R]  
**TITLE:**                                      State Finances  
**LAST AMEND:**                      04/11/2005  
**LOCATION:**                                  Assembly Budget Process Committee  
**STATUS:**  
04/11/2005                      From ASSEMBLY Committee on BUDGET PROCESS with author's amendments.  
04/11/2005                      In ASSEMBLY. Read second time and amended.  
Re-referred to ASSEMBLY Committee on BUDGET PROCESS.
- COMMENTARY:**  
Administration's budget report proposal which includes Proposition 98 reform and Proposition 42 protections.  
**Position:**                                  Monitor
- ACA 5              **AUTHOR:**                      Richman [R]  
**TITLE:**                                      Public Retirement Systems  
**INTRODUCED:**                      12/06/2004  
**LOCATION:**                                  Assembly Public Employees, Retirement and Social Security Committee  
**STATUS:**  
04/14/2005                      To ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT, AND SOCIAL SECURITY
- COMMENTARY:**  
Proposes a constitutional amendment that would prohibit new employees, hired after July 1, 2007, from participating in a defined benefit plan. These employees would be limited to a defined contribution plan or retirement system.  
**Position:**                                  Monitor

ACA 7      **AUTHOR:**            Nation [D]  
**TITLE:**                    Local Governmental Taxation  
**LOCATION:**                Assembly Appropriations Committee  
**STATUS:**  
05/25/2005                In ASSEMBLY Committee on APPROPRIATIONS: Heard,  
remains in Committee.

**COMMENTARY:**  
Lowers voter threshold to 55% for special tax measures.  
**Position:**                Monitor

ACA 9      **AUTHOR:**            Bogh [R]  
**TITLE:**                    Motor Vehicle Fuel Sales Tax Revenue  
**LOCATION:**                Assembly Appropriations Committee  
**STATUS:**  
01/09/2006                From ASSEMBLY Committees on TRANSPORTATION: Be  
adopted to the Committee on APPROPRIATIONS.

**COMMENTARY:**  
Would amend Prop 42 to require 4/5ths of the legislature to suspend transfer  
instead of the current 2/3rds.  
**Position:**                Monitor

▶ ACA 22      **AUTHOR:**            La Malfa [R]  
**TITLE:**                    Eminent Domain: Condemnation Proceedings  
**LAST AMEND:**            01/26/2006  
**LOCATION:**                ASSEMBLY  
**STATUS:**  
06/12/2006                *From ASSEMBLY Committees on HOUSING AND  
COMMUNITY DEVELOPMENT without further action  
pursuant to JR 62(a).*

**COMMENTARY:**  
Amends existing eminent domain law to only allow for private property to be taken  
when it is for a stated public use.  
**Position:**                Monitor

ACA 27      **AUTHOR:**            McCarthy [R]  
**TITLE:**                    State Budget: Capital Outlay  
**LOCATION:**                ASSEMBLY  
**STATUS:**  
01/25/2006                INTRODUCED

**COMMENTARY:**  
Requires that the budget submitted to the Legislature by the Governor allocate,  
and that the Budget Bill as passed by the Legislature and as signed by the  
Governor appropriate, General Fund revenues to fund capital outlay projects of  
statewide significance and interest in an annual amount determined pursuant to a  
specified schedule.  
**Position:**                Monitor

- SB 53      **AUTHOR:** Kehoe [D]  
**TITLE:** Redevelopment  
**LAST AMEND:** 08/07/2006  
**LOCATION:** Assembly Appropriations Committee  
**STATUS:**  
08/07/2006      *In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.*
- COMMENTARY:**  
Requires redevelopment plans to contain a description of the agency's program to acquire real property by eminent domain, including prohibitions, if any, on the use of eminent domain, and a time limit for the commencement of eminent domain proceedings.  
**Position:** Monitor
- SB 153      **AUTHOR:** Chesbro [D]  
**TITLE:** Parks and Recreation  
**LAST AMEND:** 06/19/2006  
**LOCATION:** Assembly Rules Committee  
**STATUS:**  
06/26/2006      *Re-referred to ASSEMBLY Committee on RULES.*
- COMMENTARY:**  
*Provides for the distribution of bond funds from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 for local assistance grants for neighborhood, community, and regional parks, and recreational lands and facilities. Creates the Challenged Rural Communities Program. Provides for the distribution of bond funds from the Housing and Emergency Shelter Trust Fund Act of 2006 for park creation, to encourage specified infill development.*  
**Position:** Monitor
- SB 172      **AUTHOR:** Torlakson [D]  
**TITLE:** Bay Area State-Owned Toll Bridge: Financing  
**LAST AMEND:** 05/27/2005  
**LOCATION:** Assembly Transportation Committee  
**STATUS:**  
06/13/2005      *To ASSEMBLY Committee on TRANSPORTATION.*
- COMMENTARY:**  
Gives the Bay Area Toll Authority more control over Caltrans construction of toll bridge seismic retrofits in the Bay Area. Requires quarterly reports by Caltrans the projects.  
**Position:** Monitor
- SB 208      **AUTHOR:** Alquist [D]  
**TITLE:** Transportation: Traffic Congestion Relief Program  
**LAST AMEND:** 06/12/2006  
**LOCATION:** Assembly Appropriations Committee  
**STATUS:**  
06/28/2006      *In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.*
- COMMENTARY:**  
*Authorizes the Transportation Commission to enter into a full funding grant agreement with a regional or local transportation agency that is the lead applicant for a project and that has a specified unallocated balance of Traffic Congestion Relief Program funding.*  
**Position:** Watch



SB 371

**AUTHOR:** Torlakson [D]  
**TITLE:** Public Contracts: Design-Build: Transportation  
**LAST AMEND:** 01/23/2006  
**LOCATION:** ASSEMBLY  
**STATUS:**  
01/30/2006 In SENATE. Read third time. Passed SENATE. \*\*\*\*\*To ASSEMBLY.

**COMMENTARY:**

Declares the intent of the Legislature to enact legislation that would develop an alternative and optional procedure for bidding on highway, bridge, tunnel, or public transit construction projects in the jurisdiction of any county, local transportation authority or local or regional transportation entity. Authorizes the Department of Transportation to develop an alternative bidding procedure for highway, bridge, or tunnel projects on the state highway system.

**Position:** Monitor

SB 427

**AUTHOR:** Hollingsworth [R]  
**TITLE:** Environmental Quality Act: Scoping Meetings  
**LAST AMEND:** 01/04/2006  
**LOCATION:** Assembly Natural Resources Committee  
**STATUS:**  
02/16/2006 To ASSEMBLY Committee on NATURAL RESOURCES

**COMMENTARY:**

Requires at least one scoping meeting for a project and requires the lead agency to consult with transportation planning agencies that could be affected by a project. Requires notice of at least one scoping meeting be provided to those agencies required to be consulted concerning the project and to require, in the consultation, the project's effect on overpasses, on-ramps, and off-ramps.

**Position:** Monitor

► SB 459

**AUTHOR:** Romero [D]  
**TITLE:** Air Pollution: South Coast District: Locomotives  
**LAST AMEND:** 08/07/2006  
**LOCATION:** Assembly Second Reading File  
**STATUS:**  
08/09/2006 In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.

**COMMENTARY:**

Authorizes SCAQMD to collect a fee associated with locomotive air pollution and to expend it for specified mitigation purposes including railroad grade crossings.

**Position:** Monitor

SB 760      **AUTHOR:**                      Lowenthal [D]  
**TITLE:**                                      Ports: Congestion Relief: Security Enhancement  
**LAST AMEND:**                      05/27/2005  
**LOCATION:**                              Assembly Appropriations Committee  
**STATUS:**  
06/27/2005                      From ASSEMBLY Committee on NATURAL RESOURCES:  
Do pass to Committee on APPROPRIATIONS.

**COMMENTARY:**  
Authorizes the Ports of Los Angeles and Long Beach to impose a \$30 fee on each Twenty foot Equivalent Unit (TEU). The Port would retain \$10 for improvements and would forward \$10 to AQMD for air quality mitigation, and \$10 to the CTC to use on railroad improvement projects in Orange and other counties.

**Position:**                              Monitor

SB 832      **AUTHOR:**                              Perata [D]  
**TITLE:**                                      CEQA: Infill Development  
**LAST AMEND:**                      05/04/2005  
**LOCATION:**                              Assembly Inactive File  
**STATUS:**  
03/02/2006                      In ASSEMBLY. To Inactive File.

**COMMENTARY:**  
Relates to infill development under the California Environmental Quality Act. Provides an alternative to infill criteria if the site is located in a city with a population of more than 200,000 persons, the site is not more than 10 acres, and the project does not have less than 200 or more than 300 residential units, as adopted by a resolution of the city council. Bill intended to be linked to SB 1024 Infrastructure Bond.

**Position:**                              Monitor

SB 1024      **AUTHOR:**                              Perata [D]  
**TITLE:**                                      Public Works and Improvements: Bond Measure  
**LAST AMEND:**                      01/26/2006  
**LOCATION:**                              ASSEMBLY  
**STATUS:**  
01/30/2006                      In SENATE. Read third time. Passed SENATE. \*\*\*\*\*To  
ASSEMBLY.

**COMMENTARY:**  
Enacts the Essential Facilities Seismic Retrofit Bond Act of 2005 to place a \$10.3 billion general obligation bond before voters to funds seismic retrofit of essential facilities, including the Bay Bridge, repay Proposition 42 loans, and to facilitate goods movement.

**Position:**                              Monitor

- SB 1161      **AUTHOR:** Alarcon [D]  
**TITLE:** State Highways: Design-Sequencing Contracts  
**LAST AMEND:** 06/21/2006  
**LOCATION:** Assembly Second Reading File  
**STATUS:**  
08/09/2006      *In ASSEMBLY Committee on APPROPRIATIONS: To  
Suspense File.*
- COMMENTARY:**  
Relates to existing law authorizing the Department of Transportation, to conduct a pilot project to award design-sequencing contracts for the design and construction of not more than 12 transportation projects. Authorizes the department to award contracts for projects using the design-sequencing contract method, certain requirements are met.  
**Position:** Monitor
- SB 1165      **AUTHOR:** Dutton [R]  
**TITLE:** Transportation Bond Acts of 2006, 2008, and 2012  
**INTRODUCED:** 01/10/2006  
**LOCATION:** Senate Transportation and Housing Committee  
**STATUS:**  
01/19/2006      To SENATE Committees on TRANSPORTATION AND  
HOUSING and ENVIRONMENTAL QUALITY.
- COMMENTARY:**  
This bill would authorize general obligation bonds for various transportation purposes, pledges a percentage of existing fuel excise taxes and truck weight fees to offset the cost of the bond debt service, and authorizes transportation entities to use a design-build process for contracting on transportation projects. This is the Administrations Infrastructure Bond Proposal. Identical to AB 1838.  
**Position:** Monitor
- SB 1266      **AUTHOR:** Perata [D]  
**TITLE:** Highway Safety, Traffic Reduction, Air Quality  
**ADOPTED:** 05/16/2006  
**LOCATION:** Chaptered  
**STATUS:**  
05/16/2006      Signed by GOVERNOR.  
05/16/2006      Chaptered by Secretary of State. Chapter No. 25.
- COMMENTARY:**  
Enacts the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. Authorizes a specified amount of general obligation bonds for transportation corridor improvements, trade infrastructure and port security projects, transit security, local bridge retrofit, highway-railroad grade and crossing projects, highway rehabilitation, local street and road improvements. Part of the infrastructure bond package.  
**Position:** Monitor

- SB 1282      **AUTHOR:**                    Ducheny [D]  
**TITLE:**                            Transportation: Federal Funds: Border Infrastructure  
**LAST AMEND:**                05/02/2006  
**LOCATION:**                        *Assembly Second Reading File*  
**STATUS:**  
08/09/2006                        *In ASSEMBLY Committee on APPROPRIATIONS: To  
Suspense File.*
- COMMENTARY:**  
Requires federal funds apportioned to the state under the coordinated border infrastructure program of the Safe, Accountable Flexible, Efficient Transportation Equity act: a Legacy for Users (SAFETEA-LU) to be programmed, allocated and expended in the same manner as other federal transportation capital funds in the state transportation improvement program. Authorizes use of funds for projects in Mexico.
- Position:**                        Monitor
- SB 1431      **AUTHOR:**                    Cox [R]  
**TITLE:**                            Public Contracts: Design-Build Contracting: Cities  
**LAST AMEND:**                04/18/2006  
**LOCATION:**                        Senate Appropriations Committee  
**STATUS:**  
05/25/2006                        In SENATE Committee on APPROPRIATIONS: Not heard.
- COMMENTARY:**  
Permits any city with the approval of the city council, county boards of supervisors, and special districts to enter into specified design-build contracts in accordance with specified provisions. Requires that contracts costing more than a specified amount by those cities, counties or districts to be awarded to the lowest responsible bidder. Requires the Legislative Analyst's Office to report to the Legislature regarding the effectiveness of the design-build program.
- Position:**                        Monitor
- SB 1593      **AUTHOR:**                    Runner G [R]  
**TITLE:**                            Vehicles: Removal: Storage  
**LAST AMEND:**                05/22/2006  
**LOCATION:**                        *Assembly Transportation Committee*  
**STATUS:**  
06/15/2006                        *To ASSEMBLY Committee on TRANSPORTATION*
- COMMENTARY:**  
*Requires the owner or person in lawful possession of private property to verify that the towing company that will be used to remove a vehicle from private property has a valid motor vehicle carrier permit before causing the removal of the vehicle from the property.*
- Position:**                        Monitor

- SB 1613      **AUTHOR:**                      Simitian [D]  
**TITLE:**                                      Vehicles: wireless telephones  
**LAST AMEND:**                      08/09/2006  
**LOCATION:**                              Assembly Appropriations Committee  
**STATUS:**  
08/09/2006                              From ASSEMBLY Committee on APPROPRIATIONS with  
author's amendments.  
08/09/2006                              In ASSEMBLY. Read second time and amended. Re-  
referred to Committee on APPROPRIATIONS.
- COMMENTARY:**  
*Makes it an infraction to drive a motor vehicle while using a wireless telephone, unless that telephone is designed and configured to allow hands-free listening and talking operation, and is used in that manner while driving. Provides that this prohibition does not apply to a person who is using a cellular telephone to contact a law enforcement agency or public safety entity for emergency purposes. Prohibits the assignment of a violation point for a violation.*
- Position:**                              Monitor
- SB 1703      **AUTHOR:**                      Lowenthal [D]  
**TITLE:**                                      State Transportation Commission  
**LAST AMEND:**                      08/07/2006  
**LOCATION:**                              Assembly Second Reading File  
**STATUS:**  
08/09/2006                              From ASSEMBLY Committee on APPROPRIATIONS: Do  
pass.
- COMMENTARY:**  
*Expand the membership of the California Transportation Commission to 13 members, with one additional voting member each appointed by the Speaker of the Assembly and the Senate Committee on Rules, not subject to Senate confirmation.*
- Position:**                              Monitor
- SCA 15              **AUTHOR:**                      McClintock [R]  
**TITLE:**                                      Eminent Domain: Condemnation Proceedings  
**LAST AMEND:**                      08/23/2005  
**LOCATION:**                              Senate Judiciary Committee  
**STATUS:**  
08/30/2005                              In SENATE Committee on JUDICIARY: Failed passage.  
08/30/2005                              In SENATE Committee on JUDICIARY: Reconsideration  
granted.
- COMMENTARY:**  
Amends existing eminent domain law to only allow for private property to be taken when it is for a stated public use.
- Position:**                              Monitor
- SCA 20              **AUTHOR:**                      McClintock [R]  
**TITLE:**                                      Eminent Domain: Condemnation Proceedings  
**INTRODUCED:**                      01/11/2006  
**LOCATION:**                              Senate Judiciary Committee  
**STATUS:**  
04/25/2006                              In SENATE Committee on JUDICIARY: Failed passage.  
04/25/2006                              In SENATE Committee on JUDICIARY: Reconsideration  
granted.
- COMMENTARY:**  
Amends existing eminent domain law to only allow for private property to be taken when it is for a stated public use.
- Position:**                              Monitor

SCA 21

**AUTHOR:** Runner G [R]  
**TITLE:** State Budget  
**INTRODUCED:** 01/11/2006  
**LOCATION:** Senate Budget and Fiscal Review Committee  
**STATUS:**  
03/02/2006 In SENATE Committee on BUDGET AND FISCAL REVIEW:  
Heard, remains in Committee  
**COMMENTARY:**  
Administration's General Fund GO Bond 6% Debt Cap Proposal  
**Position:** Monitor





BOARD COMMITTEE TRANSMITTAL

**August 28, 2006**

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup> Wendy Knowles, Clerk of the Board  
**Subject:** Transportation Enhancement Program Update

Regional Planning and Highways Committee

August 21, 2006

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

**Committee Vote**

This item was passed by all Committee Members present.

**Committee Recommendations**

- A. Authorize staff to advance currently programmed projects and utilize the approved stand-by list as necessary to ensure no funds are lost to Orange County.
- B. Authorize staff to amend the Regional Transportation Improvement Program and State Transportation Improvement Program as necessary to facilitate the above action.





**August 21, 2006**

**To:** Regional Planning and Highways Committee  
**From:** Arthur T. Leahy, Chief Executive Officer <sup>ATL by RB</sup>  
**Subject:** Transportation Enhancement Program Update

**Overview**

The Orange County Transportation Authority awards federal Transportation Enhancement grants for transportation related projects that enhance the quality of life in or around transportation facilities in Orange County. Progress of currently programmed federal Transportation Enhancement projects is presented for consideration.

**Recommendations**

- A. Authorize staff to advance currently programmed projects and utilize the approved stand-by list as necessary to ensure no funds are lost to Orange County.
- B. Authorize staff to amend the Regional Transportation Improvement Program and State Transportation Improvement Program as necessary to facilitate the above action.

**Background**

Since 1998, the Orange County Transportation Authority (OCTA) Board of Directors (Board) has awarded over \$41 million in federal Transportation Enhancement (TE) Program funds towards 85 regional projects. These funds were apportioned to local agencies through a competitive call for projects. In April 2006, the OCTA Board approved the 2006 TE Priority List of Projects derived from the 2006 call for projects. That list yielded 27 new projects totaling \$8.059 million.

***Discussion*****2006 Call for Projects Priority List**

The California Department of Transportation has completed their review of the Board-approved priority list of projects from the 2006 call for projects. All of the projects included in the priority list were approved. These projects are now ready for obligation in their respective program years. One project from this list has been withdrawn.

The City of Laguna Beach has withdrawn their application for the Broadway Street enhancement project. This project was approved by the Board as part of the priority list of projects for \$148,000 of TE funds. Although this action will free up the funds previously programmed to this project, it will not facilitate reprogramming to another project. This action will only reduce the existing over programming (safety net), which was approved for these types of circumstances.

**Previously Programmed Projects**

As part of a federally funded program administered by the state through the State Transportation Improvement Program (STIP), TE projects are subject to all rules and provisions of the STIP guidelines. One of those rules states that once a project has been obligated (process by which the California Transportation Commission authorizes the use of funds for the project) the funds must be expended on that project or they will revert back to the state's share and will not be available for reprogramming by the County.

Due to extenuating circumstances, the City of Irvine (City) had to relinquish funds back to the state under the guideline noted above. The City was awarded \$792,000 of TE funds for the Culver Drive Bike Trail and Landscaping project. Due to timely-use issues on other federal funds programmed to the project and pressure from constituents, the City advertised for and awarded a construction bid for the project prior to receiving approval to proceed on the TE funds. The City was hoping to receive an exception from the Federal Highway Administration on this, but the exception was not granted. The City determined it would be more costly to re-bid the project than to relinquish the funds. These funds have returned to the state share and are no longer available to the County.

Due to higher than anticipated delivery, four TE projects originally programmed for fiscal year (FY) 2005-06 have been reprogrammed to FY 2006-07. All other TE projects are progressing without issue and according to schedule. All projects in progress and the program year for each are shown in Attachment A.

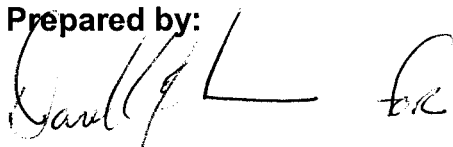
**Summary**

OCTA is responsible for programming of regional TE funds. Staff has provided a brief update on currently programmed projects. A complete list of these projects and their scheduled year to receive funding is presented in Attachment A.

**Attachment**

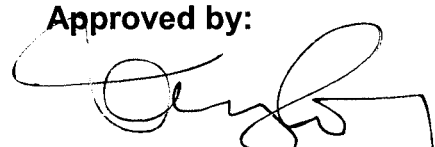
- A. Orange County Transportation Authority Transportation Enhancement Program Projects

**Prepared by:**



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

**Approved by:**



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

**ATTACHMENT A**

**Orange County Transportation Authority  
Transportation Enhancement Program Projects**

<b>CITY</b>	<b>PROJECT</b>	<b>PROGRAM AMOUNT</b>	<b>PROGRAM YEAR</b>
Fountain Valley	Ellis Sidewalk <sup>1</sup>	\$ 355,800	FY 2006-07
Irvine	IBC Sidewalk <sup>1</sup>	\$ 454,961	FY 2006-07
Laguna Beach	Coast Hwy Ped Improvement <sup>1</sup>	\$ 426,000	FY 2006-07
Huntington Beach	Brookhurst St. Frontage Median <sup>1</sup>	\$ 370,000	FY 2006-07
La Habra	UP Rail Line Bikeway	\$ 369,071	FY 2006-07
Laguna Niguel	Camino Capistrano Landscape Monument Sign	\$ 500,000	FY 2006-07
Aliso Viejo	Pacific Park Drive	\$ 364,000	FY 2006-07
Costa Mesa	Newport Blvd Streetscape, 17th - 18th	\$ 500,000	FY 2007-08
Laguna Hills	El Toro Rd. Streetscape	\$ 500,000	FY 2007-08
Costa Mesa	Newport Blvd Streetscape, 19th - 18th	\$ 500,000	FY 2007-08
La Palma	La Palma Ave Landscape/Monument (Moody to Denni)	\$ 237,000	FY 2007-08
Irvine	Jeffrey/I-405 Bike Bridge Landscaping	\$ 354,109	FY 2007-08
Laguna Beach	S. Laguna Gateway/Streetscape	\$ 412,300	FY 2007-08
Villa Park	Taft Ave Landscape	\$ 150,000	FY 2007-08
Laguna Beach	Broadway Gateway Beautification	\$ 148,720	FY 2007-08
Dana Point	PCH Improvements	\$ 500,000	FY 2007-08
Laguna Beach	S. Laguna Sidewalk	\$ 498,000	FY 2007-08
Santa Ana	Santiago Creek Trail	\$ 207,664	FY 2007-08
County of Orange	Buena Vista Sidewalk	\$ 57,465	FY 2007-08
County of Orange	Magnolia Ave Sidewalk	\$ 66,297	FY 2007-08
County of Orange	Orange Olive Rd. Sidewalk	\$ 56,891	FY 2007-08
Santa Ana	MacArthur Blvd Bike Trail	\$ 23,332	FY 2007-08
Orange	Bike Lockers at OTC	\$ 7,130	FY 2007-08
Orange	Taft Ave Sidewalk, Batavia to Glassell	\$ 241,425	FY 2007-08
Orange	Main Street Sidewalk, Katella to Taft	\$ 196,100	FY 2007-08
Orange	Taft Avenue Sidewalk, SNA River to Batavia	\$ 156,325	FY 2007-08
Orange	Main Street Sidewalk, Walnut to Collins	\$ 212,750	FY 2007-08
Aliso Viejo	Town Center Loop Pedestrian Enhancement	\$ 500,000	FY 2007-08
County of Orange	17th Street Sidewalk	\$ 500,000	FY 2007-08
County of Orange	Hewes Ave Sidewalk	\$ 185,241	FY 2007-08
Westminster	Bolsa Ave, Magnolia to Newland	\$ 500,000	FY 2008-09
Westminster	Bolsa Ave, Newland to Beach	\$ 500,000	FY 2008-09
Irvine	IBC Sidewalk Phase 2	\$ 500,000	FY 2008-09
Fullerton	Puente St. Bike Path	\$ 348,000	FY 2008-09
<b>TOTAL PROGRAM</b>		<b>\$ 10,898,581</b>	

1 - projects previously programmed in FY 2005-06 transferred to FY 2006-07





BOARD COMMITTEE TRANSMITTAL

**August 28, 2006**

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup> Wendy Knowles, Clerk of the Board  
**Subject:** Revised Process for Reporting on Unilateral Construction Contract Change Orders

Finance and Administration Committee

August 11, 2006

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

***Committee Vote***

This item was passed by all Committee Members present.

Committee Vice Chairman Duvall was not present to vote on this item.

***Committee Recommendation***

Receive and file as an information item.



**August 11, 2006**

**To:** Finance and Administration Committee  
**From:** Arthur T. Leahy, <sup>AW</sup> Chief Executive Officer  
**Subject:** Revised Process for Reporting on Unilateral Construction Contract Change Orders

**Overview**

On May 22, 2006, the Board of Directors reviewed an internal audit of construction change orders associated with Contract C-3-0022 with Swinerton Builders for construction at the Santa Ana Base, and management's response to the audit recommendation concerning further reporting of unilateral change orders. To enhance change order oversight, reports identifying unilateral change orders and project trends with potential significant cost impacts will be presented to the various responsible committees on a quarterly basis.

**Recommendation**

Receive and file as an information item.

**Background**

The Orange County Transportation Authority Internal Audit Department recently completed a review of change orders associated with Contract C-3-0022 with Swinerton Builders for construction services at the Santa Ana Base. The audit found change orders to be in conformance with contract requirements and project management followed existing Orange County Transportation Authority (OCTA) policies and procedures in issuing the construction change orders. The audit recommended additional status reporting of all unilateral change orders to executive management and the Board of Directors (Board) on a quarterly basis, at a minimum.

Management's initial response to the additional reporting recommendation was that OCTA's current change order policies and procedures address the issue of change order reporting and are consistent with other agencies' and industry standards. Therefore, there was no requirement for additional reporting of unilateral change orders.

***Discussion***

On May 22, 2006, the Board was presented with the audit findings, additional reporting recommendation, and management's response. The Board has directed staff to develop a process for fully reporting unilateral change orders and bring the issue of change order oversight back to the committee for further review. A revised process was developed and is in use.

Unilateral change orders are defined as "a contractual modification that is signed only by the contracting official to make unilateral changes to the scope of work." These change orders are a standard industry practice when the two parties cannot agree on the specific terms and conditions of a change and allow OCTA to expedite the project without incurring additional delays, as well as affording payment to the contractor for work performed.

OCTA follows the same evaluation process on all change orders, including a cost/price analysis to determine that a unilateral change order value is fair and reasonable. Since a contractor has not agreed to the change order, there is a higher probability that it may result in additional project costs or time extensions through the subsequent formal claims process. The following procedures will be put into place to provide additional change order oversight and increased visibility of unilateral changes orders:

1. Contract change order logs will be modified so that unilateral change orders are clearly identified.
2. A unilateral change order status report by contract will be presented to the responsible committees (Transit Planning and Operations – Regional Planning and Highways) on a quarterly basis.
3. Staff reports requesting Board approval of change orders in excess of \$150,000 will include a log of all prior approved change orders.

At this time, the only construction contract involving unilateral change orders is with Swinerton Builders for construction of the Santa Ana Base. A status report will be provided to the Transit Planning and Operations Committee for the quarter ending September 2006.

Under OCTA's current procedures, the responsible committees and the Board are notified of cost changes through the contract amendment or construction change order approval process. Project management staff becomes aware of potential future cost increases through what is commonly referred to as the



trend process. Trends are considered an early recognition of potential changes in scope or other factors that may result in increase to a project's budget or estimate at completion. They are generally documented during the construction process through a contractor's change order request notification or a consultant's monthly progress reporting through the design development process.

Current practices will be modified with project management staff preparing a quarterly trend status report to provide an early indication of potential issues that may have a significant project impact. Each project's budget/current estimate at completion includes a contingency factor for the various project phases such as design, right-of-way, construction, and construction management. The status report will focus on individual trends that will utilize a significant portion of the contingency budget or cause an overall project cost increase. The quarterly trend status report will be provided to the responsible committees beginning with the quarter ending September 2006.

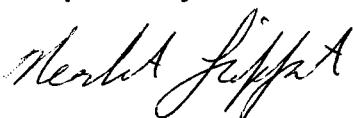
***Summary***

Staff will be providing a quarterly status report of all unilateral change orders to the responsible committees. Staff will also provide the responsible committees with a quarterly project trend status report to provide an early indication of potential issues that may have significant project impacts.

***Attachment***

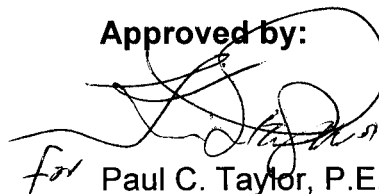
None.

**Prepared by:**



Norbert Lippert  
Project Controls Manager  
(714) 560-5733

**Approved by:**



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





BOARD COMMITTEE TRANSMITTAL

**August 28, 2006**

**To:** Members of the Board of Directors  
**From:** Wendy Knowles, Clerk of the Board  
**Subject:** Amendment to Agreement for 91 Express Lanes Program Management Consulting Services

Finance and Administration Committee

August 11, 2006

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

**Committee Vote**

This item was passed by all Committee Members present.

Committee Vice Chairman Duvall was not present to vote on this item.

**Committee Recommendation**

Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-4-0250 between the Orange County Transportation Authority and LMS Consulting, for the second one-year option term, in an amount not to exceed \$150,000, for program management consulting services for the 91 Express Lanes.



**August 11, 2006**

**To:** Finance and Administration Committee  
**From:** Arthur T. Leahy, <sup>AL</sup> Chief Executive Officer  
**Subject:** Amendment to Agreement for 91 Express Lanes Program Management Consulting Services

### **Overview**

On June 28, 2004, the Board of Directors approved an agreement for one year, with two option years with LMS Consulting, in the amount of \$150,000, to provide program management support for the 91 Express Lanes. LMS Consulting was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

### **Recommendation**

Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-4-0250 between the Orange County Transportation Authority and LMS Consulting, for the second one-year option term, in an amount not to exceed \$150,000, for program management consulting services for the 91 Express Lanes.

### **Background**

Since January 2003, the Orange County Transportation Authority (Authority) has operated the 91 Express Lanes toll facility. Most day-to-day operational activities are outsourced to Cofiroute USA (Cofiroute). The Authority has two staff dedicated to 91 Express Lanes management and oversight. Consultant support has been used to augment this team by performing special projects related to key capital and operating activities and systems.

During fiscal year 2005-06, LMS Consulting was instrumental in supporting the:

- Evaluation and recommendation for the new operating agreement of the 91 Express Lanes

- Transition from the prior operating agreement to the new operating agreement of the 91 Express Lanes
- Development of a strategic technology roadmap
- Enhancement of the 91 Express Lanes customer relationship program
- Development of the strategic marketing and management plans
- Improvement of facilities and workflow at the Anaheim offices for the 91 Express Lanes
- Working with Cofiroute to update the performance measures used to report activities on the 91 Express Lanes
- Interacting with California Department of Transportation (Caltrans) on a variety of issues related to the upcoming camera replacement program

***Discussion***

The Authority maintains a full-time toll road staff consisting of a general manager and a senior transportation analyst. OCTA also relies on staff expertise from other OCTA personnel such as customer relations, marketing, accounting, finance, treasury, information systems, and procurement. It is necessary, at times, to gain additional support and expertise to supplement OCTA personnel. LMS Consulting has provided operational and technical support to OCTA for the 91 Express Lanes since OCTA began to acquire the road in 2001 and 2002.

