



ORANGE COUNTY TRANSPORTATION AUTHORITY

**Cooperative Agreements with the Cities of Costa Mesa,
Fountain Valley, Huntington Beach, and Westminster for
the Interstate 405 Improvement Project**

Staff Report



March 7, 2016

To: Regional Planning and Highways Committee

From: Darrell Johnson, Chief Executive Officer

Subject: Cooperative Agreements with the Cities of Costa Mesa, Fountain Valley, Huntington Beach, and Westminster for the Interstate 405 Improvement Project

Overview

The Orange County Transportation Authority proposes to enter into cooperative agreements with the cities of Costa Mesa, Fountain Valley, Huntington Beach, and Westminster, for city services required during design-build implementation of the Interstate 405 Improvement Project.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-5-3612 between the Orange County Transportation Authority and the City of Costa Mesa, in the amount of \$344,900, for city services required during design-build implementation of the Interstate 405 Improvement Project.
- B. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-5-3613 between the Orange County Transportation Authority and the City of Fountain Valley, in the amount of \$975,700, for city services required during design-build implementation of the Interstate 405 Improvement Project.
- C. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-5-3614 between the Orange County Transportation Authority and the City of Huntington Beach, in the amount of \$596,200, for city services required during design-build implementation of the Interstate 405 Improvement Project.

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- D. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-5-3615 between the Orange County Transportation Authority and the City of Westminster, in the amount of \$1,200,000, for city services required during design-build implementation of the Interstate 405 Improvement Project.

Discussion

The Orange County Transportation Authority (OCTA), in cooperation with the California Department of Transportation and the cities of Costa Mesa, Fountain Valley, Huntington Beach, and Westminster, is implementing the Interstate 405 (I-405) Improvement Project between State Route 73 (SR-73) and Interstate 605 (I-605) (Project). The Project will add one general purpose lane from Euclid Street to I-605, consistent with Measure M2 (M2) Project K, and will add an additional lane in each direction that would combine with the existing high-occupancy vehicle lane to provide dual express lanes in each direction on I-405 from SR-73 to I-605. The Project includes improvements to city-owned and operated streets, and traffic facilities impacted by the Project. OCTA will use a design-build (DB) delivery method for the procurement, design, and construction of the Project, and shall procure a DB contractor (Contractor).

A cooperative agreement with each of the I-405 corridor cities is necessary to define the roles and responsibilities of each agency during the Project's implementation. OCTA continues to meet with each city to discuss the impacts to city facilities during the design and construction of the Project. OCTA and the corridor cities of Costa Mesa, Fountain Valley, Huntington Beach, and Westminster (Cities) have mutually agreed to specific terms, conditions, and funding responsibilities for city facilities affected by the Project. The proposed cooperative agreements are very similar in nature. The proposed reimbursement to each respective corridor city includes costs for review and approval of plans, specifications, and reports, and oversight of construction inspection services for each city's facilities; review and acceptance of the transportation management plan (TMP); traffic engineering; and police services during design and construction of the Project.

The proposed maximum reimbursement to each respective corridor city is based on estimated hours for city staff between the date of cooperative agreement execution and the date of Project completion, from April 2016 to October 2022, approximately six and a half years. Attachments A through D provide the estimated reimbursement amounts for each category of city services. During the term of this cooperative agreement, each of the Cities may redistribute funds among the categories of services needed; however, the total amount for each

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city shall not exceed the total maximum reimbursement amount shown in the attachments without written amendments to these cooperative agreements.

In addition, reimbursement costs for repairs to city street pavements impacted by signed, long-term freeway detours during construction of the Project cannot be quantified and estimated at this time. OCTA has initiated discussions with the corridor cities about the draft TMP, and the DB Contractor will finalize the detours and the TMP in coordination with the Cities. Amendments to these cooperative agreements for each of the Cities will be brought back to the OCTA Board of Directors for approval when the costs of these elements are developed and mutually agreed upon.

A summary of the principal responsibilities for each party in the proposed cooperative agreements is listed below.

OCTA agrees:

- To be the sponsor, funding agency, and lead agency for management and implementation of the DB Project, which includes preliminary engineering, right-of-way (ROW) acquisition, and preparation of contract documents to be used for advertisement of a DB request for proposal (RFP), and for the selection of the Contractor to perform full DB activities, and other related services, including improvements to various facilities in each city.
- To coordinate the procurement, design, and construction of the Project with the Cities, and hold regular technical and partnering meetings to brief each city on the status of the Project, solicit input, and provide a forum to discuss and resolve Project issues which impact each city.
- To require the Contractor to obtain a no-fee encroachment permit from each city prior to commencing construction of the Project.
- To implement a public awareness campaign during the Project that advises each city, the public, and the media of construction status, street detours, and ramp and freeway closures.
- To reimburse each city for its actual costs for city services, including review and approval of plans, specifications, reports, and the TMP, and oversight of construction and detour inspection services; traffic engineering and police services; and for repairs to city street pavements impacted by signed, long-term freeway detours during construction of the Project.