In fiscal year 2006-07, assistance of LMS Consulting is required in several areas. LMS Consulting will serve as the program manager for traffic management system upgrades for the 91 Express Lanes. In that capacity, LMS Consulting will:

- Oversee the implementation of upgrades to the Traffic Operations Center. The current systems are aging and require immediate replacement. LMS Consulting wrote the scope of work for the replacement system and is familiar with the operational and technical requirements for the new systems. The upgrade project will replace the in-lane cameras, camera controllers, video displays, digital recording devices, and other equipment, as necessary, and
- Manage the implementation of the Performance Monitoring and Pricing Pilot Program (PMAP3). This program will be conducted through five phases. The Authority anticipates that LMS Consulting will provide support for phases 1-3 during fiscal year 2006-07. Those phases consist of developing a PMAP3 plan, methodology and design, developing a Request for Proposals for PMAP3 infrastructure equipment, and implementing PMAP3

improvements. The Authority has received a Federal Highway Administration (FHWA) grant of over \$588,000 to support this program.

LMS Consulting will also support The Authority management in the following areas:

- Attend bi-weekly project update meetings
- Attend monthly 91 Express Lanes stakeholders roundtable meetings
- Provide ad hoc analysis and reports, as requested by the Authority management
- Support the Authority management in administering technical aspects of the Cofiroute operating contract
- Evaluate the justification, approach, and costs for major capital projects
- Interact with the Authority's Finance, Administration and Human Resources Division to ensure a sound approach to accounting and fiscal management and to coordinating appropriate financial systems and information
- Work with systems auditors to identify and remedy issues
- Maintain a liaison with the Authority's executive management and the Board of Directors, including preparing project-specific progress reports and attending meetings to represent the 91 Express Lanes
- Assist the general manager in providing input and assistance to the Board on matters involving toll operating procedures and performance monitoring
- Develop approaches and identify mature technologies to mitigate and minimize "lane diving" and other toll evasion practices
- Investigate new technologies for vehicle occupancy identification to increase the accuracy of average vehicle occupancy counts, and thereby reduce the number of fraudulent 3+ high occupancy vehicle discount lane usage
- Investigate new systems and technologies for lane separation and traffic management to increase roadway safety and increase the number of vehicles passing through the toll gantry
- Surveying high occupancy toll lane implementations for strategies and innovations for use by the Authority
- Work with External Affairs Division to analyze current data, create strategies and develop programs to increase transponder penetration

This procurement was originally handled in accordance with the Authority's procedures for professional and technical services. The original agreement was awarded on a competitive basis and included two, one-year option renewals. The original agreement awarded on June 28, 2004, and the exercise of the first renewal option were each \$150,000. The exercise of the second option year is also proposed at \$150,000.

**Fiscal Impact**

The cost of this one-year option to Agreement C-4-0250 is included in the Authority's Fiscal Year 2006-07 Budget, Account 0036-7519, and is funded through toll revenues.

**Summary**

Based on the material provided, staff recommends approval of Amendment No. 3, in the amount of \$150,000, to Agreement C-4-0250 with LMS Consulting for program management and consulting services related to management of the 91 Express Lanes.

**Attachment**

- A. LMS Consulting Agreement C-4-0250 Fact Sheet.

**Prepared by:**



Steven Schupak  
Senior Transportation Analyst  
State Route 91 Toll Road  
(714) 560-5988

**Approved by:**



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

## ATTACHMENT A

### **LMS Consulting Agreement C-4-0250 Fact Sheet**

1. June 28, 2004, Agreement C-4-0250, \$150,000, approved by Board of Directors.
  - Project management consultant support to Authority staff for a term of one year with two, one-year options to renew.
2. May 9, 2005, Amendment No. 1 was approved by Board of Directors.
  - Extend term of agreement to June 30, 2006.
  - Increased maximum obligation by \$150,000.
3. April 26, 2006, Amendment No. 2 was approved by staff.
  - Increased maximum obligation by \$22,500.
4. August 28, 2006, pending Board approval, award Amendment No. 3.
  - Extends term of agreement to June 30, 2007.
  - Increases maximum obligation by \$150,000.







BOARD COMMITTEE TRANSMITTAL

**August 28, 2006**

**To:** Members of the Board of Directors  
**From:** Wendy Knowles, Clerk of the Board  
**Subject:** Amendment to Agreement for Armored Vehicle Services

Finance and Administration Committee

August 11, 2006

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

**Committee Vote**

This item was passed by all Committee Members present.

Committee Vice Chairman Duvall was not present to vote on this item.

**Committee Recommendation**

Authorize the Chief Executive Officer to execute Amendment No. 4 to Agreement C-3-0878 between the Orange County Transportation Authority and Los Angeles Federal Armored Service, Inc., in an amount not to exceed \$275,000, for armored vehicle service.



*August 11, 2006*

**To:** Finance and Administration Committee  
**From:** Arthur T. Leahy, <sup>MV</sup> Chief Executive Officer  
**Subject:** Amendment to Agreement for Armored Vehicle Services

**Overview**

On October 27, 2003, the Board of Directors approved an agreement with Los Angeles Federal Armored Service, Inc., in the amount of \$683,000, to provide armored vehicle service. Los Angeles Federal Armored Service, Inc., was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

**Recommendation**

Authorize the Chief Executive Officer to execute Amendment No. 4 to Agreement C-3-0878 between the Orange County Transportation Authority and Los Angeles Federal Armored Service, Inc., in an amount not to exceed \$275,000, for armored vehicle service.

**Background**

The Orange County Transportation Authority requires armored vehicle services for transporting money bins from the bases to the counting facilities and transporting funds from the counting facilities, 91 Express Lanes, and administration to the primary banking institution. The original agreement was for three years with two one-year options. The original term of the contract expires November 30, 2006. This amendment is to exercise the first option year.

**Discussion**

This procurement was originally handled in accordance with the Orange County Transportation Authority's (OCTA) procedures for professional and technical services. The original agreement was awarded on a competitive basis. It has become necessary to amend the agreement to fund the first option year.

The original agreement awarded on October 27, 2003, was in the amount of \$683,000. The original offer was reviewed by staff from Accounting and Contracts Administration and Materials Management to ensure compliance with all terms, conditions, and technical requirements. The Internal Audit Department conducted a price review and found the prices quoted to be fair and reasonable. This agreement has been amended previously (Attachment A). The total amount after approval of Amendment No. 4 will be \$1,030,330.

**Fiscal Impact**

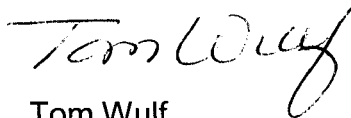
The budget for Amendment No. 4 to Agreement C-3-0878 was approved in the OCTA's Fiscal Year 2007 Budget, Finance, Administration and Human Resources Division, Account 1241-7629-AC150-DU4, and is funded through the Orange County Transit District.

**Summary**

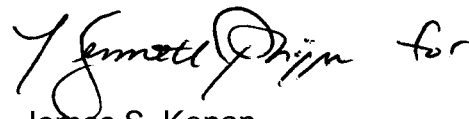
Based on the material provided, staff recommends approval of Amendment No. 4, in the amount of \$275,000, to Agreement C-3-0878 with Los Angeles Federal Armored Service, Inc.

**Attachment**

- A. Los Angeles Federal Armored Services, Inc. Agreement C-3-0878 Fact Sheet.

**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

## ATTACHMENT A

### **Los Angeles Federal Armored Services, Inc. Agreement C-3-0878 Fact Sheet**

1. October 27, 2003, Agreement C-3-0878, \$683,000, approved by the Board of Directors for three years plus two one-year options.
  - To provide armored vehicle services.
2. September 8, 2004, Amendment No. 1 to Agreement C-3-0878, \$4,350, approved by Purchasing Agent.
  - To add a location
3. March 15, 2005, Amendment No. 2 to Agreement C-3-0878, \$62,100, approved by Purchasing Agent.
  - To increase the days of service
4. June 6, 2006, Amendment No. 3 to Agreement C-3-0878, \$5,880, approved by Purchasing Agent.
  - To correct Exhibit B, "Price Schedule."
5. August 28, 2006, Amendment No. 4 to Agreement C-3-0878, \$275,000, pending approval by Board of Directors.
  - To exercise first option term for an additional year.

Total committed to Los Angeles Federal Armored Services, Inc., Agreement C-3-0878:  
\$1,030,330.





BOARD COMMITTEE TRANSMITTAL

**August 28, 2006**

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

Regional Planning and Highways Committee

August 21, 2006

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

**Committee Vote**

This item was passed by all Committee Members present.

**Committee Recommendation**

Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-3-0587 between the Orange County Transportation Authority and A&B Towing, to add additional funding for expanded service locations, in an amount not to exceed \$318,400, for the period of July 1, 2006, to November 30, 2006, and to exercise the first option for the period of December 1, 2006, to November 30, 2007, in an amount not to exceed \$467,557.

**Committee Discussion**

Director Cavecche asked that it be noted that all tow trucks may not patrol on the freeway, as it is against the California Vehicle Code. The only tow trucks that can patrol on the freeway are those who are participants in the Freeway Service Patrol Program. The only exception to this is if a motorist calls a tow company directly to come to assist them.



**August 21, 2006**

**To:** Regional Planning and Highways Committee

**From:** *AT & RB*  
Arthur T. Leahy, Chief Executive Officer

**Subject:** Amendment to Agreement with A&B Towing for Freeway Service Patrol Tow Services

**Overview**

On August 27, 2003, the Board of Directors approved an agreement with A&B Towing, in the amount of \$1,807,852, to provide Freeway Service Patrol tow services. A&B Towing was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional services.

**Recommendation**

Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-3-0587 between the Orange County Transportation Authority and A&B Towing, to add additional funding for expanded service locations, in an amount not to exceed \$318,400, for the period of July 1, 2006 to November 30, 2006, and to exercise the first option for the period of December 1, 2006 to November 30, 2007, in an amount not to exceed \$467,557.

**Background**

In November 1992, the Orange County Freeway Service Patrol (FSP) began providing peak-hour assistance to stranded motorists along Orange County freeways. In addition to peak-hour service the FSP program began providing midday service in December 2003. The FSP program is a public/private partnership between the California Department of Transportation (Caltrans), the California Highway Patrol, the Orange County Transportation Authority (Authority), and the FSP tow truck operators. The FSP program is a traffic management and motorist aid program designed to mitigate traffic congestion by providing a timely response to accidents and other incidents leaving debris on the freeways, as well as providing rapid removal of disabled vehicles and other necessary services to stranded motorists as required by the State of California. The FSP program now includes service to all major



freeways in the County during peak commute and selected interchanges during midday hours.

***Discussion***

These procurements were originally handled in accordance with the Authority's procedures for professional services. The original agreement was awarded on a competitive basis. The initial contract was issued for a three-year term, with one, one-year option. In December 2003, a grant was received from the Mobile Source Air Pollutant Reduction Review committee for a pilot program to fund midday FSP service on selected interchanges in Orange County. This program was as successful as the regular FSP service. On January 2006, this funding ended but with the success of this program it was determined that this midday service should continue. Therefore additional funding is requested to cover the shortfall of this contract until the option year can be exercised.

After review of the most recent cost proposals for FSP service delivery it was concluded that it is more cost effective to exercise this option year than to re-bid the contract. Therefore it has become necessary to amend the agreement listed below before expiration of the initial contract terms.

The original agreement awarded to A&B Towing on September 12, 2003, was in the amount of \$1,807,852. Amendment No. 1 to Agreement C-3-0587, in the amount of \$785,957, will increase the total agreement amount to \$2,593,809 (Attachment A).

The agreement with A&B Towing covers a specific geographic location known as beats (Attachment B).

A cost analysis for the agreement is attached (Attachment C).

**Fiscal Impact**

The additional work described in Amendment No. 1 to Agreement C-3-0587 was approved in the Authority's Fiscal Year 2006-07 Budget, Development/Motorist Services, Service Authority for Freeway Emergencies Fund, Account 0013-7629-AC320-AVX, and is funded by Caltrans and a 25 percent match from local Department of Motor Vehicles registration funds.

**Summary**

Based on the material provided, staff recommends approval of Amendment No. 1 to Agreement C-3-0587, in the total amount of 785,957, with A&B Towing.

**Attachments**

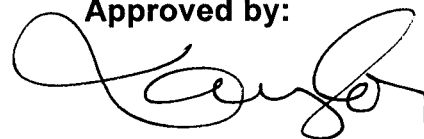
- A. A&B Towing, Agreement C-3-0587 Fact Sheet
- B. Freeway Service Patrol Geographic Coverage
- C. Cost Analysis for Agreement C-3-0587

**Prepared by:**



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

**Approved by:**



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

**ATTACHMENT A**

**A&B Towing  
Agreement C-3-0587 Fact Sheet**

1. September 12, 2003, Agreement C-3-0587, \$1,807,852, approved by the Board of Directors.
  - To provide Freeway Service Patrol on selected freeways in Orange County
2. August 28, 2006, Amendment No. 1 to Agreement C-3-0587, \$785,957, pending approval by the Board of Directors.
  - To continue to provide Freeway Service Patrol on selected freeways in Orange County

Total commitment to A&B Towing, Agreement C-3-0587: \$2,593,809

**ATTACHMENT B**

**Freeway Service Patrol  
Geographic Coverage**

Agreement	Beat Geographical Location	Service Provided
C-3-0587	<b>Beat 7:</b> San Diego Freeway (Interstate 405) from the Santa Ana River to the Santa Ana Freeway (Interstate 5)	Three tow trucks plus one back-up truck
	<b>Beat 14:</b> Costa Mesa Freeway (State Route 55)/Interstate 405 (I-405) from 19 <sup>th</sup> Street to the Corona Del Mar Freeway (State Route 73)/Bison Avenue to I-405	Two tow trucks plus one back-up truck
	<b>Beat 14A:</b> The interchange of the I-405 and State Route 73	One tow truck

**ATTACHMENT C****Cost Analysis for Agreement C-3-0587**

<b>Option Year Program Funding Beat 7</b>	
Number of Trucks	3
Hourly Rate	\$40.06
Number of Hours a Day	8
Number of Days a Week	5
Number of Weeks a Year	52
Total for 1st Option year	\$249,974 *
3 % Contingency	\$7,499 *
Total for Beat 7 (Including Contingency)	\$257,473

<b>Option Year Program Funding Beat 14</b>	
Number of Trucks	2
Hourly Rate	\$39.61
Number of Hours a Day	8
Number of Days a Week	5
Number of Weeks a Year	52
Total for 1st Option Year	\$164,778 *
3 % Contingency	\$4,943 *
Total for Beat 14 (Including Contingency)	\$169,721

<b>Option Year Program Funding Beat 14A</b>	
Number of Trucks	1
Hourly Rate	\$37.68
Number of Hours a Day	4
Number of Days a Week	5
Number of Weeks a Year	52
Total for 1st Option Year	\$39,187 *
3 % Contingency	\$1,176 *
Total for Beat 14A (Including Contingency)	\$40,363

Total for Beats 7, 14, and 14A Agreement C-3-0587 (Including Contingency)	\$467,557
--	-----------

\* Amounts rounded to the nearest dollar





BOARD COMMITTEE TRANSMITTAL

**August 28, 2006**

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

Regional Planning and Highways Committee

August 21, 2006

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

**Committee Vote**

This item was passed by all Committee Members present.

**Committee Recommendations**

- A. Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-3-0914 between the Orange County Transportation Authority and Hadley Tow, to add additional funding for expanded service locations, in an amount not to exceed \$538,997, for the period of July 1, 2006, to November 30, 2006, and to exercise the first option for the period of December 1, 2006, to November 30, 2007, in an amount not to exceed \$1,071,200.
- B. Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-4-0284 between the Orange County Transportation Authority and Hadley Tow, in an amount not to exceed \$235,664, for the period of December 1, 2006, to November 30, 2007.

**Committee Discussion**

Director Cavecche asked that it be noted that all tow trucks may not patrol on the freeway, as it is against the California Vehicle Code. The only tow trucks that can patrol on the freeway are those who are participants in the Freeway Service Patrol Program. The only exception to this is if a motorist calls a tow company directly to come to assist them.



**August 21, 2006**

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

**Overview**

On August 27, 2003, the Board of Directors approved two agreements with Hadley Tow, in the amounts of \$2,516,800 and \$1,311,200, to provide Freeway Service Patrol tow services. Hadley Tow was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional services.

**Recommendations**

- A. Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-3-0914 between the Orange County Transportation Authority and Hadley Tow, to add additional funding for expanded service locations, in an amount not to exceed \$538,997, for the period of July 1, 2006 to November 30, 2006, and to exercise the first option for the period of December 1, 2006 to November 30, 2007, in an amount not to exceed \$1,071,200.
- B. Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-4-0284 between the Orange County Transportation Authority and Hadley Tow, in an amount not to exceed \$235,664, for the period of December 1, 2006 to November 30, 2007.

**Background**

In November 1992, the Orange County Freeway Service Patrol (FSP) began providing peak-hour assistance to stranded motorists along Orange County freeways. In addition to peak-hour service the FSP program began providing midday service in December 2003. The FSP program is a public/private partnership between the California Department of Transportation (Caltrans), the California Highway Patrol, the Orange County Transportation



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

***Discussion***

These procurements were originally handled in accordance with the Authority's procedures for professional services. The original two agreements were awarded on a competitive basis. The initial contract for Agreement C-3-0914 was issued for a three-year term, with one, one-year option and the initial contract for Agreement C-3-0284 was issued for a two-year term, with one, one-year option. In December 2003, a grant was received from the Mobile Source Air Pollutant Reduction Review committee for a pilot program to fund midday FSP service on selected interchanges in Orange County. This program was as successful as the regular FSP service. On January 2006, this funding ended but with the success of this program it was determined that this midday service should continue. Therefore additional funding is requested to cover the shortfall of this contract until the option year can be exercised.

After review of the most recent cost proposals for FSP service delivery it was concluded that it is more cost effective to exercise these option years than to re-bid the contracts. Therefore it has become necessary to amend the agreements listed below before expiration of the initial contract terms.

The original agreement awarded to Hadley Tow on September 12, 2003, was in the amount of \$2,516,800. Amendment No. 1 to Agreement C-3-0914, totaling \$1,610,197, will increase the total agreement amount to \$4,126,997 (Attachment A).

The original agreement awarded to Hadley Tow on June 28, 2004, was in the amount of \$1,311,200. Amendment No. 1 to Agreement C-4-0284, in the amount of \$235,664, will increase the total agreement amount to \$1,546,864 (Attachment B).

Each agreement covers a specific geographic location known as beats (Attachment C).

A cost analysis for each agreement is attached (Attachment D).

**Fiscal Impact**

The additional work described in Amendment No. 1 to Agreements C-3-0914 and C-4-0284 was approved in the Authority's Fiscal Year 2006-07 Budget, Development/Motorist Services, Service Authority for Freeway Emergencies Fund, Account 0013-7629-AC320-AVX, and is funded by Caltrans and a 25 percent match from local Department of Motor Vehicles registration funds.

**Summary**

Based on the material provided, staff recommends approval of Amendment No. 1 to Agreement C-3-0914, in the total amount of \$1,610,197, and approval of Amendment No.1 to Agreement C-4-0284, in the amount of \$235,664, with Hadley Tow.

**Attachments**

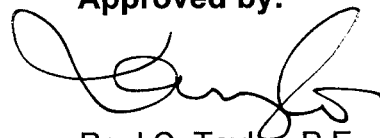
- A. Hadley Tow, Agreement C-3-0914 Fact Sheet
- B. Hadley Tow, Agreement C-4-0284 Fact Sheet
- C. Freeway Service Patrol Geographic Coverage
- D. Cost Analysis for Tow Agreements C-3-0914 and C-4-0284

**Prepared by:**



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

**Approved by:**



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

**ATTACHMENT A**

**Hadley Tow  
Agreement C-3-0914 Fact Sheet**

1. September 12, 2003, Agreement C-3-0914, \$2,516,800, approved by the Board of Directors.
  - To provide Freeway Service Patrol tow services on selected freeways in Orange County
2. August 28, 2006, Amendment Nos. 1 to Agreement C-3-0914, totaling \$1,610,197, pending approval by the Board of Directors.
  - To continue to provide Freeway Service Patrol tow services on selected freeways in Orange County

Total commitment to Hadley Tow, Agreement C-3-0914: \$4,126,997

**ATTACHMENT B**

**Hadley Tow  
Agreement C-4-0284 Fact Sheet**

1. June 28, 2004, Agreement C-4-0284, in the amount of \$1,311,200, approved by the Board of Directors.
  - To provide Freeway Service Patrol tow services on selected freeways in Orange County
2. August 28, 2006 Amendment No. 1 to Agreement C-4-0284, \$235,664, approved by the Board of Directors.
  - To continue to provide Freeway Service Patrol tow services on selected freeways in Orange County

Total committed to Hadley Tow, Agreement C-4-0284: \$1,546,864

**ATTACHMENT C**

**Freeway Service Patrol  
Geographic Coverage**

Agreement	Beat Geographical Location	Service Provided
C-3-0914	<b>Beat 6:</b> Garden Grove Freeway (State Route 22) from the San Diego Freeway (Interstate 405) to the Costa Mesa Freeway (State Route 55)	Three tow trucks plus one back-up truck
	<b>Beat 6A:</b> The interchange of the Santa Ana Freeway (Interstate 5), the Orange Freeway (State Route 57) and the State Route 22 (SR-22)  <b>Beat 6B:</b> The interchange of Interstate 5 (I-5), State Route 55 (SR-55) and SR-22	One tow truck for each beat
	<b>Beat 9:</b> Riverside Freeway (State Route 91) from State Route 57(SR-57) to the Los Angeles County line	Three tow trucks plus one back-up truck
	<b>Beat 9A:</b> The interchange of I-5 and State Route 91(SR-91)  <b>Beat 9B:</b> The interchange of SR-57 and SR-91	One tow truck for each beat
C-4-0284	<b>Beat 8:</b> I-5 north between the SR- 22 to the County line.	Two tow trucks plus one back-up truck

**ATTACHMENT D**

**Cost Analysis for Tow Agreements C-3-0914 and C-4-0284**

<b>Option Year Program Funding Beats 6 and 9</b>	
Number of Trucks	6
Hourly Rate	\$65
Number of Hours a Day	8
Number of Days a Week	5
Number of Weeks a Year	52
Total for 1st Option Year	\$811,200
3 % Contingency	\$24,336
Total for Beats 6 and 9 (Including Contingency)	\$835,536

<b>Option Year Program Funding Beats 6A-B and 9A-B</b>	
Number of Trucks	4
Hourly Rate	\$55
Number of Hours a Day	4
Number of Days a Week	5
Number of Weeks a Year	52
Total for 1st Option Year	\$228,800
3 % Contingency	\$6,864
Total for Beats 6A-B and 9A-B (Including Contingency)	\$235,664

Total for Beats 6, 9, 6A-B, and 9A-B Total Agreement C-3-0914 (Including Contingency)	\$1,071,200
---	-------------

<b>Option Year Program Funding Beat 8</b>	
Number of Trucks	2
Hourly Rate	\$55
Number of Hours a Day	8
Number of Days a Week	5
Number of Weeks a Year	52
Total for 1st Option Year	\$228,800
3 % Contingency	\$6,864

Total for Beat 8 Agreement C-4-0284 (Including Contingency)	\$235,664
---	-----------





BOARD COMMITTEE TRANSMITTAL

**August 28, 2006**

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

Regional Planning and Highways Committee

August 21, 2006

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

**Committee Vote**

This item was passed by all Committee Members present.

**Committee Recommendation**

Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-3-0913 between the Orange County Transportation Authority and Greater Southern California Towing Inc., in an amount not to exceed \$394,630, to provide Freeway Service Patrol tow services for the period of December 1, 2006, to November 30, 2007.

**Committee Discussion**

Director Cavecche asked that it be noted that all tow trucks may not patrol on the freeway, as it is against the California Vehicle Code. The only tow trucks that can patrol on the freeway are those who are participants in the Freeway Service Patrol Program. The only exception to this is if a motorist calls a tow company directly to come to assist them.





**August 21, 2006**

**To:** Regional Planning and Highways Committee

**From:** *ATL 4 RB*  
Arthur T. Leahy, Chief Executive Officer

**Subject:** Amendment to Agreement with Greater Southern California Towing Inc., for Freeway Service Patrol Tow Services

**Overview**

On August 27, 2003, the Board of Directors approved an agreement with Greater Southern California Towing Inc., in the amount of \$1,149,408, to provide Freeway Service Patrol tow services. Greater Southern California Towing Inc., was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional services.

**Recommendation**

Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-3-0913 between the Orange County Transportation Authority and Greater Southern California Towing Inc., in an amount not to exceed \$394,630, to provide Freeway Service Patrol tow services for the period of December 1, 2006 to November 30, 2007.

**Background**

In November 1992, the Orange County Freeway Service Patrol (FSP) began providing peak-hour assistance to stranded motorists along Orange County freeways. In addition to peak-hour service the FSP program began providing midday service in December 2003. The FSP program is a public/private partnership between the California Department of Transportation (Caltrans), the California Highway Patrol, the Orange County Transportation Authority (Authority), and the FSP tow truck operators. The FSP program is a traffic management and motorist aid program designed to mitigate traffic congestion by providing a timely response to accidents and other incidents leaving debris on the freeways, as well as providing rapid removal of disabled vehicles and other necessary services to stranded motorists as required by the State of California. The FSP program now includes service to all major

freeways in the County during peak commute and selected interchanges during midday hours.

***Discussion***

This procurement was originally handled in accordance with the Authority's procedures for professional services. The original agreement was awarded on a competitive basis. The initial contract was issued for a three-year term, with one, one-year option. After review of the most recent cost proposals for FSP service delivery, it was concluded that it is more cost effective to exercise this option year than to re-bid the contract. Therefore it has become necessary to amend the agreement listed below before expiration of the initial contract terms.

The original agreement awarded to Greater Southern California Towing Inc., on September 12, 2003, was in the amount of \$1,149,408. Amendment No. 1 to Agreement C-3-0913, in the amount of \$394,630, will increase the total agreement amount to \$1,544,038 (Attachment A).

The agreement with Greater Southern California Towing Inc., covers a specific geographic location known as beats (Attachment B).

A cost analysis for the agreement is attached (Attachment C).

**Fiscal Impact**

The additional work described in Amendment No. 1 to Agreement C-3-0913 was approved in the Authority's Fiscal Year 2006-07 Budget, Development/Motorist Services, Service Authority for Freeway Emergencies Fund, Account 0013-7629-AC320-AVX, and is funded by Caltrans and a 25 percent match from local Department of Motor Vehicles registration funds.

***Summary***

Based on the material provided, staff recommends approval of Amendment No. 1, in the amount of \$394,630, to Agreement C-3-0913 with Greater Southern California Towing Inc.

---

***Attachments***

- A. Greater Southern California Towing Inc., Agreement C-3-0913 Fact Sheet
- B. Freeway Service Patrol Geographic Coverage
- C. Cost Analysis for Tow Agreement C-3-0913

**Prepared by:**



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

**Approved by:**



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

**ATTACHMENT A**

**Greater Southern California Towing Inc.  
Agreement C-3-0913 Fact Sheet**

1. September 12, 2003, Agreement C-3-0913, \$1,149,408, approved by the Board of Directors.
  - To provide Freeway Service Patrol tow services on selected freeways in Orange County
2. August 28, 2006, Amendment No. 1 to Agreement C-3-0913, \$394,630, pending approval by the Board of Directors.
  - To continue to provide Freeway Service Patrol tow services on selected freeways in Orange County

Total commitment to Greater Southern California Towing Inc.,  
Agreement C-3-0913: \$1,544,038

**ATTACHMENT B**

**Freeway Service Patrol  
Geographic Coverage**

Agreement	Beat Geographical Location	Service Provided
C-3-0913	<b>Beat 13:</b> Santa Ana Freeway (Interstate 5) from Avery Parkway to the San Diego County line	Three tow trucks plus one back-up truck

**ATTACHMENT C**

**Cost Analysis for Tow Agreement C-3-0913**

<b>Option Year Program Funding Beat 13</b>	
Number of Trucks	3
Hourly Rate	\$61.40
Number of Hours a Day	8
Number of Days a Week	5
Number of Weeks a Year	52
Total for 1st Option Year	\$383,136
3 % Contingency	\$11,494 *
<b>Total for Beat 13 Agreement C-3-0913 (Including Contingency)</b>	<b>\$394,630</b>

\* Amount rounded to the nearest dollar



BOARD COMMITTEE TRANSMITTAL



**August 22, 2006**

**To:** Members of the Board of Directors  
**From:** Wendy Knowles, Clerk of the Board <sup>WK</sup>  
**Subject:** Agreement for Purchase of Real Property for Anaheim Regional Transportation Intermodal Center

This item will be considered by the Transit Planning and Operations Committee on August 24, 2006. Following Committee consideration of this matter, staff will provide you with a summary of the discussion and action taken by the Committee.

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





**August 24, 2006**

**To:** Transit Planning and Operations  
**From:** Arthur T. Leahy, Chief Executive Officer  
**Subject:** Agreement for Purchase of Real Property for Anaheim Regional Transportation Intermodal Center

**Overview**

Real property is needed to site the Anaheim Regional Transportation Intermodal Center, a multi-modal transportation center at the intersection of freeway, rail, and transit system routes. The property will be used to develop a multi-modal transit hub that will include the relocation of the current Anaheim Metrolink station.

**Recommendations**

- A. Authorize the Chief Executive Officer to execute a purchase and sale agreement, lease agreement, and other documents necessary to acquire the real property located at 1750 South Douglass Road, Anaheim, California.
- B. Amend the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, Expense Account 0010-9021-T5420 by \$32,500,000.

**Background**

On October 14, 2005, the Board of Directors (Board) approved the Five-Year Program (Program) containing improvements to all modes within Orange County and directed staff to begin its refinement. A component of the Program is to invest in gateways to regional rail to interconnect the Metrolink commuter rail service to many modes of transportation including conventional bus service and planned regional high technology transportation systems.

Orange County Transportation Authority (OCTA) staff prepared a memorandum of understanding (MOU) between the City of Anaheim and OCTA for the joint development of the Anaheim Regional Transportation

Intermodal Center (ARTIC). The MOU was prepared to outline the initial cooperative effort for the development of a site for transit use and established that the funding, planning, design, construction, and operation details of the ARTIC will be finalized at a later date. The MOU was approved by the Board on November 14, 2005.

***Discussion***

The County of Orange (County) owns 13.58 acres of land, which it uses for various county departmental operations. The land is adjacent to the OCTA Metrolink right-of-way in Anaheim, with frontage along Katella Avenue and Douglass Road. The property is near the Orange Freeway (State Route 57) and is within walking distance to the Pond Arena and Anaheim Stadium (Attachment A).

The sale and purchase of the property provides an opportunity for the County to replace inadequate facilities and for OCTA to secure a unique geographic location for long-term mobility needs.

The purchase price will be \$22.5 million, and OCTA will also pay the County the sum of \$10 million to compensate the County for relocation expenses the County will incur. As part of the purchase and sale agreement, OCTA will also agree to allow the County to remain on the property rent free for up to two years while the County transitions into its new facilities. The County will pay market rent for its use of the property beyond two years.

The intended use of the property shall be for transportation purposes, but the property may be used for other purposes, which may generate revenue. The County will receive 20 percent of non-fare box and tax revenues; however, OCTA may access and use the County share for transportation-related purposes on the ARTIC site only, as approved by the Board. The County will also receive 20 percent of the proceeds of the sale of the property in excess of the purchase price and other costs borne by OCTA, if OCTA subsequently sells the property.

Additionally, OCTA will work with the County to develop a bike path adjacent to the property.

**Fiscal Impact**

This purchase was not included in OCTA's Fiscal Year 2006-07 Budget and will require a budget amendment to Account 0010-9021-T5420, Local Transportation Authority, Capital Expended Land-Local Funded.

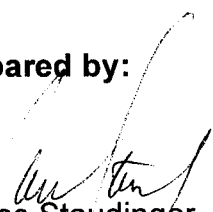
***Summary***

The purchase of this property will provide OCTA with the land needed to create a transit hub that is consistent with its transit vision of enhancing the facilities and services along the Metrolink commuter rail service, which is Orange County's rail backbone.

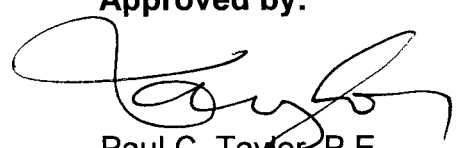
***Attachment***

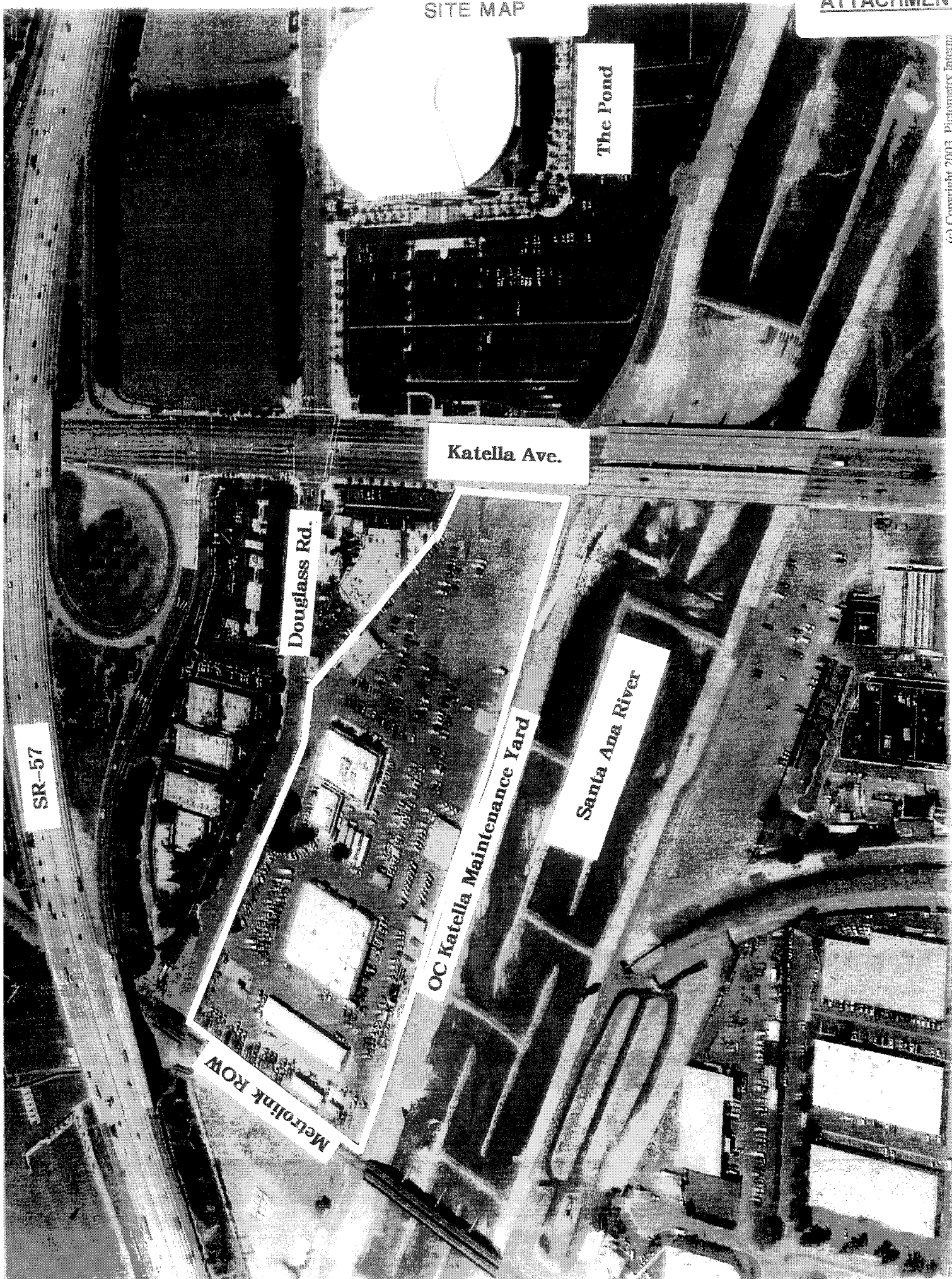
A. Site Map

**Prepared by:**

  
James Staudinger  
Manager, Right-of-Way Services  
(714) 560-5746

**Approved by:**

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



The Pond

Katella Ave.

Douglass Rd.

SR-57

Metrolink ROW

OC Katella Maintenance Yard

Santa Ana River

(c) Copyright 2003, Pictometry Inc.

Average Scale: 1 inch = 236.0 feet





**August 28, 2006**

**To:** Members of the Board of Directors  
**From:** *ATL by RB*  
Arthur T. Leahy, Chief Executive Officer  
**Subject:** Measure M Quarterly Progress Report

**Overview**

Staff has prepared a Measure M progress report for the second quarter of 2006. This is a regular report that highlights the Measure M projects and programs currently under development.

**Recommendation**

Receive and file as an information item.

**Background**

Measure M Ordinance No. 2 requires quarterly reports to the Orange County Transportation Authority's (OCTA) Board of Directors (Board), which present the progress of implementing the Measure M Expenditure Plan. The first quarterly report was presented to the Board on October 26, 1992. Quarterly reports highlight accomplishments for the freeway, streets and roads, and transit programs within Measure M. Reports also include summary financial information for the period and total program to date.

**Discussion**

This quarterly report updates progress in implementing the Measure M Expenditure Plan during the second quarter of 2006 (April through June). Highlights and accomplishments of work-in-progress for freeway, streets and roads, and transit programs along with expenditure information are presented for Board review.

**Freeway Program**

Prior Measure M construction projects along the Santa Ana Freeway (Interstate 5), Costa Mesa Freeway (State Route 55), and the Riverside

Freeway (State Route 91) are essentially complete with the California Department of Transportation (Caltrans) continuing to negotiate final change orders and claims. OCTA continued full-scale implementation of the Garden Grove Freeway (State Route 22) design-build project. The following are highlights and major accomplishments along each of the freeway corridors:

#### Interstate 5 (I-5), South Projects

Measure M provided funding for several high occupancy vehicle lanes and related improvement projects along the I-5 between El Toro Road and Pacific Coast Highway. These projects included soundwalls for noise mitigation. Because of certain physical constraints, some areas did not receive a soundwall under the original construction contract. One of those areas remaining is the Aliso Creek community in the City of Laguna Hills (City).

On January 1, 2006, the Board approved the execution of a cooperative agreement between OCTA and the City, in the amount of \$1,376,000, for the design and construction of the Aliso Creek soundwall project along the southbound I-5 between Los Alisos Boulevard and Alicia Parkway.

In accordance with the cooperative agreement, the City is acting as the lead agency in the design, as well as the eventual construction and construction management of the project. The design effort is scheduled to be completed in July 2006, with construction anticipated to begin in November 2006.

#### I-5, North Projects

Construction on the 13 I-5 projects from State Route 22 (SR-22) to just north of the I-5/State Route 91 (SR-91) interchange originally began in December 1996 and was substantially completed by the end of December 2000 as scheduled. The negotiating of final construction quantities, change orders, and construction claims for all of the completed I-5 projects is the responsibility of Caltrans. The negotiation work continued during the report period. The total anticipated Measure M construction payments are currently estimated at \$235.6 million, which includes an allowance of approximately \$5 million to settle outstanding change orders and construction claims.

#### I-5, Gateway Project

The two-mile stretch of the I-5, from just north of the I-5/SR-91 interchange to the Los Angeles County line, is the last phase of the I-5 in Orange County to be improved. On February 27, 2006, the Board approved a revised funding plan and project estimate that increased the total project cost to \$314.3 million, with

---

State Transportation Improvement Program funding increased to \$105.1 million, and an additional \$30.3 million in Congestion Mitigation and Air Quality funds.

The freeway widening construction package was advertised by Caltrans and bids were opened on February 9, 2006, in accordance with the Caltrans procurement process. The prime construction contract was subsequently awarded to FCI Construction on April 18, 2006. Mobilization of the contractor began immediately.

Various construction activities continued during the report period. Pavement rehabilitation of the local streets surrounding the project is in process. This rehabilitation work in the City of Buena Park was necessary due to the additional traffic anticipated as a result of planned freeway closures to take place throughout the project duration. The City of Buena Park has taken the lead on the rehabilitation efforts, with the first phase of the work anticipated to be complete in July 2006. The necessary advance work for the relocation of the various utilities is still in progress. Union Pacific Railroad track crews began the work of relocating the storage track on June 5, 2006. Coordination meetings with the various utility companies impacted by the construction continued throughout the report period.

The acquisitions and documentation necessary for the initial right-of-way certification have been completed. In addition to the coordination meetings with the various partner cities and agencies, OCTA continues to meet with the local businesses that will be affected to varying degrees by the project. These advance meetings are being held in an effort to mitigate any potential issues before they occur.

#### SR-22

On August 23, 2004, the Board approved awarding the SR-22 design-build contract to Granite-Meyers-Rados. Actual construction activities began October 5, 2004. The contract requires substantial completion within 800 calendar days after the notice to proceed, or November 30, 2006.

On April 10, 2006, the Board approved changes to the project budget that incorporated the costs associated with additional project improvements, updated seismic standards, city- and Board-requested enhancements, and increased right-of-way expenses. The total Board-approved overall project budget is \$549.6 million with \$244.5 million coming from Measure M. Previously, the Board-approved Measure M funding for the SR-22 project was \$321.4 million.



---

As discussed in the previous Measure M Quarterly Progress Report, the changes to the approved project budget took into account the restoration of OCTA's final Transportation Congestion Relief Program (TCRP) allocation request of \$123.7 million. This restoration, combined with the increases to the approved project budget, resulted in a net decrease to the Measure M Expenditure Plan. This reduction is now reflected in the Measure M freeway program budget and estimate at completion, as shown in Attachment B.

Progress on the SR-22 advanced significantly during the report period with the overall effort now 79.7 percent complete. At the end of the report period, 647 contract days have elapsed with 153 days remaining.

Outstanding construction activities continued during the report period. Asphalt and concrete paving continue at various locations throughout the project limits. The wet and dry utility relocations continued to advance with all utility relocations now keeping pace with the aggressive construction schedule.

Work on the various bridge structures is progressing rapidly. The pile-driving for the structures continues and remains ahead of schedule. The pile-driving has achieved sufficient completion to warrant the demobilization of one of the four pile-driving rigs previously in operation. The other three remain in operation simultaneously at the Euclid Street, Brookhurst Street, and Magnolia Street bridges. Out of the 39 bridge structure locations, 21 are complete with another 17 under construction.

To secure the required right-of-way for the SR-22 project, OCTA had to obtain an interest in an estimated 57 individual parcels, comprised of two full-take and 55 partial-take acquisitions. A total of 49 parcels have now been acquired, one has been verbally accepted, and the remaining seven are in varying stages of settlement.

#### Street and Roads Programs

Substantial additional funding to cities and the County is provided by the various programs within the Measure M Local and Regional Streets and Roads Programs through OCTA's Combined Transportation Funding Program (CTFP). The CTFP encompasses Measure M streets and roads competitive programs, as well as federal sources such as the Regional Surface Transportation Program. Funds are awarded on a competitive basis within the guidelines of each program and are used to fund a wide range of transportation projects.

During the second quarter, the CTFP contributed approximately \$6.6 million for streets and road improvements throughout the County. Notably, of that amount,

over 90 percent was directed towards the closeout of existing CTFP projects. Some highlights of the projects funded during the report period are: the City of Anaheim completed the Lincoln Avenue improvements, totaling nearly \$1 million; and the City of Garden Grove completed improvements to the Magnolia Street and Chapman Avenue intersection totaling nearly \$1.1 million.

### Transit Programs

#### Rail Program

The OCTA rail program is comprised mainly of the Metrolink Commuter Rail Program and the associated capital improvements intended to support existing service as well as future service expansion. On November 14, 2005, the Board authorized the implementation of the Metrolink Service Expansion (Expansion) plan. Not all improvements associated with the Expansion plan are funded by Measure M. Only those elements which are supported by Measure M funding will be discussed here.

#### Metrolink Commuter Rail Operations

Orange County's commuter rail service is provided by Metrolink (under a joint powers agreement with OCTA). Metrolink is the service operated by the Southern California Regional Rail Authority (SCRRA). Formed in 1991, the SCRRA is a joint powers authority of five member agencies, representing the five Southern California counties of Ventura, Los Angeles, San Bernardino, Riverside, and Orange.

Commuter rail service in Orange County includes three routes: the Orange County (OC) Line operating from Oceanside to downtown Los Angeles, the Inland Empire – Orange County (IEOC) Line, serving passengers who travel from San Bernardino and Riverside to the County of Orange, and the 91 Line operating from Riverside to downtown Los Angeles via Fullerton. The OC Line provides 19 weekday trips between the County of Orange and Los Angeles, including two reverse-commute roundtrips that offer service from Los Angeles to employment centers in Orange County. The IEOC Line provides 16 weekday trips and the 91 Line provides nine weekday trips. In addition, under the Rail 2 Rail program, monthly pass holders are allowed to ride Amtrak trains providing weekday and up to 24 weekend trains for Orange County riders at no additional charge.

The expansion of the Rail 2 Rail program continues. Through the combined efforts of OCTA, Caltrans, Metrolink, and Amtrak, the Metrolink service area will be making a number of improvements. Currently, this program allows only those

with a monthly Metrolink Pass to ride Amtrak trains within the service area at no additional fee; however, OCTA has continued to work with the various stakeholders to expand this to a new ten-trip ticket program. This new Amtrak ten-trip ticket will be usable on Metrolink trains in the service area. This effort has been on-going for some time, with quality assurance and audit compliance testing continuing.

In the second quarter of 2006, Metrolink ridership in Orange County experienced continued growth on all three lines. The OC Line, including the Metrolink Riders on Amtrak trains under the Rail 2 Rail program, averaged 7,783 daily passengers, which represents a 6 percent increase over the second quarter of 2005. The IEOC Line averaged 4,410 daily riders, an 18 percent increase over the second quarter of 2005. The 91 Line averaged 2,354 riders, which is also an 18 percent increase over the second quarter of 2005.

The Expansion plan implementation is anticipated to be complete by the close of 2009. When fully implemented, Metrolink service will include an additional 36 trains serving Orange County, including service every 30 minutes between the Laguna Niguel/Mission Viejo and Fullerton stations. On June 26, 2006, the Board approved the selection of Parson, Brinkerhoff, Quade, and Douglas as the project management consultant to assist OCTA in the oversight of the Expansion plan. A series of both operational and capital improvement projects are planned and in process in anticipation of future service needs.

As part of the Expansion plan, Saturday and Sunday service on the OC Line began on June 3, 2006 and July 2, 2006 respectively. Saturday service began with a total estimated ridership of 680 for the day. The OC Line weekend service will provide three round trips from Orange County to Los Angeles. Weekend service began on the IEOC line on July 15, 2006. This service previously operated as a summer-only service known as the Beach Train or Summerlink service. The IEOC line weekend service will consist of three round trips on Saturday and two round trips on Sunday. OCTA, Riverside County Transportation Commission, and San Bernardino Associated Governments are partners in funding the IEOC weekend service.

#### **Metrolink Capital Improvement Projects**

Significant capital improvements are planned and on-going in support of both existing service needs as well as the Expansion plan implementation. Passenger improvements to the Santa Ana station were placed under contract in the fourth quarter of 2004. A pedestrian overpass and improved platforms are currently under construction and expected to be complete in third quarter of 2006. A railroad bridge upgrade project is also underway to replace some older bridges

and to provide upgrades to others. This effort is anticipated to be complete by the fourth quarter of 2006. Additionally, the Santa Ana double track project has now begun. The preliminary utility relocation work for this project started in May 2006. Once completed, the double track project will improve the on-time performance of trains and allow for additional service expansion in the future.

Another significant capital improvement will be the addition of the Buena Park Intermodal Commuter Rail Facility (BPIF). The BPIF is the last station to be built on the OC Line, and will provide commuters with convenient bus and rail connections. The facility encompasses a 3.5 acre site located at Lakeknoll Drive and Dale Avenue in the City of Buena Park.

During the report period, the City of Buena Park continued to take the lead in managing the project's construction, and OCTA continued to provide project management oversight and technical assistance. General site work, foundations, platforms, and elevator pylon structures are completed. Structural steel fabrication of the pedestrian track overcrossing is also progressing. OCTA has initiated a redesign of the site parking and access road to provide needed bus stop and layover operations, something that was not previously addressed in the bid plans. OCTA requested a schedule acceleration proposal to achieve the originally scheduled November 1, 2006, completion date; however, the cost of the \$1.5 million acceleration proposal combined with the uncertainty of earlier commuter train service led to the decision not to accelerate. Currently the project completion is scheduled for February 2007.

The commuter rail program was made possible by the rapid implementation of a comprehensive capital improvement plan made up of 36 percent Measure M funds. Also helping the commuter rail program is \$115 million in the long-term rail operating fund, the Commuter Rail Endowment, established in 1992 and funded by Measure M.

#### City-Initiated Transit Extensions to Metrolink

On February 27, 2006, the Board approved a four-step process to enable Orange County cities to extend transit access from Metrolink into their communities. The program of city-initiated transit projects to support the Expansion plan utilizes \$30 million from present Measure M funds to implement local transit connections to existing Metrolink stations. This program, known as Go Local, will make initial planning grants of \$100,000 per city to develop project concepts available; cities are encouraged to collaborate. Cities may submit these project concepts to the Board, and approved project concepts will be pursued through cooperative agreements between the cities

and OCTA. A sample agreement was submitted to the Board for their consideration on August 14, 2006.

#### San Diego Freeway (Interstate 405)/State Route 55 (SR-55) Interchange and Transitway

In February 2001, the construction began on the second phase of the Interstate 405 (I-405)/SR-55. Currently, the construction cost is estimated at \$64.3 million. The project closeout is on-going, with Caltrans taking the lead in the negotiation of outstanding change orders and construction claims.

On October 14, 2005, the Board approved the execution of cooperative agreements with the cities of Santa Ana and Costa Mesa (Cities) for a follow-on landscaping project at the interchanges at the I-405/Bristol Street and the SR-55/MacArthur Boulevard. Heavy use of these areas for construction staging made it difficult to maintain the existing landscaping during the four years of construction that were involved in both phases of the I-405/SR-55 interchange project. OCTA is funding the project, with the Cities implementing all elements of work.

Currently, the Cities are separately coordinating the work associated with their portion of the project. The City of Costa Mesa, in cooperation with Caltrans, has completed the design and awarded a construction contract. The contractor is to begin work in July 2006. The design for the City of Santa Ana's portion of the project has progressed to 50 percent completion and the construction is currently scheduled to begin sometime in the fourth quarter of 2006.

The project costs are estimated at \$1,343,000, with the Cities being responsible for providing OCTA with detailed monthly expenditure reports for the entire duration of the project. Any costs over the \$1.3 million committed by OCTA will be the responsibility of the Cities.

#### Financial Status

As required in Measure M, all Orange County eligible jurisdictions receive 14.6 percent of the sales tax revenue based on population ratio, Master Plan of Arterial Highways miles, and total taxable sales. There are no competitive criteria to meet, but there are administrative requirements, such as having a Growth Management Plan. This money can be used for local projects as well as ongoing maintenance of local streets and roads. The total amount of Measure M turnback funds distributed since program implementation is \$412 million. Distributions to individual agencies, from inception to-date and for the report period, are detailed in Attachment A.

---

Net Measure M expenditures through June 30, 2006, total \$2.649 billion. Net expenditures include project specific reimbursements to Measure M from cities, local agencies, and Caltrans. Total net tax revenues consist primarily of Measure M sales tax revenues and non-bond interest minus estimated non-project related administrative expenses through 2011. Net revenues, expenditures, estimates at completion, and summary project budgets, per the Measure M Expenditure Plan, are presented in Attachment B. The basis for project budgets within each of the Measure M Expenditure Plan programs is identified in the notes accompanying Attachment B.

#### **Budget Variances**

Project budget verses estimate at completion variances generally relate to freeway and transitway elements as these programs have existing defined projects. Other programs, such as regional and local streets and roads, assume all net tax revenues will be spent on existing and yet to be defined future projects.

As discussed in previous reports, OCTA staff costs are now included in the Estimate at Completion and To Date Net Project Cost columns shown in Attachment B. The overall freeway program estimate at completion has been increased by \$358,000 to reflect project-related staff costs incurred during the quarter. During 2006 all direct project-related staff costs through completion of the Measure M program will be determined and added to the individual project budgets and estimates at completion.

The SR-22 project budget and estimate at completion were reduced by approximately \$76.9 million to reflect the April 10, 2006, Board-approved scope changes to the project budget as well as the restoration of OCTA's final TCRP allocation request.

The estimate at completion for transitway was increased by \$1,040,000 for the I-405/SR-55 North Transitway project. Final bid item quantities and negotiating construction change orders and potential claims are being reviewed by Caltrans. The cost increase will provide Caltrans with the necessary contingency balance in order to process and pay these items once approved.

#### **Summary**

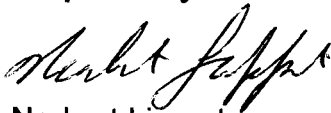
As required in Measure M Ordinance No. 2, a quarterly report is provided to update progress in implementing the Measure M Expenditure Plan. This report covers freeways, streets and roads, transit program highlights, and accomplishments from April through June 2006.

---

**Attachments**

- A. Measure M Local Turnback Payments
- B. Measure M Revenue and Expenditure Summary as of June 30, 2006

**Prepared by:**



Norbert Lippert  
Project Controls Manager  
(714) 560-5733

**Approved by:**



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

**ATTACHMENT A****MEASURE M LOCAL TURNBACK PAYMENTS**

<b>Agency</b>	<b>Second Quarter 2006</b>	<b>Total Apportionment as of 6/30/06</b>
Aliso Viejo	\$ 149,429	\$ 2,073,147
Anaheim	1,398,513	45,298,763
Brea	220,962	7,398,356
Buena Park	332,009	11,043,741
Costa Mesa	589,019	19,574,804
Cypress	220,474	7,247,845
Dana Point	136,428	4,658,764
Fountain Valley	259,572	8,986,733
Fullerton	524,615	17,891,665
Garden Grove	617,956	20,310,670
Huntington Beach	785,952	26,740,578
Irvine	951,461	28,217,236
Laguna Beach	107,336	3,465,187
Laguna Hills	154,468	4,870,583
Laguna Niguel	283,817	8,718,402
Laguna Woods	56,609	1,101,725
La Habra	216,790	6,892,514
Lake Forest	322,750	8,776,585
La Palma	73,619	2,283,806
Los Alamitos	55,444	1,977,168
Mission Viejo	400,091	12,822,520
Newport Beach	410,533	12,494,076
Orange	657,258	21,407,205
Placentia	193,935	6,418,562
Rancho Santa Margarita	178,995	2,813,081
San Clemente	223,955	6,323,846
San Juan Capistrano	162,553	5,065,687
Santa Ana	1,203,835	40,922,327
Seal Beach	100,440	3,259,569
Stanton	123,788	4,073,940
Tustin	334,793	11,191,657
Villa Park	22,080	748,843
Westminster	367,883	12,248,958
Yorba Linda	240,806	7,631,648
County Unincorporated	708,437	27,209,234
<b>Total County:</b>	<b>\$ 12,786,603</b>	<b>\$ 412,159,423</b>



**Measure M Revenue and Expenditure Summary**  
as of June 30, 2006

Project Description (\$ in thousands, escalated to year of expenditure/revenue)	Total Net Tax Revenues		Project Budget		Estimate at Completion		Variance Total Net Tax Revenues to Est at Completion		Variance Project Budget to Est at Completion		To Date Net Project Cost	Percent Budget Expended (D / B)	Notes
	A	B	C	(A - C)	(B - C)	D							
<b>Freeways (43%)</b>													
I-5 between I-405 (San Diego Fwy) and I-605	\$ 1,032,400	\$ 810,010	\$ 799,717	\$ 232,683	\$ 10,293	\$ 650,628	80.3%	1					
I-5 between I-5/I-405 Interchange and San Clemente	71,580	56,875	58,967	12,613	(2,092)	57,656	101.4%	1					
I-5/I-405 Interchange	90,851	72,802	73,075	17,776	(273)	73,075	100.4%	1					
S.R. 55 between I-5 and S.R. 91	60,567	44,511	50,157	10,410	(5,646)	49,022	110.1%	1					
S.R. 57 between I-5 and Lambert Road	30,284	24,128	22,750	7,534	1,378	22,750	94.3%	1					
S.R. 91 between Riverside Co. line & Los Angeles Co. line	130,771	116,136	105,628	25,143	10,508	105,309	90.7%	1					
S.R. 22 between S.R. 55 and Valley View St.	407,454	244,460	246,917	160,537	(2,457)	159,962	65.4%	2,5					
Subtotal Projects	\$ 1,823,907	\$ 1,368,922	\$ 1,357,211	\$ 466,696	\$ 11,711	\$ 1,118,402	81.7%						
Net (Bond Revenue)/Debt Service		346,491	346,491	(346,491)	-	278,777							
<b>Total Freeways</b>	\$ 1,823,907	\$ 1,715,413	\$ 1,703,702	\$ 120,205	\$ 11,711	\$ 1,397,179	81.4%						
<b>Expenditures as a Percent of Total Program</b>						52.7%							
<b>Regional Street and Road Projects (11%)</b>													
Smart Streets	\$ 159,971	\$ 157,295	\$ 157,295	\$ 2,676	\$ -	\$ 113,946	72.4%	3					
Regionally Significant Interchanges	\$ 93,316	93,316	93,316	-	-	39,963	42.8%	3					
Intersection Improvement Program	\$ 133,309	133,309	133,309	-	-	53,469	40.1%	3					
Traffic Signal Coordination	\$ 66,654	66,654	66,654	-	-	29,190	43.8%	3					
Transportation Systems and Transportation Demand Mgmt	\$ 13,331	13,331	13,331	-	-	6,497	48.7%	3					
Subtotal Projects	\$ 466,581	\$ 463,905	\$ 463,905	\$ 2,676	\$ -	\$ 243,065	52.4%						
Net (Bond Revenue)/Debt Service		2,676	2,676	(2,676)	-	2,153							
<b>Total Regional Street and Road Projects</b>	\$ 466,581	\$ 466,581	\$ 466,581	\$ -	\$ -	\$ 245,218	52.6%	3					
<b>Expenditures as a Percent of Total Program</b>						9.3%							

**Measure M Revenue and Expenditure Summary**  
as of June 30, 2006

Project Description (\$ in thousands, escalated to year of expenditure/revenue)	Total Net Tax Revenues		Project Budget		Estimate at Completion		Variance Total Net Tax Revenues to Est at Completion (A - C)		Variance Project Budget to Est at Completion (B - C)		To Date Net Project Cost		Percent Budget Expended (D / B)	Notes
	A	B	C	B	C	(A - C)	(B - C)	D	D					
<b>Local Street and Road Projects (21%)</b>														
Master Plan of Arterial Highway Improvements	\$ 174,075	\$ 174,075	\$ 174,075	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 53,817			30.9%	3
Streets and Roads Maintenance and Road Improvements	616,670	616,670	616,670	-	-	-	-	-	-	412,222			66.8%	3
Growth Management Area Improvements	100,000	100,000	100,000	-	-	-	-	-	-	52,669			52.7%	3
Subtotal Projects	\$ 890,745	\$ 890,745	\$ 890,745	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 518,708			58.2%	
Net (Bond Revenue)/Debt Service														
<b>Total Local Street and Road Projects Expenditures as a Percent of Total Program</b>	\$ 890,745	\$ 890,745	\$ 890,745	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 518,708			58.2%	
										19.6%				
<b>Transit Projects (25%)</b>														
Pacific Electric Right-of-Way	\$ 20,524	\$ 15,000	\$ 13,760	\$ 6,764	\$ 13,760	\$ 6,764	\$ 1,240	\$ 1,240	\$ 1,240	\$ 13,670			91.1%	4
Commuter Rail	376,275	365,005	374,845	1,430	374,845	1,430	(9,840)	(9,840)	(9,840)	260,370			71.3%	
High-Technology Advanced Rail Transit	465,212	451,437	464,580	632	464,580	632	(13,143)	(13,143)	(13,143)	27,030			6.0%	
Elderly and Handicapped Fare Stabilization	27,365	20,000	20,000	7,365	20,000	7,365	-	-	-	14,010			70.1%	4
Transitways	171,034	146,381	124,638	46,396	124,638	46,396	21,743	21,743	21,743	122,493			83.7%	1,6
Subtotal Projects	\$ 1,060,410	\$ 997,823	\$ 997,823	\$ 62,587	\$ 997,823	\$ 62,587	\$ -	\$ -	\$ -	\$ 437,573			43.9%	
Net (Bond Revenue)/Debt Service														
<b>Total Transit Projects Expenditures as a Percent of Total Program</b>	\$ 1,060,410	\$ 1,060,410	\$ 1,060,410	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 487,928			46.0%	
										18.4%				
<b>Total Measure M Program</b>	\$ 4,241,643	\$ 4,133,149	\$ 4,121,438	\$ 120,205	\$ 4,121,438	\$ 120,205	\$ 11,711	\$ 11,711	\$ 11,711	\$ 2,649,033			64.1%	

Notes:

1. Project Budget based on escalated value of 1996 Freeway Strategic Plan plus subsequent Board approved amendments.
2. SR-22 Project initially added thru December 10, 2001 Measure M Expenditure Plan amendment. Not included in original ordinance or Freeway Strategic Plans.
3. Project Budget and Estimate at Completion equal to Total Net Tax Revenues as all funds collected will be expended on future projects.
4. Project Budget based on Expenditure Plan.
5. Project Budget amended April 10, 2006 to reflect final State TCRP revenues and approved scope change increases. Higher Estimate at Completion reflects to-date staff costs.
6. Estimate at Completion increased by \$1,040,000 to increase contingency for final construction change orders and claims associated with the 405/55 North Transitway Project plus the additional of minor staff costs during the quarter.