The Cities agree:

- To collaborate and cooperate with OCTA during development of the contract documents for the RFP and during the design and construction of the Project.
- To provide city services for the Project as agreed to by each city and OCTA.

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- To make available to OCTA all necessary city regulations, policies, procedures, manuals, standard plans, and specifications required for the construction of the Project when requested by OCTA.
- To cooperate with OCTA and use its best efforts to cause the arrangement or relocation of all municipal and public utility facilities, in accordance with applicable state and local franchises or laws, that pose a conflict with the Project.
- To waive any moratorium on the excavation or trenching work on city streets that were recently resurfaced, where such excavation or trenching are necessary for the Project.
- To take ownership of property acquired by OCTA for the Project which is necessary for city facilities upon completion of the Project, and title to such ROW having been acquired by OCTA.
- To accept operation and maintenance of the city facilities, or portion thereof, upon construction completion and contract acceptance by OCTA.

Due to the litigation from the City of Seal Beach (City), the progress of discussions with City staff regarding the cooperative agreement was impacted. However, meetings with the City are continuing in order to reach agreement on the cooperative agreement and the reimbursement amount for City services.

Fiscal Impact

Funding for these cooperative agreements with the Cities is included in OCTA's Fiscal Year 2015-16 Budget, Capital Programs Division, Account 0017-9084-FK101-N2Y, and is funded with M2 funds.

Summary

Staff is seeking Board of Directors' approval for the Chief Executive Officer to negotiate and execute cooperative agreements with the cities of Costa Mesa, Fountain Valley, Huntington Beach, and Westminster, for city services required during design-build implementation of the Interstate 405 Improvement Project.

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Attachments

- A. City of Costa Mesa Maximum Reimbursement for City Services
- B. City of Fountain Valley Maximum Reimbursement for City Services
- C. City of Huntington Beach Maximum Reimbursement for City Services
- D. City of Westminster Maximum Reimbursement for City Services

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Attachment A

CITY OF COSTA MESA
MAXIMUM REIMBURSEMENT FOR CITY SERVICES

<i>Item No.</i>	<i>Description of City Services</i>	<i>Maximum Reimbursement Amount</i>
1	Review and approval of plans, specifications, and other pertinent engineering plans and reports, Traffic Management Plan review and concurrence, and construction oversight inspection services related to CITY FACILITIES.	\$202,500
2	Traffic engineering and detour inspection	\$78,700
3	Police services (including overtime costs)	\$63,700
	TOTAL MAXIMUM REIMBURSEMENT	\$344,900



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Attachment B

CITY OF FOUNTAIN VALLEY
MAXIMUM REIMBURSEMENT FOR CITY SERVICES

<i>Item No.</i>	<i>Description of City Services</i>	<i>Maximum Reimbursement Amount</i>
1	Review and approval of plans, specifications, and other pertinent engineering plans and reports, Traffic Management Plan review and concurrence, and construction oversight inspection services related to CITY FACILITIES.	\$572,900
2	Traffic engineering and detour inspection	\$222,600
3	Police services (including overtime costs)	\$180,200
	TOTAL MAXIMUM REIMBURSEMENT	\$975,700



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Attachment C

CITY OF HUNTINGTON BEACH
MAXIMUM REIMBURSEMENT FOR CITY SERVICES

<i>Item No.</i>	<i>Description of City Services</i>	<i>Maximum Reimbursement Amount</i>
1	Review and approval of plans, specifications, and other pertinent engineering plans and reports, Traffic Management Plan review and concurrence, and construction oversight inspection services related to CITY FACILITIES.	\$350,100
2	Traffic engineering and detour inspection	\$136,000
3	Police services (including overtime costs)	\$110,100
	TOTAL MAXIMUM REIMBURSEMENT	\$596,200



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Attachment D

CITY OF WESTMINSTER
MAXIMUM REIMBURSEMENT FOR CITY SERVICES

<i>Item No.</i>	<i>Description of City Services</i>	<i>Maximum Reimbursement Amount</i>
1	Review and approval of plans, specifications, and other pertinent engineering plans and reports, Traffic Management Plan review and concurrence, and construction oversight inspection services related to CITY FACILITIES.	\$595,000
2	Traffic engineering and detour inspection	\$231,000
3	Police services (including overtime costs)	\$374,000
	TOTAL MAXIMUM REIMBURSEMENT	\$1,200,000