BOARD COMMITTEE TRANSMITTAL

**August 28, 2006**

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup> Wendy Knowles, Clerk of the Board  
**Subject:** Agreement for Joint Sealant Replacement at the Garden Grove Base

Transit Planning and Operations Committee

August 10, 2006

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

**Committee Vote**

This item was passed by all Committee Members present.

**Committee Recommendation**

Authorize the Chief Executive Officer to execute Agreement C-6-0376 between the Orange County Transportation Authority and Kitson Specialty Contracting, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$280,829, for joint sealant replacement at the Garden Grove Base.



**August 10, 2006**

**To:** Transit Planning and Operations Committee  
**From:** Arthur T. Leahy, Chief Executive Officer  
**Subject:** Agreement for Joint Sealant Replacement at the Garden Grove Base

**Overview**

As part of the Orange County Transportation Authority's Fiscal Year 2006-07 Budget, the Board approved joint sealant replacement at the Garden Grove Base. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures.

**Recommendation**

Authorize the Chief Executive Officer to execute Agreement C-6-0376 between the Orange County Transportation Authority and Kitson Specialty Contracting, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$280,829, for joint sealant replacement at the Garden Grove Base.

**Background**

The Orange County Transit District, predecessor to the Orange County Transportation Authority (Authority), completed construction of the Garden Grove Base in 1977. Replacement of joint sealant for the concrete pavement at the Garden Grove Base is required to prevent contamination and debris from leaking into the pavement joints, which leads to soil contamination and increased pavement deterioration.

**Discussion**

This procurement was handled in accordance with the Authority's procedures for public works and construction projects which conform to state requirements. Public work projects are handled as sealed bids and award is made to the lowest responsive, responsible bidder. On June 21, 2006, Invitation for Bids 6-0376 was released and posted on CAMMNET, and an electronic notification was sent to 492 firms. The project was also advertised on eBidboard, a construction industry

website in which bids are posted. A pre-bid conference and job walk was held on June 28, 2006, and was attended by one firm. Addendum No. 1 was issued on July 12, 2006, to answer questions, address administrative issues, and to allow for a second job walk on July 14, 2006. On July 19, 2006, three bids were received. The apparent low bidder, Southland Construction, withdrew their bid. The remaining two bids were reviewed by staff from Development and Contracts Administration and Materials Management departments to ensure compliance with the terms and conditions, specifications, and drawings. Listed below are the two low bids received. State law requires award to the lowest responsive, responsible bidder.

<u>Firm and Location</u>	<u>Bid Price</u>
Kitson Specialty Contracting, Inc. Santa Fe Springs, California	\$280,829
Best Roofing & Waterproofing, Inc. dba Best Contracting Services, Inc. Gardena, California	\$310,419

**Fiscal Impact**

The project was approved in the Authority's Fiscal Year 2006-07 Budget, Development, Account 1722-9022-D3122-9R4, and is funded through the Orange County Transit District.

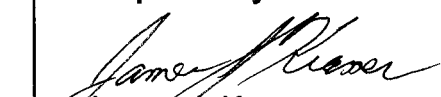
**Summary**

Staff has reviewed all bids received and recommends the approval of Agreement C-6-0376, in the amount of \$280,829, with Kitson Specialty Contracting, Inc., the lowest responsive, responsible bidder for joint sealant replacement at the Garden Grove Base.


**Attachment**

None.

**Prepared by:**

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

**Approved by:**

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



BOARD COMMITTEE TRANSMITTAL



**August 22, 2006**

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup> Wendy Knowles, Clerk of the Board  
**Subject:** Fourth Quarter Parts Inventory Count

This item will be considered by the Finance and Administration Committee on August 23, 2006. Following Committee consideration of this matter, staff will provide you with a summary of the discussion and action taken by the Committee.

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





**August 23, 2006**

**To:** Finance and Administration Committee  
**From:** Arthur T. Leahy, Chief Executive Officer  
**Subject:** Fourth Quarter Parts Inventory Count

**Overview**

The Internal Audit Department has completed the parts inventory count for the fourth quarter. A response to the report was not required.

**Recommendation**

Receive and file the Fourth Quarter Parts Inventory Count, Internal Audit Report No. 06-032.

**Background**

Unannounced inventory counts are conducted periodically at each maintenance base by the Internal Audit Department to assist the Contracts Administration and Materials Management Department (CAMM) in monitoring the accuracy of the parts inventory.

**Discussion**

Internal Audit conducted unannounced parts inventory counts at the three bases on June 6, 2006. The total inventory value for the Santa Ana Operating Base, the Garden Grove Base, and the Anaheim Base was \$3,954,170 as of June 6, 2006.

A statistically valid sample of 443 part records was selected from the parts record database. The sample error rate was 2.71 percent, which indicated with a 95 percent confidence level that the error rate in the total parts population on that day fell between 1.8 percent and 4.8 percent.

The Orange County Transportation Authority's performance measurement goal for inventory accuracy is 95 percent.

---

**Summary**

The sample error rate for the unannounced count of parts inventory was 2.71 percent on June 6, 2006.

**Attachment**

- A. Fourth Quarter Parts Inventory Count, Internal Audit Report No. 06-032

**Prepared by:**



Kathleen O'Connell  
Manager, Internal Audit  
(714) 560-5669



INTEROFFICE MEMO

July 11, 2006

To: Jim Kenan, Executive Director  
Finance, Administration and Human Resources

From: <sup>JD</sup> Joseph Dudley, Senior Internal Auditor  
Internal Audit

Subject: **Fourth Quarter Parts Inventory Count, Internal Audit  
Report No. 06-032**

The Internal Audit Department has completed the parts inventory count for the fourth quarter. A response to the report is not required. The results of the count are detailed in the attached Internal Audit report.

If you have any questions, please feel free to contact me at extension 5384.

Attachment: Fourth Quarter Parts Inventory Count, Internal Audit Report  
No. 06-032

c: Rick Bacigalupo  
Virginia Abadessa  
Wendy Hebein  
Lisa Monteiro

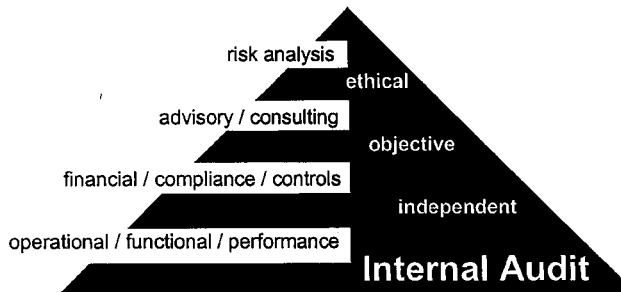
**ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT  
2005-06 AUDIT PLAN**



**Fourth Quarter Parts Inventory Count**

INTERNAL AUDIT REPORT NO. 06-032

**Report Date: July 11, 2006**



**Audit Performed by:  
Internal Audit Project Manager:**

OCTA Internal Audit Department  
Joseph Dudley, CPA  
Senior Internal Auditor, Internal Audit

**ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT**

**Fourth Quarter Parts Inventory Count  
July 11, 2006**

**CONCLUSION**

Internal Audit conducted a parts inventory count on June 6, 2006. In the sample of 443 part numbers, 12 errors were identified. The resulting 2.71 percent sample error rate indicated with a 95 percent confidence level that the error rate in the total parts inventory population on that day fell between 1.8 percent and 4.8 percent.<sup>1</sup>

**BACKGROUND**

Unannounced inventory counts are conducted periodically at each maintenance base by the Internal Audit Department to assist the Contracts Administration and Materials Management Department (CAMP) in monitoring the accuracy of the parts inventory.

The total inventory value for the Santa Ana Operating Base (Base #1), the Garden Grove Base (Base #4), and the Anaheim Base (Base #6), was \$3,954,170 as of June 6, 2006.

**PURPOSE AND SCOPE**

The purpose of the parts inventory count was to determine if the parts inventory records per the Maintenance, Accounting and Procurement System (MAPS) reflected the actual inventory locations and quantities on hand. Internal Audit's objective was to determine the differences in counts and bin locations between the actual physical inventory population and the inventory as recorded in MAPS. Statistical sampling tables were used in evaluating the results. Due to the narrowly focused purpose, Internal Audit did not test the overall inventory process.

**DISCUSSION**

A statistically valid sample of 443 part records was randomly selected for testing. Of the 443 part records selected, 12 part counts deviated from the quantities reported on MAPS; of the differences, two were instances of the parts being found in bin locations other than those shown on MAPS or in incorrect bin slots. The 12 total errors resulted in a sample error rate of 2.71 percent. The following chart reflects the sample error rates in this inventory count compared to sample error rates in the previous count.<sup>2</sup>

---

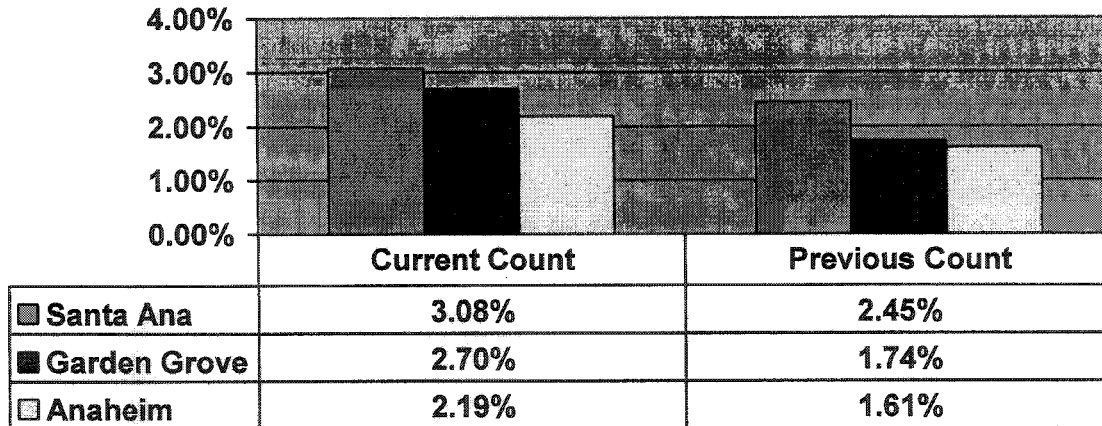
<sup>1</sup> In determining the sample size, the confidence level was 95 percent with an expected rate of occurrence not over five percent. From the appropriate statistical sampling table, Internal Audit determined the sample size to be drawn and evaluated was 443 part records.

<sup>2</sup> The date of the previous parts inventory count was February 7, 2006.

**ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT**

**Fourth Quarter Parts Inventory Count  
July 11, 2006**

**Sample Error Rate by Base**



Based on the 2.71 percent sample error rate, Internal Audit is 95 percent confident that the true error rate in the total parts inventory population for the three bases on June 6, 2006, fell between 1.8 percent and 4.8 percent.<sup>3</sup> Detail differences for the random selection are shown in Exhibit A.

Internal Audit also judgmentally selected 10 part numbers from the storeroom floor at each base. Without a random sample selection, the discrepancies noted in this test could not be combined with the others to yield a statistically valid conclusion.<sup>4</sup> However, the one difference noted for the judgmentally selected sample might otherwise be useful and is shown in Exhibit B.

**Attachments**

- Exhibit A Differences Identified in Parts Inventory Count as of June 6, 2006, for Part Numbers Randomly Selected
- Exhibit B Differences Identified in Parts Inventory Count as of June 6, 2006, for Part Numbers Judgmentally Selected

<sup>3</sup> The 12 errors in the 443 inventory part records counted (with a total valuation of \$102,127) resulted in a sample error rate of 2.71 percent. The 2.71 sample error rate indicated with a 95 percent confidence level that the error rate in the total parts population was between 1.8 percent and 4.8 percent on June 6, 2006. There is a five percent sampling risk that the actual total parts population error rate varied outside of the 1.8 percent to 4.8 percent range.

<sup>4</sup> Two criteria are required for a sampling approach to be classified as statistical: (1) The sampling units must be randomly selected; (2) They must be quantitatively evaluated through the application of probability theory. The absence of either requirement defines the approach as nonstatistical.

**Exhibit A** Differences Identified in Parts Inventory Count as of June 6, 2006  
for Part Numbers Randomly Selected

Part No.	Description	Bin Location	Quantity		Average Unit Cost	Absolute Cost Diff.	Description of Variance	Notes
			Per Count	Per MAPS				
<u>Santa Ana Operating Base (Base #1)</u>								
15721	Grip, Bikerack	1H12E	30	40	\$ 15.08520	\$150.85200	Quantity difference	
1389	Spring, Brush	1V03DB	12	16	\$ 2.67563	\$ 10.70252	Quantity difference	
16491	Washer, S-Cam	1V04CB	84	85	\$ 1.96360	\$ 1.96360	Quantity difference	
1422	Spring, Valve	1V10GA	15	18	\$ 3.96222	\$ 11.88666	Quantity difference	
3419	Nut, Air Cleaner	1V11BF	35	34	\$ 0.36790	\$ 0.36790	Quantity difference	
2710	Control, Seat	1D06B	0	2	\$ 123.11500	\$ -	Bin location difference	(A)
<i>Subtotal ( 6 errors / 195 part records in sample = 3.08% error rate)</i>						\$175.77268	5 quantity errors and 1 bin location error	
<u>Garden Grove Base (Base #4)</u>								
19440	Clamp, Fuel Lines	4D11A	4	5	\$ 36.48400	\$ 36.48400	Quantity difference	
18678	Foam, Seat	4Q02B	8	7	\$ 74.90740	\$ 74.90740	Quantity difference	
20747	O-Ring, Oil Cap	4E01AB	2	3	\$ 3.06500	\$ -	Bin location difference	(B)
<i>Subtotal ( 3 errors / 111 part records in sample = 2.70 % error rate)</i>						\$111.39140	2 quantity errors and 1 bin location error	
<u>Anaheim Base (Base #6)</u>								
13524	Kit, Brake Hardware	6F01C	4	5	\$ 9.47330	\$ 9.47330	Quantity difference	
3282	Clevis, Brake Chamber	6F03D	8	7	\$ 6.84670	\$ 6.84670	Quantity difference	
13083	Panel, Seat	6M06A	2	3	\$ 90.51000	\$ 90.51000	Quantity difference	
<i>Subtotal ( 3 errors / 137 part records in sample = 2.19 % error rate)</i>						\$ 106.8300	3 quantity errors	
<b>Total for Three Bases ( 12 errors / 443 part records = 2.71 % error rate)</b>						<b>\$393.99408</b>	<b>10 quantity errors and 2 bin location errors</b>	

Legend:

(A) - Part #2710 was found in a location other than 1D06B as shown in MAPS. A cost difference is not shown since it is considered a bin location error.

(B) - One quantity of Part #20747 found in a bin slot location other than as shown in MAPS. A cost difference is not shown since it is considered a bin location error.

**Exhibit B** **Differences Identified in Parts Inventory Count as of June 6, 2006**  
**for Part Numbers Judgmentally Selected**

Part No.	Description	Bin Location	Quantity		Average Unit Cost	Diff.	Absolute Cost Diff.	Description of Variance
			Per Count	Per MAPS				
<u>Santa Ana Operating Base (Base #1)</u>								
12513	Filter, Oil	1D11A	9	10	\$ 5.70150	-1	\$ (5.70150)	Quantity difference
			<i>Subtotal (1 error / 10 part records in sample = 10.00% error rate)</i>				\$ (5.70150)	1 quantity difference error
<u>Garden Grove Base (Base #4)</u>								
			<i>Subtotal (0 errors / 10 part records in sample = 0.00% error rate)</i>				\$ -	No errors noted in judgment sample No errors noted
<u>Anaheim Base (Base #6)</u>								
			<i>Subtotal (0 error / 10 part records in sample = 0.00% error rate)</i>				\$ -	No errors noted in judgment sample No errors noted
<b>Total for Three Bases ( 1 error / 30 part records in sample = 3.33 % error rate)</b>							<b>\$ (5.70150)</b>	<b>1 quantity difference error</b>





BOARD COMMITTEE TRANSMITTAL



**August 22, 2006**

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup> Wendy Knowles, Clerk of the Board  
**Subject:** Bus Revenue-Generating Advertising Program Audit

This item will be considered by the Finance and Administration Committee on August 23, 2006. Following Committee consideration of this matter, staff will provide you with a summary of the discussion and action taken by the Committee.

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



**August 23, 2006**

**To:** Finance and Administration Committee  
**From:** Arthur T. Leahy, <sup>AL</sup> Chief Executive Officer  
**Subject:** Bus Revenue-Generating Advertising Program Audit

### **Overview**

Internal Audit has completed a review of the contract between Titan Outdoor LLC and the Orange County Transportation Authority to provide sales and administration of the Orange County Transportation Authority's Bus Revenue-Generating Advertising Program. Internal Audit is recommending improvements that will enhance the management of the contract.

### **Recommendation**

Direct staff to implement the recommendations made in the Bus Revenue-Generating Advertising Program Audit.

### **Background**

Orange County Transportation Authority (OCTA) contracts with Titan Outdoor LLC (Titan) for the sales and administration of OCTA's Bus Revenue-Generating Advertising Program under the terms of Agreement C-5-0127. The initial contract term is for three years commencing September 1, 2005, through August 31, 2008, with two option years. The contract requires Titan to report and pay monthly for the prior month's advertising revenue. The total minimum guarantee for the contract is \$12,700,000. On a quarterly basis, Titan is required to pay any difference between the monthly minimum revenue guaranteed by the contract and the actual revenue received. OCTA has the right of prior approval and the right to have any advertisement removed by giving notice to Titan.

### **Discussion**

Internal Audit reviewed the monthly revenue reports from Titan for the months of September 2005 through April 2006, to ensure contract compliance. A sample of the contracts between Titan and the advertisers was also reviewed to verify the

amounts reported on the revenue reports. Internal Audit recommended that procedures be developed for monitoring contract compliance and that outstanding revenue and penalties identified during the audit be collected from Titan.

**Summary**

Based on the review, Internal Audit made some recommendations, which management indicated would be implemented. Management has now developed procedures to monitor contract compliance and has collected all outstanding revenue and penalties that were identified during the audit.

**Attachments**

- A. Bus Revenue-Generating Advertising Program Contract Compliance and Operational Audit, Internal Audit Report No. 06-017
- B. Bus Advertising Revenue Audit, Internal Audit Report No. 06-017, Close-out Memo

**Prepared by:**



Kathleen O'Connell  
Manager, Internal Audit  
(714) 560-5669



INTEROFFICE MEMO

June 12, 2006

To: Ellen Burton, Executive Director  
External Affairs

From: Gerry Dunning, Senior Internal Auditor *GD*  
Internal Audit

Subject: **Bus Revenue-Generating Advertising Program Contract  
Compliance and Operational Audit, Internal Audit  
Report No. 06-017**

A contract compliance and operational audit of the Bus Revenue-Generating Advertisement Program contract between the Orange County Transportation Authority and Titan Outdoor LLC has been completed. Recommendations are included in the report to address areas needing improvements. The results of the audit are detailed in the attached Internal Audit report.

This report requires a formal management response to the recommendations by June 23, 2006. Please provide the response using the Management Response Forms, which have been sent to you electronically. Once you provide your response, Internal Audit will provide a close-out memo indicating agreement or disagreement.

If you have any questions, please feel free to contact me at extension 5875.

Attachment: Bus Revenue-Generating Advertising Program Contract  
Compliance and Operational Audit, Internal Audit  
Report No. 06-017

c: Rick Bacigalupo  
Jim Kenan  
Tom Wulf  
Stella Lin  
Jose Solorio  
Lisa Monteiro

**ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT  
2005-06 AUDIT PLAN**



**Bus Revenue-Generating Advertising Program  
Contract Compliance and Operational Audit**

INTERNAL AUDIT REPORT NO. 06-017

**Report Date: June 12, 2006**



**Audit Performed by:**  
**Internal Audit Project Manager:**

OCTA Internal Audit Department  
Gerry Dunning, CIA, CISA, CFE  
Senior Internal Auditor, Internal Audit

**ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT**

**Bus Revenue-Generating Advertising Program  
Contract Compliance and Operational Audit  
June 12, 2006**

**CONCLUSION**

The Internal Audit Department has completed a review of the contract between Titan Outdoor LLC (Titan) and the Orange County Transportation Authority (OCTA) to provide sales and administration of OCTA's Bus Revenue-Generating Advertising Program. In Internal Audit's opinion, the controls over the Bus Revenue-Generating Advertising Program need to be improved. Internal Audit is recommending improvements that will enhance the management of the contract.

**BACKGROUND**

The contract with Titan is administered by a program administrator in the OCTA Marketing Department. Advertising on OCTA's fixed-route and ACCESS vehicles has provided OCTA with an innovative way to generate revenue and provides a service to the business community. Outdoor media in Orange County is very limited, which makes it difficult and expensive to obtain. OCTA vehicles provide moving media which businesses can lease to place advertising messages. The vehicles are highly visible on Orange County streets and roads. OCTA's service area covers 797 square miles throughout Orange County as well as some cities in Los Angeles County, including Los Angeles and Long Beach.

Titan provides the sales and administration of OCTA's Bus Revenue-Generating Advertising Program under the terms of contract C-5-0127, effective September 1, 2005, through August 31, 2008, with two one-year option terms. The prior contract for bus advertising required the contractor to pay the annual minimum guarantee in full by the 10<sup>th</sup> of September for each new fiscal year. The current contract requires Titan to pay the minimum on a quarterly basis if the three months do not meet the quarterly minimum. OCTA receives 60 percent of the gross revenue (sales) received by Titan for advertisements on OCTA. This agreement has a minimum guarantee as follows:

<b>Contract Year</b>	<b>Minimum Guarantee</b>
1 <sup>st</sup> year	\$3,800,000
2 <sup>nd</sup> year	\$4,200,000
3 <sup>rd</sup> year	\$4,700,000
4 <sup>th</sup> year option term	\$5,200,000
5 <sup>th</sup> year option term	\$5,700,000

The contract with Titan requires monthly reporting of advertising sold and revenue collected and monthly payments to OCTA for the amounts due per the contract. The sales numbers are required to be reported monthly. If sales are less than the minimum

**ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT**

**Bus Revenue-Generating Advertising Program  
Contract Compliance and Operational Audit  
June 12, 2006**

amounts due OCTA, then an adjustment is done on a quarterly basis to ensure OCTA receives the minimum amounts due per the contract. The contract also requires that if payments are not received on time, then late payment fees of 1.5 percent per month and a \$100 administrative charge are assessed.

Titan has agreed to solicit advertising in an effort to completely sell all available advertising space. OCTA has the right of prior approval for all advertising. OCTA also has the right to have any advertisement removed without justification by giving notice to Titan.

**PURPOSE AND SCOPE**

The Annual Internal Audit Plan for Fiscal Year 2005-06 included a contract compliance and operational audit of the Bus Revenue-Generating Advertising Program between OCTA and Titan. The contract compliance audit focused on the key contract requirements, including propriety of billings. The operational audit reviewed opportunities to improve operations, including OCTA's management of the contract. The period covered under the audit generally included activities and transactions taking place between September 1, 2005, through April 30, 2006, and procedures currently in place.

**AUDIT COMMENTS AND RECOMMENDATIONS**

**Amount due OCTA**

The results of our review indicated an amount of \$926,027.12 was due to OCTA by Titan, specifically for:

- Advertising revenues received by OCTA for the period of December through February, were \$260,697 less than the minimum amount per the contract. At the time of our review, this payment was two months late, thus accruing \$7,979.57, for late penalties and administrative costs. Please refer to Attachment A.
- All payments were received late and penalty fees were due but were not collected by OCTA. At the end of the second quarter, this amounts to \$25,189.44, in late penalties and administrative costs due to OCTA.
- The revenue owed OCTA has not been received for the months of March and April 2006. Including late penalties and administrative costs, this amounts to an additional \$632,161.11.



**ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT**

**Bus Revenue-Generating Advertising Program  
Contract Compliance and Operational Audit  
June 12, 2006**

During the course of our review, Titan paid OCTA \$885,246.61 of the \$926,027.12 due, resulting in an outstanding amount due to OCTA of \$40,780.51. Please refer to Attachment A for details of the amounts due to OCTA.

**Recommendation No. 1:** We recommend expedient action be taken to collect the \$40,780.51 due to OCTA.

**Lack of Written Policy**

There is not a comprehensive written policy or procedures for the Bus Revenue-Generating Advertising Program. As such, there are no established procedures regarding who should monitor and communicate to Titan any amounts due on the contract.

**Recommendation No. 2:** We recommend that a comprehensive written policy and procedures on the program be established, finalized and implemented. The procedures should include relevant procedures of all parties involved in administering the program and be distributed to all of these parties.

ORANGE COUNTRY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT  
Titan Outdoors LLC  
Schedule of Amounts Due to OCTA

Attachment A

Month	Date Due	Received Date	Late?	Check Amount (Revenue due)	Penalties	Amount of Penalty	Total Amount due OCTA
September 2005	10/20/2005	10/25/2005	yes	\$350,253.67	1.5% + \$100	\$5,353.81	\$5,353.81
October 2005	11/20/2005	11/28/2005	yes	283,911.00	1.5% + \$100	4,358.67	4,358.67
November 2005	12/20/2005	12/23/2005	yes	322,411.85	1.5% + \$100	4,936.18	4,936.18
1st Quarter Adjustment	None <input type="checkbox"/> Required						
December 2005	1/20/2006	2/16/2006	yes	208,388.00	1.5% + \$100	3,225.82	3,225.82
January 2006	2/20/2006	2/27/2006	yes	273,065.00	1.5% + \$100	4,195.98	4,195.98
February 2006	3/20/2006	4/3/2006	yes	201,266.89	1.5% + \$100	3,119.00	3,119.00
2nd Quarter Adjustment	3/15/2006		yes	(260,697.00)	1.5% for 2 months + \$100	7,979.57	268,676.57
March 2006	4/20/2006		yes	(358,319.00)	1.5% for 2 months + \$100	10,930.19	369,249.19
April 2006	5/20/2006		yes	(258,928.00)	1.5% + \$100	3,983.92	262,911.92
<b>Total</b>				<b>\$1,639,296.41</b>		<b>\$48,083.12</b>	<b>926,027.12</b>
<b>Payments Made During our Review</b>							<b>(885,246.61)</b>
<b>Net amount due OCTA</b>							<b>\$40,780.51</b>



INTEROFFICE MEMO

July 13, 2006

To: Ellen Burton, Executive Director  
External Affairs

From: Gerry Dunning, Senior Internal Auditor *JD*  
Internal Audit

Subject: **Bus Advertising Revenue Audit, Internal Audit  
Report No. 06-017, Close-out Memo**

Internal Audit has received and concurs with management's responses to the recommendations issued in the Bus Revenue-Generating Advertising Program Contract Compliance and Operational Audit, Internal Audit Report No. 06-017.

We agree with your comments that the monthly payments are due on the 20<sup>th</sup> "working day" per the contract. Internal Audit had calculated the amounts due based on calendar days instead of "working day". This changes the amount due at the end of the audit from \$40,780.51 to \$15,799.68. All of the outstanding revenue and fees were paid to OCTA as of July 11, 2006. Internal Audit recommends that Agreement C-5-0127 with Titan be amended to add a definition for "working day" that is clear to both OCTA and to Titan.

Internal Audit appreciates the responses and the cooperation received during the audit. A follow-up review on the status of management's planned corrective actions will be conducted in an audit planned during fiscal year 2007.

Attachment: Management Response from Ellen Burton dated June 30, 2006.

c: Rick Bacigalupo  
Jim Kenan  
Tom Wulf  
Stella Lin  
Jose Solorio  
Lisa Monteiro



INTEROFFICE MEMO

June 30, 2006

To: Gerry Dunning, Senior Internal Auditor  
Internal Audit

From: Ellen S. Burton, Executive Director  
External Affairs

A handwritten signature in black ink that reads "Ellen S. Burton". The signature is written in a cursive style and is positioned to the right of the printed name.

Subject: **Management Response to Bus Revenue-Generating Advertising Program, Contract Compliance and Operational Audit, Audit Report No. 06-017**

Thank you for conducting a Contract Compliance and Operational Audit regarding the bus revenue-generating advertising agreement that OCTA has with Titan Outdoor. Since the Orange County Transportation Authority (OCTA) is in its first year of the agreement, it has been particularly beneficial to have the audit conducted.

The payment terms for the contract with Titan Outdoor are different from the terms in the previous contract OCTA had with Viacom. The contract with Viacom called for the minimum guarantee payment to be made in one lump sum at the start of each contract year. As a result, tracking the amount and timeliness of the payment was rather simple.

Based on input from Titan Outdoor, the current contact with Titan Outdoor requires monthly payments, with quarterly payment adjustments as needed. Because of these new payment terms management agrees that it is appropriate that a set of policies and procedures be formalized for monitoring the Titan Outdoor payment schedule.

Policies and procedures have been drafted and will be reviewed by interested parties (e.g., Accounts Receivable, CAMM, and Internal Audit). The draft policies and procedures, included as Attachment A & B, are based on a meeting coordinated by the Marketing Department with representatives from each of the other interested departments.

The most significant procedure that will now be required of Titan Outdoor relates to how the payments are made. Previously, Titan Outdoor would send a check to OCTA for the monthly and quarterly payments. Since the terms of

the contract require that the check be sent to the Accounts Receivable Department, the Marketing Department was not aware of the specific dates that payments were received. As an improvement, Titan Outdoor would now be required to wire the payments directly to OCTA's bank account and provide e-mail notification to the various OCTA departments to track the payments.

With respect to payment due dates, the Marketing Department has reviewed the contract language regarding the payments to be made and would like to clarify that the monthly payments are due by the 20<sup>th</sup> "working" day. It appears that the audit report calculated missed due dates and late fees based on the 20<sup>th</sup> "calendar" day. The Marketing Department will work with Internal Audit and Accounts Receivable to properly identify the late fees that may be owed by Titan Outdoor to OCTA, and then invoice them for that amount.

Titan Outdoor was made aware of the missed due date for the 2<sup>nd</sup> quarterly adjustment payment and promptly paid the late fees. Once appropriate late fees are identified for missed monthly due dates, an invoice will be sent to Titan Outdoor to seek payment.

The attached Management Response Form has been completed and specifies the actions that will be taken to address the recommendations made by the audit report.

Attachments: Management Response Form, Internal Audit Report No. 06-017  
Administration of Bus Revenue-Generating Advertising Contract  
with Titan Outdoor (Attachment A)  
Agreement No. C-5-0127 Between OCTA and Titan Outdoor  
(Attachment B)

ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT

Internal Audit Report No. 06-017  
Report Date: June 12, 2006  
Management Response Due Date: June 30, 2006

**MANAGEMENT RESPONSE FORM**  
Bus Revenue-Generating Advertising Program  
Contract Compliance and Operational Audit

Number	Recommendation	Action	Responsible Party	Due Date
1	We recommend expedient action be taken to collect the \$40,780.51 due to OCTA.	<p>1. The Marketing Department and CAMM Department have reviewed the contract language regarding the payments to be made and would like to clarify that the monthly payments are due by the 20<sup>th</sup> "working" day. It appears that the audit report calculated missed due dates and late fees based on the 20<sup>th</sup> "calendar" day. The Marketing Department will work with Internal Audit and Accounts Payable to properly identify the late fees that may be owed by Titan Outdoor to OCTA.</p> <p>2. As described in 1 above, a detailed listing of late fees will be identified and an invoice generated for Titan Outdoor to pay. A total of three monthly payments and one quarterly payment during the 2<sup>nd</sup> and 3<sup>rd</sup> quarters appear to have been paid late based on the 20<sup>th</sup> "working" day definition.</p>	Jose Solorio/Marketing Department	July 30, 2006
2	We recommend that a comprehensive written policy and procedures on the program be established, finalized and	<p>1. Management agrees that a strict set of policies and procedures should be formalized for Titan Outdoor to</p>	Jose Solorio/Marketing	July 30,

ORANGE COUNTY TRANSPORTATION AUTHORITY  
INTERNAL AUDIT DEPARTMENT

Internal Audit Report No. 06-017  
Report Date: June 12, 2006  
Management Response Due Date: June 30, 2006

**MANAGEMENT RESPONSE FORM**  
Bus Revenue-Generating Advertising Program  
Contract Compliance and Operational Audit

Number	Recommendation	Management Response	Responsibility	Target Date
	<p>implemented. The procedures should include relevant procedures of all parties involved in administering the program and be distributed to all of these parties.</p>	<p>follow. Draft policies and procedures have been prepared (Attachments A&amp;B) and will be reviewed by interested parties (e.g., Accounts Payable, CAMM, and Internal Audit).</p>	Department	2006

*Marketing Department Policies and Procedures*

**Administration of Bus Revenue-Generating Advertising Contract  
Titan Outdoor**

**Overview**

The Orange County Transportation Authority (OCTA) is responsible for planning, developing and implementing transportation programs and services within Orange County. These programs and services include fixed-route bus service, ACCESS (paratransit) bus service, commuter rail service, administering Measure M revenue to create a balanced multi-modal transportation system, motorists services, and the 91 Express Lanes toll road.

Transit advertising on its fixed-route and ACCESS buses has provided OCTA with an innovative way to generate additional transit revenue. In addition, it provides a service to the business community. Outdoor media space in Orange County is very limited, which makes it difficult and expensive to obtain. OCTA vehicles provide, in essence, moving billboards which businesses can lease to place advertising messages. The vehicles are highly visible on Orange County streets and roads. OCTA's service area covers 797 square miles throughout Orange County as well as some cities in Los Angeles County including Los Angeles and Long Beach.

OCTA Agreement C-5-0127 (Agreement) with Titan Outdoor is for professional services for sales and administration of OCTA's Bus Revenue-Generating Advertising Program. Titan Outdoor is responsible for soliciting, placing, administering and managing advertisements in the interior and on exterior of OCTA vehicles. The Agreement includes a 3-year initial term running from September 1, 2005 to August 31, 2008. It also includes two 1-year option terms. To effectively manage the Agreement with Titan (Agreement #), a set of policies and procedures has been developed.

**Policies and Procedures**

**1. Monthly and Quarterly Payments**

The Agreement specifies that Titan Outdoor shall, by the 20<sup>th</sup> working day each month, make a monthly payment of 60 percent of the actual Gross Revenue received during the preceding month. To ensure, timely payment, staff has worked with Titan on the following implementation approach.

- a. Titan Outdoor will make its monthly payments via wire service directly to OCTA's account at Bank of the West.



- b. Titan Outdoor will schedule wire payments on a consistent calendar date each month. This target date will be documented on the Payment Monitoring Schedule below. Wire dates are prior to the required 20<sup>th</sup> working day specified in the Agreement.
- c. Titan Outdoor will notify the designated OCTA Marketing Project Manager and staff from the Accounts Receivable departments, via e-mail, on the working day prior to the wire transaction date notifying that payment is being processed. The e-mail should include a copy of the monthly statement and the posting report as described in the Agreement.
- d. If the e-mail or wire payment is not received by the 20<sup>th</sup> working day of the month as specified in the Agreement, the designated Marketing Project Manager will send Titan Outdoor an e-mail and hard copy correspondence alerting them that their payment has not been received and late fees, as per the Agreement will be due with payment. This correspondence will also state that OCTA will invoice Titan Outdoor on a quarterly basis for any outstanding payments and late fees.
- e. On a quarterly basis, OCTA will invoice Titan Outdoor for any outstanding payments and late fees. Based on the terms in the Agreement, Titan Outdoor is scheduled to make Quarterly payment adjustments within 15 (calendar) days after the end of each quarter. If OCTA has not received outstanding monthly payments and late fees by the 20<sup>th</sup> working day after the end of the quarter, then the Marketing Department will submit an Invoice Request Form to the Accounts Receivable Department so that an invoice is sent to Titan Outdoor for any outstanding payments and late fees.

## 2. Quarterly Payments

- a. On a quarterly basis, Titan Outdoor is to compare its previous monthly payments during the quarter with its obligations in the Agreement to ensure that the appropriate amount is being paid per month. If Titan Outdoor owes OCTA money, the Quarterly payment adjustment is to be made via wire service directly to OCTA's account at Bank of the West. If Titan Outdoor has overpaid during the previous quarter, then the overpaid amount can be reduced from a future month's payment during the same accounting year (September 1 through August 31).
- b. According to the Agreement, Titan Outdoor is to pay the Authority the Quarterly adjustments within 15 days following the end of the quarter. To implement this policy, OCTA will work with Titan to target a specific calendar date each month that is prior to this 15 day requirement. Titan will schedule its quarterly wire payments on the 14<sup>th</sup> day of the month following the end of the quarter. If the 14<sup>th</sup> falls on a weekend or legal holiday, the payment target

will be the prior work day. This is identified on a Payment Monitoring Schedule / spreadsheet.

- c. Titan Outdoor will notify by e-mail the designated OCTA Marketing Project Manager and Accounts Receivable on the working day prior to the 14<sup>th</sup> of the month that the wire transaction will take place. The e-mail should include a copy of a statement showing any adjustments that are warranted.
- d. If the wire payment is not received by the 20<sup>th</sup> working day of the month, the Marketing Project Manager will send Titan Outdoor notification that payment has not been received and that when they wire their payment, they should include payment for late fees as described in the contract. The notice will state that OCTA will invoice Titan Outdoor on a quarterly basis for any outstanding payments and late fees.
- e. On a quarterly basis, OCTA will invoice Titan Outdoor for outstanding payments and late fees. Based on the contract, Titan Outdoor is scheduled to make Quarterly payment adjustments within 15<sup>th</sup> calendar days after the end of each quarter. If OCTA has not received outstanding monthly payments and late fees by the 20<sup>th</sup> working day after the end of the quarter, the Marketing Project Manager will submit an Invoice Request Form to the Accounts Receivable Department so that an invoice is sent to Titan Outdoor for any outstanding monthly payments and late fees.

### 3. Payment Monitoring Schedule

- a. The Marketing Department has created and will maintain a payment monitoring spreadsheet identifying the scheduled date of Titan's monthly e-mails and payments (follows next page). As payments are received, this will be noted on the spreadsheet.

# Payment Monitoring Schedule - Bus Advertising Revenue Agreement C-5-0127 with Titan Outdoor

Initial Term: September 1, 2005 to August 31, 2008

Description	Initial Term Year 1 - September 1, 2005 to August 31, 2006											
	Sept 2005	Oct 2005	Nov 2005	Dec 2005	Jan 2006	Feb 2006	Mar 2006	Apr 2006	May 2006	June 2006	July 2006	Aug 2006
<b>Monthly Payment Monitoring</b> - Titan scheduled e-mail to OCTA: payment processed - Titan scheduled wire of payment to bank	9/19 9/20	10/19 10/20	11/17 11/18	12/19 12/20	1/19 1/20	2/17 2/20	3/17 3/20	4/19 4/20	5/18 5/19	6/19 6/20	7/19 7/20	8/17 8/18
<b>Quarterly Payment Monitoring</b> - Titan e-mail to OCTA: payment processed - Titan wire of payment to bank	N/A N/A			12/13 12/14			3/13 3/14			6/13 6/14		
<b>Payment - actual receipt date</b>												

Description	Initial Term Year 2 - September 1, 2006 to August 31, 2007											
	Sept 2006	Oct 2006	Nov 2006	Dec 2006	Jan 2007	Feb 2007	Mar 2007	Apr 2007	May 2007	June 2007	July 2007	Aug 2007
<b>Monthly Payment Monitoring</b> - Titan e-mail to OCTA: payment processed - Titan wire of payment to bank	9/19 9/20	10/19 10/20	11/17 11/20	12/19 12/20	1/18 1/19	2/19 2/20	3/19 3/20	4/19 4/20	5/17 5/18	6/19 6/20	7/19 7/20	8/17 8/20
<b>Quarterly Payment Monitoring</b> - Titan e-mail to OCTA: payment processed - Titan wire of payment to bank	9/13 9/14			12/13 12/14			3/13 3/14			6/13 6/14		
<b>Payment - actual receipt date</b>												

Description	Initial Term Year 3 - September 1, 2007 to August 31, 2008											
	Sept 2007	Oct 2007	Nov 2007	Dec 2007	Jan 2008	Feb 2008	Mar 2008	Apr 2008	May 2008	June 2008	July 2008	Aug 2008
<b>Monthly Payment Monitoring</b> - Titan e-mail to OCTA: payment processed - Titan wire of payment to bank	9/19 9/20	10/18 10/19	11/19 11/20	12/19 12/20	1/17 1/18	2/19 2/20	3/19 3/20	4/17 4/18	5/19 5/20	6/19 6/20	7/17 7/18	8/19 8/10
<b>Quarterly Payment Monitoring</b> - Titan e-mail to OCTA: payment processed - Titan wire of payment to bank	9/13 9/14			12/13 12/14			3/13 3/14			6/12 6/13		
<b>Payment - actual receipt date</b>												

Description	Year 3 - Closeout	
	Sept 2008	Sept 2008
<b>Monthly Payment Monitoring</b> - Titan e-mail to OCTA: payment processed - Titan wire of payment to bank	9/18 9/19	
<b>Quarterly Payment Monitoring</b> - Titan e-mail to OCTA: payment processed - Titan wire of payment to bank	9/13 9/14	
<b>Payment - actual receipt date</b>		





BOARD COMMITTEE TRANSMITTAL

**August 28, 2006**

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup> Wendy Knowles, Clerk of the Board  
**Subject:** Cooperative Agreement with Riverside Transit Agency to Jointly Fund Intercounty Route 794

Transit Planning and Operations Committee

August 10, 2006

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

**Committee Vote**

This item was passed by all Committee Members present.

**Committee Recommendation**

Authorize the Chief Executive Officer to execute Cooperative Agreement C-5-2467 between the Orange County Transportation Authority and Riverside Transit Agency, for a revenue agreement in an amount of \$120,000, to jointly fund intercounty express bus route 794. The initial term of this agreement is one year with four one-year option terms.



**August 10, 2006**

**To:** Transit Planning and Operations Committee  
**From:** Arthur T. Leahy, Chief Executive Officer  
**Subject:** Cooperative Agreement with Riverside Transit Agency to Jointly Fund Intercounty Route 794

**Overview**

The Orange County Transportation Authority has planned new intercounty express bus service between Riverside County and Orange County. A cooperative agreement with Riverside Transit Agency is required to establish roles, responsibilities, and processes to jointly fund this service.

**Recommendation**

Authorize the Chief Executive Officer to execute Cooperative Agreement C-5-2467 between the Orange County Transportation Authority and Riverside Transit Agency, for a revenue agreement in an amount of \$120,000, to jointly fund intercounty express bus route 794. The initial term of this agreement is one year with four one-year option terms.

**Background**

In September 2005 the Board of Directors approved a plan to implement express bus service. The plan included three intercounty express bus routes: 757, 758, and 794. Route 757 is an existing route that operates between Pomona and Santa Ana. Route 758 is a new route that operates between Chino and the Irvine Spectrum. Routes 757 and 758 began operating under contract with Veolia Transportation (Veolia) on July 3, 2006. Route 794 is scheduled to begin operation, also under contract with Veolia, in conjunction with the Orange County Transportation Authority's (Authority) service change on September 11, 2006. Route 794 will provide service from Riverside to Orange County. The service will begin at the Tyler Mall in Riverside and provide service to the South Coast Metro area in Orange County. Route 794 was identified as a service needed for intercounty travel along the Riverside Freeway (State Route 91).

***Discussion***

A cooperative agreement is needed to establish joint funding with Riverside Transit Agency (RTA) for this service. The funding formula is based on the total route mileage in each county. RTA's share of the operating costs are 33 percent, based on the mileage from Tyler Mall to the Orange County line. The Authority and the RTA have already agreed to use existing bus stops and park-and-ride facilities. Route 794 express bus service will use the Riverside Freeway carpool lane to transition from Riverside to Orange County.

Express route 794 will service an estimated 22,465 employees in the South Coast Metro area. A few of the areas that will be served include Hutton Center, South Coast Plaza, Auto Club of Southern California, Los Angeles Times of Orange County, Deloitte & Touche, National University, and Whittier Law School.

**Fiscal Impact**

The project was approved in the Authority's Fiscal Year 2006-07 Budget, Transit/Community Transportation Services, Account 2131-7311-D1208-33M, and is funded through the Local Transportation Fund.

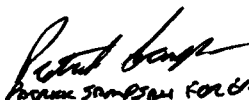
***Summary***

Staff recommends approval to execute Cooperative Agreement C-5-2467, in the amount of \$120,000, with Riverside Transit Agency.

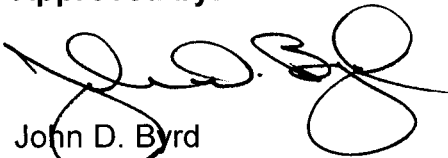
***Attachment***

None.

**Prepared by:**

  
Erin Rogers  
Department Manager  
Community Transportation Services  
(714) 560-5367

**Approved by:**

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





BOARD COMMITTEE TRANSMITTAL



**August 22, 2006**

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup> Wendy Knowles, Clerk of the Board  
**Subject:** Bus Rapid Transit Fleet Evaluation and Recommendation

This item will be considered by the Transit Planning and Operations Committee on August 24, 2006. Following Committee consideration of this matter, staff will provide you with a summary of the discussion and action taken by the Committee.

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



**August 24, 2006**

**To:** Transit Planning and Operations Committee  
**From:** Arthur T. Leahy, <sup>AL</sup> Chief Executive Officer  
**Subject:** Bus Rapid Transit Fleet Evaluation and Recommendation

### **Overview**

On June 13, 2005, the Board of Directors approved an agreement with New Flyer of America, Incorporated, in the amount of \$21,408,912, to procure 50 compressed natural gas 40-foot fixed route buses. On May 8, 2006, the Board of Directors approved Amendment No. 1 to accelerate the purchase of an additional 249 buses. On June 12, 2006, staff presented an evaluation of bus rapid transit fleet technology options that included the use of the current procurement option of 78 low-floor 40-foot compressed natural gas buses for meeting the vehicle needs of the 70-mile bus rapid transit network.

### **Recommendation**

Authorize staff to proceed as currently scheduled and budgeted with the low cost option (Option A) for 78 New Flyer 40-foot compressed natural gas buses for the bus rapid transit program.

### **Background**

The Orange County Transportation Authority (OCTA) issued a Request for Proposals (RFP) on February 25, 2005, for the procurement of up to 377 alternative fuel 40-foot fixed route buses. New Flyer of America, Incorporated (New Flyer), was awarded the contract for an initial production of 50 compressed natural gas (CNG) buses with two option deliveries. The first option of up to 150 units was anticipated in 2008 and a second option of up to 177 units was anticipated in 2009.

On May 8, 2006, the Board approved the acceleration of the first option to lock in the purchase of an additional 249 buses for the order with New Flyer. The remaining 78 low-floor, 40-foot, CNG buses of the New Flyer procurement were earmarked as the initial fleet for the three bus rapid transit (BRT)

corridors. The Board asked staff to review other fleet technology options. On June 12, 2006, staff presented those options to the Board.

On October 14, 2005, the Board of Directors approved the implementation of the Five-Year Program, which included the three BRT projects (Harbor Boulevard, Westminster/17<sup>th</sup> Street, and the 28-mile corridor from the Brea Mall to the Irvine Transportation Center). The approved BRT Implementation schedule included the following operational dates:

- Harbor Boulevard – Late 2008
- Westminster – Late 2009
- 28-mile Corridor – Late 2010

The cost of the 78 BRT vehicles is included in the \$125 million BRT program. Funding is provided through the State Transportation Improvement Program (STIP) funds.

***Discussion***

Based on Board input received on June 12, 2006, staff proceeded with an analysis of the following three options to satisfy the BRT fleet needs.

Option A: Exercise the existing 78 vehicle option to the current New Flyer contract.

Option B: Change bus order to a more modern and passenger attractive design for 78 low-floor 40-foot CNG BRT vehicles.

Option C: Initiate a new procurement for 78 low-floor 60-foot articulated CNG BRT vehicles.

OPTION	COMPANY	SIZE	LOW FLOOR	SEATING CAPACITY	FUEL TYPE	BASE COST (EACH)	PROCUREMENT & DELIVERY
A	New Flyer	40'	Yes	36-39	CNG	\$350K	09/2008
B	Various	40'	Yes	36-39	CNG	\$450K	09/2008 – 09/2009
C	Various	60-62'	Yes	62	CNG	\$850K	09/2008 – 09/2209

A comparison of the options was made with an emphasis on impacts related to schedule, capital costs, passenger convenience impacts and cost/benefit analysis. The findings for each of those categories are summarized below:

**Schedule:**

Option A meets the existing Board approved BRT implementation schedule. Due to the time constraints of a new procurement, Options B and C do not meet the current schedule and could result in a delay to the opening of the Harbor BRT line in late 2008.

**Capital Cost:**

Option A is consistent with the existing BRT capital and operating budgets. It is the least cost and provides a modern, attractive bus that is the complete functional equivalent of Option B at \$7.8 million less (\$100,000 per vehicle). Option C (articulated vehicle) would require an additional \$39 million (\$500,000 per vehicle).

**Passenger Convenience Impacts:**

Options A and B would provide similar levels of customer service. If Option C were to be used, service headways would be widened by about 40 percent due to the higher capacity of articulated buses.

**Cost/Benefit Analysis:**

Option A provides the highest level of service at the lowest capital and operating costs. Option B would provide an equivalent level of service with similar operating costs, but with additional capital and inventory costs. Option C would create a customer service reduction because of an approximate 40 percent decrease in service frequency than provided by Options A or B, as well as the higher capital and inventory costs. Operating costs on a per passenger basis would be similar to Options A or B. If Option C were used without widening headways, the operating cost per passenger would be about 40 percent higher.

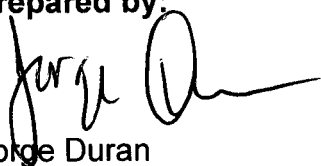
***Summary***

Option A provides the highest level of customer service at the lowest capital and operating costs. Therefore, the OCTA is justified in proceeding with the previously approved vehicle purchase.

***Attachment***

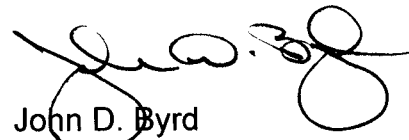
None.

**Prepared by:**



Jorge Duran  
Project Manager  
Bus Rapid Transit Program  
(714) 560-5765

**Approved by:**



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

# **Bus Rapid Transit Fleet Evaluation and Recommendation**

Board of Directors  
August 28, 2006



# **Background**

---

- **June 13, 2005: Board approved initial procurement of 50, Low-Floor 40' Compressed Natural Gas (CNG) buses**
- **October 14, 2005: Board approved Five-Year Transit Investment Program**
- **May 8, 2006: Board approved purchase of additional 249 Low-Floor 40' CNG buses**
- **June 12, 2006: Staff presented Bus Rapid Transit (BRT) Fleet Technology Review**

# **Current BRT Fleet Procurement Plan**

---

- **78 Low-Floor 40' CNG buses**
- **Future option to current vehicle contract**
- **Delivery and Testing scheduled for September 2008**
- **Branded to provide BRT identity**



# **BRT Fleet: Attributes**

---

- **Cost-effective**
- **Reliable**
- **Attractive appearance**
- **Alternative fuels – meet Air Quality Management District (AQMD) requirements**
- **Buy America**

# **Review of BRT Fleet Options**

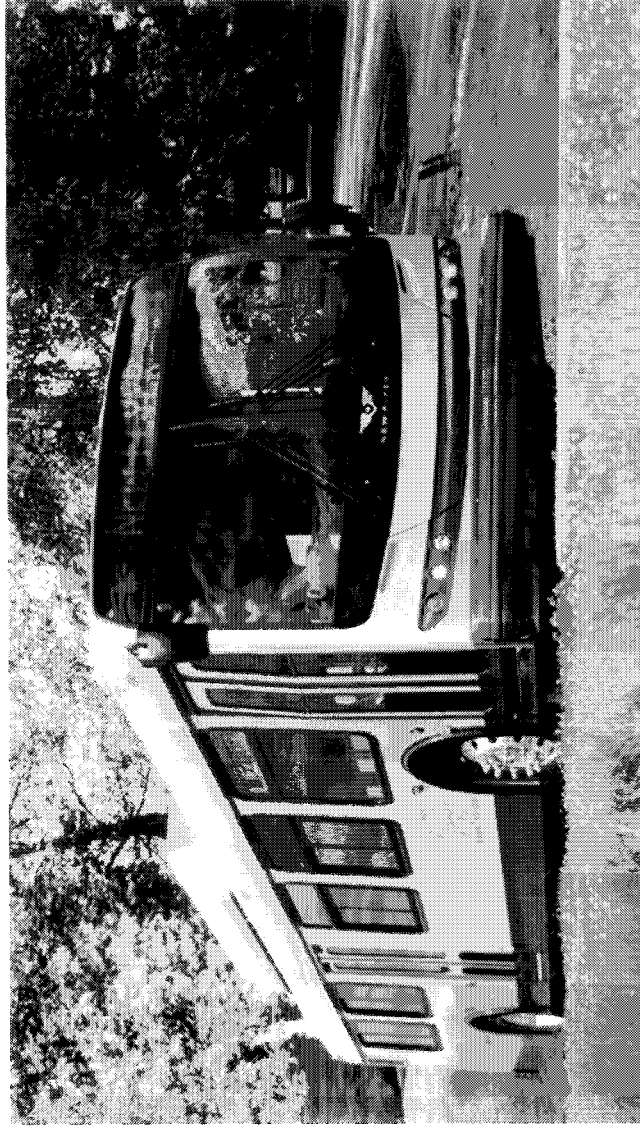
---

## **A. Current: Exercise procurement option**

---

# Fleet Option A : Current Procurement Option

COMPANY	SIZE	SEATING	LOW FLOOR	FUEL TYPE	BASE COST (Each)	DELIVERY SCHEDULE
NEW FLYER	40'	36-39	Yes	CNG	\$350K	Sept. 2008



# **Review of BRT Fleet Options**

---

**A. Current: Exercise procurement option**

---

**B. Alternative: 40' CNG BRT Bus**

---

# Fleet Option B : New 40' BRT Bus Procurement

COMPANY	SIZE	SEATING	LOW FLOOR	FUEL TYPE	BASE COST (Each)	PROCUREMENT & DELIVERY
VARIOUS	40' BRT	36-39	Yes	CNG	\$450K	Sept. 2008 – Sept. 2009



# **Review of BRT Fleet Options**

---

**A. Current: Exercise procurement option**

---

**B. Alternative: 40' CNG BRT Bus**

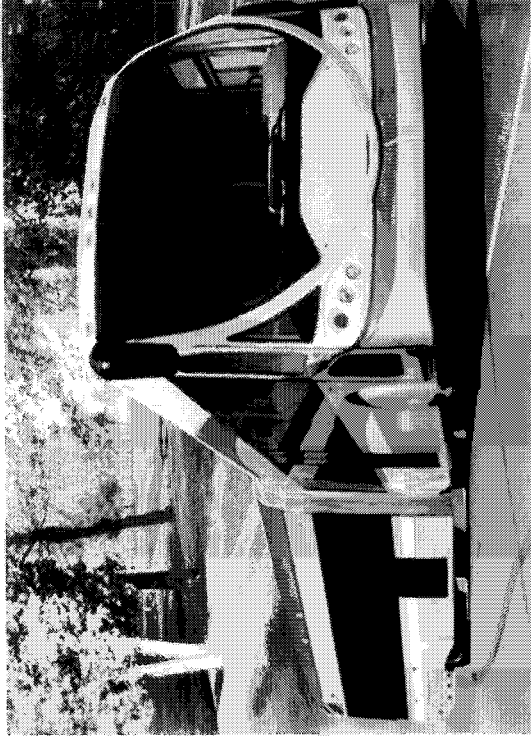
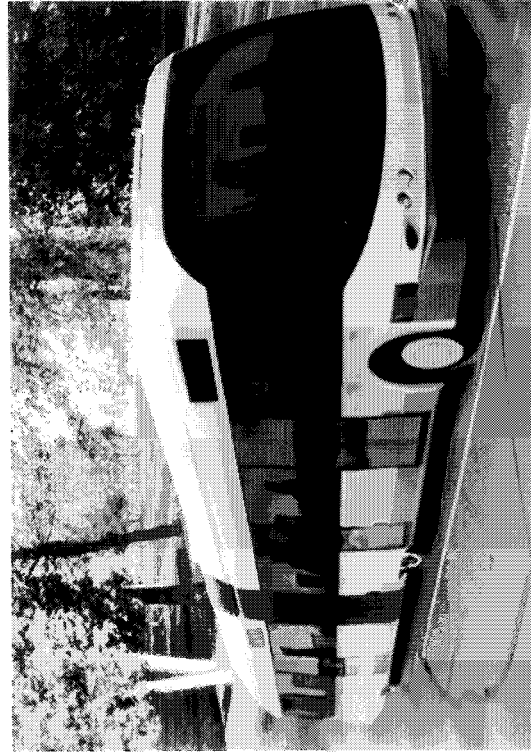
---

**C. 60' Articulated Low-Floor CNG BRT Bus**

---

# Fleet Option C : New 60' BRT Bus Procurement

COMPANY	SIZE	SEATING	LOW FLOOR	FUEL TYPE	BASE COST (Each)	PROCUREMENT & DELIVERY
VARIOUS	60'-62' Artic	62	Yes	CNG	\$850K	Sept. 2008 - Sept. 2009



# Summary of Options

	A	B	C
<b>Schedule</b>	No Impact	Up to 12 month delay	Up to 12 month delay
<b>Capital Cost</b>	No Impact	\$7.8 million increase	\$39 million increase
<b>Passenger Convenience</b>	Similar to current 40' fleet	Similar to current 40' fleet	Reduce frequency by 40%
<b>Cost/Benefit</b>	No Impact to capital or operating costs	Increase to capital budget. No impact to operating costs	Increase to capital budget. Increase to operating costs or corresponding reduction in service frequency



# **Recommendation**

---

**Authorize staff to proceed as currently scheduled and budgeted with the low cost option (Option A) for 78 New Flyer 40-foot compressed natural gas buses for the bus rapid transit program.**

## **Next Steps**

---

- With Board authorization, proceed with current BRT fleet procurement plan
- Return to Board for authorization to execute the selected option to the current vehicle procurement contract for the additional 78 BRT Buses





*BOARD COMMITTEE TRANSMITTAL*

***August 28, 2006***

**To:** Members of the Board of Directors  
**From:** Wendy Knowles<sup>WK</sup>, Clerk of the Board  
**Subject:** Garden Grove Freeway (State Route 22) Design-Build Project Update and Phase II Implementation Plan

Regional Planning and Highways Committee

August 21, 2006

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

***Committee Vote***

This item was passed by all Committee Members present.

***Committee Recommendations***

- A. Approve the proposed Phase II implementation plan to begin preliminary engineering.
- B. Approve the proposed weighting of evaluation criteria.



**August 21, 2006**

**To:** Regional Planning and Highways Committee

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

**Subject:** Garden Grove Freeway (State Route 22) Design-Build Project Update and Phase II Implementation Plan

**Overview**

On August 23, 2004, the Orange County Transportation Authority Board of Directors awarded a design-build contract to improve 12 miles of the Garden Grove Freeway (State Route 22) from Valley View Street east to the Costa Mesa Freeway (State Route 55) interchange. An update is presented on the ongoing construction project as well as the implementation plan to begin preliminary engineering work on continued improvements to the Garden Grove Freeway.

**Recommendations**

- A. Approve the proposed Phase II implementation plan to begin preliminary engineering.
- B. Approve the proposed weighting of evaluation criteria.

**Background**

The development of improvements to the Garden Grove Freeway (State Route 22) began over a decade ago, culminating in late 1996 with the Orange County Transportation Authority (Authority) Board of Directors (Board) authorizing a major investment study, preliminary engineering, and environmental documentation for State Route 22 (SR-22) improvements. In late 1997, the Board expanded the project to include high-occupancy vehicle (HOV) lane connectors at four freeway interchanges and an arterial link from the SR-22 to the Santa Ana Civic Center via the Pacific Electric right-of-way (PE Arterial). The project was named the SR-22/West Orange County Connection.

During the environmental process extensive right-of-way (ROW) impacts were identified in the Full Build alternative, ultimately leading the Board to

add a Reduced Build option that eliminated the PE Arterial, the Santa Ana Freeway (Interstate 5) and the Costa Mesa Freeway (State Route 55) HOV connectors, but maintained the HOV connectors to the San Diego Freeway (Interstate 405) and the San Gabriel River Freeway (Interstate 605). The Reduced Build option was the project alternative ultimately approved through the environmental process.

On October 11, 2001, the Board approved an implementation and funding strategy for the SR-22 mainline project using the design-build approach. The SR-22 mainline project begins at the State Route 55 (SR-55) interchange in Orange and continues west to the Valley View Street interchange in Garden Grove/Westminster. This 12-mile stretch of freeway includes the following major improvements:

- HOV lanes in each direction between Valley View Street and the SR-55
- Auxiliary lanes between interchanges at various locations and a continuous auxiliary lane in each direction between Interstate 5 (I-5) and Beach Boulevard
- A braid between the southbound Orange Freeway (State Route 57) connector and The City Drive ramps on westbound SR-22 to eliminate the existing weave
- A collector-distributor road on eastbound SR-22 between The City Drive and the I-5/SR-22/State Route 57 interchange
- Various interchange improvements, construction of additional soundwalls, replacement planting, and aesthetic enhancements.

On August 23, 2004, the Board awarded a design-build contract for the mainline portion of the SR-22 project, in the amount of \$390,379,000, to the joint venture of Granite-Meyers-Rados (GMR).

Due to funding constraints at that time, the HOV connectors to the Interstate 405 (I-405) and Interstate 605 (I-605) were left unfunded. On November 28, 2005, the Board approved a Comprehensive Funding Strategy and Policy Direction, which allocated \$300 million of State Transportation Improvement Program (STIP) and Measure M funds to the I-405 and I-605 HOV connector project (Phase II). This policy direction was further revised on June 26, 2006, to allow replacing the STIP funds with federal dollars.

### ***Discussion***

On August 22, 2006, the first project ever to be constructed in the State of California using the innovative design-build approach will reach the

700-day milestone, with only 100 days left until the completion date of November 30, 2006.

The SR-22 design-build project is by far the largest single project contracted directly by the Authority. In fact, the SR-22 project is the largest freeway project currently in construction in the State of California. Construction activities began on the project almost immediately after the Notice to Proceed was issued on September 22, 2004. A number of major milestones and events have occurred; they include the following:

- Design is currently 99 percent complete
- Construction is 80 percent complete. Total project is 86 percent complete
- SR- 57 connector opened in May
- Major ramp openings at Harbor Boulevard, Brookhurst Street, Magnolia Street, and Fairview Street
- 21 of the 35 bridges currently complete
- Two of the four pile rigs de-mobilized
- Soundwall construction 50 percent complete
- Utility relocation nearly complete; no present schedule impact
- Concrete paving continuing primarily at night

On April 10, 2006, the Board approved an amendment to the project budget incorporating additional project improvements, including updated seismic information, project enhancements, as well as ROW cost increases. The vast majority of the additional scope has been incorporated into the existing project and accommodated within the original 800-day schedule; however, two of the added scope items will remain unfinished until March 2007. They are the full replacement of the Magnolia Street bridge and a portion of the added soundwalls.

The City of Garden Grove received a Federal Highway Administration earmark for the SR-22 project during mid-construction. With the additional funding, the City of Garden Grove has requested the replacement of the center section of the Magnolia Street bridge be incorporated into the existing construction project. Funding the full replacement now would ensure the bridge is constructed in a timely fashion to allow future widening of Magnolia Street, saving both the Authority and the City of Garden Grove future construction costs, and more importantly, reduce future impacts to the traveling public.

The incorporation of the center section of the Magnolia Street bridge reconstruction into the project will affect the schedule. Schedule analysis

indicates that by working two shifts, six days a week, and resequencing some other work west of Magnolia Street, the Magnolia Street bridge will be completed in March 2007. The result is the HOV lane across the bridge and the auxiliary lane cannot be opened until the bridge is complete; however, this approach avoids future costs and delays to the public. All new traffic lanes east of Magnolia Street, including the HOV lanes in both directions, are presently scheduled to be complete and open prior to the completion date of November 30, 2006. All new lanes west of Magnolia Street along the mainline will be open in March 2007.

Soundwalls were also part of the added scope approved by the Board. Analysis of soundwall locations is continuing as requests by the public are submitted. All soundwalls in the original project scope will be complete prior to November 30, 2006. Staff will present a comprehensive soundwall wall schedule in October 2006.

Looking forward to the November 30 completion date, several items are presently forecasted and/or planned to be completed after that date. They are the following:

1. Magnolia Street Bridge  
Reason: Added Scope – Garden Grove Federal Earmark  
Impact: HOV and auxiliary lanes west of Magnolia Street open March 2007
2. Project Landscaping  
Reason: Landscaping always planned to follow construction  
Impact: None. Scheduled to be complete by March 2007
3. Added Soundwalls  
Reason: Added Scope  
Impact: Original walls in contract to be complete. Additional analysis being performed resulting from public requests. Added walls to be complete by March 2007
4. Knott Avenue Bridge Widening  
Reason: Magnolia reconstruction required schedule change  
Impact: None. HOV lane west of Magnolia Street will not be open until the Magnolia Street bridge completion in March 2007
5. Valley View Street On and Off ramps  
Reason: Valley View Street ramps redesigned to accommodate Phase II



Impact: Saves "throw-away" cost and additional future construction impact. To be complete by March 2007

The status of the above times will be reported monthly to the Board in conjunction with the project contingency report.

#### Contract Status

The original contract amount with GMR was \$390,379,000. To date out-of-scope changes, in the amount of \$43,987,027, have been executed, as well as \$6,366,664 of contingency-funded changes, bringing the current contract value to \$440,732,691. The final construction contract value is forecasted to be approximately \$454 million.

Attachment A is the Change Order Forecast Log depicting the total executed changes to date, the forecasted potential changes, the total expended project contingency, and the forecasted contingency balance upon project completion. An updated project contingency report is provided monthly to the Regional Highway and Planning Committee.

The project is currently forecasted to be under the current approved project budget.

#### Phase II

The Board approved a Comprehensive Funding Strategy and Policy Direction on November 28, 2005, which provided funding for Phase II of the SR-22. To keep this high-priority project on track, the policy direction was later updated on June 26, 2006, to allow the replacement of STIP funds with federal dollars.

The funding plan approved on June 26, 2006, is based on a Phase II project cost estimate of \$300 million in 2006 dollars. As with all construction projects in the early development stages, the SR-22 Phase II project cost estimate has some uncertainties. Perhaps the largest cost variable for planning purposes is the delivery method (design-build or design-bid-build) which correlates directly to a "year of expenditure" cost estimate for programming purposes.

In order to begin implementing SR-22 Phase II improvements, staff has developed an implementation plan to proceed with the preliminary design phase of the project. This plan will allow engineering to continue to expedite project delivery, while helping to better define project scope, refine the project estimated cost, and assist in the determination of the best delivery method.

The Board will be asked to make a future policy decision regarding the delivery method for Phase II. Items to be discussed will include risk assessment, cost issues, schedules, legal authority, and other similar policy level issues. Two major items currently unresolved are: 1) legal authority for design build, and 2) potential schedule impacts with acquisition of Department of the Navy ROW and major gas pipeline relocations. Both of these issues have major ramifications on the project delivery method and will be clarified in the coming months.

Preliminary engineering is proposed to be developed in two distinct project segments. Being a linear project, the split does not contain any overlap and each segment is approximately the same size in scope and complexity. The current Request for Proposals (RFP) has provisions to award the contract to one or more design consultants.

Developing the preliminary design as two distinct segments provides ample opportunity for a competitive proposal environment and additional opportunity for design input. One of the lessons learned on the present project is that project collaboration with other design professionals is a valuable tool for problem solving to develop a cost effective design. Development of the preliminary design in two segments will provide the flexibility to meet the needs of either a design-build or traditional construction project.

On June 26, 2006, the Board approved the release of a RFP for design services for Phase II. The RFP covers both design segments and contains provisions allowing the Board to award the segment contracts to one or more consultants. Staff requests approval of the evaluation criteria, which will be used to evaluate the proposals received in the response to the RFP. The criteria are:

- Qualification of the Firm 35 percent
- Staffing and Project Organization 40 percent
- Work Plan 25 percent

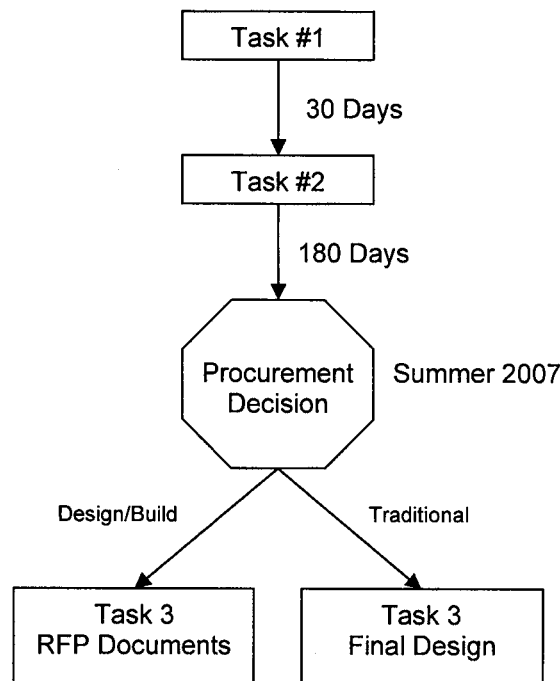
In developing the evaluation criteria several factors were considered. Staff assigned greater importance to staffing as the qualifications of the project manager and other key task leaders is critical to the successful performance of the scope of work. Less importance was placed on the work plan as the scope of work will not be fully defined until the issuance of contract task orders. Price is not an evaluation criteria as defined by state and federal law.

The evaluation criteria are consistent with other criteria, including weighting, developed for similar architectural engineering services procured on behalf of the Authority.

The contract will be task order-based to allow management of the various project phases as the scope becomes more refined. The first task order would be for definition of the preliminary engineering scope. This task will define the preliminary project elements that can be further developed for use in either a design-build or traditional (design-bid-build) project. The duration of the first task is expected to be approximately 30 days. The second task order will be development of the preliminary engineering documents. The duration of the second task is expected to be approximately 180 days.

Upon completion of the preliminary engineering, the Board will be asked to make a policy decision regarding the project delivery method. At that point, critical items as legal authority for delivery method, Department of Navy ROW, utility issues, further refinement of the cost estimates, and funding sources will be complete or further refined. Upon Board action on the delivery method, the third task order would be issued to continue project delivery.

The flow chart below depicts development of the preliminary engineering portion for Phase II:



---

Next Steps

Phase I

Provide monthly project updates and budget status reports to the Regional Highway and Planning Committee.

Phase II

Staff will return to the Board in late 2006 with a recommendation for award of a design contracts to begin preliminary engineering in January 2007. Updates will be provided to the Board concerning project delivery options with an eye toward a policy decision on delivery method in summer 2007.

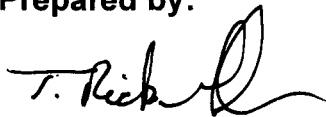
**Summary**

The Authority continues on schedule and budget to complete the first project in the State of California to be constructed on an active freeway using the innovative design-build delivery method. The improvements continue as preliminary engineering begins on the next phase of the SR-22 design-build project.

**Attachment**

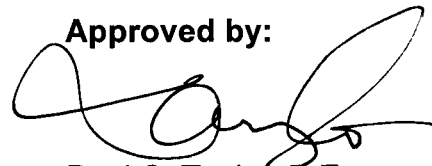
- A. Garden Grove Freeway (SR-22) HOV Lane Design-Build Project Change Order Forecast, August 21, 2006

**Prepared by:**



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

**Approved by:**



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

Garden Grove Freeway (SR-22) HOV Lane Design-Build Project

CHANGE ORDER FORECAST August 21, 2006

Approved Contingency = \$16,050,000

CCO Number	Description	Scope Change	CCO Amount	Funding Source			CCO Status	Board Status		Comments
				In-Scope (Contingency Funded)		Actual and Forecasted		Board Status	Date	
				Actual	Other					
1	Contract defined extra maintenance work. \$1,000,000 budgeted in project contingency for this anticipated, but unquantifiable work.		\$ 145,000	\$ 145,000	\$ -	\$ 145,000	Executed	N/A		Budgeted in project contingency for this anticipated, but unquantifiable work.
2	Contract defined extra maintenance work. \$1,000,000 budgeted in project contingency for this anticipated, but unquantifiable work.		\$ 855,000	\$ 855,000	\$ -	\$ 855,000	Executed	Approved	4/1/05	Budgeted in project contingency for this anticipated, but unquantifiable work.
3	Addition of enhanced project aesthetics including soundwall pilasters and landscaping removed during the BAFO process. (See Note #1)	✓	\$ 5,000,000		\$ -	\$ 5,000,000	Executed	Approved	5/9/05	Board added \$5M of landscaping removed during the BAFO process.
4	GMR to perform civil portion of SCE work near Yockey Street. SCE could not meet project schedule. Payments to GMR will be withheld from SCE.		\$ 21,500	\$ 21,500	\$ -	\$ 21,500	Executed	N/A		Work to be performed by utility company on time-and-materials basis. Work transferred to GMR to facilitate project schedule.
5	GMR to perform civil portion of SCE work near Lewis Channel. SCE could not meet project schedule. Payments to GMR will be withheld from SCE.		\$ 27,784	\$ 27,784	\$ -	\$ 27,784	Executed	N/A		Work to be performed by utility company on time-and-materials basis. Work transferred to GMR to facilitate project schedule.
6	Civil design work for SCE utility relocation at Dunklee Street.		\$ 143,098	\$ 143,098	\$ -	\$ 143,098	Executed	N/A		Work to be performed by utility company on time-and-materials basis. Work transferred to GMR to facilitate project schedule.
7	Civil design work for SBC utility relocation at Dunklee Street.		\$ 50,093	\$ 50,093	\$ -	\$ 50,093	Executed	N/A		Work to be performed by utility company on time-and-materials basis. Work transferred to GMR to facilitate project schedule.
8	Deductive Change Order for Caltrans provided ITS equipment. (See Note #2)		\$ (1,181,512)	\$ (1,181,512)	\$ -	\$ (1,181,512)	Executed	N/A		Caltrans to provide hardware. Caltrans cost estimated to be \$750k. Net savings to project of approximately \$400k.
9	Removal and placement of 66" storm sewer pipe adjacent to the County of Orange Animal shelter. (See Note 3)		\$ 1,197,462	\$ 1,197,462	\$ -	\$ 1,197,462	Executed	Approved	8/22/05	Unknown 66" storm drain line owned by County of Orange. Cost to be shared with County (approx 50% reimbursement).
10	Full Replacement of Magnolia Street bridge. Funding to be provided by Garden Grove 2005 TEA funds. (See Note 4)	✓	\$ 5,830,000	\$ -	\$ -	\$ 5,830,000	Pending	Approved	4/10/06	Garden Grove received earmark in TEA reauthorization and requested full reconstruction of Magnolia bridge as part of this project.
11	2004 Caltrans Design Standard Changes	✓	\$ 4,388,910	\$ -	\$ -	\$ 4,388,910	Executed	Approved	4/10/06	Caltrans mandated safety upgrades to all overhead sign structures.
12	Revisions to City Drive under SR-22	✓	\$ 1,047,767	\$ -	\$ -	\$ 1,047,767	Executed	Approved	4/10/06	Widening of City Drive under the SR-22 required to facilitate turning movements onto realigned Metropolitan Drive.
13	Relocation of Wall 163 due to reconfiguration of ramp.	✓	\$ 234,115	\$ -	\$ -	\$ 234,115	Executed	Approved	12/5/05	Additional wall height reduced R/W take at AmerisourceBergen property.
14	Third Lane on Tustin Ave	✓	\$ 146,890	\$ -	\$ -	\$ 146,890	Executed	Approved	4/10/06	City of Orange requested addition. CTFP Funded
15	Additional right turn lane at Town and Country	✓	\$ 213,114	\$ -	\$ -	\$ 213,114	Executed	Approved	4/10/06	Modifications required to add third lane at new signalized intersection.
16	Changes at Metropolitan	✓	\$ 1,200,222	\$ -	\$ -	\$ 1,200,222	Executed	Approved	4/10/06	Modifications to freeway ramps to facilitate 4th leg construction and wall required to reduce R/W take.
17	Additional EB through lane at Garden Grove Blvd	✓	\$ 572,286	\$ -	\$ -	\$ 572,286	Executed	Approved	4/10/06	City of Garden Grove requested betterment.
18	Documentation of existing route design exceptions		\$ -	\$ -	\$ -	\$ -	Deleted			Caltrans required documentation and approval of existing design conditions along freeway. Incorporated into CCO #11

**Garden Grove Freeway (SR-22) HOV Lane  
Design-Build Project**

**CHANGE ORDER FORECAST  
August 21, 2006**

Approved Contingency =  
\$16,050,000

CCO Number	Description	Scope Change	CCO Amount	Funding Source			CCO Status	Board Status		Comments
				In-Scope (Contingency Funded)		Measure M		Board Status	Date	
				Actual	Actual and Forecasted					
19	Thunderbird Sanitary Relocation		\$ 650,000	\$ -	\$ 650,000	\$ -		See Note 1	Unknown sanitary line conflict.	
20	ADA ramp reconstruction at ramps		\$ 125,000	\$ -	\$ 125,000	\$ -			Caltrans may require additional ADA ramp improvements at intersections adjacent to impacted areas.	
21	Rubberized AC along freeway (Euclid - Magnolia)	✓	\$ 2,500,000	\$ -	\$ -	\$ 2,500,000	Executed	Approved	4/10/06	Board directed scope change
22	Safety Barrier in lieu of metal rail	✓	\$ 142,411	\$ -	\$ -	\$ 142,411	Executed	Approved	4/10/06	Board directed scope change
23	Misc Soundwall and retaining additions	✓	\$ 2,500,000	\$ -	\$ -	\$ 2,500,000	Executed	Approved	4/10/06	Misc soundwalls added along the corridor. Some walls qualify as future reentrant candidates - more economical to construct now.
24	FEP for Caltrans	✓	\$ 299,602	\$ -	\$ -	\$ 299,602	Executed	Approved	4/10/06	Caltrans required upgrade to ITS system
25	Steel Escalation		\$ 5,500,000	\$ -	\$ 5,500,000	\$ -		See Note 2	Steel escalation clause added in contract to eliminate cost escalation in bid. Used as mechanism to reduce risk to bidders.	
26	AC price adjustment		\$ 1,000,000	\$ -	\$ 1,000,000	\$ -		See Note 2	AC price escalation clause added in contract to eliminate cost escalation in bid. Used as mechanism to reduce risk to bidders.	
27	Training / Apprenticeship		\$ 90,000	\$ -	\$ 90,000	\$ -		See Note 1	Contract requirement to reimburse contractor apprenticeship training expenses	
28	Shoulder width adjustment (2.4m to 3.0m)	✓	\$ 1,734,439	\$ -	\$ -	\$ 1,734,439	Executed	Approved	4/10/06	Caltrans required change to shoulder width created more asphalt and taller retaining walls
29	HOV Demonstration project	✓	\$ -	\$ -	\$ -	\$ -				Implementation of HOV demonstration project. Cost impact unknown.
30	Weather. Santa Ana river impacts		\$ 252,670	\$ 252,670	\$ -	\$ -	Executed	Approved	6/26/06	Winter rains of 2004 caused water releases in upstream dams into dry season. Cost is for clean-up and dewatering.
31	Weather. Additional SWPPP effort		\$ 300,000	\$ 300,000	\$ -	\$ -	Executed	Approved	6/26/06	Winter rains of 2004 created additional repair and replacement of storm water prevention items over and above reasonable and customary.
32	Utility schedule impacts and work arounds		\$ 4,491,515	\$ 4,491,515	\$ -	\$ -	Executed	Approved	6/26/06	Time impact to critical path of 14 days SCE delay for Trask Ave. Cost also accounts for additional GMR incurred costs for utility work arounds.
33	Conn 3 (Horseshoe)	✓	\$ 1,261,420	\$ -	\$ -	\$ 1,261,420	Executed	Approved	4/10/06	Caltrans and FHWA required replacement of the bridge connecting E/B SR-22 to N/B SR-57 in lieu of widening.
34	Seismic Design Change Requirements	✓	\$ 22,745,851			\$ 22,745,851	Executed	Approved	4/10/06	Resolution of project related cost and schedule through the Board date of April 10, 2006.
35	No Cost Settlement of Outstanding Project Issues through April 10, 2006		\$ -	\$ -	\$ -	\$ -	Executed	N/A		Additional road widening to accommodate "4th leg" at Metropolitan. Most of work accounted for in CCO #16.
36	Added thru lane for future 4th leg at Metropolitan Dr.		\$ 64,054	\$ 64,054	\$ -	\$ -	Executed	N/A		

# Garden Grove Freeway (SR-22) HOV Lane Design-Build Project

## CHANGE ORDER FORECAST August 21, 2006

Approved Contingency =  
\$16,050,000

CCO Number	Description	Scope Change	CCO Amount	Funding Source				CCO Status	Board Status		Comments
				In-Scope (Contingency Funded)		Scope Additions			Board Status	Date	
				Actual	Actual and Forecasted	Other	Measure M				
	<b>Totals =</b>		<b>\$ 63,548,691</b>	<b>\$ 6,366,664</b>	<b>\$ 13,731,664</b>	<b>\$ 11,749,176</b>	<b>\$ 38,067,851</b>				

Notes: 1) Anticipated Board date in +/- next 60 days  
2) Anticipated Board date near end of project

Approved Project Contingency = \$ 16,050,000 (Original Board Approved Const. Contingency)  
 Forecasted Total Contingency Changes = \$ 13,132,933 (Column "C" less 50% County reimbursement for CCO #9)  
 Forecasted Contingency Balance = \$ 2,917,067 -18.17%

Approved Additional Budget for Scope Additions = \$ 50,871,645 (Board Approved on April 10, 2006)  
 Forecasted Additional Budget Expended = \$ 49,817,027 (Total Columns "D" + "E")  
 Net change = \$ 1,054,618 -2.07%

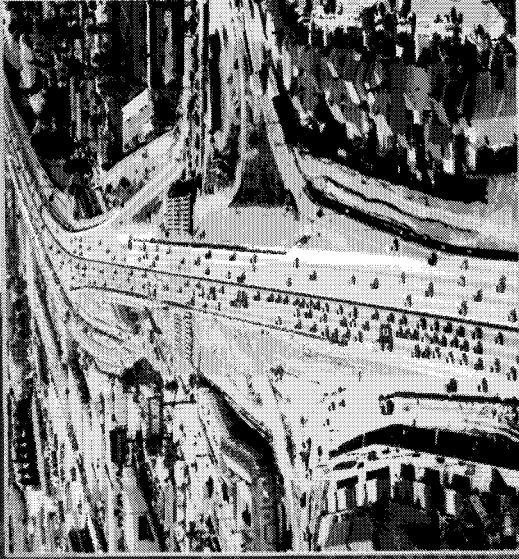
Initial Contract Value = \$ 390,379,000  
 Total Executed CCO's To-Date = \$ 50,353,691  
 Current Contract Value = \$ 440,732,691  
 Forecasted Final Contract = \$ 453,927,691 (Initial Contract + "A")

Note: Values in column "A" are final CCO amounts if "CCO Status" is listed as "Executed". If CCO is not executed the number is an estimated value.

OCTA Board of Directors

# Garden Grove Freeway (SR-22) Improvement Project

August 28, 2006



**Team 22**



# Let the Work Continue

Measure M widening the 22 freeway

Your half



Today is Day 706  
88% Complete

**Team 22**

**94 Days Left !!**

# ON SCHEDULE !!

Measure M widening the 22 freeway

Your half



Today is Day 706  
88% Complete

**Team 22**

**94 Days Left !!**

# Project Improvements

- High Occupancy Vehicle (HOV) lane in each direction
- Auxiliary lanes between various interchanges
- Continuous Aux lane between City Dr and Beach Blvd
- Separate structure from SR-57 connector W/B SR-22
- A collector-distributor road on E/B SR-22 at City Drive
- Various interchange improvements, construction of additional soundwalls, replacement planting, and aesthetic enhancements.

# Project Details

- 35 bridges to widen, build or replace
- 88 retaining walls (640,000 SF)
- Import 700,000 tons select backfill
- 310,000 cubic yards (cy) of Concrete Pavement
- 60,000 linear feet (lf) new drainage pipe/culverts
- 170,000 tons new asphalt pavement

# Funding Breakdown

Measure M	\$244.6 M
State	\$180.0 M
Federal	\$106.3 M
Cities	\$ 18.7 M
Total	\$549.6 M

Measure M  
45%

TCRP  
33%

Cities  
3%

Federal  
19%

**Team 22**

# Project Status

- On schedule and budget
- Design 99% complete
- Major utility relocations complete
- Over 750 hardhats on project
- Over 2.2 million field manhours to date
- 35 bridges in construction (21 complete)
- On-going ramp reconstruction
- Extensive public outreach continues

# Const. Contract Summary

Initial Contract	\$ 390,379,000
To Date Executed Changes	
Contingency	\$ 6,366,664
Scope Additions	\$ 43,987,027
Contract Value to Date	\$ 440,732,691
Forecasted Contract Value	\$ 454,000,000
Approved Const Budget	\$ 458,700,645

# Project Challenges

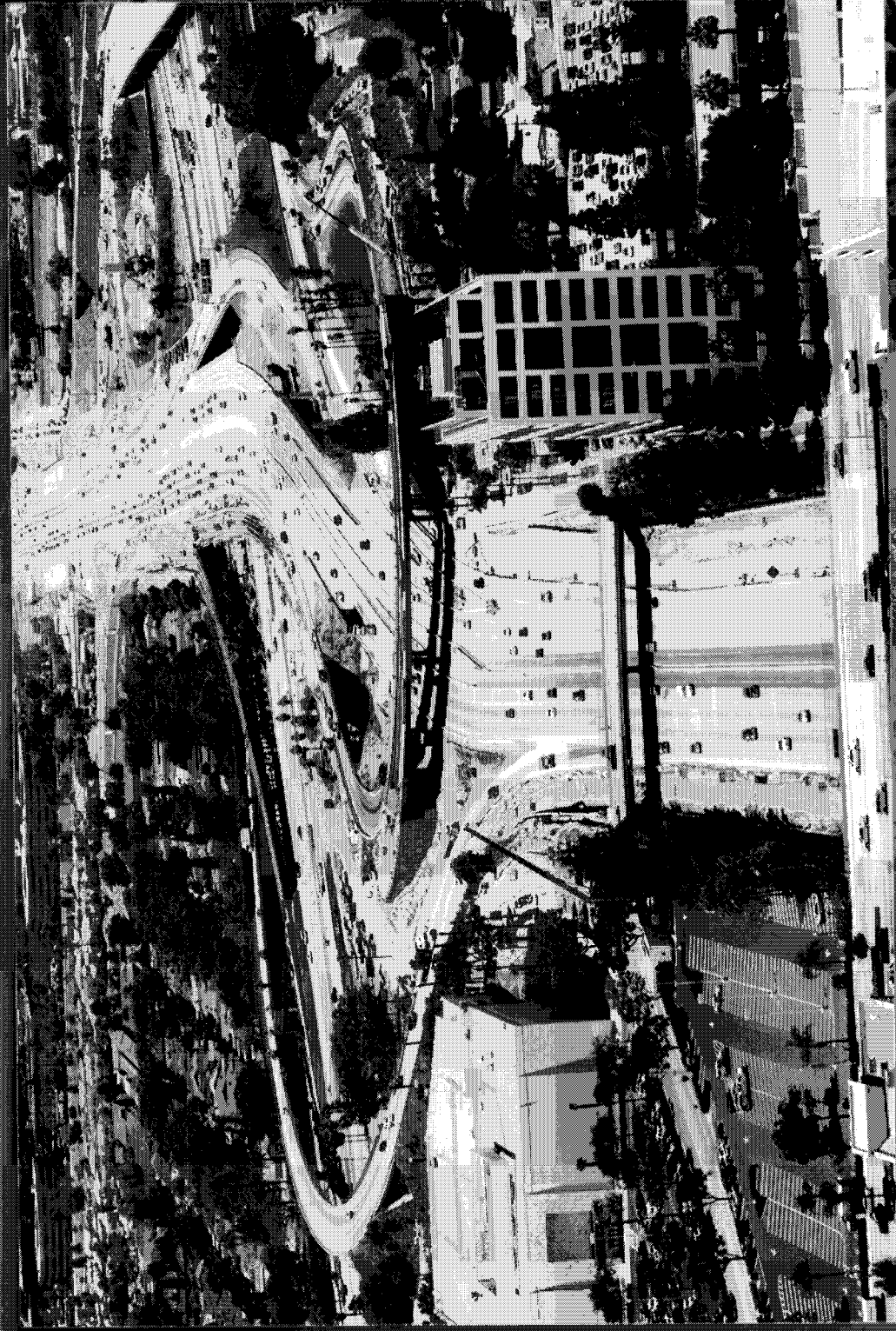
- 1st Design-Build (D/B) on an active freeway
- Minimize disruptions
- D/B Process – roles and responsibilities
- Many different agencies
- Project pace
- Weather / Additional project improvements
- Construction resources
- Design-Build promotes flexibility



# Project Successes

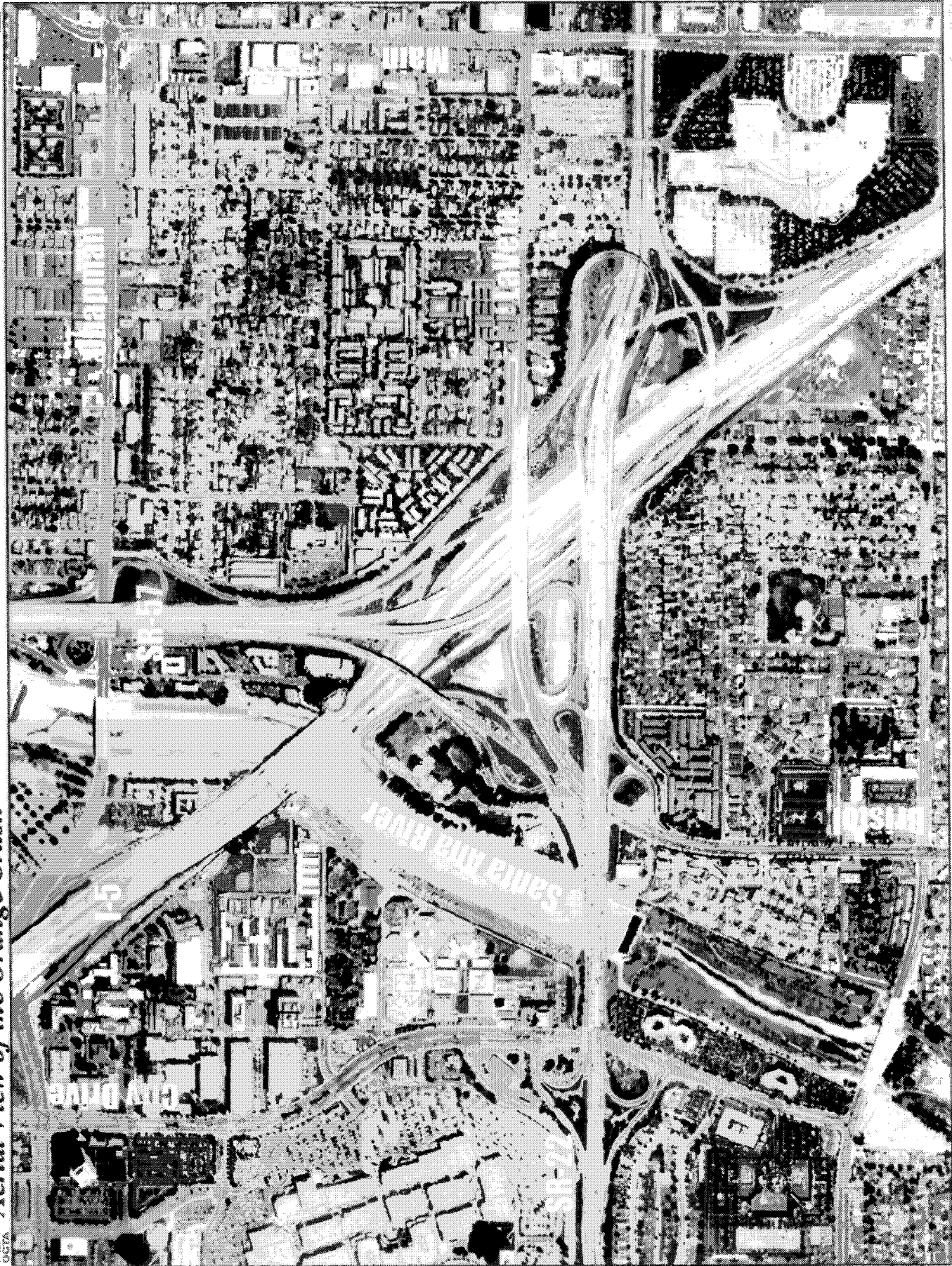
- Incorporation of major scope changes and still on schedule
- All claims resolved to date
- Project quality
- Ramp closures – minimize disruptions
- Teamwork
- Individual job satisfaction
- Community outreach

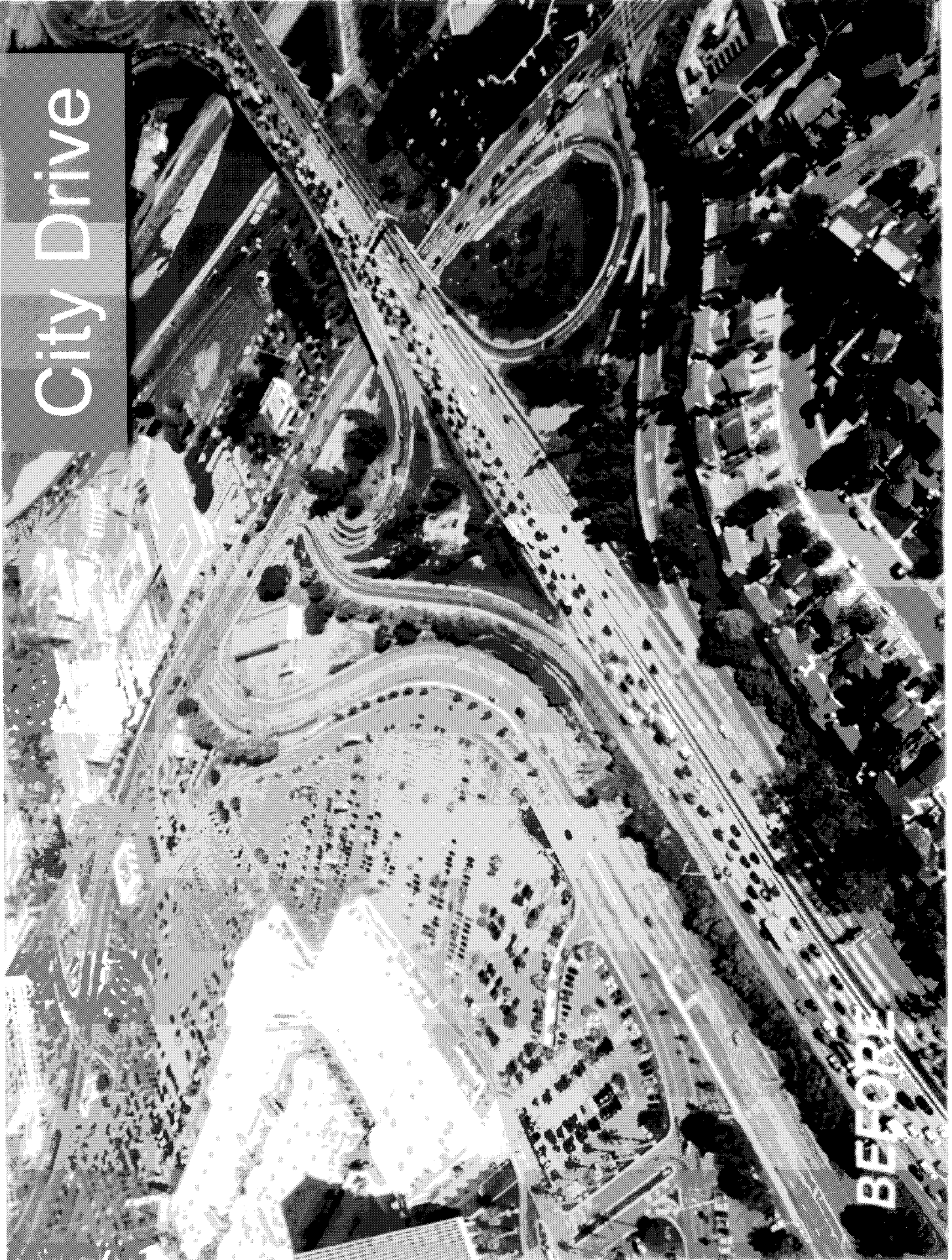
# “Horseshoe” Connector



**Team 22**

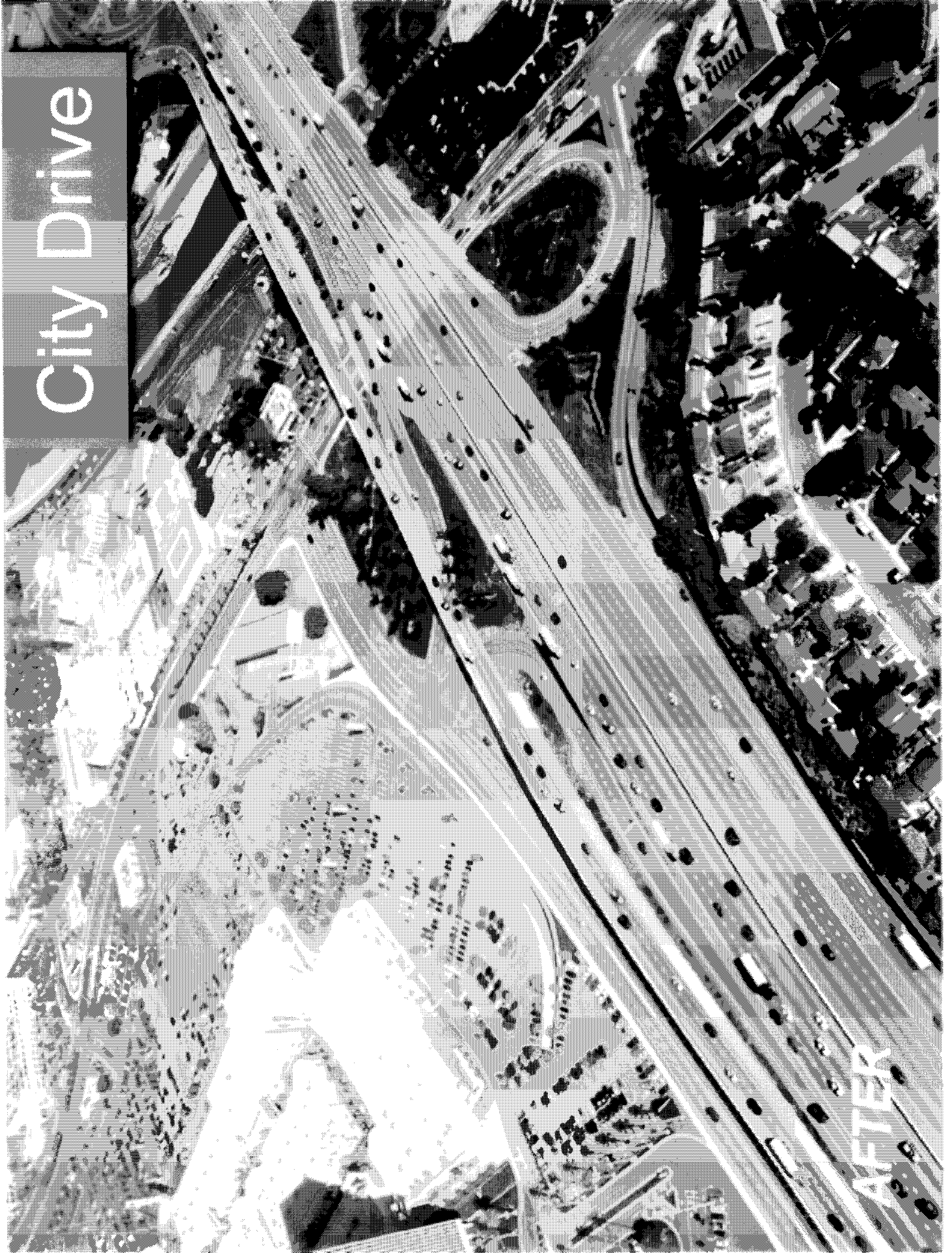
**CGTA** *Aerial View of the Orange Crush*





# City Drive

BEFORE



# City Drive

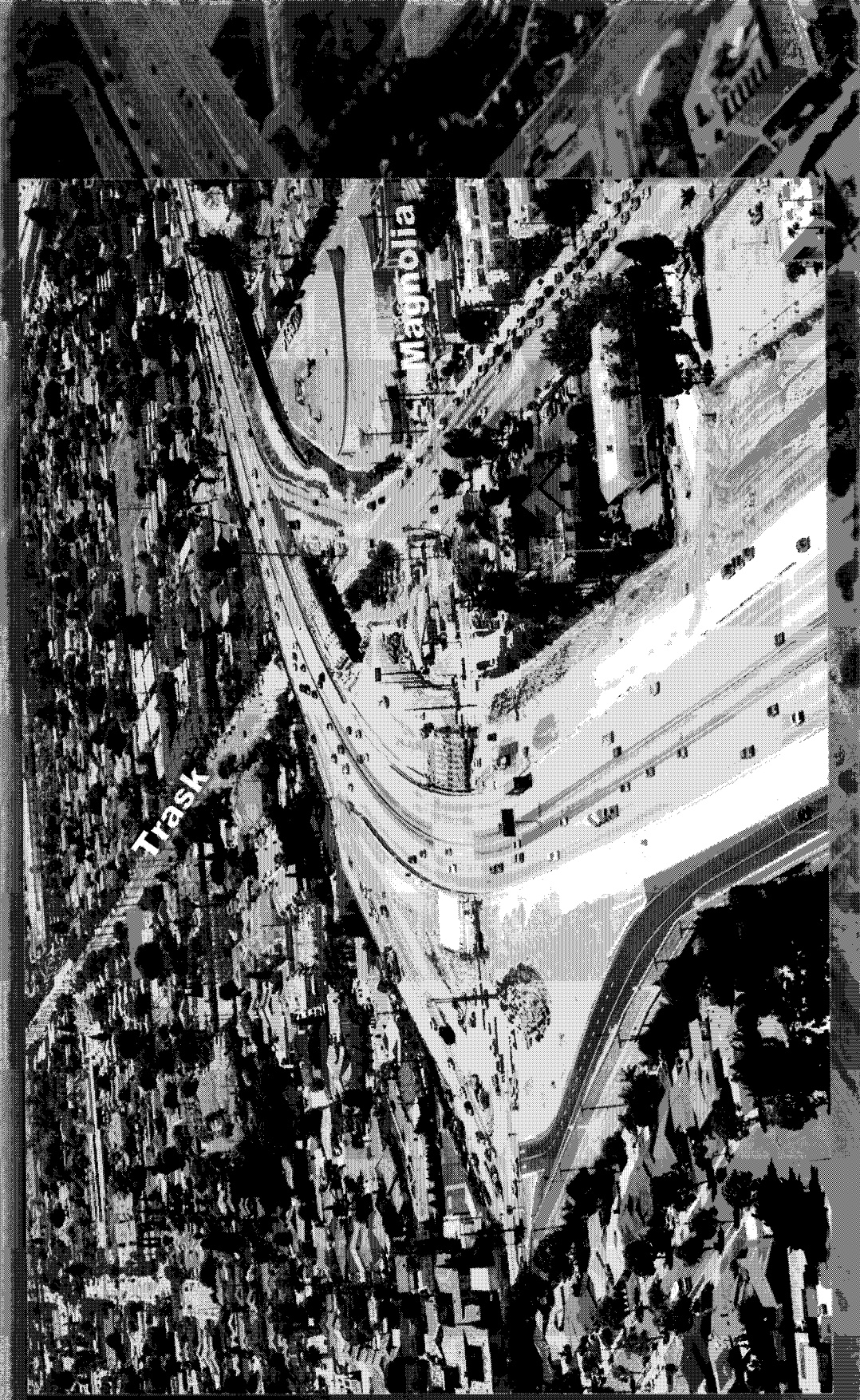
AFTER

# City Drive Reconfiguration



**Team 22**

# Magnolia Street



**Team 22**

# Project Terminus



Now, what??

**Team 22**



# Phase II Implementation

## Construction Options

- Design/Build - Best Value
- Design/Build - Low Bid
- Traditional (Design / Bid / Build)

# Phase II Implementation

## Delivery Method Considerations

- Legislative Authority
- Potential Project Schedule Constraints
  - Navy Right-of-Way
  - Gas Line Relocations

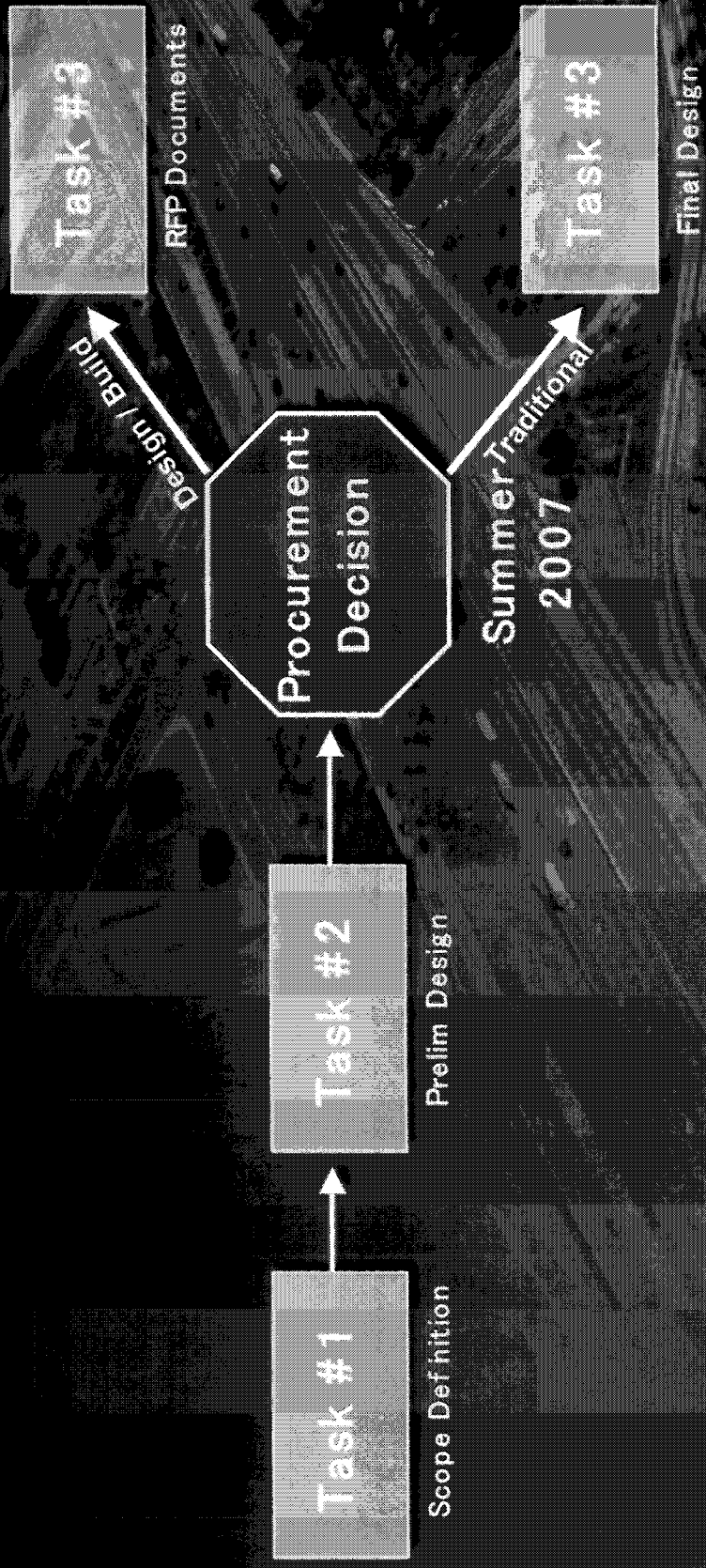
# Phase II Implementation

Procurement  
Decision

Summer  
2007

**Team 22**

# Phase II Implementation



Start 30 Days 180 Days Timeline

# Phase II Implementation



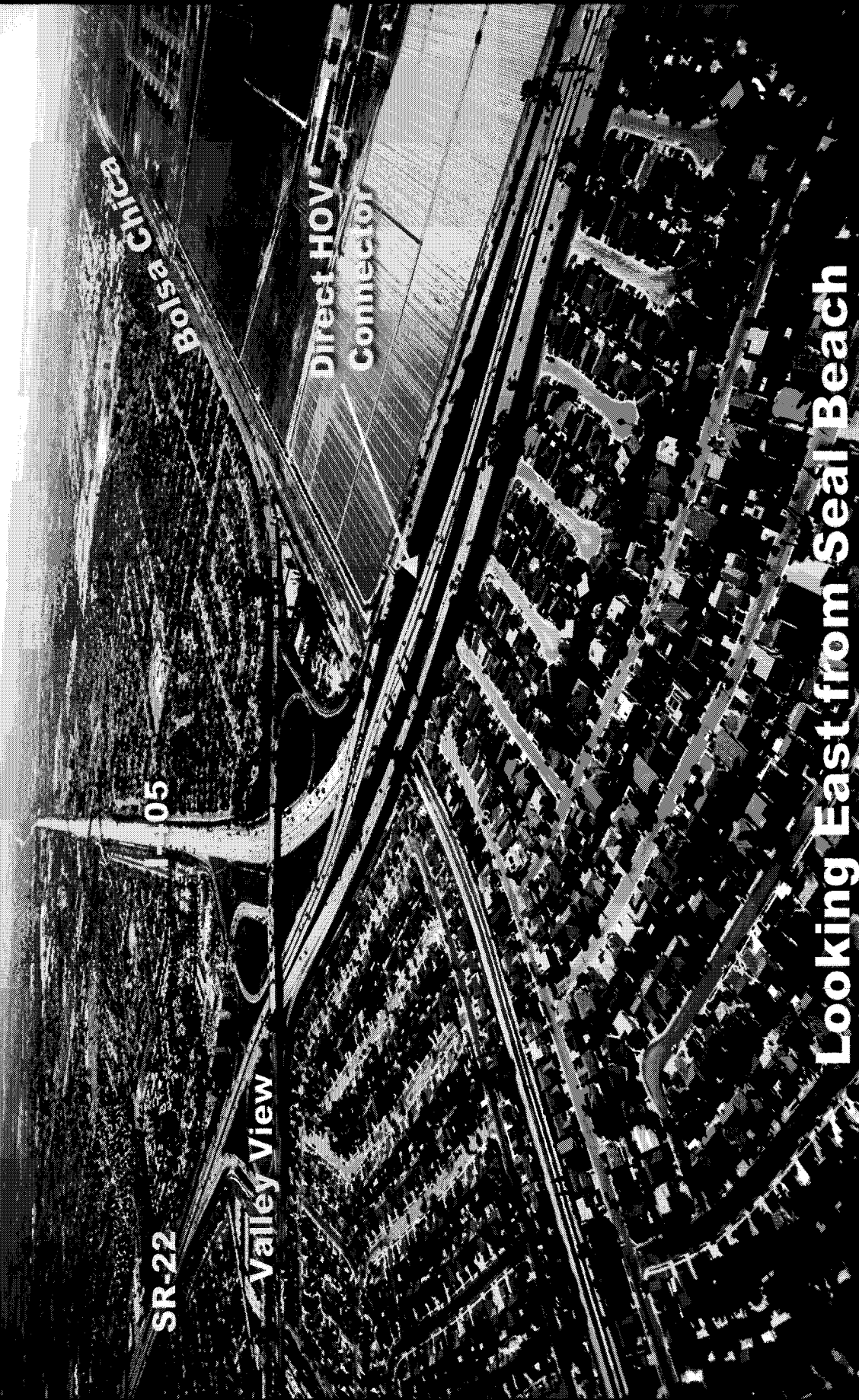
Note: Dates are Preliminary

# Phase II Implementation

## Design Development

- One RFP / Two design segments for preliminary engineering
- Provides Competition - both during procurement and project design
- One consultant could be selected for both segments
- Provides future flexibility for design/build or traditional
- No segment overlap - equal segments

# SR-22 / I-405 Connector



Looking East from Seal Beach

# SR-22 / I-605 Connector

Direct HOV  
Connector

7th Street Bridge

I-405

Looking West from Seal Beach



# Phase II Implementation

## Next Steps

- Release Design RFP August 06
- Award Design Contract November 06
- Begin Preliminary Engineering January 07
- Continue Delivery Dialogue On-going
- Choose Const Delivery Method Summer 07



BOARD COMMITTEE TRANSMITTAL



*August 22, 2006*

**To:** Members of the Board of Directors  
**From:** <sup>WK</sup> Wendy Knowles, Clerk of the Board  
**Subject:** Final Report on Public Hearing – Bus Service Improvements

This item will be considered by the Transit Planning and Operations Committee on August 24, 2006. Following Committee consideration of this matter, staff will provide you with a summary of the discussion and action taken by the Committee.

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



**August 24, 2006**

**To:** Transit Planning and Operations Committee  
**From:** Arthur T. Leahy, Chief Executive Officer  
**Subject:** Final Report on Public Hearing - Bus Service Improvements

**Overview**

On August 14, 2006, the Board of Directors conducted a public hearing to receive public input and comment on proposed bus service improvements for calendar year 2006. This report summarizes the comments received and presents staff's analysis of suggestions submitted through the public hearing process. Based on this analysis, revisions to two route specific proposals have been prepared. The revised program would require approximately 25,200 annual revenue vehicle hours, at a cost of approximately \$1.4 million and is estimated to generate up to 473,000 additional annual boardings.

**Recommendations**

- A. Approve staff's proposals for the special event service operated to the Orange County Fair via new Route 633 (Fullerton Park-and- Ride to Orange County Fair), Route 670 (Goldenwest Transportation Center to Orange County Fair), and Route 691 (Junipero Serra Park-and-Ride to Orange County Fair), and direct staff to work with the Orange County Fair to develop a comprehensive service marketing plan for the 2007 Fair season.
- B. Approve staff's proposals to make permanent Route 686 (Irvine Transportation Center to Irvine Spectrum Stationlink Shuttle) operating on weekends; implement new Route 693 (San Clemente to Talega Shuttle) in December 2006; make permanent Route 758 (Chino to Irvine Spectrum Express); and implement new Route 794/A (Riverside/Corona to South Coast Metro Express) in September 2006.
- C. Approve staff's recommendation to modify the original proposal for Route 82 (Foothill Ranch to Mission Viejo) to include an alternate Route 82A providing peak-hour weekday service to the Laguna Niguel/Mission

Viejo Metrolink Station starting September 2006 at an additional annual cost of approximately \$204,000.

- D. Approve staff's recommendation to modify the original proposal for Route 757 (Pomona to Santa Ana Express) to incorporate a route modification to serve the Anaheim Stadium Metrolink Station on Katella Avenue.
- E. Approve introductory fares of \$1.25 for Routes 757 and 758, and \$2.50 for Route 794/A.
- F. Direct staff to review the existing express bus network and develop recommendations to improve customer satisfaction and service efficiency.

### ***Background***

On August 14, 2006, the Orange County Transportation Authority (Authority) Board of Directors conducted a public hearing to receive public input and comments regarding service proposals involving seven new bus routes and modifications to two existing bus routes to be implemented in 2006.

The proposals were geared to improve local and regional connections and to increase transit ridership. Collectively, they were estimated to add approximately 22,300 annual revenue vehicle hours of service, at a cost of approximately \$1.2 million.

### ***Discussion***

During the public review period, the Authority received comments from six individuals regarding the proposals to modify Route 82 (Foothill Ranch to Mission Viejo), to implement new Route 693 (San Clemente to Talega Shuttle), and continue the operation of the special bus service to the Orange County Fair. Of the six respondents, one expressed support for the staff proposal for Route 82; one suggested that the Route 82 proposal be modified to serve the Laguna Niguel/Mission Viejo Metrolink Station; one expressed support for the proposal to continue service to the Orange County Fair; and three expressed support for proposed Route 693.

During the hearing, two representatives of the City of Irvine expressed support for both Route 686 (Irvine Transportation Center to Irvine Spectrum Metrolink Shuttle) and Route 758 (Chino to Irvine Spectrum Express).

Additionally, members of the Board of Directors also expressed support for an extension of Route 82 to the Laguna Niguel/Mission Viejo Metrolink Station, and requested that staff consider a modification to Route 757 to serve the Anaheim Stadium Metrolink Station and evaluate the feasibility of modifying Route 794/A to serve the Anaheim Canyon Metrolink Station. Finally, the Board of Directors requested that staff work closely with Orange County Fair personnel and develop comprehensive marketing materials promoting the use of transit service to the Orange County Fair for the 2007 Fair season.

Based on further analysis of the input received, staff is recommending modifications to the original proposals for Routes 82 and 757 in order to serve the Laguna Niguel/Mission Viejo Metrolink Station and the Anaheim Stadium Metrolink Station, respectively. These changes would increase the estimated annual operating cost by approximately \$200,000 to about \$1.4 million.

Staff investigated the feasibility of modifying Route 794/A to serve the Anaheim Canyon Metrolink Station but does not recommend doing so. Route 794/A is designed to use the 91 Toll Road. The freeway exits that have to be used to reach the station requires considerable out-of-direction travel distance and associated travel time compared to the proposed routing.

In addition, staff is recommending that the express bus program be reviewed and recommendations developed that would improve customer satisfaction and service performance.

Maps of the bus routes included in the hearing, including the modifications to staff's original proposals for Routes 82 and 757, are shown in Attachment A.

### ***Summary***

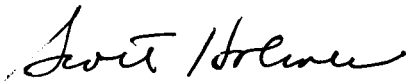
On August 14, 2006, the Authority's Board of Directors conducted a public hearing regarding bus service improvements proposed to be implemented in 2006. The proposals involved nine new or modified Authority bus routes.

Based on public comment and input from the Board of Directors received through the public hearing process, staff is recommending revisions to the original proposals involving Authority bus Routes 82 and 757. In addition, staff requests Board direction to further review the Authority's express bus network to identify improvements that may be made to improve customer satisfaction and service efficiency.

**Attachment**

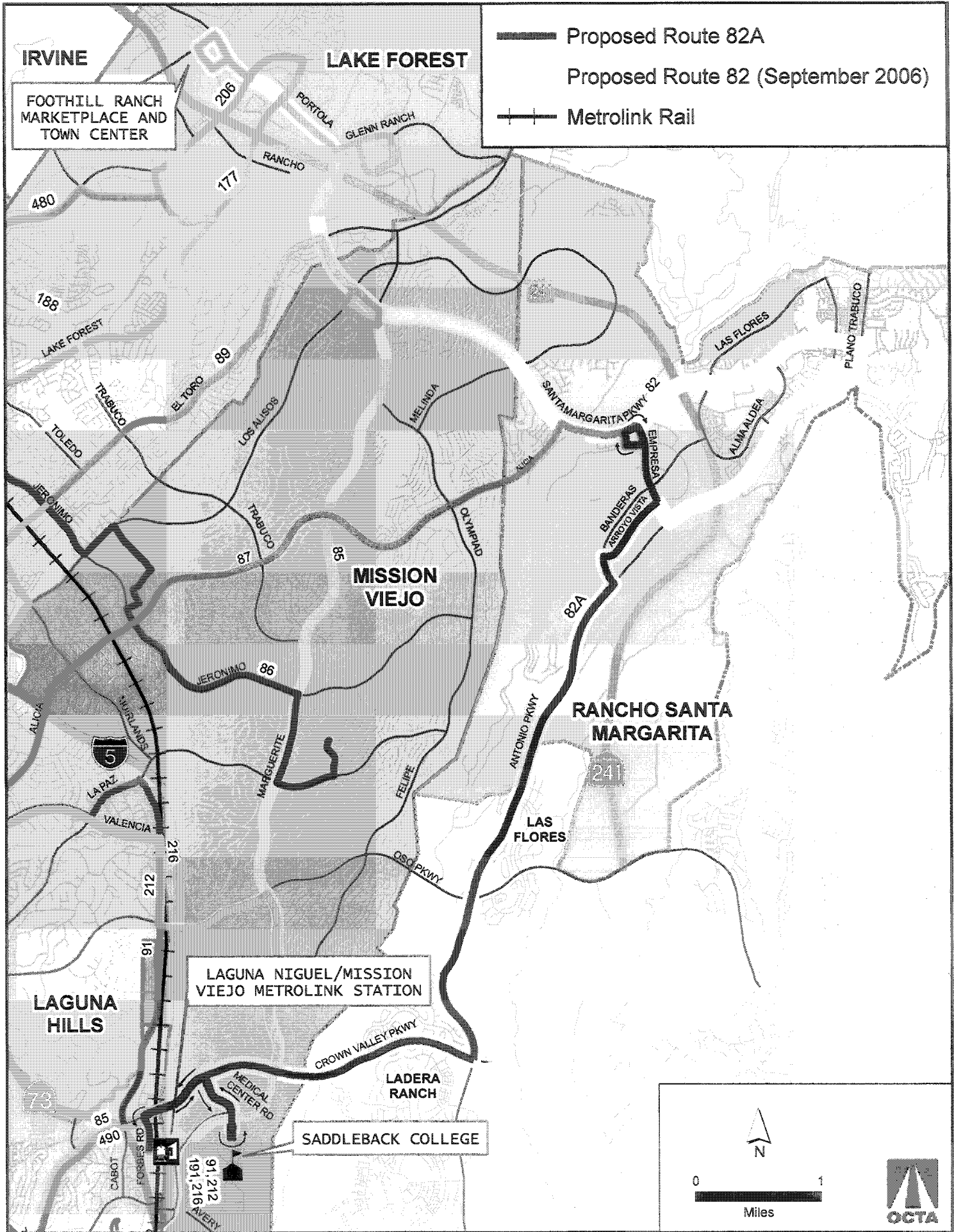
- A. Maps of Recommended Service Changes

**Prepared by:**

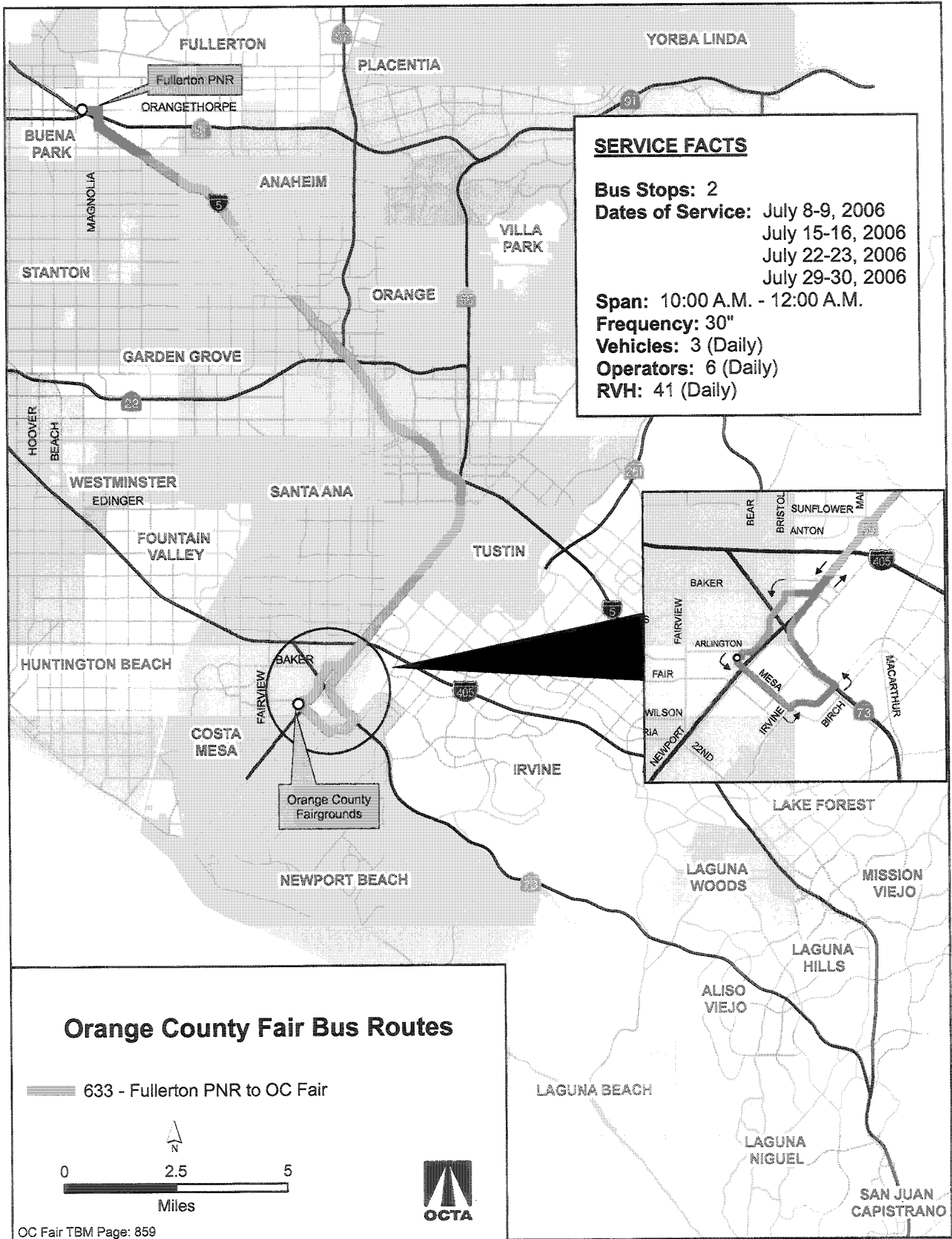
  
Scott Holmes  
Manager, Service Planning and  
Customer Advocacy  
(714) 560-5710

**Approved by:**

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







**SERVICE FACTS**

**Bus Stops:** 2

**Dates of Service:** July 8-9, 2006  
 July 15-16, 2006  
 July 22-23, 2006  
 July 29-30, 2006

**Span:** 10:00 A.M. - 12:00 A.M.

**Frequency:** 30"

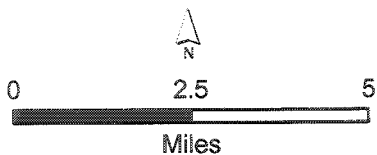
**Vehicles:** 3 (Daily)

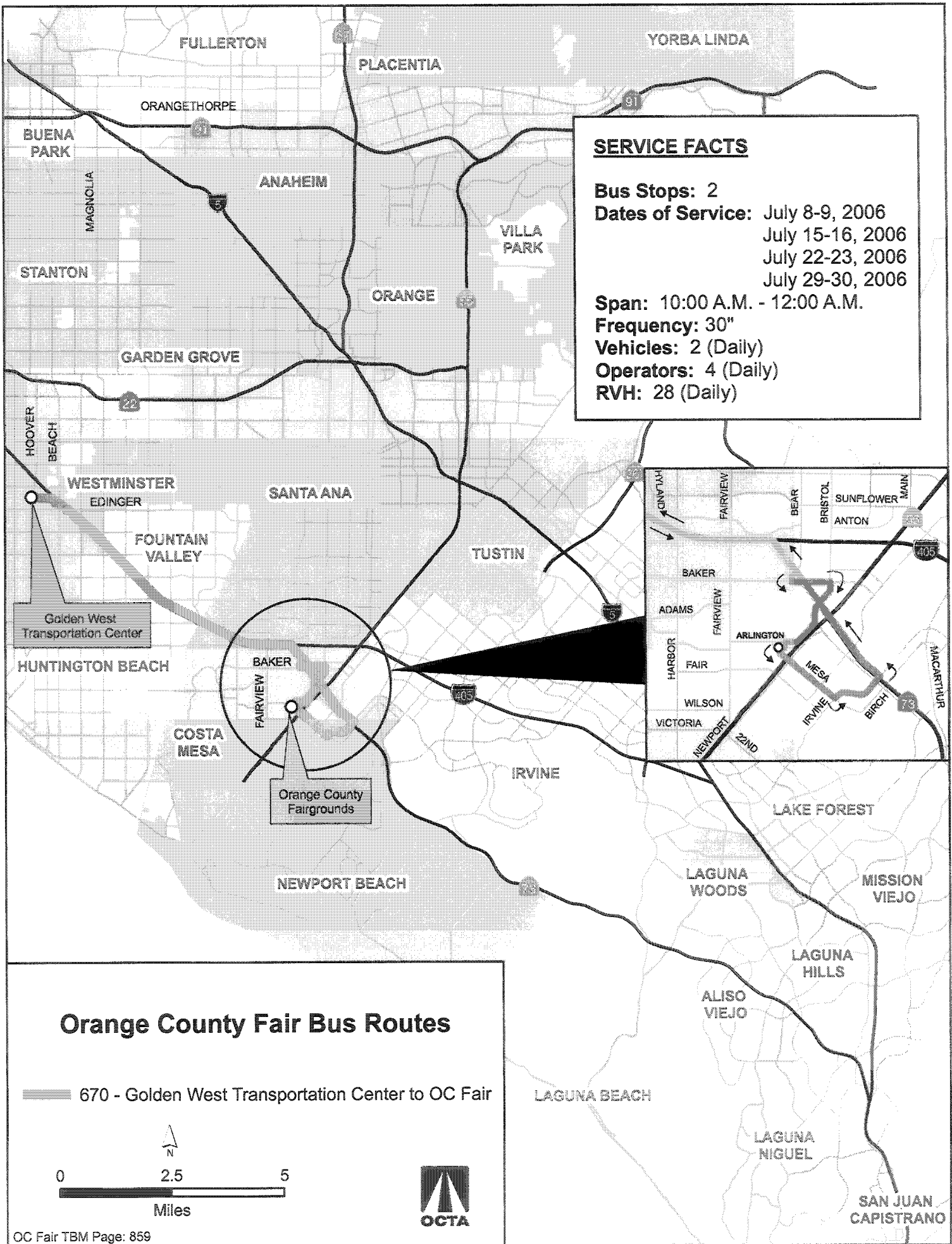
**Operators:** 6 (Daily)

**RVH:** 41 (Daily)

### Orange County Fair Bus Routes

633 - Fullerton PNR to OC Fair





**SERVICE FACTS**

**Bus Stops:** 2

**Dates of Service:** July 8-9, 2006  
 July 15-16, 2006  
 July 22-23, 2006  
 July 29-30, 2006

**Span:** 10:00 A.M. - 12:00 A.M.

**Frequency:** 30"

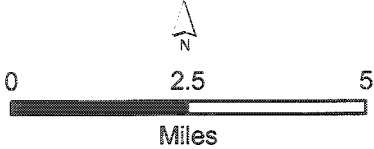
**Vehicles:** 2 (Daily)

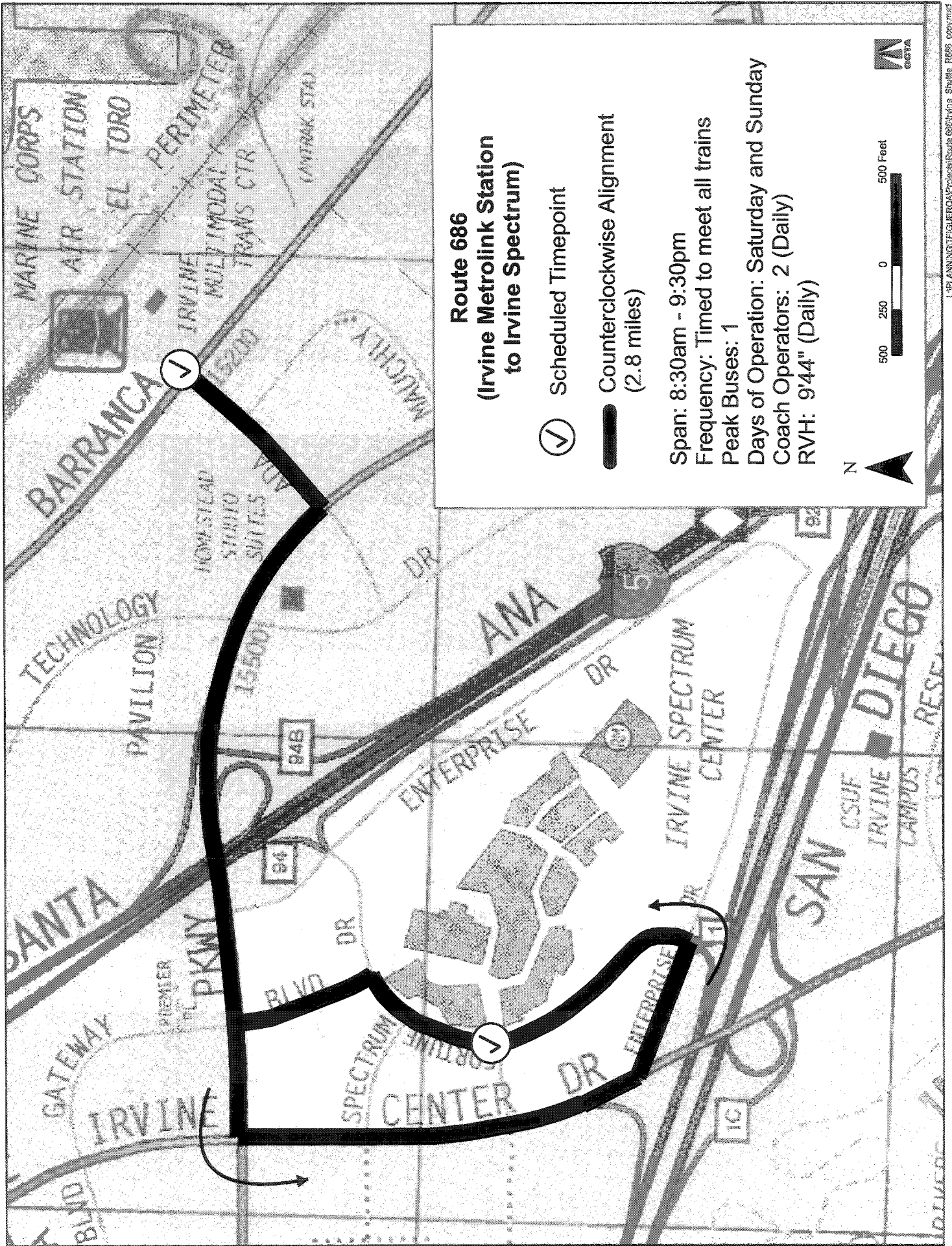
**Operators:** 4 (Daily)

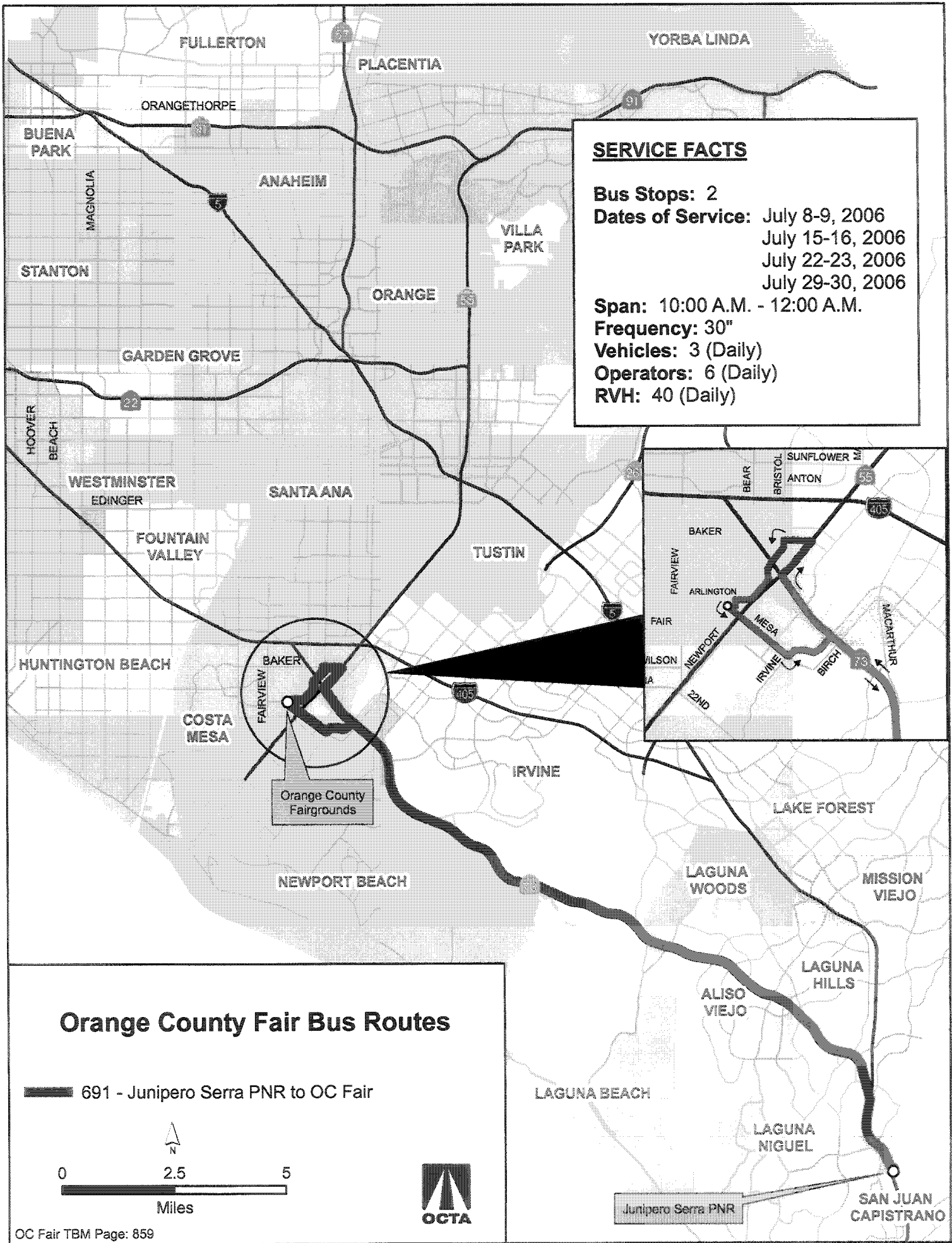
**RVH:** 28 (Daily)

**Orange County Fair Bus Routes**

670 - Golden West Transportation Center to OC Fair







**SERVICE FACTS**

**Bus Stops:** 2

**Dates of Service:** July 8-9, 2006  
 July 15-16, 2006  
 July 22-23, 2006  
 July 29-30, 2006

**Span:** 10:00 A.M. - 12:00 A.M.

**Frequency:** 30"

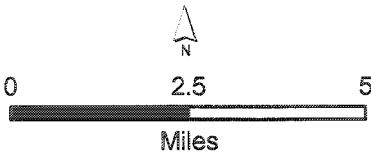
**Vehicles:** 3 (Daily)

**Operators:** 6 (Daily)

**RVH:** 40 (Daily)

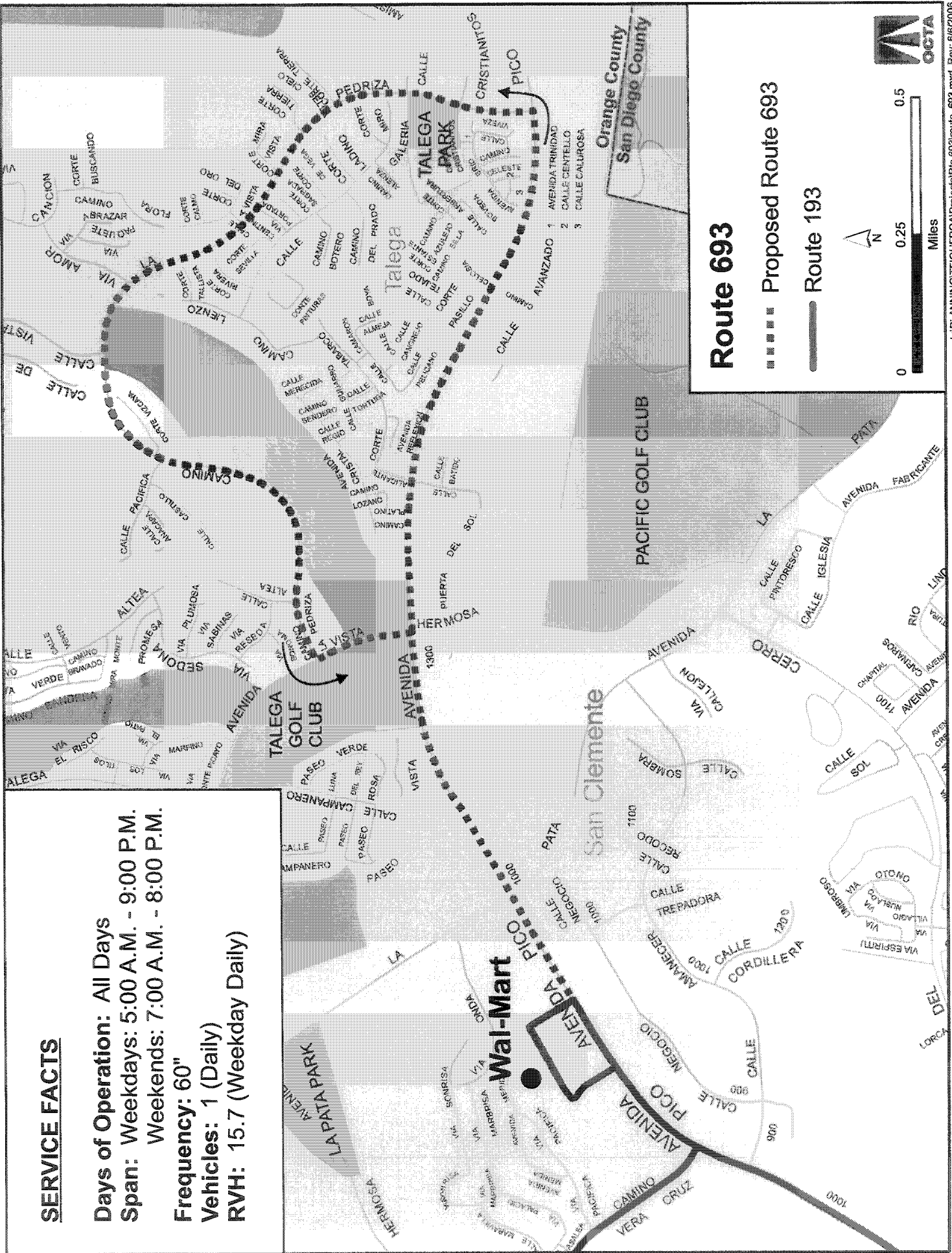
### Orange County Fair Bus Routes

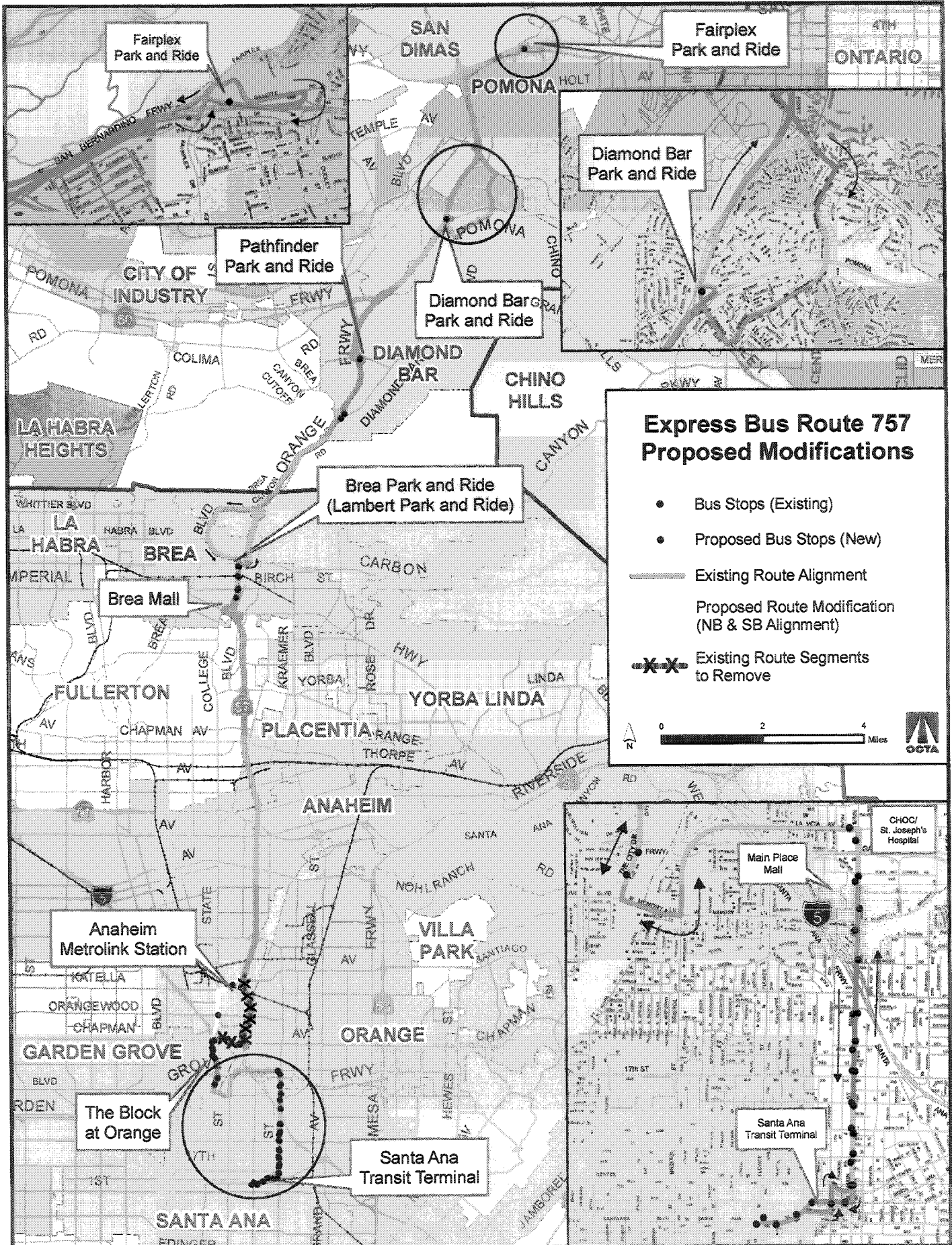
691 - Junipero Serra PNR to OC Fair

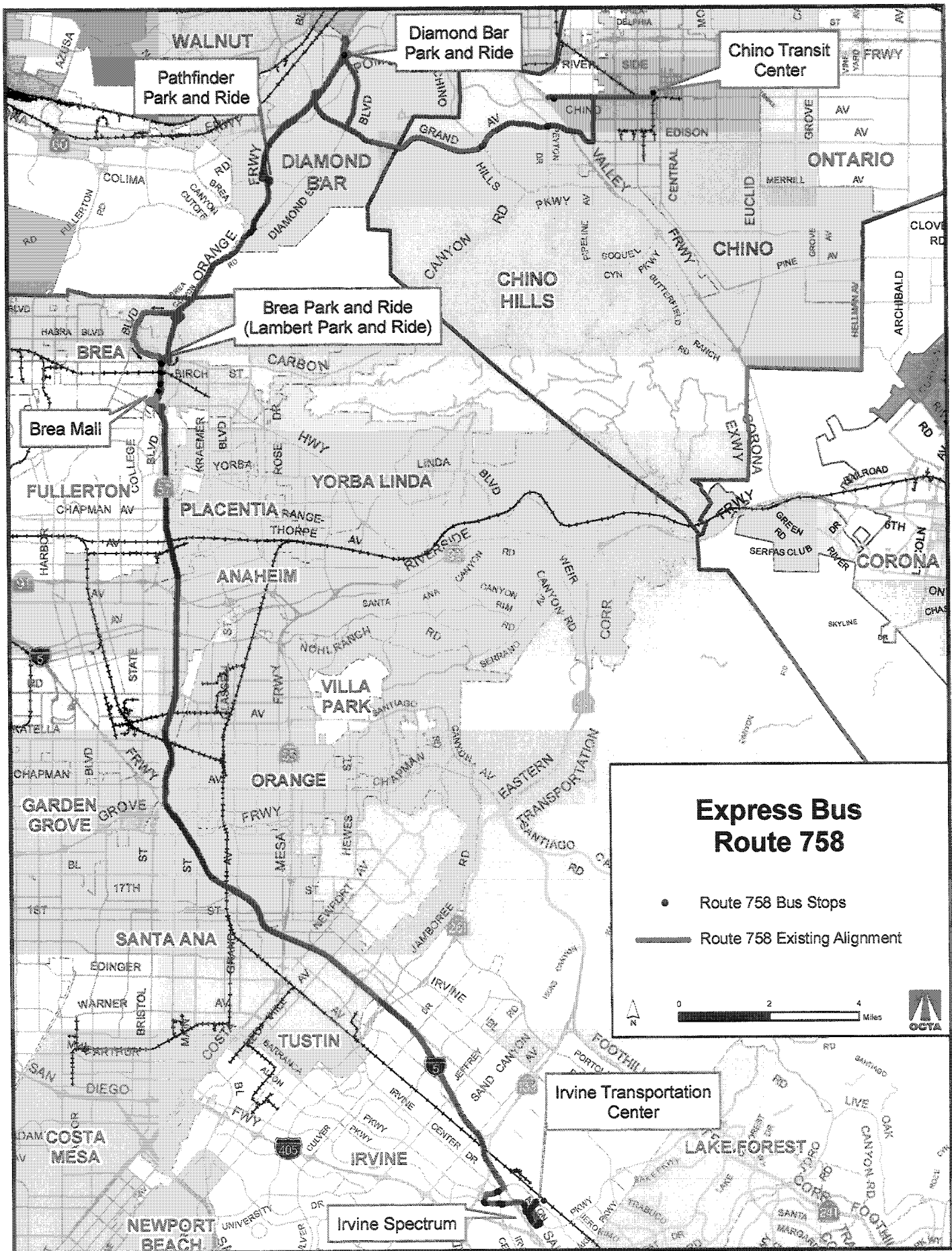


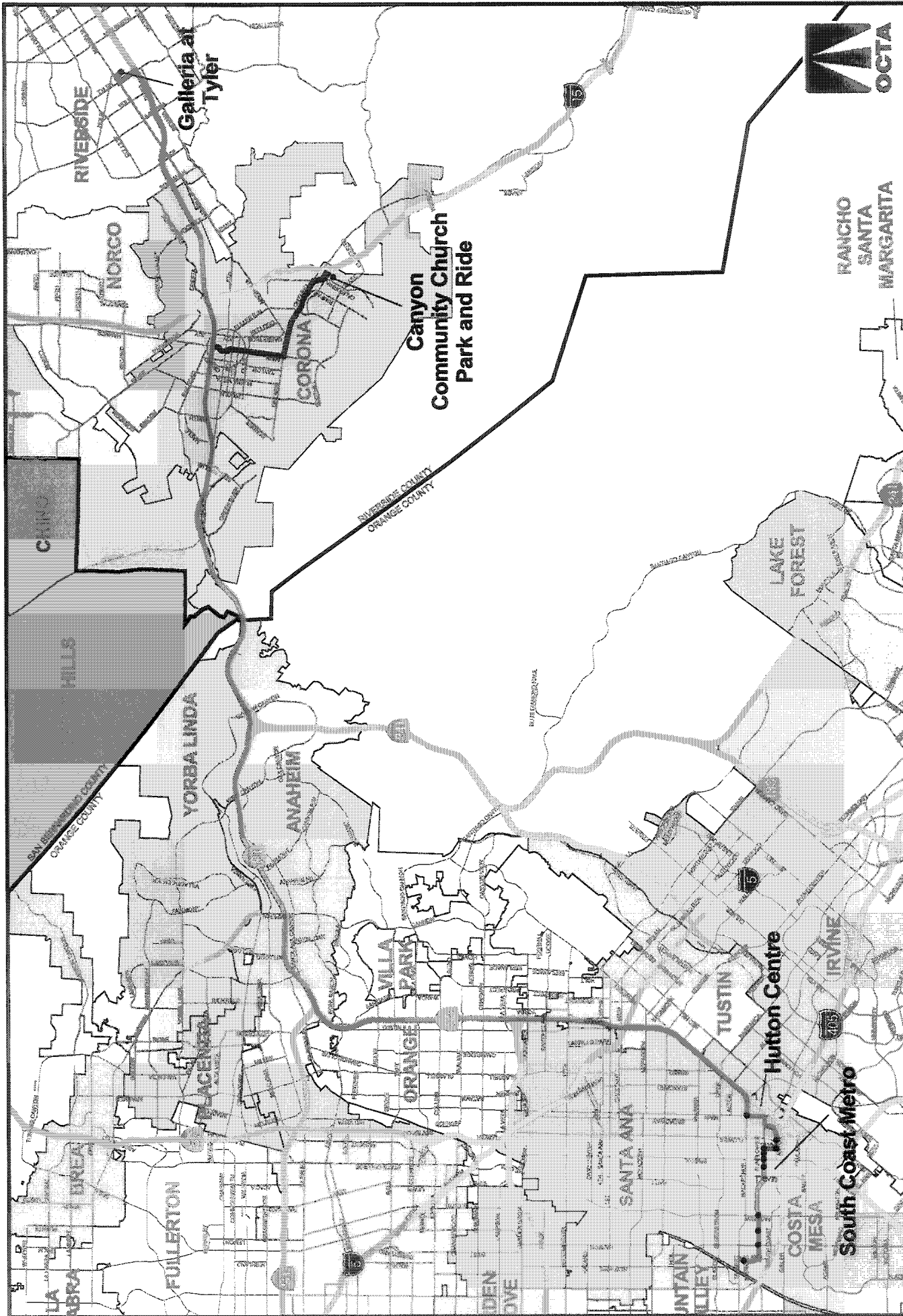
**SERVICE FACTS**

**Days of Operation:** All Days  
**Span:** Weekdays: 5:00 A.M. - 9:00 P.M.  
 Weekends: 7:00 A.M. - 8:00 P.M.  
**Frequency:** 60"  
**Vehicles:** 1 (Daily)  
**RVH:** 15.7 (Weekday Daily)









- Bus Stops (Existing)
- Proposed Bus Stops (New)
- 794 Riverside to South Coast Metro
- 794A Corona to South Coast Metro

## Proposed Express Bus Route 794/794A

